



Missoula Conservation District
August 11th, 2025 5:30 p.m.
1075 South Avenue West, Missoula, MT 59801 – with virtual option

Missoula Conservation District Attendees: Tim Hall (Chair), Libby Maclay (Vice-Chair), (Supervisor), Art Pencek (Supervisor), Robert Schroeder (Supervisor), Paul Parson (Supervisor), Karen Williams* (Associate Supervisor) – joined at 5:57 pm, Radley Watkins (Staff), Bryan Vogt (Staff), Sonja Skovlin (Staff)

Absent: Josh Schroeder (Associate Supervisor)

Additional Attendees: Ladd Knotek (MT FWP), Frankie Freilich* (MS-24-25), Matt Hammerstein* (MS-26-25), Matt Ulberg* (MS-29-25), Paul DeKaye (MS-28-25), Zoe Transtrum (BSWC with City of Missoula Stormwater Utility)

*Denotes virtual participation via Zoom

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

July 14th, 2025 Board Meeting Minutes – Libby Maclay moved to approve the July 14th, 2025 Board Meeting Minutes as presented. Paul Parson seconded the motion. The vote was unanimously in favor and the motion carried.

Treasurer's Report – Travis Greenwalt had not yet arrived to the meeting. Sonja Skovlin presented the following account balances from the District's QuickBooks Balance Sheet dated August 7th, 2025, included in the Supervisors' meeting packets. Also included was the year-to-date Profit and Loss report, dated August 7th, 2025.

First Security Bank – Checking	\$20,794.43
First Security Bank – Petty Checking	\$1,976.48
First Security Bank – Savings	\$58,565.94
DADCO Savings	\$205,828.16
Tax Mill Levy Account at County	\$327,050.06
Total Bank Accounts	\$614,215.07

Public Comment – No public comment was offered.

Reports

NRCS Report – Travis Lemke was absent. No report was provided.

County Attorney Report – John Hart was absent. No report was provided.

Montana FWP – Ladd Knotek reported that hoot owl restrictions are in place for most local rivers except the main branch of the Clark Fork River. None of the tributaries are currently restricted. He stated that normally, none of the area rivers get shut down for low flows. Water temperature triggers hoot owl restrictions. Knotek noted that the Milltown State Park will close when the construction phase of the Clark Fork MRL bridge projects begins. He reported that FWP received a formal



application from MDT to mow the riparian vegetation along Lolo Creek to increase site distance for motorists.

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 reviewed the new legal services protocol for CDs. He stated that the CDB has released a new procurement resource document, as well as a Model Operations Policies and Procedures template. Watkins reported that the FY26 Planning, Project, and Pollinator Grant Cycle 1 runs from September 1st to October 15th. Chair Hall moved to have the Missoula CD review the Model operations Policies and Procedures for potential modifications and adoption to adhere with the DNRC Accountability Assessment and Governance Calendar for conservation districts. Travis Greenwalt seconded the motion. The vote was unanimous in favor and the motion carried.

MACD – Watkins informed the Board that Rebecca Boslough-King is leaving MACD at the beginning of September to assume a position at the Center for Large Landscapes. He mentioned the new FWP Grizzly Bear Conflict Dashboard, as well as the DNRC Montana Wildfire Dashboard. Watkins reviewed upcoming MACD events: the 2025 Grazing Expo in Billings taking place September 4th - 7th, the MACD Annual Convention, also in Billings from November 18th - 20th, and the Area 5 meeting in Charlo on September 30th. He noted that Robert Schroeder will receive his 50-year pin at this meeting. Nominations are open for the 2025 District Awards and will close on October 10th. Watkins reported that with the Board’s agreement, he would complete a NACD survey.

Bitter Root RC&D – Libby Maclay stated that she did not have news to report.

Dept. of Ecology and Extension/Weed District/GWMEC Building – Watkins reported that Natalie Sullivan, Agriculture and Community Vitality Extension Agent for Missoula County, is requesting community feedback via a new livestock assessment she put together.

