

**Missoula Conservation District**  
March 04, 2019 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; Paul Parson, Supervisor; Art Pencek, Supervisor; Bob Schroeder, Supervisor; Bart Morris, Associate Supervisor; Jen McBride, Staff

Additional Attendees: John Hart, Deputy County Attorney; Bryce Christiaens, Missoula County Weed District; Haley Gamertsfelder, Big Sky Watershed Corps Member, Missoula County Weed District; Patrick Hurley, Watershed Consulting; Jeff Cahill, Watershed Consulting; Curtis Thompson, Point Six Engineering

Absent: Sidney Wills, Supervisor; Bart Morris, Associate Supervisor; Ladd Knotek, MT FWP; Lindsay Dick, Staff

**Call Meeting to Order** – 7:02 pm by Tim Hall

**Minutes** – Libby Maclay moved to approve the February 11, 2019 minutes as drafted. Paul Parson seconded the motion, motion passed – unanimous.

**Treasurer's Report** – Jen McBride reported \$91,385.96 in the District checking ledger and noted a total of \$66,000, dispersed for Legacy Grant Programs and Cost-Share Reimbursement, has not cleared the account; when the outstanding checks post, the balance will be \$25,540.34.

**Public Comment** – No public comment.

**NRCS Report** – John Bove provided a Freedom of Information Act (FOIA) document to the Board that outlines the standard that he must adhere to when discussing NRCS projects. He provided a verbal report discussing NRCS programs such as EQIP and the number of contracts that he is working on. Bove stated that he attended and presented at a meeting geared toward new producers at the MSU Extension office. Hall inquired about an email regarding the NRCS Long-Range Planning efforts. Bove stated that there was a teleconference on March 05, 2019, and that he should know more then, but that the local working group would be involved.

**New 310 Permit Applications**

**MS-06-19** – Aaron Howard – Houle Creek – Culvert Installation

Geocode: 04-2428-30-1-04-17-0000

Jen McBride reviewed the application, stating that a site inspection occurred on February 27, 2019, at which she, Art Pencek, Ladd Knotek, and Haley Gamertsfelder reviewed the proposed culvert installation project. McBride explained that a bridge has been recommended for this site in the past. She displayed photos of the incised channel and noted that the project location is downstream of a perched culvert that crosses under the county road and is immediately upstream of the location where all flow is captured by the Frenchtown Ditch before reaching the Clark Fork River. Pencek discussed the proposed plans and reviewed his Team Member Report. McBride reviewed a Team Member Report provided by Knotek. The Board discussed the design plans, noting that the calculations for fill, slope, and road surface width did not appear consistent or accurate. Pencek stated that this also contradicted what was discussed on site. The Board reviewed the site-specific characteristics that influenced the consideration of a culvert at this location and questioned the cost comparison with the length of pipe and amount of fill that would be required. The Board noted that the design plans would need to be revisited and dimensions recalculated to ensure final specifications are met.

Art Pencek moved to accept Application No. MS-06-19 as a project for review and to approve the project to install a culvert with modifications incorporating most recommendations in Team Member Reports, emphasizing the requirements discussed at the meeting and allowing a 1.5:1 slope as opposed to a 2:1 slope. Paul Parson seconded the motion, motion passed—unanimous.

Application No. MS-06-19, the project to install a culvert on Houle Creek, is approved with the following modifications:

- Demonstrate that access through neighboring parcel is not feasible, as it could completely avoid new stream disturbance (e.g. prior to beginning work provide documentation that this is not possible)
- The size of the culvert should be increased to 48-inches or larger to reduce risk and enhance aquatic passage
- The culvert must be counter sunk and installed-on grade to encourage a smooth transition and no hydraulic jump
- Armor the inlet and the outlet
- The culvert must be long enough to ensure at least 1-foot extends beyond the toe of the fill and the armor at the inlet and outlet
- Minimize riparian cleaning to immediate project area
- Side slopes must be a 1.5:1 maximum slope and revegetated with a native seed mix
- Complete the project during base flow conditions (e.g. July 1 through April 1)
- Complete the project using Best Management Practices, especially those related to stream culvert installation - pages 36-42 (DNRC's *Montana Forestry Best Management Practices*, pgs. 16-42 provided to applicant)
- Recalculate dimensions incorporating the above modifications and submit final plans to our office for the 310 Permit file

