



**Missoula Conservation District
December 9th, 2024, 5:30 p.m.
1075 South Avenue West, Missoula, MT 59801 – with virtual option**

Missoula Conservation District Attendees: Tim Hall (Chairman), Libby Maclay (Vice-Chair), Travis Greenwalt (Treasurer), Robert Schroeder (Supervisor), Art Pencek (Supervisor), Paul Parson (Supervisor), Bart Morris (Supervisor), Radley Watkins (Staff), Bryan Vogt (Staff), Sonja Skovlin (Staff)

Absent: Josh Schroeder (Associate Supervisor)

Additional Attendees: Travis Lemke* (NRCS Supervisory District Conservationist), John Hart (Senior Deputy County Attorney), Ladd Knotek (MTFWP, Fisheries Biologist), Leo Rosenthal* (MTFWP, Fisheries Biologist), Randy Arnold (Missoula County Department of Lands, Culture, and Recreation Director), Brian Chaffin (Clark Fork Coalition Executive Director), Lily Haines* (Clark Fork Coalition Community Programs Manager), Morgan Valliant (City of Missoula, Associate Director of Ecosystem Services), Jay Skovlin (public)

*Denotes virtual participation via Zoom

Call Meeting to Order – Chair Hall started the meeting at 5:33 pm.

November 12, 2024 Board Meeting Minutes – Art Pencek moved to approve the November 12, 2024 Board Meeting Minutes as presented. Libby Maclay seconded the motion. The vote was unanimously in favor and the motion carried.

Treasurer's Report – As Travis Greenwalt presented the following account balances from the District's QuickBooks Balance Sheet dated December 5, 2024, included in the Supervisors' meeting packets. Also included was the year-to-date Profit and Loss report dated December 6, 2024.

First Security Bank – Checking	\$29,017.88
First Security Bank – Petty Checking	\$2,538.42
First Security Bank – Savings	\$58,534.90
DADCO Savings	\$201,128.56
Tax Mill Levy Account at County	\$339,444.73
Total Bank Accounts	\$630,664.49

Public Comment – No public comment was offered.

Reports

NRCS Report – Travis Lemke, Supervisory District Conservationist, reported that his staff is ranking EQIP applicants, and can expedite this effort through the NRCS “Act Now” process initiated through the Inflation Reduction Act. He anticipates that two applicants – one in the Potomac Valley and one in the Lower Ninemile TIP – will be able to implement their projects



earlier than usual due to this process. He stated that he was pleased that more people are applying for funding for projects, and that many of these applicants are new to the process. Lemke reported that he is excited for Sabrina Schuler to start in her new position as a District Conservationist in Indiana. Her last day in the Missoula field office is December 20th. He reported that he will be submitting a new TIP proposal for the Grant Creek and Butler Creek areas that, if accepted, would commence in 2026. This Forest Health TIP would address the fuel hazards in those areas. He expects that the agency will resume focus on agriculture-based TIPS involving irrigation and grazing practices in the future.

County Attorney Report – John Hart stated he had no formal report to offer. He said that the new Missoula County floodplain zoning map and regulations will be finalized in several months.

Montana FWP – Ladd Knotek reported that he is working on 124 Permits with MDT on Lolo Creek for rip rap and tree clearing projects; he would like to see MDT mitigate the effects of these activities near streams. He informed the Board that the Future Fisheries panel met recently and approved a variety of projects; several are in the upper Clark Fork region, located in Region 2. One specific project will be at the Clearwater Crossing Campground. There was discussion as to whether a fish screen will be added to the irrigation ditch point of diversion. The Board felt they could potentially require a screen as part of a 310 permit approval. Discussion followed as to whether the project would require a 310 permit or 124 permit. Further discussion focused on the organization initiating the work and if that is Trout Unlimited or FWP. If the entity responsible for the project is Trout Unlimited, members stated it would require a 310 permit.

