

MINUTES

Missoula Conservation District
October 9, 2018

Missoula Conservation District
October 9, 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; Paul Parson, Supervisor; Bob Schroeder, Supervisor; Bart Morris, Associate Supervisor; Jen McBride, Staff; Lindsay Dick, Staff

Additional Attendees: Ladd Knotek, MT FWP; John Hart, Deputy County Attorney; John Bowe, NRCS; Fred Stout (RE: MS-30-18); Curtis Thompson (RE: MS-30-18); Kapp Johnson, Barbara Frye, Dan Frye, Bonnie Johnson, Betty M. Johnson, Al Rogers, Debbie Brewer, Joann Wallenburn (Landowners & Interested Parties, Trail Creek Channel Migration); Deb Fassnacht, Watershed Education Network (Watershed Education Network (WEN) Program Sponsorship, Aquatic Invasive Species (AIS) Grant Program – WEN); Leland Bartlett, Double Arrow Ranch Landowners' Association (DARLOA), Ranch Manager (RE: MS-34-18, Trail Creek Channel Migration); Beau Craig (RE: CM-07-18)

Absent: Art Pencek, Supervisor; Sidney Wills, Supervisor

Call Meeting to Order – 7:02 pm by Libby Maclay

Minutes – Travis Greenwalt moved to approve the September 10, 2018, minutes as drafted. Bob Schroeder seconded the motion, motion passed – unanimous.

Treasurer's Report – Travis Greenwalt reported \$41,001.79 in the District checking account.

Public Comment – No public comment.

NRCS Report – John Bowe presented a quarterly written report. Bowe stated that there are currently 32 active EQIP contracts in Missoula County, accounting for over \$1 million in funding on over 6,600 acres. He explained that there is a new sign-up period for EQIP and special initiative applications through October 19, 2018. Bowe stated that there are five active CSP contracts in Missoula County, including two new contracts obligated in September; two perpetual easements for the Wetland Reserve Program in Missoula County, with an additional easement in the process of being closed; and one existing easement for the Farm and Ranchlands Protection Program in Missoula County. Bowe also presented a map and packet for the Joint Chiefs Proposal in Missoula County. He explained that if funded, the proposal would address pre-commercial thinning and fuels reduction on private lands within the proposed project area via EQIP contracting.

New 310 Permit Applications

MS-30-18 (RE: CM-06-18) – Fred Stout – Clark Fork River – Bank Stabilization/Alteration
Geocode: 04-2199-05-1-02-10-0000

Fred Stout and engineer Curtis Thompson were present at the meeting. Jen McBride summarized the project proposal and explained that modifications to Application No. MS-30-18 were submitted to the office. These modifications include removal of the existing concrete and replacement with 450 cubic yards of riprap placed at a 1.5 to 1 slope along 160 linear feet of the bank; placement of 250 yards of riprap will be placed below the ordinary high-water mark; and 1600 square feet will be placed along the bank.

Stout introduced Thompson, discussed ongoing erosion at the project site, and indicated the project site on aerial images. Ladd Knotek inquired about the scope and timing of the project. Stout explained that the project would begin as soon as possible, and that work would be restricted to removal of the existing concrete if placement of additional riprap were to prove financially unfeasible. Paul Parson stated that willow cuttings should be planted at the project site to stabilize the soil and help slow water velocity.

Bob Schroeder moved to accept Application No. MS-30-18 as a project for review and to approve it with modifications. Travis Greenwalt seconded the motion, motion passed—unanimous.

MINUTES

Missoula Conservation District

October 9, 2018

The Board of Supervisors reviewed the modified designs for Application No. MS-30-18, and approved the project with the following modifications:

- Final project installation must include three (3) willow cuttings per one (1) linear foot to stabilize soil around the project area
- Maintain the District standards for vegetation survival (75% of planted vegetation must survive one year from initial planting; 50% of planted vegetation must be evidently viable two years from project completion date)

The riparian buffer on the Clark Fork River is 50-feet as measured horizontally from the high-water mark. A dense native riparian buffer must be maintained.

MS-34-18 – Joseph Miller obo Double Arrow Ranch Landowners Association – Trail Creek – Culvert Replacement
Geocode: 04-2540-11-2-02-23-0000

Present at the meeting were Leland Bartlett, manager of the Double Arrow Ranch Landowners Association (DARLOA), and several homeowners or interested parties associated with the Double Arrow Ranch subdivision: Kapp Johnson, Barbara Freye, Dan Frye, Bonnie Johnson, Betty M. Johnson, Debbie Brewer, and Al Rogers.

McBride stated that Application No. MS-34-18 is related to the Trail Creek Migration inquiry, and that Joe Miller has been replaced as applicant by Leland Bartlett, manager at Double Arrow Ranch. McBride further explained that Application No. MS-34-18 was tabled by applicant request at the September 10, 2018, meeting, given the recommendation made at the September 5, 2018, site inspection, that a bridge be placed in lieu of a culvert. McBride presented photos of Trail Creek above the head cut area, and mentioned several alternative solutions discussed at the site inspection that could be implemented while awaiting a bridge design from the applicant.

