

MINUTES

Missoula Conservation District

August 13, 2018

Missoula Conservation District

August 13, 2018 at 7:00 pm
3550 Mullan Rd, Ste 106, Missoula, MT 59808

Missoula Conservation District Attendees:

Tim Hall, Chair
Libby Maclay, Vice Chair
Travis Greenwalt, Treasurer & Supervisor
Art Pencek, Supervisor
Bob Schroeder, Supervisor
Bart Morris, Associate Supervisor
Jen McBride, Staff
Lindsay Dick, Staff

Additional Attendees:

John Hart, Deputy County Attorney
Travis White (RE: CM-09-18)
Bonnie White (RE: CM-09-18)
Nancy Pickering (RE: CM-08-18)
Joseph Miller (RE: Rainbow Court Inquiry)
Beau Craig (RE: CM-07-18)
Andrew Copeland
Travis Ross, Missoula Valley Water Quality District

Absent:

Paul Parson, Supervisor
Sidney Wills, Supervisor
John Bowe, NRCS
Ladd Knotek, MT FW&P

Call Meeting to Order – 7:03 pm by Tim Hall.

Minutes – Libby Maclay moved to approve the July 9, 2018, minutes as drafted. Art Pencek seconded the motion, motion passed – unanimous.

Treasurer's Report – Travis Greenwalt reported \$47,618.45 in the District checking account. Greenwalt stated that the figure was higher due to a transfer made from the mill levy account to accommodate projected cost-share payouts for program year 2018.

Public Comment – No public comment.

NRCS Report – John Bowe was absent. Lindsay Dick read a written report provided by Bowe. Dick reported that Bowe is contracting two additional EQIP contracts for fiscal year 2018, as well as two cost-share program (CSP) contracts for fiscal year 2018. Dick added that Bowe reports there are multiple projects with implementation ongoing.

New 310 Permit Applications

MS-22-18 – Crete Harvey – Placid Creek – Stream Crossing Replacement – Geocode: 04-2539-14-1-01-03-0000
Jen McBride explained that per observations made at the site inspection on July 3, 2018, and correspondence sent on July 16, 2018, the applicant submitted an amended 310 Application on August 6, 2018. The amendments propose a bridge instead of culvert to better address the size needed for the stream crossing. The Board discussed the new proposal and recommendations for modifications. The Board also acknowledged that the location of this road crosses through a channel migration zone and floodplain of Placid Creek. At any time, natural events could cause a shift in the location of the main channel or high-water channels of Placid Creek. The bridge is an improvement on the current crossing and dimensions are approved for the present site condition. A change in the route of Placid Creek may require additional work on any of the stream crossings in the foreseeable future. Finally, the Board agreed that the landowner, the USFS, should offer final approval of the permit, and suggested the fisheries biologist review it.

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Tim Hall moved to accept Application No. MS-22-18 as a project for review and to approve it with modifications. Travis Greenwalt seconded the motion. Motion passed—unanimous.

The project regarding a stream crossing replacement on Placid Creek has been approved with the following modifications:

- Abutment dimensions must allow the freeboard of the proposed bridge to match or exceed the freeboard on the nearby bridge that presently crosses the main channel of Placid Creek
- Gabion in the modified design must be replaced with clean large rock
- Prior to any work occurring, USFS Fisheries Biologist, Shane Hendrickson, must review and provide final approval of this bridge permit
- Otherwise the modified plans for a bridge are approved for this site

MS-23-18 – Kimberly Maynard & Alan Charters – Deer Creek – Culvert Construction –
Geocode: 04-2094-08-2-01-05-0000

McBride presented photos from the August 9, 2018, site inspection and read Ladd Knotek's Team Member Report. Bob Schroeder read his Team Member Report.

The Board discussed the existing crossing at this location, which consists of stacked rock and what appears to be a series of outdated culverts that allow water to pass through. Since this type of crossing would not be permitted today, the Board discussed the impacts of the existing crossing to the bed and banks of Deer Creek as well as the issues with fish passage at this location. The Board also discussed the applicants' desire to reinforce the crossing to allow temporary use for a thinning project. The applicants also expressed interest in working with Montana Fish, Wildlife and Parks to restore natural stream function to this site following the thinning project.

Tim Hall moved to accept Application No. MS-23-18 as a project for review and to approve it with modifications, including incorporating suggestions from the team member reports in the 310 Permit conditions. Travis Greenwalt seconded the motion. Motion passed—unanimous.

The project regarding placing a reinforcement over the outdated crossing on the East Fork of Deer Creek is approved with the following modifications:

- Applicant must work with MT FW&P (and/or apply for a 310 Permit) to remove the outdated crossing from the stream upon completion of project
- Integrate approaches to crossing using best management practices, such as dips or drain bars (enclosure with 310 Permit), as to prevent sediment deposit into stream during use of the temporary crossing

MS-27-18 – Randy Larson obo Brian O'Grady – Unnamed Tributary of Tevis Creek – Culvert Installation
Geocode: 04-1974-05-1-01-01-0000

McBride presented photos from the August 9, 2018, site inspection and read Knotek's Team Member Report. Schroeder read his Team Member Report and explained that the wetlands present at the project site posed a logistical challenge for traversing the area with equipment. The Board discussed the applicant's proposed strategy of approach, considering the topographical challenges of the project area.