DNRC Conservation District Bureau – Catey Bauer, CD Specialist for western Montana CDs, submitted a report that was included in the Supervisor's meeting packets. Watkins highlighted a few aspects of her report: the Board governance calendar, which was highlighted at the convention, and the MACD/CDB Legislative Meet and Greet in Helena on January 23. Supervisors stated that if there was statewide legislation of importance and if Missoula-area legislators were going to be present then this event might be worth attending. Otherwise, they felt a local legislative meet and greet would offer more value, although Board members thought that is too late for staff to organize such a meeting prior to the 2025 legislative session.

MACD – No report offered.

Bitter Root RC&D – Libby Maclay reported that this entity had met with an individual who would like to grow produce in a sunken greenhouse. She stated that the RC&D supports his idea.

Dept. of Ecology and Extension/Weed District/GWMEC Building – Watkins reported that he and Vogt met with Bryce Christiaens and Steffany Rogge regarding potential partnering on programs that meet both organizations' goals and objectives.

Watershed Groups – Watkins introduced Brian Chaffin, the new executive director of the Clark Fork Coalition (CFC). Chaffin offered a brief professional history, stating that he had worked previously at UM in the College of Forestry and Conservation, and that his PhD dissertation focused on river conservation. He stepped into the ED role at CFC following Karen Knudsen's 17-



year tenure in the position. Chaffin reiterated CFC's mission, and articulated CFC's main areas of focus: stream restoration, policy advocacy, and community engagement in watershed literacy. Chaffin invited all present at the meeting to CFC's annual holiday party on December 13th, this year taking place at the Wilma.

Planning Board Update – Josh Schroeder was absent and did not provide a report. Watkins reported that the City contacted him about their planned riparian zoning ordinance; Watkins conveyed to them that the CD generally considers 50-ft as a riparian buffer and would like to receive a 310 permit application for any activities within 50-ft of stream.

Water Quality District – Chair Hall reported that he did not attend the most recent meeting; he indicated that there has been a little movement on the Smurfit-Stone/EPA issue. Hall reviewed MCD's actions with regards to this issue.

District Committees – Chair Hall reported that the Personnel Committee met recently to review staff work plan progress. Watkins mentioned that January is the time for annual reviews and approval of work plans for the upcoming year. Vogt reminded the Board of that the Grants Committee will meet on December 19th to review applications for the Education Cost Share and Innovation Conservation Grant programs.

Missoula CD Employees – Written reports were included in the Supervisor's packets.

Other Reports – Robert Schroeder reported that the Future Fisheries funded stream work at the Earl Tennant campground. He discussed the significant expense of a proposed project to build three culverts near Leed Creek. Schroeder cautioned that when the Board approves applications involving culverts, care should be taken to recommend a size that accommodates significant flood events, as these culverts are expensive to replace.

New Business

River Ambassadors – Chair Hall introduced the Missoula River Ambassador (MRA) program and Randy Arnold, Director of the Missoula County Lands, Culture and Recreation Department, a partner with the program. Arnold reviewed the history of the Three Rivers Collaborative, formed to address issues of river recreation and management primarily through the urban corridor. Partners of the Collaborative found that in most instances, recreational river users needed guidance on responsible recreation rather than the presence of law enforcement. The Missoula River Ambassadors program grew out of this recognition and has now completed four years.

Lily Haines, who leads the program with the Clark Fork Coalition, stressed that the Ambassadors act in an educational capacity, educating users not only about responsible recreation but also about the ecological value of the natural resources with which they come into contact. Haines explained the job duties of the four seasonal Ambassadors, including their extensive interaction with the public and the data they collect throughout the season. She noted the growth of the program from its inception, and its social media influence.

The Board inquired about how the MRA interacts with the homeless population that camps near the river. Haines responded that the Ambassadors receive training on how to direct a homeless person to the appropriate entity if they need assistance, and that they report to law enforcement should a situation warrant such action. Haines also explained that the Ambassadors – both the seasonals and



volunteers – engage in small-scale habitat improvement such as weeding and watering newly-planted riparian vegetation, and that they encourage river users to obtain a Montana Conservation License. Morgan Valliant, Associate Director of City of Missoula Ecosystem Services, voiced the relevance of the CD being involved with the Rivers Ambassadors to help direct conservation education messaging. Arnold and Chaffin echoed this notion.