**MS-07-19** – Watershed Consulting, Inc., obo Orville Daniels – Bitterroot River – Bank Stabilization/Alteration  
Geocode: 04-2199-26-3-03-01-0000

McBride reviewed the project location stating that a site inspection occurred on February 27, 2019, at which she, Pencek, Knotek, and Gamertsfelder were on site with Watershed Consulting, Inc., representatives Mark Vander Meer and Jeff Cahill to review the bank stabilization/alteration project. McBride showed the Board images and Patrick Hurley, of Watershed Consulting, Inc, described the project's proposed use of locally sourced logs, rootwads, and willow whips to minimize erosion and encourage point bars where there is presently a strong eddy just below Maclay Bridge. McBride passed the design plans to the Board for review. Discussion ensued regarding the potential scour depth of an eddy on the Bitterroot River and the depth of the rootwads. Hurley stated that the gravel bar remained virtually unchanged, but the bank was sloughing and undermining a sandy layer. He elaborated that dense plantings would be interspersed with the rootwads and drip irrigation would be installed. Pencek read his team member report and McBride read a report provided by Knotek.

Bob Schroeder moved to accept Application No. MS-07-19 as a project for review and to approve the project to alter and stabilize the bank with modifications in Team Member Reports and to include the Board's recommendation to place rootwads deeper as site conditions allow. Art Pencek seconded the motion, motion passed—unanimous.

- Project must be completed at base flows when shrubs to be installed are dormant
- All disturbance and installation of structures should occur in band from high bank elevation to 15-linear feet from bankfull elevation, leaving the lower half of the gravel bar unimpacted
- Do not import rock or materials that are not specified on the application
- Considering potential scour depth, it is recommended that rootwads are placed deeper than depicted in plans and as site conditions allow
- 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)

**MS-08-19** – Robert Morrison – Butler Creek – Vegetation Removal/Habitat Modifications/Stream Crossing  
Geocode: 04-2326-18-4-02-09-0000

McBride stated that this application did not include complete plans for each part of the proposed work, but the landowner was anxious to thin riparian vegetation due to fire concerns. She, Pencek, Knotek, and Gamertsfelder went on-site on February 27, 2019, where they met with Robert and Linda Morrison and the Morrises' neighbor, Travis Greenwalt. Pencek explained that there was not enough information available to make a recommendation on the project and he recommended tabling the project until the spring when the creek and vegetation can be more closely observed. Pencek stated that the

applicant needed to more clearly mark what he proposes to remove and to consult with someone from DNRC to discuss what can be done to mitigate fire concerns. McBride reviewed Knotek's Team Member Report which also recommended tabling the project.

Art Pencek moved to table Application No. MS-08-19 until a more thorough site visit can occur and to remind the applicant to contact DNRC and mark shrubs that he proposes to remove. Bob Schroeder seconded the motion, motion passed—unanimous.

**MS-09-19** – Professional Consultants, Inc. obo McCrane Family LLC – Unnamed – Culvert & Fill  
Geocode: 04-2872-23-1-02-15-0000

McBride explained that Leo Rosenthal, MT FWP representative, requested an onsite inspection for this project because the applicant proposes to fill in a wetland and describes a small channel flowing through the wetland to the lake. McBride reported that she contacted the applicant to find out how much snow was present on site and when a site inspection may be possible. The applicant is supposed to get in touch with McBride in mid-April to schedule an inspection prior to the May 2019 meeting. The Board stated that Application No. MS-09-19 should be tabled until a site inspection can occur.