Bob Schroeder moved to accept Application No. MS-27-18 as a project for review and to approve it with modifications, including incorporating suggestions from the team member reports in the 310 Permit conditions. Tim Hall seconded the motion—motion passed, unanimous.

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The project regarding a culvert installation on the unnamed tributary of Tevis Creek is approved with the following modifications:

- As discussed at the site inspection on August 9, 2018, the permanent crossing to be installed must be a culvert of at least 48-inches in width (squash culvert is recommended)
- Installation of culvert and road construction that necessitates said installation must be completed before snowfall and prior to October 31, 2018
- Install slash and brush filters and seed to ensure no water quality impacts
- Install road and culvert using best management practices (see enclosure)
- Refrain from conducting work in the marshland area adjacent to the unnamed tributary and Tevis Creek

MS-28-18 – Randy Larson obo Brian O’Grady – Unnamed Tributary of Mill Creek – Culvert Installation

Geocode: 04-1974-05-1-01-01-0000

McBride presented photos from the August 9, 2018, site inspection and read Knotek’s Team Member Report. Schroeder read his Team Member Report and stated that the tributary in question lies about 100 yards from the main channel of the stream.

Bob Schroeder moved to accept Application No. MS-28-18 as a project for review and to approve it with modifications, including incorporating suggestions from the Team Member Reports. Libby Maclay seconded the motion, motion passed—unanimous.

The project regarding a culvert installation on the unnamed tributary of Mill Creek is approved with the following modifications:

- Use the existing 18-inch pipe(s) as a temporary crossing over the stream
- Install slash and brush filters to ensure no water quality impacts
- Then, remove the culvert(s) and rehabilitate channel
- Pull fill back to the approximate bank lines, channel morphology, and floodplain capacity in unaltered sections immediately upstream of the crossing site (note: improve upon previous condition; banks at this site are too steep, as observed at the August 09, 2018 site inspection)
- Place large rock intermittently in rehabilitated channel for stability and grade control (Note: improve upon previous condition as steep slopes and fill encroachment on the channel were at the August 09, 2018, site inspection)
- Revegetate banks with native grass seed
- Complete all work using best management practices (see enclosure)
- All work must be completed prior to snow cover or **October 31, 2018**

MS-29-18 – Ron Pierce (Fish Tale Restoration) obo Scott Tucker – Gilbert Creek, South Fork of Gilbert Creek – Post-Flooding Infrastructure Repairs & Channel Alteration – Geocode: 04-1978-27-1-01-01-0000

McBride presented locator images of the project site and a brief overview of the project description as provided in the 310 Application. McBride stated that Application No. MS-29-18 is projected to be on the site inspection schedule for the September meeting.

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Existing 310 Emergency Notifications

EM-08-18 – Pat Gordon (and neighbors) – Miller Creek – Sandbag Placement –
Geocode: 04-2093-21-3-02-11-0000

McBride presented images taken of Singletree Lane on June 14, 2018, June 29, 2018, and July 25, 2018. McBride stated that she neglected to read to the Board the description of the emergency action taken as stated in Emergency Notification No. EM-08-18, and that as a result, the Board had not been notified that gravel was dug from the floodplain and that the streambed and banks were altered. McBride read to the Board the description of emergency taken on Emergency Notification No. EM-08-18, which reads as follows:

“To minimize the environmental damage and provide homeowner access we placed sandbags along the natural traditional route of Miller Creek and hand dug some of the gravel from where it was deposited during the flood thus helping restore the creek to its previous course and aid the vegetation, helping to lower the turbidity of the water and increasing the habitat for the fishery and wildlife. This should be good for the environment and for the public as well as the homeowners.”

McBride further informed the Board that a Doodle poll went out on August 13, 2018, to concerned parties regarding a potential meeting to discuss an infrastructural solution for Singletree Lane. Concerned parties include landowners on Singletree Lane, Missoula County Planning Office, Missoula County Public Works Division, Missoula County Floodplain, Missoula Conservation District, Clark Fork Coalition, Trout Unlimited, and Lead Deputy County Attorney John Hart.

Bart Morris noted that he had driven past Singletree Lane on August 12, 2018, as he passes the area on his way home. Morris stated that he observed the remaining sandbags on the edge of Singletree Lane were still holding back water in low places. Hall proposed that the deadline of September 1, 2018, for submitting a 310 Application with a long-term infrastructural solution for Singletree Lane be extended to October 1, 2018.

On August 13, 2018, the Board moved to determine that removing gravel from the bed and banks of Miller Creek as described in Emergency Notification No. EM-08-18 is not an appropriate use of the Emergency Provision of the 310 Law. The Board requires that the applicant cease and desist all work that could impact the bed and banks of Miller Creek.