Watershed Groups – Watkins reported that the DNRC awarded the City of Missoula Stormwater Utility a grant to explore the creation of a Pattee Creek Watershed Group. The University of Montana’s Center for Natural Resources and Environmental Policy is helping to guide this effort, and Watkins stated that he met with and will meet again with the Center’s Director of Practice to share insights from similar watershed group-forming efforts. Watkins reported on the meeting CFC hosted to re-launch the Central Clark Fork Watershed Restoration Plan and stated that it was well attended and that many in attendance commented. He noted that Paul Parson, representing TU, attended this meeting.

Planning Board Update – Josh Schroeder was absent, and did not submit a report, as he noted that he had not been able to attend a meeting in the past month. Knotek stated he was at the Planning Board meeting regarding the proposed dredging of Seeley Lake on the south end near Lindey’s Prime Steakhouse. He reported that the proposed work would be conducted with a suction dredge and that there would be no excavator in or near the water. Knotek was okay with what was being proposed, but voiced concern over the precedent it will set for others on the lake who want to dredge the publicly owned lakebed near their docks or boat ramps.



Water Quality District – Chair Hall reported that there had been no meetings over the past month and that there was nothing to report.

District Committees – Chair Hall noted that the Budget Committee needed to schedule a meeting to discuss the FY26 budget. Watkins stated that he recently received the 2025 Certified Taxable Valuation information, and that he plans to have a budget ready for the committee to review the week of August 25th. The Board discussed that the Grants Committee will likely meet in coordination with the Budget Committee to verify the allocation of funds for each grant category.

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

Other Reports – Watkins reported that Neva Hassanein has asked him to join the Trust Montana, Incorporated Farm Viability Committee to guide Affordable Land, LLC Corner Farm on the corner of 3th and Tower. He stated that by joining the committee he would commit to attending two meetings per year, to ensure the farm is in line with the servitude between the City and Trust Montana. Watkins stated the potential to build and maintain a relationship between the CD and the Corner Farm, and to help foster workshops and tours. The Board generally supported his participation, while cautioning not to take on too many commitments to ensure that other essential work duties are accomplished. They supported his attendance at the initial meeting of this group to determine if it fits for the CD to be involved moving forward.

Vogt and Skovlin reported on tabling in conjunction with MCDEE staff at the Western Montana Fair. They stated that many fairgoers visited the respective agency tables, and at least 30 Missoula residents took home wildflower seeds. Skovlin further reported that several people took copies of the MT Outdoors magazine article on the 310 Law, and several signed up for the MCD newsletter. Vogt reported that the MCD was included in the reading of award sponsors during the 4-H and FFA awards ceremony that approximately 200 exhibitors and parents attended.

New Business

Correspondence and Upcoming Events – Information was included in Supervisor Packets.

Site Inspections Scheduling – Watkins reported that the next site inspection with Knotek will occur on September 2nd. Bart Morris plans to serve on the site inspection team.

Adjusting October Board Meeting Date – Monday, October 13th falls on Indigenous Peoples/Columbus Day. Travis Greenwalt moved to change the October Board meeting date to Tuesday, October 14th, 2025. Art Pencek seconded the motion. The vote was unanimous in favor and the motion carried.

FY26 Budget – Watkins stated that he will send proposed dates for the Budget Committee to consider for a meeting to review a draft version of the FY26 budget once he finishes developing it using the recently received Certified Taxable Valuation Information from the Dept of Revenue.

Programs

Grants Program



MCD Grants – Reports were included in the meeting packet. Vogt discussed changes to the FY26 MCD Grants Program that were included in the meeting packet materials. Supervisor Morris stated that it might be beneficial to remove the wording about projects that only provide a landowner benefit not being eligible as it might discourage some potential applicants from applying. The Board agreed that the staff pre-application site visit and Committee review process would sufficiently identify ineligible projects.