**MS-10-19** – Vose Babcock – Clark Fork River (slough) – Remove and Replace Culvert  
Geocode: 04-2324-03-1-01-07-0000

McBride stated that the application concerns a project proposed on the road that accesses the site of the Clark Fork cable car crossing. The crossing is in an active slough with return flow to the Clark Fork River. This application arrived too late to be included in site inspections on February 27, 2019, however District representatives have previously visited the site previously and pictures are included in the application. Knotek did not request a site inspection since he is familiar with the site and McBride read recommendations that Knotek provided on the project. Curtis Thompson from Point Six Engineering attended the meeting and stated that the present pipe appears to relieve flow and that he is concerned enlarging the pipe may cause the road elevation to increase as well as trigger other required permits. Thompson elaborated that when flows are high, water runs over this road. McBride provided information from a February 27, 2019 email from Nathan Green, US Army Corps of Engineers Senior Project Manager, summarizing that a Section 404 Maintenance Exemption may be found if the footprint of the culvert and the associated fill is the same as the existing culvert and if the same size/type of culvert is used. Maintenance does not include modifications. The Board discussed the amount of water in the slough and stated that a larger culvert and longer culvert would be better suited for the site even if it raises the elevation of the road slightly. The Board elaborated that it was unfortunate that placing a more appropriately sized crossing would be more difficult for the applicant to permit, but that they were inclined to require the improvement on the outdated structure.

Art Pencek moved to accept Application No. MS-10-19 as a project for review and to approve the project to remove and replace a culvert with modifications as discussed at the District meeting, incorporating recommendations from the Montana Fish Wildlife and Parks representative. Paul Parson seconded the motion, motion passed—unanimous.

Application No. MS-10-19 is approved with the following modifications:

- Culvert should be replaced with a minimum size of 36-inch squash
- Lengthen the culvert to allow for appropriate fill on either side of the road
- Install as to minimize rise in road surface and to allow overtopping during a major flood event
- Complete the project during low water periods (e.g. July 1- April 1)

**MS-11-19** – Remi Berube – Butler Creek – Tree Fort/Bridge/Rock Dam Removal  
Geocode: 04-2326-18-4-02-17-0000

McBride stated that Berube submitted this application in part to resolve Complaint No. CM-16-18. The application states that the purpose is to document the bridge/tree fort and remove the rock dam; brush and grass is present, and no vegetation will be removed; rocks (large and small) will be removed one at a time and dispersed in the channel in a way that will not create another dam; all work will be done by hand with the possible use of a shovel. The Board reviewed images and the application.

Tim Hall moved to accept Application No. MS-11-19 as a project for review and to approve with modifications the project to keep the tree fort and bridge in place and remove the rock dam.. Paul Parson seconded the motion, motion passed—unanimous.

Application No. MS-11-19 is approved with the following modifications:

- Distribute the removed rocks in a scattered pattern on the floor of the ford crossing or elsewhere in the creek
- Ensure that elevation streambed is not increased
- Complete all instream work prior to April 15 or after July 1

**APO-01-19 – Remi Berube – Butler Creek – Ford**

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

McBride stated that this application is related to Application No. MS-11-19 in that it was submitted in an effort to resolve Complaint No. CM-16-18 and Berube intends to disperse rocks and gravel from the rock to the ford site, specifically on the south bank to help stabilize the site. The application is fairly simple and states that the rest of the area is rock and gravel.

Tim Hall moved to accept Application No. APO-01-19 as a project for review and to approve the project to improve a ford crossing with modifications. Travis Greenwalt seconded the motion, motion passed—unanimous.