The Board further requires that a 310 Application detailing plans for a long-term infrastructural solution for the road be submitted by October 1, 2018 (extended deadline per landowners' request). This plan should allow the stream channel to behave naturally; natural function includes, but is not limited to, access to its floodplain and lateral channel migration.

Otherwise, adherence is required to the July 09, 2018 decision by the Missoula Conservation District Board of Supervisors:

- The sandbags as currently placed on Miller Creek are not permissible
- Missoula Conservation District policy requires that all sandbags be removed before July 15, 2018, to avoid violation of the Natural Streambed and Land Preservation Act (310 Law)
 - Due to the ongoing flooding of the road, sandbags after July 15, 2018, are permissible as a temporary measure only and **the sandbags must be relocated to the edge of the road immediately**
- In tandem with all concerned parties, submit a 310 Application to our office with a project proposal for a long-term infrastructural solution for the road

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- The plan should allow the stream channel to behave naturally; natural function includes, but is not limited to, access to its floodplain and lateral channel migration
- This plan must be submitted **no later than September 1, 2018**
- Any plan for work in this area must go through review of all appropriate permitting agencies

The Board recognized that maintaining sandbags along the edge of Singletree Lane is allowed as a temporary measure only to mitigate ongoing flooding of the road.

Existing 310 Permits

MS-30-16 – Randy Koch – Clark Fork River – Regrade, Revegetation (RE: CM-06-16 - Rock and Equipment Next to River) – Revegetation Survival – Geocode: 04-2323-07-1-01-15-0000

McBride stated that at the April 9, 2018, District meeting, the Board had determined a site visit was required to review compliance to vegetation requirements under Permit No. MS-30-16. McBride explained that on July 27, 2018, she had emailed the applicant and his contractor, Lee Yelin, to schedule a site visit. Yelin responded by email on July 30, 2018, and McBride read this email to the Board. McBride stated that she will reach out again to the applicant and Yelin to schedule the required site visit.

MS-16-17 – Montana Rail Link – Clark Fork River – Bridge Rehabilitation —

Geocode: ROW north of 04-2427-26-4-02-02-0000

McBride stated that the applicant requested an extension to the August 14, 2018, expiration date for Permit No. MS-16-17. The Board agreed to extend the expiration date to October 31, 2018, with the condition that all in-stream work be completed by October 15, 2018, per Knotek's recommendation to avoid the main spawning period in the Clark Fork River.

MS-07-18 – Matthew Cole & Tiffany Perkins, Threshold Contracting – Rattlesnake Creek – Vegetation & Tree Removal, Building in Riparian Zone – Geocode: 04-2200-11-2-05-08-0000

McBride stated that she has not received a response to correspondence addressed to the applicant, Winston Davenport of Threshold Contracting, dated July 16, 2018, wherein submission of amendments to the vegetation plan were requested by no later than August 6, 2018. McBride stated that she will attempt to contact the landowners.

MS-11-18 – Remi Berube – Butler Creek – Tree Fort & Bridge — Geocode: 04-2326-18-4-02-17-0000

McBride explained that correspondence dated May 18, 2018, recommended an amended 310 Application with design plans approved by Missoula County Floodplain be submitted in time for review at the July 9, 2018, District meeting. She stated that the applicant had not yet submitted a new 310 Application, and that she will follow up with the applicant.

MS-15-18 – Michael Kane obo Joe & Kristy Petrino – Rattlesnake Creek – Deck Construction —

Geocode: 04-2200-11-2-05-07-0000

McBride reviewed email correspondence dated July 31, 2018, from Michael Kane of Rocky Mountain Remodels regarding the vegetation plan submitted under Permit No. MS-15-18. In this correspondence, Kane proposed adding grasses and boulders into the proposed vegetation plan that was approved at the June 11, 2018, District meeting. McBride will meet with Kane to discuss riparian buffers further.

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310 Complaints

CM-10-17 – Scott King – Petty Creek – Non-Permitted Bridge (RE: MS-04-18) –
Geocode: 04-2196-13-4-01-04-0000

McBride presented photos from a follow-up site visit on August 10, 2018. McBride explained the modifications made by the applicant to the bridge. The bridge was raised by bolting stairs to the stringers and placing the bridge on top of gravel mounds to allow for 18-inches of freeboard.

Art Pencek moved to deem Complaint No. CM-10-17 satisfied, as work completed under Permit No. MS-04-18 has satisfied the conditions of the violation. Bob Schroeder seconded the motion, motion passed—unanimous.

In correspondence dated August 20, 2018, the applicant was notified that a new 310 Application is required for further repair or modification to this structure, as well as any work that may impact the bed or banks of Petty Creek including work conducted within the riparian buffer. The riparian buffer at this site is measured horizontally, 10-feet from the ordinary high-water mark of Petty Creek.