Leland Bartlett read a prepared statement regarding a proposed short-term solution to facilitate continued access to the subdivision. He stated that the preferred short-term solution would be to raise the saddle in Rainbow Court, which would entail spreading 80 yards of pit run at 3-inches minus over about 100 linear feet of the road outside of the culvert area and laying down a topcoat of 30 yards of road gravel.

Bob Schroeder asked whether the existing culverts will contain the entire flow if head cutting continues. The Board and Bartlett discussed stream flow, the placement and capacity of the existing culverts, and the impact of both factors on the road. Schroeder inquired about the height of the fill; Bartlett stated that the fill would be 2-feet at its deepest in the saddle, away from the culverts. It was discussed whether the Board would take jurisdiction over the placement of fill in the road. Greenwalt anticipated potential impacts to the stream channel, while other Supervisors stated that the work would be conducted away from the channel and did not see concern for potential impacts to the bed or banks of the stream.

Bob Schroeder moved to accept Application No. MS-34-18 as a project for review and to deny the application for a box culvert since project plans had changed; Schroeder's motion included a determination that it would not take jurisdiction over the proposed temporary modification to raise the elevation of the road, as it did not consider that portion of project to have the potential to impact the bed or banks of Trail Creek. Paul Parson seconded the motion, Travis Greenwalt opposed, motion carried.

The Board denied Application No. MS-34-18 and requires that a new 310 Application be submitted for any proposed work that may impact the bed or banks of Trail Creek.

MS-36-18 – Lon Jones – O'Brien Creek – Bank Stabilization/Concrete Block Removal
Geocode: 04-2199-33-1-01-08-0000

McBride presented photos of the project site and an overview of the project history under Permit No. MS-09-18. McBride explained that the bank stabilization process had been complicated by the application's addition of fill to the bank and the initial misplacement of the concrete blocks. Parson discussed the bank erosion observed at the October 3, 2018, site inspection, and noted that the rooting depth of the mowed grass on the bank will prevent any chance of long-term bank stabilization if not addressed. The Board discussed the applicant's access to the project site to remove the concrete blocks.

MINUTES

Missoula Conservation District

October 9, 2018

Paul Parson moved to accept Application No. MS-36-18 as a project for review and to approve it with modifications. Tim Hall seconded the motion, motion passed—unanimous.

The project regarding bank stabilization and concrete block removal on O'Brien Creek is approved with the following modifications (concrete block removal, jeopardy of bridge, and bank stabilization):

For all project work -

- Do not enter or cross the stream with equipment
- Ensure that soil disturbance on the bank is kept to a minimum and reseed any disturbed areas immediately

Concrete block removal -

- Remove the concrete block from the riparian corridor as measured 25-feet horizontally from the ordinary high-water mark

Jeopardy of bridge -

- If desired, the bridge may be removed; any removed portions must be taken outside of the bed and banks of the creek, including the riparian corridor as measured 25-feet horizontally from the ordinary high-water mark
- If bridge is removed, an application is required for a new bridge crossing

Bank stabilization –

- Cease mowing and any vegetation removal in the riparian buffer, within 25-feet as measured horizontally from the ordinary high-water mark of O'Brien Creek (spot treatment and/or biological treatment of weeds is encouraged)
- A new 310 Application must be submitted with complete project plans addressing all relevant aspects of the project such as dimensions, cross section view, elevation view and horizontal distance as measured from the ordinary high-water mark
- Design must be modified to specify a work window between July 1 and October 15, when instream work in fish-bearing streams is permitted
- The new plan should address the bridge

If project planning becomes too cumbersome, it is recommended that the applicant contact a consultant or contractor experienced with stream restoration.

MS-37-18 (RE: CM-07-18) – Beau Craig obo Susan Craig – Clark Fork River – Structure Removal

Geocode: 04-2427-28-3-01-11-0000

Beau Craig was present at the meeting. McBride provided an overview of the project proposal, and Craig discussed the design plans submitted with the application. Craig and the Board discussed the Board's jurisdiction over the eventual reconstruction of the deck and that the board's jurisdiction would depend on its location and if it were inside or outside the riparian buffer.

Paul Parson moved to approve Application No. MS-37-18 as a project for review and to approve it with modifications. Travis Greenwalt seconded the motion, motion passed—unanimous.

The project regarding structure removal on the Clark Fork River is approved with the following modifications:

- Structure removal may occur as proposed
- Relocation of the structure requires a new 310 Application that includes a plan addressing all relevant aspects the project such as dimensions, cross section view, elevation view and horizontal distance as measured from the ordinary high-water mark

The Board further determined Complaint No. CM-07-18 satisfied by the submission of Application No. MS-37-18. District staff will conduct a follow-up site visit.

MS-38-18 (RE: EM-08-18) – Moritz, Torgrimson, Fink, Webber, Gordon – Miller Creek – Road Maintenance

MINUTES

Missoula Conservation District

October 9, 2018

Geocode: 04-2093-21-3-02-11-0000

McBride provided an overview of the project proposal and photos of the project site taken over several months, the most recent photos being taken at the site inspection on October 3, 2018. She explained that work would occur along 900-linear feet of Singletree Lane and that given the channel's history of capturing portions of the road, there is a potential that this project could impact the creek. The applicants propose to use approximately 500 cubic yards of fill to raise the road to its pre-spring 2018 elevation. Parson and Knotek summarized their Team Member Reports. The Board discussed the history of sediment loads, channel migration, and vegetation removal in the project area. The Board also discussed possible solutions to replacing the existing culverts. Knotek explained that the stream crossing at the project site is one of several undersized crossings within this reach of Miller Creek. John Hart discussed the history of platting and permitting in the area.