The Board discussed the potential of becoming a financially contributing partner and would like to participate in meetings of the Collaborative to learn how they can most effectively be involved. Members of the Board suggested that the CD could be instrumental in guiding where future infrastructure could be placed and be able to assist with funding of it; the CD could also encourage Ambassadors to share information about the 310 program.

Chair Hall moved to have the Missoula Conservation District participate in an initial phase of partnering with the Missoula River Ambassadors. Travis Greenwalt seconded the motion. The vote was unanimous in favor and the motion carried.

Health Insurance Plans – Watkins reported on participating in a meeting on a health insurance plan now offered through and MACD provider and shared a cost chart for a Silver Plan for 2025. He stated that this plan does not appear to be more advantageous to the District than continuing to offer the medical allowance provided to staff currently. Chair Hall stated the importance of knowing the financial cost of insurance when recruiting and retaining employees.

Correspondence and Upcoming Events: Skovlin highlighted the Western Montana Grazing and Agriculture Conference and asked Board members to let her know if they would like to attend so that she could register them. Supervisors Maclay, Hall, Greenwalt, and Pencek expressed interest.

Site Inspections Scheduling – Watkins reported that he will schedule site inspection dates with Ladd Knotek within the next few days.

Programs

Grants Program

MCD Grants

EdMG-03-25 Big Sky Native Plant Garden and CEEdMG-01-25 Sara Forsythe Montana Organic Vegetable Expo 2025

Vogt reported that these applications are mini grants with rolling deadlines. EdMG-03-25 provides \$500 to Big Sky HS to match with other secured funds to increase the planned footprint of a native plant garden they will install in 2025. CEEdMG-01-25 provides \$75 to cover the applicant's registration fees to the Montana Organic Vegetable Expo 2025. He stated that both applications meet the intent of their respective grant programs, and both were reviewed by the Grants Committee and recommended for funding.

Robert Schroeder moved to approve and fund EdMG-03-25 Big Sky Native Plant Garden for the requested \$500 and CEEdMG-01-25 Sara Forsythe Montana Organic Vegetable Expo 2025 for the requested \$75 as recommended by the Grants Committee. Libby Maclay seconded the motion. The vote was unanimous in favor and the motion carried.



Vogt stated that the Grants Committee will meet on Thursday, December 19th to review six Education Cost Share applications and two Innovation Conservation Grant applications.

Outside Grants – Vogt reported that he will complete the reporting for two of the three active DNRC Project and Planning Grants by the end of 2024. The Local TIP Support remains active through 2025. He informed the Board that DNRC had sent an award letter for the \$5,000 Education Mini Grant to support the 2025 Western Montana Grazing and Ag Conference.

Soil Health/Equipment Program: Vogt reported that the drill was rented once this past month. He will meet with Monte Harris to unload the drill at the County Fairgrounds maintenance building for winter storage.

Vogt reported that Travis Lemke contacted him to discuss an opportunity for the NRCS and MCD to meet with the USFS in the Ninemile drainage next spring to offer technical assistance to improve soil health on their horse and hay pastures.

Pollinator Program/MTNSN: Concerning the Western Montana Native Plant Program Initiative, Vogt reported that he and Watkins recently met with Aimee Kelley of Great Bear Native Plants to discuss ordering native plant packs as part of the award from DEQ to promote pesticide reduction. Approximately \$8,000 will go to plant packs for Area 5 CDs and about \$2,000 will go to MTNSN to assist in additional native seed collection activities.

Missoula Co. Bee City: Vogt reported that this group is seeking funding opportunities to provide native plants for boulevard replacement projects to turn them into pollinator pathways. Next meeting will take place on December 18th.