CM-11-17 – Joyce Robbins – Petty Creek – Non-Permitted Bridge (RE: MS-06-18) –
Geocode: 04-2196-24-1-01-04-0000

McBride presented photos from a follow-up site visit made on August 10, 2018. The purpose of the visit was to observe work completed to that point. McBride stated that Joyce Robbins' neighbor Dean Reese, who performed the bridge removal on Robbins' behalf, requested direction from the Board regarding concrete that remained in the bed and bank after the bridge was removed.

Art Pencek moved to deem Complaint No. CM-11-18 satisfied, as removal of the bridge under Permit No. MS-06-18 has satisfied the conditions of the violation. Travis Greenwalt seconded the motion, motion passed—unanimous.

The Board further specified that loose concrete, boards, or trash on the banks of Petty Creek should be moved to an area outside of the 10-foot riparian buffer. However, the few pieces of embedded concrete may remain until they are dislodged naturally, as measures to remove this small amount of concrete with machinery may further damage the banks and bed of the stream. The Board also specified that the weed mat on the bank be left in place, considering the sparse riparian vegetation in that area.

CM-04-18 – Sherman & Nancy Smith – Unnamed Creek – Earthwork –
Geocode: 04-2873-35-1-01-09-0000

McBride stated that she has not received word from the applicants on project progress under Permit No. MS-25-18. She stated she will follow up with the applicants.

CM-05-18 – Venture West, LLC, Frank Thomas – Clark Fork River – Dike Construction –
Geocode: 04-2200-17-3-02-05-0000

McBride stated that the District office has not received payment for the \$1,000 fine assessed at the July 9, 2018, District meeting. John Hart stated that he spoke with Kirby Christian following the July 9, 2018, meeting, regarding the fine and recommended submission of an APO Application, but has not corresponded since with either Christian or Venture West, LLC.

CM-06-18 – Fred Stout – Clark Fork River – Riprap & Excavation Work – Geocode: 04-2199-05-1-02-10-0000
McBride stated that on July 30, 2018, Fred Stout had submitted a request for a 30-day extension on the September 1, 2018, deadline to submit a 310 Application for removal of waste concrete used as riprap in the Clark Fork River.

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Tim Hall moved to approve the applicant's request for a 30-day extension on the 310 Application deadline. Art Pencek seconded the motion, motion passed—unanimous.

CM-07-18 – Susan Craig – Clark Fork River – Structure on Bank – Geocode: 04-2427-28-3-01-11-0000
Beau Craig, Susan Craig's son, was present at the meeting. McBride presented photos taken at the August 9, 2018, site visit. McBride stated that this complaint was anonymous and forwarded to the Conservation District from Travis Ross with the Water Quality District.

McBride read Knotek's notes from the site visit. McBride and the Board discussed Knotek's recommendations to move the structure farther up the bank to an area less prone to high flows.

Craig explained the history of his family's ownership of the property since 1998 and work completed over the years to address ongoing erosion issues on the bank. Craig and the Board discussed several possible solutions and the difficulties thereof, particularly the slope of the bank, for addressing the ongoing deterioration and relocation of the structure.

Bob Schroeder moved to deem the structure on the bank of the Clark Fork River in violation of the 310 Law. Libby Maclay seconded the motion, motion passed—unanimous.

As discussed at the District meeting, the deck supports of the structure lie within the high-water mark of the Clark Fork River and would have not been permitted if a 310 Application had been submitted at the time of initial construction. The Board also noted that the structure needs repair, but that the repairs would not be permitted in the current location. The Board found that the unpermitted stairs and deck structure is a violation of the 310 Law and must be removed or moved up the bank. A 310 Application is required to conduct this work.

The riparian buffer for the Clark Fork River is generally 50-feet as measured horizontally from the ordinary high-water mark. As discussed on site and at the District meeting, a 310 Application is required for any work that may impact the bed or banks of the of the Clark Fork River (including any work within the 50-foot riparian buffer). The applicant must ensure that a 310 Application outlines all plans for work that will occur in the river or on the bank within the riparian buffer. At a minimum this should include plans for removal. If the applicant plans to move the structure up the bank, but hopes to locate it within the riparian buffer, the application must also include details on that plan.

CM-08-18 – John & Nancy Pickering – O'Brien Creek – Structure Encroachment & Vegetation Removal – Geocode: 04-2199-30-1-01-02-0000

Nancy Pickering was present at the meeting. McBride presented photos taken at the August 09, 2018, site visit. Tim Hall moved to find Complaint No. CM-08-18 satisfied given that work not be conducted within the 25-foot riparian buffer on O'Brien Creek at this location, and directed that correspondence be sent stating these conditions. Travis Greenwalt seconded the motion, motion passed—unanimous.

The riparian buffer is measured horizontally from the ordinary high-water mark on either side of the creek and was discussed during the site visit on August 9, 2018. The applicant must refrain from conducting work in this location without a 310 Permit. A 310 Application is required for all work that may impact the bed or banks of O'Brien Creek, including work in the riparian buffer area such as mowing and structure placement. Spot weed treatment is encouraged with appropriate protocols for working near a stream and a 310 Permit is not required for such treatment. However, if swaths of the riparian buffer must be mowed or manipulated for weed treatment, a 310 Application must be submitted.