MCD Scholarship – Robert Schroeder moved to approve the development of the MCD Scholarship with guidance from the Grants Committee to finalize the program criteria and final award amounts. Bart Morris seconded the motion. The vote was unanimous in favor and the motion carried.

Outside Grants – No additional discussion.

Soil Health/Equipment Program – Vogt reported on work he completed to repair the broken hitch clevis on the tongue of the no-till drill. He discussed a request by a landowner north of Eureka, Montana, to rent the no-till drill as they had been unable to find CDs in their area with a drill to rent. The Board discussed concerns with allowing the drill to go that far out of the county, stating the potential risks outweighed the benefits of no-till seeding less than 5 acres. They directed Vogt to encourage this landowner to research potential custom operators in the Flathead valley.

Pollinator Program/MTNSN – Skovlin reported on the map of wildflower seed recipient distribution across Missoula County she created with NRCS Soil Scientist Jay Skovlin. She stated that she prepared this map to display during tabling at the Western Montana Fair. She reported on following up, via email, with seed recipients, to learn about the status of their seeding efforts and establishment of plants. She suggested that the responses she has received could be used to evaluate this aspect of the pollinator initiative program.

Other New Business – None was offered.

Old Business – Chair Hall promoted an article in the most recent edition of Montana Outdoors that featured quotes from both Watkins and Knotek regarding the 50th anniversary of the 310 Law. He also highlighted the new horse pasture management brochure Watkins created to satisfy a requirement of a recently completed MACD grant.

Speaker Series – Watkins reviewed his efforts thus far in planning this series, stating potential dates, speakers, and involvement of the Missoula Area Chamber of Commerce. The Board generally supported the Speaker Series and wanted to ensure that this program is successful for both the invited speaker, participants, and staff time commitment. They stressed making sure it doesn't distract from existing work plans or put too much burden on staff in similar context to the discussion above related to involvement with the Trust Montana Incorporated Farm Viability Committee to guide Affordable Land, LLC's Corner Farm. This discussion transitioned over to staff and organizational capacity to carry ideas forward while still meeting deliverables outlined in annual work plans.

Other Old Business – No other old business was presented.



310 Emergency Notices

EM-03-25 – Ryan Handley – Clark Fork River – Agricultural and Irrigation Projects

Geocode: 04-2095-34-1-01-03-0000

Watkins showed site identification slides and explained the circumstances leading to the need for the emergency diversion that Handley installed. He displayed a photo showing the tarp and steel roofing panel check dam. Watkins explained that the letter sent last year with the request to submit a 310 application for an annual plan of operation rather than file another Emergency Notice was somehow sent to the wrong address and that Handley never received it. Art Pencek reviewed his TMR, stating that he recommended approving the Emergency Notice with no further action required. Pencek noted that the action taken to divert the low flow of water into a diversion should be anticipated and a 310 application filed in advance, and that a 310 permit should also be filed for any further action/modification to the structure currently installed under this emergency notice. Knotek offered a similar recommendation.

Art Pencek moved to declare work conducted under Emergency Notice No. EM-03-25 an appropriate use of the emergency provisions of the 310 Law, with all diversion materials removed by the end of the irrigation season or no later than October 31st, 2025. Additionally, any further modifications to the structure that was installed this year will require approval of a new 310 permit application. Robert Schroeder seconded the motion. The vote was unanimous in favor and the motion carried.

EM-04-25 – Andy Scheible – Clark Fork River – Check Dam Removal

Geocode: 04-2095-34-1-01-03-0000

Watkins explained to the Board that the applicant removed the diversion cited in EM-03-25 because he perceived that emergency action was causing erosion of the bank adjacent to his land. Art Pencek reviewed his TMR.

Art Pencek moved to declare work conducted under Emergency Notice No. EM-04-25 an appropriate use of the emergency provisions of the 310 Law with the requirement that this work not be conducted in the future without first obtaining a valid 310 Permit. Paul Parson seconded the motion. The vote was unanimous in favor and the motion carried.