Paul Parson moved to accept Application No. MS-38-18 as project for review and to approve it with modifications. Travis Greenwalt seconded the motion, motion passed—unanimous.

The project regarding road maintenance on Miller Creek is approved with the following modifications:

- Refill the existing road to its prior elevation and regrade the approximately 900-feet of road on Singletree Lane as specified in Application No. MS-29-18
- Place rock at the shoulder/toe area of the road
- Plant riparian cuttings at the toe of the road and extend into the riparian area (dense planting is recommended to improve roughness and decrease velocities during high water)
- As allowable by other permitting authorities, place woody debris in the floodplain to decrease water velocity in the event of future high-water events

MS-39-18 – Dan Patterson – Clark Fork River – Utilities Placement

Geocode: ROW adjacent to 04-2200-21-2-11-10-0000

McBride stated that a site inspection did not occur for this project. McBride summarized the project work, which is to place a redundant fiber loop for 911 lines.

Tim Hall moved to accept Application No. MS-39-18 as a project for review and to deem it not a project under the 310 Law. Travis Greenwalt seconded, motion passed—unanimous.

The Board determined that the project regarding utilities placement on the Clark Fork River does not constitute a project under 310 Law, as the work proposed is not perceived to impact the bed or banks of the stream.

Should project plans change and there arises a need to excavate within 50-feet of the ordinary high-water mark, or to otherwise conduct work that may impact the bed or banks of the Clark Fork River, revised plans must be submitted for review.

MS-40-18 – Bryan Rocheleau – O'Keefe Creek – Culvert Replacement

Geocode: 04-2325-19-1-01-07-0000

McBride provided an overview of the proposed project and photos taken at a site visit by McBride, Art Pencek, and Knotek in 2017. The Board discussed the amount of existing fill at the project site and capacity of the stream crossing in high-flow conditions on O'Keefe Creek. The Board determined that this application requires a site inspection.

MS-41-18 (RE: CM-11-18) – Brett Haines obo Annaliese & Ryan Smail – Deer Creek – Tree Removal

Geocode: 04-2649-20-4-01-07-0000

McBride read DNRC correspondence addressed to the applicant concerning the Streamside Management Zone (SMZ) requirements dated September 26, 2018. The Board discussed its jurisdiction over the project and the potential impacts to the stream while removing the trees. Knotek discussed potential stream warming resulting from substantial cutting and loss of shade along the stream.

MINUTES

Missoula Conservation District

October 9, 2018

Bob Schroeder moved to accept Application No. MS-41-18 as a project for review and to approve it as proposed. Tim Hall seconded the motion, motion passed—unanimous.

The project regarding tree removal on Deer Creek is approved as proposed, given that 1) the applicant adheres to Montana Department of Natural Resources Streamside Management Zone (SMZ) policy and 2) that the project work not result in further disturbance within the riparian buffer of 30-feet, as measured horizontally from the high-water mark of Deer Creek.

The Board further determined Complaint No. CM-11-18 satisfied by adherence to SMZ policy. The Board requires that the applicant notify the District office when project work is complete so that District staff may conduct a follow-up visit to the site.

APO-01-18 – Big Flat Irrigation District – Bitterroot River – Debris Removal

Geocode: 04-2092-02-4-01-07-0000

McBride reviewed the project proposal, and Parson and Knotek presented their Team Member Reports.

Paul Parson moved to accept Application No. APO-01-18 as a project for review and to approve it with modifications. Travis Greenwalt seconded the motion, motion passed—unanimous.

The project regarding annual debris removal at the confluence of the Bitterroot River and Big Flat Irrigation Ditch is approved with the following modifications:

- Maintain existing vegetation when accessing streambed for maintenance
- Existing cottonwood tree may be trimmed for access, but leave stump and roots intact
- If additional vegetation is disturbed within the riparian buffer (50-feet as measured horizontally from the ordinary high-water mark of the river), revegetate the disturbed area immediately
- Notify the District every time work occurs under the Annual Plan of Operation

Existing 310 Permits

MS-07-18 – Matthew Cole & Tiffany Perkins, Threshold Contracting – Rattlesnake Creek –

Vegetation & Tree Removal, Building in Riparian Zone

Geocode: 01-2200-11-2-05-08-0000

McBride reviewed the discussion at the October 3, 2018, site visit. Present at the site visit were the following individuals: Jen McBride, Resource Conservationist for the District; Paul Parson, District Supervisor; Tony Moretti, architect, GAVIN-hanks Architectural Studio; Winston Davenport, applicant, Threshold Contracting; Colleen Dowdall, Attorney at Law, Worden Thane P.C.; Anita McNamara, Planner III/Floodplain Administrator, City of Missoula; and Don Verrue, Certified Building Official and Assistant Director, Building Inspection, City of Missoula.