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CM-09-18 – Travis White – O'Brien Creek – Structure Encroachment & Vegetation Removal – Geocode: 04-2199-30-1-01-05-0000

Travis and Bonnie White were present at the meeting. McBride presented photos taken at the August 09, 2018, site visit, and stated that Travis White had sent additional photos via email on August 13, 2018, showing that the swing and rock had been removed from the riparian buffer after the site visit. White additionally stated that he had stopped mowing in the riparian buffer following initial correspondence dated May 29, 2018.

Schroeder inquired about the Whites' plans regarding removal of the gazebo. White stated that he had unsuccessfully attempted to relocate the gazebo using a car jack and hoped to retain the gazebo in its present location. The Board discussed alternative methods for relocating the gazebo and stated their preference that it be relocated out of the riparian buffer. White requested input from the Board regarding the best species to plant in the riparian buffer. McBride informed White that she would send him a copy of the riparian vegetation recommended species list compiled by the District.

Bob Schroeder moved to deem Complaint No. CM-09-18 satisfied by the cessation of mowing in the riparian buffer and work completed since August 9, 2018. Art Pencek seconded the motion, motion passed—unanimous.

The Board stated their appreciation of the prompt removal of the swing and rock that were located within the 25-foot riparian buffer of O'Brien Creek at this location. As discussed during the August 9, 2018 site inspection the riparian buffer is measured horizontally from the ordinary high-water mark on either side of the creek. All work that may impact the bed or banks of O'Brien Creek requires a 310 Permit, this includes work conducted within the riparian buffer, such as mowing and structure placement.

The Board specified that an additional attempt must be made to relocate the gazebo still standing in the riparian buffer, but that if relocation cannot be completed due to the gazebo's fragility, the gazebo may remain place for the foreseeable future. The Board further specified that if the gazebo's deterioration continues to the point of falling in the stream, the gazebo must be dismantled and removed from the riparian buffer.

CM-10-18 – Double Arrow Enterprises c/o Mike Combs – Trail Creek – Sandbags & Board Fencing on Creek Geocode: 04-2540-12-01-02-23-0000 (Meyer property)

McBride presented photos taken at the project site on August 2, 2018. McBride informed the Board that Combs had called to report that an unknown individual has been placing logs and rocks in Trail Creek near the head cut area. McBride explained that when she visited the site on August 2, 2018, she stapled "Under Surveillance" signs to the debris piles placed in the stream to discourage additional placement of material. McBride stated that she would attempt to contact the landowner whose property lies adjacent to the golf course.

Travis Greenwalt moved to find Complaint No. CM-10-18 satisfied, as work completed at the site, including removal of the sandbags and fencing on Trail Creek, has satisfied the conditions of the violation. Tim Hall seconded the motion, motion passed—unanimous.

CM-11-18 - Cynthia Mottern c/o Brett Haines – Deer Creek – Vegetation Removal— Geocode: 04-2649-20-4-01-07-0000

McBride reported that this complaint was called in by Montana Fish, Wildlife & Parks. She reviewed photos from an on-site visit made on July 20, 2018. The Board discussed the authority of both the Missoula Conservation District and the Montana Department of Natural Resources and Conservation (DNRC) regarding the logging work and its impact on Deer Creek.

Bob Schroeder moved that dropping the trees over the bed and banks and damaging riparian vegetation along Deer Creek without a permit is a violation of the 310 Law. Schroeder added that correspondence be sent requiring the

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applicant to submit a 310 Application by August 27, 2018, for consideration at the September 10, 2018, District meeting, and that the DNRC be copied on said correspondence to ensure that the project adheres to Streamside Management Zone policies. Art Pencek seconded the motion, motion passed—unanimous.

CM-12-18 - Fuqua Hunter – Lolo Creek – Vegetation Removal—

Geocode: 04-2091-35-3-01-06-0000

McBride presented photos taken on July 26, 2018, the day the complaint was received. McBride explained that Hunter had sent additional photos on August 13, 2018, to demonstrate that flooding earlier this year had uprooted and damaged some riparian vegetation and had caused it to end up in the stream. McBride presented these photos to the Board, who observed that vegetation removal in the riparian buffer was evident in these images.

Travis Greenwalt moved to deem vegetation removal from the riparian buffer of Lolo Creek in violation of the 310 Law. Tim Hall seconded the motion, motion passed—unanimous.

The Board requires that the applicant refrain from conducting any work within the 30-foot riparian buffer of Lolo Creek. Such work includes mowing, additional vegetation removal, and disposal of debris into the stream channel. This work adversely impacts the bed and banks of Lolo Creek, and as such must not continue.