Existing 310 Permits

None to discuss.

APO Applications

APO-06-25 – Ryan Handley obo Matt Maxwell – Clark Fork River – Agricultural and Irrigation Projects

Geocode: 04-2095-34-1-01-03-0000



Watkins presented a photo of the project site showing that rocks displaced from the downstream terminus of a levee are impeding flow. Watkins and the site inspection team discussed how this application related to EM-03-25 above. Watkins displayed photos from the site inspection showing an apparent historic levee installed at this location prior to the current landowner, Andy Scheible, purchasing the property. The diversion site directs flow into a side channel of the Clark Fork River where irrigation points of diversion are located for both the Scheible property and the Maxwell property that Handley leases. The site inspection team discussed that options to repair the existing levee were preferable over the application's proposed plan to install a tarp and steel roofing panel diversion each year at the site. This was discussed with the applicant during the site inspection, and they seemed willing to consider this alternative. Art Pencek reviewed his TMR and recommended denying the APO application until a plan to resolve the flow issues could be developed.

Art Pencek moved to deny application No. APO-06-25 as the work proposed doesn't align with a preferred alternative for the desired outcome of the project. Robert Schroeder seconded the motion. The vote was unanimous in favor and the motion carried.

310 Permit Applications

MS-19-25 (tabled on June 9, 2025) – George Neumunz c/o Howard Anderson – Sixmile Creek – Crossings/Roads

Geocode: 04-2427-23-2-01-02-0000

The applicant still needs to submit the information requested. Application remains table.

MS-24-25 – Frankie Freilich obo The Nature Conservancy – Wildhorse Creek – Channel/Bank Projects

Geocode: 04-2329-06-1-01-01-0000

Chair Hall introduced the project as Watkins displayed a site identification slide and photos showing prior completed work of this three-phase project. Freilich stated the BDAs installed during earlier project phases are working well. For phase 3 the applicants would like to add more to activate side channels and retain more water in the flood plain to create additional passages for fish when water levels are high. She emphasized that the proposed BDAs will mimic natural debris jams. Chair Hall commented that BDAs in place were generally effective at slowing down the water. He said that some structures had blown out, and that is expected outcome. Some plantings had failed while others were still growing. Watkins read from Patrick Uthe's TMR, stressing that Uthe requested no more than a one-foot step-up for fish passage where the application mentions up to a 3-feet tall structures, and that the work take place after July 15th.

Chair Hal moved to make application No. MS-24-25 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from TMRs, and to waive the 15-day waiting period following the Board's decision. Art Pencek seconded the motion. The vote was unanimous, and the motion carried.

MS-25-25 (re: CM-03-25) – Chuck and Mary Erickson – Clark Fork River – Channel/Bank Projects

Geocode: 04-2201-27-2-03-03-0000



Watkins presented a site identification slide of the FWP property and where the applicant holds a grazing lease. He reviewed the violation and showed a photo of the berm the applicant had built. He displayed a photo of the applicants' plan to redistribute the gravel. Art Pencek, reviewing his TMR, recommended approving the application with the modification of planting pasture seed rather than mandating native seed given the high prominence of commonly used non-native pasture grass at the site. Knotek requested that fill be placed in its original location and at the original elevation, and that the applicants complete work by October 31, 2025.

Art Pencek moved to make application No. MS-25-25 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from TMRs, and to waive the 15-day waiting period following the Board's decision. Bart Morris seconded the motion. The vote was unanimous in favor and the motion carried.

MS-26-25 – Tollefson Properties, LLC c/o Matt Hammerstein – Bitterroot River – Channel/Bank Projects

Geocode: 04-2092-15-1-02-01-0000, 04-2092-15-3-01-02-0000

Watkins showed a site identification slide, slides of project designs, and photos from the site inspection. Hammerstein, representing Tollefson, explained the intent of the project. Knotek reviewed his TMR, recommending approval with the condition that work be completed in October for the benefit of trout spawning. Art Pencek concurred.