McBride summarized the discrepancy between the plans approved by the Board of Supervisors and what was built at the project site. McBride read the motion for Application No. MS-07-18 from the March 2018 minutes. McBride explained that the applicant had been permitted to draw up plans at the March 12, 2018, meeting, but did not adhere to these plans. McBride explained that the City of Missoula had stated the project was built according to the plans on file with the City.

Tim Hall moved that the deck and posts be permitted to remain in place as built given the extenuating circumstances of the project planning, namely that the City of Missoula neither notified the applicant to contact the Conservation District, nor attempted to reach out to the Conservation District from the start; and to reiterate to the applicant that District survival requirements for the revegetation plan must be met. Bob Schroeder seconded the motion, motion passed—unanimous.

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

MINUTES

Missoula Conservation District

October 9, 2018

McBride presented final design plans for the proposed replacement bridge on Gilbert Creek, submitted by the applicant on September 16, 2018, as required in the permit conditions listed in correspondence dated September 14, 2018. The plan included adequate span and materials, 8-12" riprap near the abutments, and the updated modification that includes a 3-foot squash pipe as a flood relief culvert.

Tim Hall moved to approve the bridge plans as submitted. Travis Greenwalt seconded the motion, motion passed—unanimous.

310 Complaints

CM-04-18 – Sherman & Nancy Smith – Unnamed Creek – Earthwork

Geocode: 04-2873-35-1-01-09-0000

McBride discussed work completed to date under Permit No. MS-25-18, as observed at the follow-up visit on September 26, 2018. She presented photos from the follow-up site visit to the Board.

Paul Parson moved that Complaint No. CM-04-18 be satisfied by work completed under Permit No. MS-25-18. Travis Greenwalt seconded the motion, motion passed—unanimous.

District staff will contact the applicant in the spring for a site visit to monitor regeneration of vegetation and/or revegetation progress at the project site.

CM-05-18 – Venture West, LLC, Frank Thomas – Clark Fork River – Dike Construction

Geocode: 04-2200-17-3-02-05-0000

John Hart reported that he spoke with Kirby Christian, Frank Thomas' attorney, on September 14, 2018. Hart reported that Christian had stated Thomas had not yet contacted the District office to file an Annual Plan of Operation (APO). Hart stated that he explained to Christian that the Board has not had an opportunity to determine whether work proposed under a potential APO would constitute a project under 310 Law, as a 310 Application must be submitted before the District can conduct a site inspection. The Board discussed the new soil that was evidently spilling over the bank as seen in photos taken during high water. Tim Hall stated that continued inaction on the complaint is unacceptable and directed Hart to state as much to Christian in written correspondence.

CM-06-18 – Fred Stout – Clark Fork River – Riprap & Excavation Work

Geocode: 04-2199-05-1-02-10-0000

See Application No. MS-30-18

The Board of Supervisors determined that Complaint No. CM-06-18 shall remain on the agenda until satisfactory work is completed under Permit No. MS-30-18. The applicant was directed in correspondence dated October 16, 2018, to contact the District office at the start of concrete removal so that staff can schedule a site visit to document removal.

CM-07-18 – Susan Craig – Clark Fork River – Structure on Bank

Geocode: 04-2427-28-3-01-11-0000

See Application No. MS-37-18

Travis Greenwalt moved that Complaint No. CM-07-18 be satisfied by the submission of Application No. MS-37-18. District staff will conduct a follow-up site visit.

CM-11-18 – Brett Haines obo Ryan & Annaliese Smail – Deer Creek – Vegetation Removal

Geocode: 04-2649-20-4-01-07-0000

See Application No. MS-41-18

Tim Hall moved that Complaint No. CM-11-18 be satisfied by adherence to SMZ guidelines at the project site. Paul Parson seconded the motion, motion passed—unanimous.

The Board requires that the applicant notify the District office when project work is complete so that District staff may conduct a follow-up visit to the site.

MINUTES

Missoula Conservation District

October 9, 2018

CM-13-18 – Carl Saunders – LaValle Creek – Widen Channel

Geocode: 04-2325-30-3-03-01-0000

McBride presented photos of the project site taken on August 30, 2018, and notes from an additional site visit on October 3, 2018. McBride noted that LaValle Creek turns into a ditch at the project site, but that the stream presents fisheries benefits upstream of the project site. McBride stated that the Board has previously taken jurisdiction on the stretch of LaValle Creek that lies across Mullan Road from the project site. The Board discussed Missoula County Floodplain, USACE, and District jurisdiction on and in proximity to the project site.

Paul Parson moved that the District not take jurisdiction on the segment of LaValle Creek east and north of Mullan Road concerned by the project work addressed in Complaint No. CM-13-18. Tim Hall seconded the motion, motion passed—unanimous.