As discussed with the applicant on the phone following the District meeting, spot weed treatment is encouraged with appropriate protocols for working near a stream and a 310 Permit is not required for such treatment (contact Missoula County Weed District for appropriate protocols). However, if swaths of the riparian buffer must be mowed or manipulated for weed treatment, a 310 Application must be submitted.

310 Inquiries/Issues –

McBride presented photos and reviewed a stream crossing replacement inquiry on Trail Creek due to inadequately sized double pipes and a relief pipe set at a lower elevation. The channel is head cutting upstream of this location and during spring runoff, highwater was running over Rainbow Court. Joseph Miller was present at the meeting. Miller explained that he had drawn up designs for a replacement box culvert and wanted clarification from the Board on whether an engineered design was required for a 310 Application to replace the culverts. The Board stated that they did not believe an engineered project would be necessary. Miller stated that the existing culverts had been installed as a stopgap for flooding in 1996, and explained that when installed, stream elevation and flow capacity had not been accounted for. Miller stated that the purpose of the potential project is to maintain a live bottom stream with enough infrastructure to accommodate high flow, as well as maintain access to the road for residents. The Board and Miller discussed positioning of the culverts in relation to the channel path, and the potential for channel migration. Miller asked the Board their opinion on installing a box culvert. McBride recommended that Miller submit a 310 Application no later August 27, 2018, for review at the September District meeting.

McBride reported that the District office received a call requesting sandbags for placement on Big Flat Ditch. McBride stated that she had informed the caller a 310 Permit is not required for placing sandbags on an irrigation ditch. She said that the caller had also expressed concern about a large crack in Big Flat Road adjacent to the irrigation ditch, and that she had informed the caller to apply for a 310 Permit if they wanted to make repairs to the road as the described area may impact the riparian buffer of the Clark Fork River.

McBride reported that Swan Valley Connections was called upon by a water rights owner on Cooney Creek to assist in replacing an old headgate on an irrigation ditch. The undersized structure has been breached and sediment is being deposited in the ditch. McBride presented photos from the project site. McBride reported that she had recommended looking for a used headgate to lower costs if the ditch is to remain in use. Otherwise, McBride recommended discussing with the landowners the options for instream use of the right. The Board had no further recommendations to add.

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McBride informed the Board that a caller inquired whether a 310 Permit was needed for a project to replace decking and stringers on a bridge on a tributary of O'Brien Creek. McBride explained that the caller was logging in the area and had expressed a desire to reinforce the stream crossing to complete that work. McBride presented photos from a site visit and stated that she had informed the individual that a 310 Application would be required for improvements to the structure of the bridge or any additional work that may impact the bed or banks of the stream.

McBride reported that Rick Bowler is under court order to restore his property in the floodplain of the Clark Fork River to its original elevation listed on the plat within 60 days. McBride stated that she confirmed with Hart that no 310 Permit is required for the ordered work and stated that she'd explained that to Bowler over the phone but would also send correspondence to Bowler stating as much. Hart explained the history of work done at the property that had led to the court order being issued.

McBride stated that Jackie Thorpe contacted the District office to request a site visit, as she wished to remove debris from the channel of the Clark Fork River adjacent to her property. The Board discussed the courses of action that had already been proposed to Thorpe to address concerns on her property – additional site visits and correspondence would be redundant. McBride stated that Thorpe has not followed through with the District's recommendations regarding possible courses of action, she has not applied for a permit to do any work, and she has not had a contractor contact the District on her behalf.

McBride reported that the District office received a phone call regarding work that would occur beneath pavement to tap into a sewer line adjacent to the Clark Fork River near the sewer plant. McBride presented photos from the site and told the board that she advised the inquiring contractor that a 310 Application was not needed as long as all work occurred beneath the pavement and would not impact any area beyond the jersey barriers or undermine the side of the bank. McBride also noted that sandbags had been placed on this stretch of road. Unsure who placed them, the Board encouraged McBride to look into it as they needed to be removed.

McBride reported that the plants that McAfee planted under Permit No. MS-33-17 seemed to be doing well following the flood.

McBride reported that Dean Reese contacted the District office to request input regarding the bridge removal under Permit No. MS-30-17 before completing the project. McBride visited the site on August 10, 2018 and presented photos of the bridge removal progress. McBride observed that the project was being carried out as permitted and encouraged Reese to move ahead to completion. The board agreed with McBride's assessment.

McBride received two other inquiries. The first was regarding vandalism to a headgate and concern about water rights which she referred to the Missoula County Sheriff's office and DNRC Water Rights Division, respectively. The second concerned vegetation removal and aspen stand maintenance that was outside of the Conservation District's riparian buffer area. She referred the inquiry to the county in case a vegetative buffer is specified in the rules for the Turah Meadows subdivision. She also referred the inquirer to the NRCS forester for management recommendations.

Reports

County Attorney – Nothing to report.

Montana FWP – Knotek absent. No report.

Bitter Root RC&D – Nothing to report.

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District Committees – Hall reported that the Personnel Committee met in the past month to conduct staff reviews and that recommendations would be forthcoming.