Art Pencek moved to make application No. MS-26-25 a project for review under the 310 Law, to approve the project as proposed with emphasis on completing the work during the October timeframe discussed, and to waive the 15-day waiting period following the Board's decision. Bob seconded the motion. The vote was unanimous in favor and the motion carried.

MS-27-25 – Little Beaver Creek Ranch c/o Mattie Gould – Ninemile Creek – Agricultural and Irrigation

Geocode: 04-2427-17-1-03-04-0000

Watkins displayed a site location slide and photos of the proposed project site. He explained that a 310 permit was previously approved to fill in the swale next to the river. This is a second application for the same site to pull the existing irrigation pipe to determine the work needed to make the irrigation diversion functional again at this site. Watkins advised the applicant to apply for this 310 permit to pull the pipe. The applicant will submit another 310 application for further work. Knotek, reviewing his TMR recommended that the project be approved with modification that the work be completed without equipment entering the stream, to complete work by October 15th, 2025, and to revegetate disturbed areas.

Bart Morris moved to make application No. MS-27-25 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from TMRs, and to waive the 15-day waiting period following the Board's decision. Paul Parson seconded the motion. The vote was unanimous in favor and the motion carried.



MS-28-25 – Paul DeKaye – Near Buck Creek – Excavation/Pit/Pond
Geocode: 04-2992-17-2-01-04-

This application was submitted after the site inspection deadline. The applicant attended the meeting virtually to learn how the permitting process works. Watkins explained that a site inspection would be scheduled for next month before the Board considers this application.

MS-29-25 – Cliff and Trish Larsen – LaValle Creek – Crossings/Roads
Geocode: 04-2325-24-2-01-01-

Watkins presented a site identification slide. No site inspection was conducted since this is an application of a previously approved 310 Permit that was AAP. Matt Ulberg, representing the landowners, reviewed the history of the project and of the permit. The project originated with the County requiring a permit for the location of the house. The County has since issued the permit for a new building site on their property and the Larsens want to move ahead in building a road necessary to access the construction site. Ulberg stated that the landowners are concerned that a bridge may be too expensive, so he had prepared culvert designs that were included in the application. Knotek had offered several beams for the previously approved project and offered the number of beams needed for this project. Knotek stated that he would require a site inspection if they wanted to install a culvert.

Bart Morris moved to make application No. MS-29-25 a project for review under the 310 Law, approve the project with modifications to allow construction of the bridge as proposed but disallow installation of a culvert, and waive the 15-day waiting period following the Board's decision. Robert Schroeder seconded the motion. The vote was unanimous in favor and the motion carried.

310 Complaints

CM-06-25 – Marc and Tonya Davidson – Clark Fork River – Vegetation Removal
Geocode: 04-2201-18-3-05-13-0000

Watkins showed a site identification slide. He stated that he has contacted the landowner and plans to do a site inspection before the September board meeting.

CM-07-25 – Yvette Heintz – Clark Fork River – Unpermitted Steps to River
Geocode: 04-2201-18-3-02-02-0000

Watkins displayed a site identification photo and photos taken during the site inspection. The stairs were installed for the landowner to access and to maintain their irrigation pump. Art Pencek, reviewing his TMR, proposed that the stairs should be permissible since they are used to access her irrigation pump. He asserted that the stairs are well-placed and are preferred over a trail to minimize bank erosion. He pointed out that the stairs don't go all the way down to the water and end approximately at the high-water mark. Knotek stated that the stairs do not need to be removed but recommended a 310 application to retroactively permit the structure. The Board stated that the applicant still should have applied for a permit when the stairs were initially installed.



Bart Morris moved to declare Compliant No. CM-06-25 a violation of the 310 Law due to work conducted on a perennial stream without a valid permit and to further require a 310 permit application to retroactively permit the stairs that access the existing irrigation pump infrastructure. Paul Parson seconded the motion. The vote was unanimous in favor and the motion carried.