The Board of Supervisors decided to dismiss this complaint due to the following considerations:

- Missoula Conservation District no longer takes jurisdiction on the portion of LaValle Creek that is tracked with a blue line and included in the image on the first page of this letter (see correspondence dated October 16, 2018)
- The jurisdictional decision applies to the tracked segment only (the segment on the east side of Mullan Road that flows north from 13630 Mullan Road to 14090 Mullan Road)
- The Board noted that this segment of channel lacks aquatic and riparian attributes and the amount of flow does not presently connect with or appear to impact the Clark Fork River
- The Board may reinstate jurisdiction in the future if additional flow is captured into this channel; if work dewateres other segments of LaValle Creek; if there is connectivity to the Clark Fork River; or if it is found that there *are* aquatic and riparian attributes of the reach that flows north from 13630 Mullan Road to 14090 Mullan Road.
- The Board is not waiving its statutory authority to investigate and determine in the future whether this channel is a natural channel of LaValle Creek
- The Board continues to take jurisdiction on all other segments of LaValle Creek near the applicant's properties

CM-14-18 – Vernon & Diane Feedback – Clark Fork River – Landscaping & Fill

Geocode: 04-2323-07-1-02-01-0000

McBride presented photos of the project site taken on September 12, 2018 and addressed in correspondence dated September 14, 2018. McBride stated that the Feedbacks have not yet contacted the District office. The Board determined that McBride should attempt to contact the Feedbacks by phone, that a site visit is required to observe the work completed, and suggested that Todd Kliez, Missoula County Floodplain Administrator, be asked to attend the visit.

CM-15-18 – Philip Brekke – Clark Fork River – Woody Debris Removal

Geocode: 04-2200-21-2-11-06-0000

McBride summarized project work conducted and stated that correspondence dated October 4, 2018, had been sent to Brekke. The Board discussed Missoula County Floodplain's jurisdiction on the Clark Fork River at the work site, required that an informational correspondence on the 310 Law be sent to all adjacent landowners, and directed McBride to call Brekke.

310 Follow-Ups

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

MINUTES

Missoula Conservation District

October 9, 2018

McBride presented Art Pencek's notes from a follow-up visit on September 12, 2018, along with photos. The Board discussed the size of the riparian buffer at this site, and McBride mentioned the discussion with the applicant at the follow-up visit regarding ongoing weed treatment.

Based on observations made at the site visit on September 12, 2018, the Board determined that the area is improving, especially the naturally regenerating willows. Other plants were observed to be surviving, despite some browse, and overall it appears that the bank is more stable. Mowing was observed within the riparian buffer of 50-feet as measured horizontally from the high-water mark of the Clark Fork River. However, given efforts on improvements to riparian vegetation, the Board agreed to the riparian buffer as observed and photographed on September 12, 2018, with the break in slope where the landscaped terrace feature begins.

District staff are directed to continue to monitor vegetation density and viability of the riparian buffer. Continued fencing and spot weed treatment of the area is encouraged.

MS-11-18 – Remi Berube – Butler Creek – Tree Fort & Bridge (Denied May 15, 2018)

Geocode: 04-2326-18-4-02-17-0000

McBride read correspondence dated May 18, 2018, addressed to the applicant, and presented photos taken at a follow-up site visit on October 4, 2018. These photos showed unpermitted work that had been completed after May 18, 2018. The Board directed that correspondence be sent to the applicant.

Application No. MS-11-18 was denied at the May 15, 2018, District Meeting. Removal or modifications to the structure required submitting a new 310 Application. The work that was completed on the tree fort and bridge crossing Butler Creek on October 4, 2018, was not permitted. Furthermore, the Board observed photos and noted that the rock dam immediately below the tree fort on Butler Creek appears to have been washed out at high water and then rebuilt after the water dropped.

The Board requires that the applicant submit a 310 Application no later than October 29, 2018, for all activities conducted that may impact the bed or banks of Butler Creek. The applicant must ensure that detailed plans are provided, as outlined on the 310 Permit Application, for each portion of the project, including:

- detailed plans to remove the rock dam
- detailed plans for the proposed structure
- detailed plans for any stream crossings
- any other proposed activities that may impact the bed or banks

310 Inquiries/Issues –

A. Darrel & Carol Steinberg – Rock Creek – Channel Change

Geocode: 04-1978-13-2-01-01-0000

McBride reviewed photos of the abandoned and main channels of the stream reach from a September 18, 2018, site visit. She explained that the Steinbergs had an appointment with her at the District office tomorrow, October 10, 2018, to discuss their desired plans.

- #### **B. Trail Creek Channel Migration**
- Present at the meeting were Leland Bartlett, manager of the Double Arrow Ranch Landowners Association (DARLOA), and several homeowners from the Double Arrow Ranch subdivision: Kapp Johnson, Barbara Freye, Dan Frye, Bonnie Johnson, Betty M. Johnson, Debbie Brewer, Joann Wallenburn, and Al Rogers. McBride reviewed images of the stretch of Trail Creek, emphasizing the location of relic braids and the elevation difference between the common area of the subdivision and the area adjacent to the Double Arrow golf course. Johnson presented correspondence he had sent to the Board, which discussed the debris buildup and the potential impacts on property value due to the channel's migration. The Board discussed the ongoing head cutting, sediment deposition, and how burning in prior years will affect flow, sediment deposition, and the area's stability for the foreseeable future. Knotek noted a need for increased riparian vegetation on most of the properties facing onto the stream. The Board further discussed the applicability of water rights for potential projects and the history of development in the area. McBride noted that every proposed project is reviewed on a case-by-case basis but given circumstances presented it seems that manipulation of this reach of Trail Creek could set a precedent with other

MINUTES

Missoula Conservation District

October 9, 2018

possible projects in the county. The Board stated that the landowners were welcome to apply for work that they would like to complete and that the project could be officially reviewed, with an official decision under that application.