Art Pencek reported that the Budget Committee met on August 13, 2018, to review the proposed budget for fiscal year 2019. Art Pencek moved that a continuing resolution be passed on the budget for fiscal year 2018, until the budget for fiscal year 2019 has been finalized. Tim Hall seconded the motion, motion passed—unanimous.

Missoula CD Employees –

Jen McBride – Resource Conservationist – July 10, 2018 – August 13, 2018

310 Administration: Reviewed and edited 310 and correspondence letters following the July District meeting. Reviewed 310 applications and directed inquiries as they arose. Corresponded regarding relevant 310 projects, complaints, and inquiries including projects on Butler Creek, Miller Creek, Trail Creek, Placid Creek, Deer Creeks, Mill Creeks, Tevis Creek, Gilbert Creek, Petty Creek, Rattlesnake Creek, O'Brien Creek, Blixit Creek, and the Clark Fork River. Scheduled site visits regarding 310 project inquiries. Went out to several sites to review permitting needs or issues. Followed up on projects that occurred on Trail Creek and in Petty Creek. Communicated with Lindsay Dick regarding coordination of 310 site inspections. Attended 310 site inspections with Bob Schroeder and Ladd Knotek. Prepared 310 reports and photos for the August meeting. Corresponded with Missoula County Attorney, Fish Wildlife & Parks, Floodplain Administrators, and other representatives regarding 310 projects, inquiries, issues, and complaints as needed. Corresponded and coordinated with Missoula County Floodplain, Army Corps of Engineers, and Missoula County employees about inquiries and issues.

Conservation Planning: Conducted follow up visit and acreage calculation on a cost-share project. Worked with Brandi Bergreen to conduct Brix tests for cover crop and assisted with point source and non-point source pollution demonstration at the farmers' market booth. Worked to coordinate the Grants Committee regarding the Trout Unlimited Legacy Grant Application.

Office Administration: Met with Lindsay Dick following the July meeting, discussed working priorities, and addressed questions as needed. Discussed office operations and budget with appropriate committees and worked to coordinate further planning on office data management. Met with Libby Maclay and Dick for Dick's 3-month performance review. Coordinated with Dick regarding district meeting preparations and met as needed regarding accomplishments, priorities, and plans for the workday or workweek. Submitted timesheets and time summary to the county. Worked with Dick on NRCS network and computer access. Entered reports into QuickBooks.

Lindsay Dick – Administrative Coordinator – July 10, 2018 – August 13, 2018

General Coordination: Staff meetings with Jen McBride to discuss tasks completed, ongoing projects, and processes review. Prepared summary for three-month review. Three-month review on July 31, 2018, with McBride and Libby Maclay. Attended Facility Security Committee meeting, August 10, 2018.

Communications and Outreach: Drafted, revised per McBride's comments, and mailed 310 decision letters, complaint letters, follow-up letters, and other correspondence. Revised all newsletter articles and drafted Summer 2018 Newsletter in Publisher. Incorporated McBride's suggested revisions into newsletter. Website updates: Posted Pollinator Initiative blurb to Features (homepage slider) and News page. Posted storm water certification classes, Alta Training, Missoula, August 21-24, 2018, to Opportunities Page. Listed 310 decision summaries on minutes pages to make searchable on website. Read HubSpot/Venngage brand style guide to identify areas where MCD website and collateral materials could be improved for brand consistency.

Financial Management: Reconciled bank statements in QBO. Filed receipts for petty checking. Reviewed and updated QBO transactions for petty checking, checking, and savings. Updated memo notes in QBO for petty checking and checking transactions where applicable. Set up online access for DA Davidson account. Prepared claims and checks to be signed at meeting. Entered checks in QBO. Copied and scanned checks for records, mailed checks, and wrote correspondence when applicable. Drafted proposed budget for FY 2019 with McBride. QBO troubleshooting.

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Administrative Duties: Drafted and revised July 9, 2018, meeting minutes. Drafted, finalized and posted August 13, 2018, agenda. Posted approved June 11, 2018, minutes and emailed to NRCS representatives. Scheduled site inspections, prepared site inspection packets. Mailed and e-mailed meeting materials to board and agency representatives. Administered intake process for new 310 Applications, complaints, and 310 Emergency Notices (scanned, made copies, sent to MT FW&P, uploaded to Shared Drive, updated digital and paper master lists). Drafted PowerPoint for August 13, 2018, district meeting. Finished moving all files from Google Drive to SD. Printed Pollinator Initiative Labels for Brandi Bergreen. Registered Bob Schroeder for Supervisor Summit 2018 in Helena, August 29-30, 2018. Designed and ordered new business cards for McBride and self. Compiled meeting packets, prepared Form 273s, files, and conference room for meeting. First contact point calls/walk-ins for 310 inquiries, application requests, complaints, other agency referrals, etc. Returned signed grant for Fire Recovery Grant to Karl Christians at DNRC. Corresponded with grant applicants regarding application processes. Updated correspondence log for 310 inquiries, created correspondence logs for select applications. Revised and expanded upon existing operations notes. Forwarded emails of interest to board. Mail distribution, watered plants, errands to PO, bank, and Staples.