CM-08-25 – Douglas Ward – Morrell Creek – Debris Placed in Riparian Area
Geocode: 04-2540-14-3-01-01-0000

Watkins displayed site location slides and photos from the site inspection. Ward had stated during the site inspection that he would like a violation letter stating the vehicles and equipment needed to be removed. Art Pencek, reviewing his TMR, stated that some of the vehicles were in the riparian zone and needed to be removed.

Bart Morris moved to declare Complaint No. CM-06-25 a violation of the 310 Law due to work conducted on a perennial stream without a valid permit and to require that all materials be removed at least 30-ft from the streambank of Morrell Creek and to incorporate other recommendations from team member reports in the requirements to resolve the violation. Paul Parson seconded the motion. The vote was unanimous in favor and the motion carried.

Existing Violations Needing Action

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

CM-04-25 – Stan Hendricksen – Lolo Creek – Vegetation Removal
Geocode: 04-2092-33-1-01-06-0000

CM-05-25 – Trevor Thornburg and Rick Thornburg – McCormick Creek – Excavation of Creek Banks
Geocode: 04-2429-27-4-01-06-0000

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

Nothing new to report. The Board took no action.

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

The Board directed staff to send Dianne Nagy a letter stating that she and her family are not in compliance with their permit, MS-08-24. The letter should state that the work was not completed during the permit period and needs to request that the family submit another 310 application for removal of the concrete pad, before the Board takes action against this violation.



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

Nothing new to report. The Board took no action.

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

Nothing new to report. The Board took no action.

CM-03-24 – Nathan Woronik – Clearwater River – Vegetation Removal and Heavy Equipment Operation
Geocode: 04-2540-10-3-01-13-0000

Nothing new to report. The Board took no action.

CM-05-24 – Gary and April Yetter – Lolo Creek – Vegetation Removal and Unpermitted Dock
Geocode: 04-1974-02-1-02-01-0000

Nothing new to report. The Board took no action.

CM-08-24 – Northwestern Energy – West Fork Twin Creek – Vegetation Removal
Geocode: 04-2328-35-1-01-01-0000

CM-01-25 – Redmond Revocable Trust – Rattlesnake Creek – Vegetation Removal
Geocode: 04-2200-11-3-06-12-0000

CM-02-25 – Lawrence and Frances Daly – Rattlesnake Creek – Vegetation Removal
Geocode: 04-2200-11-3-06-11-0000

CM-03-25 – Charles and Mary Erickson – Clark Fork River – Unpermitted Berming
Geocode: 04-2201-27-2-03-03-0000

310 Inquiries & Issues

The Board discussed adding to the permit letter that MCD reserves the right to follow up with an inspection. Attempts will be made to coordinate a time with the permittee or violator, but their participation is not required.

Bart Morris discussed feedback he received from attorneys representing Grant Creek Ranch regarding the definition of a project under the Administrative Rules of Montana and whether the recently completed irrigation diversion annual plans of operation were needed, or if the work qualifies as an agricultural exemption. Watkins reviewed an email he sent to the attorney reviewing the intent of the law, and the definitions of a project. The Board supported his interpretation. Watkins further stated that the attorneys did not disagree with his interpretation of the law and that his explanation seemed to suffice.



Payment of Bills and Claims

Chair Hall moved to pay the August bills and claims and to adjourn the meeting at 10:05 pm. Travis Greenwalt seconded the motion. The vote was unanimous in favor, and the motion passed.

The next regular Missoula Conservation District meeting is scheduled for **Monday, September 8th, 2025, 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	15	-	-
Libby Maclay	15	-	-
Travis Greenwalt	14	-	-
Paul Parson	15	-	-
Art Pencek	15	-	-
Robert Schroeder	15	-	-
Bart Morris	15	-	-

<i>Timothy Hall</i>	9/8/2025
Minutes approved by	Date
<i>Sonja Skovlin</i>	9/4/2025
Minutes prepared by	Date