- C. Lakewood Estates Pond Outlet** – McBride presented a summary of the proposed project and pictures from a September 27, 2018, site visit. She explained that homeowners in the area were concerned about beaver activity on an existing weir and damage to the existing check/control structure on the active slough. The Board discussed flooding in the area in 1978 and their potential jurisdiction on the project. Hall noted that the slough outlet discharges into an active slough of the Bitterroot River, and as such the Board would take jurisdiction on a project.

- D. Other** – None.

Reports

County Attorney – Nothing to report.

Montana FWP – Nothing to report.

Bitter Root RC&D – Maclay reported that the Bitter Root RC&D committee voted on two applications via email and have not received any new applications.

District Committees – Hall stated that the grants committee will make recommendations for Board action on WEN's sponsorship request and AIS grant application. Hall added that the personnel committee needs to wrap up recommendations for staff raises, the long-range planning committee is awaiting decisions from other committees before meeting, and the budget committee needs to meet regarding the FY19 budget, pending Pencek's availability this month.

Missoula CD Employees – McBride stated that both she and Lindsay Dick attended separate tours of the Smurfit-Stone site this fall and would provide briefs on their respective visits at the November 5, 2018, District meeting. McBride mentioned that Brandi Bergreen's last day with the District would be November 9, 2018 and discussed transition/farewell plans for departure.

Jen McBride – Resource Conservationist – September 11, 2018 – October 9, 2018

310 Administration: Reviewed and edited 310 and correspondence letters following the September District meeting. Reviewed 310 Applications and directed inquiries as they arose. Corresponded regarding relevant 310 projects, complaints, inquiries and follow ups including projects on Butler Creek, Trail Creek, Deer Creek, O'Keefe Creek, Rattlesnake Creek, O'Brien Creek, LaValle Creek, Bertha Creek, Rock Creek, Miller Creek, Gilbert Creek, the Bitterroot River, the Blackfoot River, and the Clark Fork River. Scheduled site visits as appropriate and met with people regarding 310 project inquiries. Went out to several sites to review permitting needs or issues. Followed up on projects that occurred on the Clark Fork River, a tributary to Bertha Creek, Butler Creek. Participated in discussions and meetings concerning Miller Creek, Trail Creek, and the Clark Fork River (adjacent to the former Smurfit Stone Container site). Communicated with Lindsay Dick regarding coordination of 310 site inspections. Attended 310 site inspections with Paul Parson and Ladd Knotek. Prepared 310 reports and photos for the October 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 inquires and issues.

Conservation Planning: Corresponded with Lindsay Dick and grant recipients regarding District Sponsorships, Cost-Share Follow-Ups, and DNRC Sponsorship Grants. Reviewed Legacy Grant Contract. Attended Three Rivers Collaborative Meeting to learn of group's efforts to build relationships and collaborate on future projects in Missoula County. Reviewed and commented on No-Till-Drill video completed by Brandi Bergreen. Conducted a site visit regarding potential Riparian Mini Grant Application. Attended MACD Area V meeting in Helmville.

Office Administration: Met with Dick and Bergreen weekly following the September meeting. Responded to other Districts' inquiries regarding 310 administration and community listening sessions. Continued planning for database creation for Missoula CD and discussed timeline and cost for set up. Reviewed draft contract for set up. Coordinated with Dick regarding district meeting preparations and met as needed regarding accomplishments, priorities, and plans for the workday or workweek. Corresponded with the County and Department of Revenue regarding financial reports. Submitted timesheets and time summary to the county. Entered payroll reports into QuickBooks.

MINUTES

Missoula Conservation District

October 9, 2018

Lindsay Dick – Administrative Coordinator – September 11, 2018 – October 9, 2018

Communications and Outreach: Drafted, revised per Jen McBride's comments, and mailed 310 decision letters, complaint letters, follow-up letters, and other correspondence. Added contacts to subscriber list in Mailchimp from Pollinator Initiative sign-up sheets. Drafted letter to legislators and undertook preliminary steps for organizing meet and greet event before January 2019 session. Website updates: updated equipment rental page, opportunities page. Mailchimp: updated Welcome email. Drafted and revised Annual Report for Area V meeting.

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. Prepared claims and checks to be signed at meeting. Submitted claims to Missoula County. Entered checks, expenses, and claims in QBO. Copied and scanned checks for records, mailed checks, and wrote correspondence when applicable.