Application No. APO-01-19 is approved with the following modifications:

- Use removed rocks from the dam and place in a scattered pattern on the floor of the ford crossing or elsewhere in the creek
- Ensure that streambed elevation is not increased
- Place 2-inch minus washed rock on the approaches and seed with a native riparian mix over the top
- Note the expiration on this annual maintenance permit – should applicant plan to continue use of the crossing beyond the expiration date of this Permit, applicant will need to apply for a new Permit in 2028.
- Complete all instream work prior to April 15 or after July 1

### 310 Complaints

**CM-06-18 (RE: MS-30-18) – Fred Stout – Clark Fork River – Riprap & Excavation Work**

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

McBride stated that there is nothing new to report since the last meeting. **CM-16-18 (RE: MS-11-18) – Remi Berube – Butler Creek – Tree Fort & Bridge**

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

See discussion above MS-11-19 and APO-01-19.

Tim Hall moved to consider Complaint No. CM-16-18 resolved as long actions permitted under Permit No. MS-11-19 and APO-01-19 are completed as permitted. Bob Schroeder seconded the motion, motion passed—unanimous.

### 310 Inquiries & Issues

Rattlesnake Creek Homesite –

McBride stated that Eric Abrams of JCM Architecture was referred to the District by City of Missoula Floodplain. Abrams intends to rebuild the home at 3105 Old Pond Road and wanted to know what would and would not require a 310 Application. McBride showed images of the property and stated that she'd met Abrams and Jeff Maphis on the property to discuss their project. Abrams and Maphis were specifically inquiring about vegetation removal on the property but were also interested if the Board would entertain a designed, natural-looking bankfull and/or floodplain terrace to step down the high terrace on the property. The Board stated that an artificial bankfull or floodplain terrace did not seem appropriate for the site and that such a proposal is not encouraged. The Board also stated that the vegetation at the site is essential for bank stability and riparian health and perhaps limbing over thinning would be more appropriate. If the potential applicant intends to remove vegetation within the riparian buffer area as measured 30-feet from the ordinary high water mark, a 310 Application is required. The Board further discussed the issues on the upstream and downstream properties and stated that McBride should research prior permits and contact the landowners to ensure compliance with the 310 Law.

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#### Other

McBride reported that she'd received a call regarding possible fire-hazard work that would include riparian vegetation in the Grant Creek area above the interstate. McBride informed the caller that a 310 Application would be required for the work.

#### **Reports**

County Attorney – John Hart stated that he had no report.

Montana FWP – Knotek was absent and did not provide an additional report.

Bitter Root RC&D – Maclay stated that a meeting occurred on February 14, 2019, but that she was unable to attend.

District Committees – McBride stated that the Personnel Committee was continuing to be active and that she would schedule a meeting with the Grants and Personnel Committees upon returning from leave. Travis Greenwalt reported on moving funds into certificate of deposit accounts and a staggered vs. ladder approach based on discussion with the D.A. Davidson representative. Greenwalt mentioned the District could leave some cash in a savings account on hand with certificate of deposits maturing at different dates, so that the money could be accessed if needed.

#### Missoula CD Employees

*Jen McBride – Resource Conservationist – February 12, 2019 – March 04, 2019*

310 Administration: Drafted, reviewed, printed, scanned, forwarded, and mailed 310 letters following the February District meeting. Reviewed 310 Applications and directed inquiries as they arose, forwarded to MT FWP representatives as appropriate. Corresponded regarding relevant 310 projects, complaints, inquiries and issues including locations on the Butler Creek, Houle Creek, Rattlesnake Creek, Grant Creek, Rattlesnake Creek, the Bitterroot River, and the Clark Fork River and an unnamed channel in the Clearwater River Drainage. Scheduled site visits as appropriate and met with people regarding 310 issues/inquiries. Coordinated 310 site inspections and corresponded with applicants regarding next month's inspections. Attended 310 site inspection with Art Pencek, Ladd Knotek and Big Sky Watershed Corps Member, Haley Gamertsfelder. Prepared 310 reports, photos, and PowerPoint for the March 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 Army Corps of Engineers, Missoula County Floodplain, and other Missoula County employees about inquiries and issues. Forwarded MACD and DNRC communications as needed.