Other – Nothing to report.

New Business

Correspondence – Dick presented a thank you card from The Flagship Program; a mailer from the Blackfoot chapter of Montana Trout Unlimited regarding the Nevada Creek Restoration fundraising dinner on August 24, 2018; a mailer from Blackfoot Challenge for their summer party in Ovando on August 15, 2018; and a print copy of the Soil and Water Conservation Districts of Montana (SWCDM) 2017 Annual Report, which she stated she had emailed in PDF form to the Board on July 17, 2018. Dick also presented the registration form for the Area V Meeting on September 25, 2018 and requested that any supervisors who wished to attend let her know by the September 10, 2018, District meeting at the latest.

CMZ Mapping – McBride reported that the Missoula Valley Water Quality District has expressed their interest in applying for Conservation District funding for channel migration zone mapping via the District's Legacy Grant. McBride stated that she will coordinate as necessary.

Other – McBride suggested that the monthly District meetings for October 2018 and November 2018 be rescheduled to accommodate Columbus Day, observed Veteran's Day, and the Montana Association of Conservation Districts (MACD) annual convention on November 13-15, 2018. McBride and Dick suggested October 9, 2018 and November 5, 2018 as alternative dates. Dick stated that she would send a confirmation email to all Board members on August 14, 2018 and would subsequently update the calendar on the website if no scheduling conflicts were noted.

Old Business

Grant Programs

District Programs

Legacy Grant – Tim Hall stated that the grants committee would have a formal recommendation for the Board at the September 10, 2018, District meeting regarding funding for the Trout Unlimited Rattlesnake dam removal project, as well as a possible presentation by Rob Roberts of Trout Unlimited.

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Other – McBride stated that the District will not be directly applying to host a Big Sky Watershed Corps Member in 2019. She explained that the Missoula County Weed District has expressed interest in continuing to host a BSWCM intern in 2019, but that the District is limited in time for supervision. McBride stated that funding for BSWCM interns is available to conservation districts through SWCDM, in the amount of \$6,700.00 per district. McBride explained that limited interest has been expressed in the funds and the District will establish a partnership with Missoula County Weed District so that conservation practices that are a priority for Missoula Conservation District and the Weed District might be addressed. McBride said that continued representation would occur at the Clark Fork Farmer’s Market and the pollinator initiative could be a focus of this employee. McBride added that if other conservation districts apply for this funding support through SWCDM, Missoula Conservation District will cede priority to these districts.

DNRC Sponsored –

Renewable Resource Project Planning Grant – Dick reported that WWC Engineering had submitted an invoice for reimbursement on July 30, 2018 in the amount of \$15,000. Dick explained that she had exchanged correspondence with both WWC Engineering and the DNRC regarding the status of the grant and the correct procedure for receiving the 5% administration fee and that she will follow up as needed.

Education Mini Grant — Dick reported that The Flagship Program had submitted an invoice and final report for the DNRC mini-education grant sponsored by the District. The Board reviewed the materials and Travis Greenwalt signed the invoice.

Other — Nothing to report.

Equipment Program – McBride stated that Dick had followed up with Larry’s Tractor’s, Trailers and More regarding a discrepancy on the rental payments check received on June 11, 2018. Dick stated that Larry’s had located the reservation record for the missing payment and had sent an additional check which was received by the District on July 20, 2018.

Other – Nothing to report.

Payment of Bills – Tim Hall moved to pay the bills. Bob Schroeder seconded, motion passed—unanimous.

Warrants:

Ck # 2475	Verizon – District cell phone	\$ 69.15
Ck # 2476	First Interstate Bank – Fleet card vehicle 4-022428	\$ 126.48
Ck # 2477	Charter Communications – Internet	\$ 84.99
Ck # 2478	Montana Association of Counties Property & Casualty Trust – Liability Insurance Premium 7/1/2018-6/30/2019	\$ 4923.00
	Total:	\$5,203.62

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Checks:

Ck # 1446	Robert Deschamps III – CS-26-17, 8 acres	\$1,280.00
Ck # 1449	MACDEO – 2018/2019 Membership Dues	\$50.00
Ck # 1450	The Stone of Accord – Meeting Dinner 8/13/18	\$158.47
	Total:	\$1,488.47

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	17		
Libby Maclay	17		
Travis Greenwalt	17		
Paul Parson		Absent	
Art Pencek	17		
Bob Schroeder	17		
Sidney Wills		Absent	

Adjournment –Tim Hall moved to adjourn the meeting. Travis Greenwalt seconded the motion, motion passed—unanimous. The meeting adjourned at 10:06 pm.

The next Missoula Conservation District meeting is scheduled for September 10, 2018, at 7:00 p.m. in the District conference room at 3550 Mullan Road, Suite 106, Missoula, MT 59808.