Administrative Duties: Corresponded with grant applicants and DNRC, submitted invoices for completed grants to DNRC, and prepared checks for fund disbursement. Drafted contracts for LGP-01-18 and John Kamman. Revised Memorandum of Understanding (MOU) for Weed District Matching Grant. Drafted and revised September 10, 2018, meeting minutes. Drafted, finalized and posted October 9, 2018, agenda. Posted approved September 10, 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. Updated supervisor claims sheet. Drafted PowerPoint for October 9, 2018, District meeting. Compiled meeting packets, prepared Form 273s, files, and conference room for meeting. First contact point calls/walk-ins for 310 inquiries, application requests, complaints, no-till drill reservations, PI inquiries, other agency referrals, etc. Forwarded emails of interest to board. Staff meetings with McBride and Bergreen. Attended Smurfit-Stone tour organized by Smurfit-Stone Community Advisory Group, September 13, 2018. Attended Area V meeting in Helmville, September 25, 2018.

Professional Development: Continued Google Analytics course; completed three assessments. Listened to "Successful Grant Writing 101" webinar on DNRC website.

Brandi Bergreen - Big Sky Watershed Corps Member - September 10th - October 9th, 2018

Watershed Education and Outreach: Completed and uploaded No-Till Drill instructional video online to be published to the Missoula Conservation District website. Developed garden success survey to be distributed to pollinator initiative participants next year to improve the program in the future. Continued with tabling at the Clark Fork Market table, including one day dedicated to pollinator information and seed packet giveaway.

District Business Assistance: Attended 10 site visits with McBride, including site inspections with McBride, Parson, and Knotek.

Professional Development: Assisted Knotek in electrofishing for population count of trout in Clark Fork River. Met with Chris Clancy, fisheries biologist for Montana FWP region 2, as part of job shadowing event put together by Big Sky Watershed Corps. Assisted fellow Big Sky Watershed Corps member with leading field trips with Clark Fork Watershed Education Program (CFWEP).

Other – McBride stated that several resolutions had been brought to the floor at the Area V meeting on September 25, 2018. She explained that her and the Board's understanding had been that any resolutions must be sent to the districts for review prior to the area meetings. McBride stated that a resolution had been passed at the Area V meeting, and that there would be an opportunity for the Board to vote at the Montana Association of Conservation Districts (MACD) convention, November 13-15, 2018.

I. New Business

A. 2018 MACD Convention

- i. Resolutions – Dick informed the Board that copies of the resolutions presented at the Area V meeting were in their folders for their review.
- ii. Auction Items – Dick explained that each district in Area V was asked to contribute an item worth \$50.00 for the silent auction at convention; an item worth \$25.00 for the employee organization live auction; and \$25.00 for the live auction, to be sent to Heidi Fleury, Conservation Coordinator at Lake County CD.

MINUTES

Missoula Conservation District

October 9, 2018

Paul Parson moved to approve purchases up to the suggested amounts. Tim Hall seconded the motion, motion passed—unanimous.

- iii. Registration – Dick stated that the early registration deadline for convention is October 29, 2018. Libby Maclay, Bob Schroeder, and Paul Parson expressed interest in attending.

B. Correspondence – Dick presented correspondence including a thank you letter from The Flagship program; a thank you note from Jody Wills for the copy of *Montana Women From the Ground Up* gifted to her by the Board; a thank you letter from Lincoln Rogers for the scholarship sponsorship to the Montana Natural Resources Youth Camp in July 2018; a poster for the 2019 Western Montana Grazing & Agriculture Conference, January 17-18, 2019, in Missoula; and a note in the October 9, 2018, District Dispatch, regarding a request from DNRC for district feedback on restoring 310 administration funds in the 2019 legislative session.

Tim Hall moved that email correspondence be sent to DNRC stating that there is a general need among conservation districts for 310 administrative funding due to staff, board member, and travel time required for 310 administration, especially after the 2018 spring flooding. Bob Schroeder seconded the motion, motion passed—unanimous.

C. Other – None.

II. Old Business

A. Grant Programs

i. District Programs

1. Watershed Education Network (WEN) Program Sponsorship – WEN Executive Director Deb Fassnacht was present at the meeting to request the District's continued sponsorship of WEN's educational programs. Fassnacht presented a one-page summary of WEN's accomplishments in the past year and explained that the District's \$5,000.00 sponsorship would constitute 14% of the school programming budget for the upcoming year. Schroeder inquired about existing methods of monitoring the effectiveness of education programs, and Fassnacht discussed interviews that had been conducted with workshop participants by a University of Montana focus group. Schroeder and Hall emphasized that it would be of interest to the Board to see quantitative measurements of success for all grantees in future. Greenwalt noted that any polls or surveys that the District wishes to occur would need to be accounted for in project budgets. Fassnacht also discussed WEN's partnership with Trout Unlimited on Rattlesnake Creek.
2. Channel Migration Zone (CMZ) Mapping – Hall stated that CMZ mapping of the 2018 flood event on the Clark Fork and Bitterroot Rivers would provide a beneficial scientific tool for both public and agency reference in future years, especially considering that the only other organization conducting aerial mapping of the historic flood event is Trout Unlimited. He explained that fall 2018 before snowfall would be an ideal time to map. Hall stated that Travis Ross of the Missoula Valley Water Quality District has requested \$15,000.00 from the District to fund aerial flights; the entire budget for the project is \$30,000.00, including data compilation and analytics. Paul Parson inquired about the possibility of coordinating with Ravalli County to map a longer stretch of the Bitterroot River.