Wildlife Damage & Habitat Conservation Program – Watkins stated he missed the Missoula Regional Connectivity Group Community meeting last month due to convention. He reported that he received an email from a KPAX reporter to interview him on December 10th.

Other New Business – No new business was offered.

Old Business

Utilities and 310 Permitting – Watkins suggested to the Board that should review and revise the MCD 310 Administrative Rules to include specifics on how the Board will address applications that involve borings, riparian vegetation removal near power lines, and other common programmatic work. An ad hoc committee that includes Chair Hall, and Supervisors Parsons and Morris will review his draft this winter.

MACD Convention Recap – Robert Schroeder reported that the MACD Annual Convention went smoothly and that business meetings were brief. Vogt reported that he and Caroline McDonald facilitated a workshop on grants at the convention and that both sessions were well-attended. He discussed the value of the EO and the trainings they offered at the convention and throughout the year. Skovlin stated that she appreciated the opportunities she had to talk with her colleagues from across the state and exchange ideas. Watkins reported that he learned that either staff or a Board



member could conduct a 310 complaint inspection alone; he also learned how the Board could use a Governance Calendar, responsibilities of the Board and staff regarding management, governance, operations, and fiduciary, and strategies for implementing and updating the CD's strategic plan.

Other Old Business – No other old business was presented.

310 Emergency Notices - No emergency notices were presented.

Existing 310 Permits – No existing 310 permits were presented.

APO Applications

APO-02-24 – Warren Wilcox – East Fork of Rattlesnake Creek – Debris Removal
Geocode: 04-2200-11-3-03-15-0000

Watkins displayed a site identification slide and photos taken during the site inspection. Watkins explained the applicant's desire to clear brush from a riparian area below the Brookside homes. Knotek stressed in his team member report that the proposed project site is a wet, lush, riparian area. Paul Parson, reviewing his report, offered similar reasons for denying this request. Robert Schroeder moved to deny Application No. APO-02-24 based on recommendations from team member reports. Bart Morris seconded the motion. Six Supervisors voted for the motion, with one Supervisor abstaining. The motion carried.

310 Permit Applications

MS-09-24 – Todd Randall obo Matthew Cole – Rattlesnake Creek – Channel/Bank Projects
Geocode: 04-2200-11-2-05-08-0000

Nothing new was presented. The Board took no action.

MS-32-24 – PCIcoRubleoboProfitt – Swan River – Buildings/Structures
Geocode: 04-2992-29-2-01-05-0000

Watkins showed a site location slide, a slide depicting a floodplain map, and the initial designs included in the application. He explained that the landowner would like to dig a trench to run a domestic water line from the Swan River to their new home on the property, and that they have drilled a well adjacent to the Swan River. The trench would cross a floodplain and wetlands. Watkins reviewed that the initial site inspection team was concerned with first design submitted. The contractor at that time showed how a similar system was installed on an adjacent property in 2004, and Watkins displayed the design for the 310 Permit associated with that project, MS-12-04. The Board agreed that the conditions for MS-12-04 were pertinent to this project that incorporated a revised design. Leo Rosenthal (FWP), in reviewing his team member report, expressed his concern over the initial design and stated that the revised design seems to have held up on the neighboring property, noting that the riverbank has remained intact, and that this design poses no risk of fish being able to enter into the pipe. Paul Parson, Supervisor at the December site inspection, agreed with Rosenthal.



Paul Parson moved to make Application No. MS-32-24 a project for consideration under the 310 Law, approve the application with modifications to include the revised designs for a buried infiltration pipe and include conditions from 310 Permit No. MS-12-04, and that follow appropriate work windows, and to and waive the 30-day waiting period following the Board's decision. Chair Hall seconded the motion. The vote was unanimous in favor and the motion carried.

MS-33-24 – NorthWestern Energy – Deer Creek – ROW Clearing
Geocode: 04-2094-06-1-03-01-0000

Watkins presented a site location slide, a map from the application, and diagrams of the proposed project and discussed pertinent criteria from the application. The Board requested clarification on information provided before acting on this application.

310 Complaints

Existing Violations Needing Action

CM-01-24 – Glen and Rhonda Brownlee – Donovan Creek – Crossings/Roads
Geocode: 04-2095-08-3-01-05-0000

Nothing new to report. The Board took no action.

CM-06-24 – Ronnie and Bonnie Moore – Clearwater River – Vegetation Removal
Geocode: 04-2759-31-2-04-03-0000

Watkins discussed that this violation could be removed from the agenda since the Board stated that the Moores needed to cease and desist any further action. Watkins received a phone call from Ronnie Moore today that he relayed to the Board.

Art Pencek moved to consider Violation CM-06-24 resolved with the issuance of the violation letter stating the requirement to immediately cease and desist any vegetation removals and requiring a valid 310 Permit be obtained prior to conducting any further activities in the jurisdictional riparian zone of the Clearwater River. Paul Parson seconded the motion. The vote was unanimous in favor and the motion carried.

Existing Violations Pending Follow-up Inspection

CM-03-23 (Re: MS-17-23) – Tyler and Tracy Deeds – Clearwater River – Vegetation Removal
Geocode: 04-2540-14-2-02-05-0000

CM-10-23 – Patricia Coolidge – Clearwater River – Construction in a Riparian Area
Geocode: 04-2540-10-1-02-05-0000

CM-14-23 – Joan Mulligan – Clark Fork River – Vegetation Removal
Geocode: 04-2095-21-2-02-01-0000

CM-05-23 (Re: MS-41-23) – David and Lori Rath – Lolo Creek – Stream Excavation
Geocode: 04-1972-05-1-01-03-0000



CM-03-24 – Nathan Woronik – Clearwater River – Vegetation Removal and Heavy Equipment Operation

Geocode: 04-2540-10-3-01-13-0000

CM-04-24 – Northwestern Energy – Butler Creek – Vegetation Removal

Geocode: 04-2325-24-1-03-09-0000

CM-05-24 – Gary and April Yetter – Lolo Creek – Vegetation Removal and Unpermitted Dock

Geocode: 04-1974-02-1-02-01-0000

CM-08-24 – Northwestern Energy – West Fork Twin Creek – Vegetation Removal

Geocode: 04-2328-35-1-01-01-0000

CM-09-24 – JB Yonce – Rattlesnake Creek – Unpermitted Check Dam

Geocode: 04-2200-02-2-02-01-0000

310 Inquiries & Issues – Watkins informed the Board of a phone conversation he had with Elissa Chott, Beaver Conflict Resolution Team Lead for the National Wildlife Federation regarding beaver dam levelers. He reported on a call regarding potential culvert replacement on Roman Creek; he advised the caller to apply for a 310 Permit. Watkins showed pictures of the burn piles adjacent to Lolo Creek on the OZ Ranch which the Board had previously instructed him to investigate. The Board now directed him to file a complaint and contact the OZ Ranch. Watkins relayed a call regarding the removal of cattails south of Florence. The Board recommended forwarding this information to USACE.

Payment of Bills and Claims

Chair Hall moved to pay the November bills and claims and to adjourn the meeting at 9:00 pm. Art Pencek seconded the motion. The vote was unanimous in favor, and the motion passed.

The next Missoula Conservation District meeting is scheduled for **Monday, January 13th, 2024, at 5:30 pm** in the Gerald W. Marks Exploration Center, 1101 South Avenue West, Missoula, MT, 59801. A virtual option will also be offered.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	7	-	-
Libby Maclay	6	-	1
Travis Greenwalt	7	-	-
Paul Parson	7	-	-
Art Pencek	7	-	-
Robert Schroeder	7	-	-
Bart Morris	7	-	-

<i>Timothy Hall</i>	1/13/2025
Minutes approved by <i>Sonja Skovlin</i>	Date 1/9/2025
Minutes prepared by	Date