Tim Hall moved to grant \$15,000.00 in Legacy Grant funds to Missoula Valley Water Quality District for purposes of aerial flights for CMZ mapping in fall 2018, with the condition that if the Water Quality District fails to secure matching funds for the data assessment, the District be reimbursed in full. Travis Greenwalt seconded the motion, motion passed—unanimous.

3. Other – None.

ii. DNRC Sponsored

1. Aquatic Invasive Species (AIS) Grant Program – WEN –McBride stated that the grant application has been submitted to the grants committee, who must make a recommendation to the Board. The Board must make a formal decision on the application by the November 5, 2018, District meeting. The Board and Fassnacht discussed match funds as outlined in the project budget and Fassnacht provided an overview of letters of support received from Montana Fish, Wildlife & Parks and Missoula County Public Schools. Fassnacht and the Board discussed the project’s emphasis on AIS messaging and education, and possibilities for incorporating “on-the-ground” elements into the CHEK4AIS program. Hall stated that the grants committee will make a recommendation on the application soon.
 2. Other – None.
- B. Equipment Program** – McBride stated that Bergreen requires better footage for the loading/unloading video for the no-till drill and inquired whether any supervisors would volunteer to help. McBride emphasized that obtaining this footage before Bergreen’s BSWC term expires would be the most cost-effective solution for the District. McBride also asked whether the Board had any feedback on the calibration and cleaning video that had been uploaded to the website. No feedback was provided, and McBride noted her perspective that the videos were well done and professional. The Board asked that Bergreen move ahead with the footage that she has and address some of the potential hang-ups while loading and unloading.
- C. Legislator Meet & Greet** – Dick explained that she has narrowed down the choices for a venue for the meet and greet event and asked the Board if the dates of November 27, 2018, or November 29, 2018, would be convenient for their schedules. She stated that she will reserve a venue before the November District meeting and is exploring options for catering.
- D. Other** – McBride noted that Missoula is still working with SWCDM to obtain licenses for Salesforce and has moved forward with plans for a contractor to work with the district and implement the structure within the program. Tim Hall moved to allocate \$6,000.00 for implementation of Salesforce in the District office. Travis Greenwalt seconded the motion, motion passed—unanimous. Funds are to be paid to contractor John Kamman should the Soils and Water Conservation District (SWCDM) secure Salesforce user licenses on behalf of the District.

III. Payment of Bills – Tim Hall moved to pay the bills. Travis Greenwalt seconded the motion, motion passed—unanimous.

Warrants:

Ck # 2493	Verizon – District cell phone	\$ 70.15
Ck # 2494	First Interstate Bank – Fleet card vehicle 4-022428	\$ 139.24
Ck # 2495	Charter Communications – Internet	\$ 84.99
Ck # 2496	Lindsay Dick – Staff mileage	\$ 24.55
Ck # 2497	AlphaGraphics – Engraved name badges (2 x \$22.00/each)	\$ 44.00
Ck # 2498	AlphaGraphics - #10 Regular envelopes with logo (250)	\$ 89.67
Ck # 2499	Pitney Bowes – Postal machine leasing charges (7/30/2018 – 10/29/2018)	\$ 139.65
Ck # 2500	Tim Hall – Supervisor mileage reimbursement + CD business	\$ 392.44
Ck # 2501	Elizabeth Maclay – Supervisor mileage reimbursement + CD business	\$ 199.05
Ck # 2502	Travis Greenwalt – Supervisor mileage reimbursement + CD business	\$ 79.43
Ck # 2503	Paul Parson – Supervisor mileage reimbursement + CD business	\$ 261.45
Ck # 2504	Art Pencek – Supervisor mileage reimbursement + CD business	\$ 557.70
Ck # 2505	Robert Schroeder – Supervisor mileage reimbursement + CD business	\$ 484.00
Ck # 2506	Sidney Wills – Supervisor mileage reimbursement	\$ 56.68
Ck # 2507	Bart Morris – Supervisor mileage reimbursement	\$ 23.98
	Total:	\$ 2,648.98

MINUTES
 Missoula Conservation District
 October 9, 2018

Checks:

Ck # 1456	Jack & Patricia Cohen – CS-08-18	\$ 2,500.00
Ck # 1457	Bob Schroeder – Board Dinner 6/11/18 (misplaced ck # 1443)	\$ 93.72
Ck # 1458	WWC Engineering – RPG-18-0555	\$ 14,250.00
Ck # 1459	Lake County Conservation District – Area V Live Auction Item	\$ 25.00
	Total:	\$ 16,868.72

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	21		
Libby Maclay	21		
Travis Greenwalt	20	1	
Paul Parson	21		
Art Pencek		Absent	
Bob Schroeder	21		
Sidney Wills		Absent	

IV. Adjournment –Tim Hall moved to adjourn the meeting. Travis Greenwalt seconded the motion, motion passed—unanimous. The meeting adjourned at 11:52 p.m.

The next Missoula Conservation District meeting is scheduled for **November 5, 2018**, at 7:00 p.m. in the District conference room at 3550 Mullan Road, Suite 106, Missoula, MT 59808.

APPROVED