Conservation Planning/Partnerships: Completed reimbursement checks for a 2018 Cost-Share project and two 2018 Legacy Grant projects. Corresponded with Missoula County Weed District regarding partnership weed grant and potential future partnerships. Completed Watershed Restoration Plan Survey and sent on to SWCDM. Completed House Bill Comments and sent on to MACD and DNRC as requested. Attended Three Rivers Collaborative public event. Spoke with Area V Representative, Heidi Fleury, regarding MACD Convention in November and began compiling list of potential speakers for breakout sessions or keynote speakers for the event. Corresponded with representatives interested in pursuing sponsorships thorough Missoula CD, including Envirothon and Flagship. Met with representatives from Watershed Education Network regarding denial for the DNRC AIS Grant. Corresponded with Lolo Watershed Group regarding attendance at a future meeting. Assisted neighboring districts with Missoula CD Cost-Share information.

Office Administration: Corresponded with Personnel Committee and Missoula County Human Resources as needed. Drafted policy changes as approved by the Board at the February 11, 2019 meeting, sent on draft for final approval. Corresponded with Lindsay Dick regarding leave. Submitted timesheets and time summary to the county, entered Labor Distribution Reports, entered account financial statements accordingly. Compiled document to assist Gamertsfelder with office coverage while staff is on leave and spent one day with Gamertsfelder discussing office basics. Coordinated with Knotek and Supervisors for assistance in coverage and responses to inquiries while out. Addressed immediate needs for vehicle maintenance and made appointment for other maintenance. Dropped claims at the Missoula County offices (no scanner available in our office at the time). Entered payments into QuickBooks. Prepared claims for March meeting. Tabled work with SWCDM and Kamman regarding CRM software and cloud file management due to lack of time to commit to this effort. Submitted timesheets and time summary to the county. Entered monthly report into QuickBooks. Completed District Meeting Preparations for March 04, 2019.

*Lindsay Dick – Administrative Coordinator – January 15, 2019 – February 11, 2019*  
Out on leave.

## **New Business**

### Introducing Big Sky Watershed Corps Member – Haley Gamertsfelder

McBride formally introduced Haley who had met several supervisors or District affiliates at an event downtown or on site inspections. The Missoula County Weed District is kind enough to allow Gamertsfelder to work remotely from our office where she is volunteering some of her time to coordinate basic office needs and coverage while staff is away.

### Correspondence

McBride reviewed an email message from State Conservationist, Tom Watson, regarding the NRCS Long-Range Planning effort. The Board stated that it looked forward to participating and hearing more from Bowe regarding the convening of the working group to cover the planning effort. McBride also passed around an annual report provided from the Flagship program.

### Other

McBride discussed Area V's planning for the 2019 MACD Convention and requested input from the Board that she will share with the planning committee. McBride reviewed documents and received input regarding breakout sessions and speakers.

## **Old Business**

### Grant Programs

District Programs - Envirothon Sponsorship Request – Brandon Honzel and Students – McBride read aloud a letter provided by Honzel requesting sponsorship to send 6 teams and 30 students to the Envirothon this year. Two of the teams are Missoula FFA teams. The other teams will be representing Big Sky High School, Sentinel High School, and Hellgate High School. The requested funding includes \$600.00 in registration fees and \$2437.50 for lodging. The Board expressed appreciation for the efforts to coordinate Envirothon teams and to keep costs down despite adding another team this year. The Board also expressed a preference in the future to hold a local contest and send the top performing teams from Missoula, especially if interest and number of teams continue to grow. Unfortunately, such an effort cannot be coordinated by Missoula CD at this time. Other – McBride stated that the Flagship program expressed interest in an education mini-grant and the grant's committee should receive something from them soon. DNRC Sponsored - McBride stated that she met with representatives from Watershed Education Network (WEN) regarding Missoula Conservation District's sponsorship of the 223 Grant, where WEN presented funding and then told that it must apply for funding through the AIS program first. The Board and McBride discussed that funding through the DNRC's AIS Grant was denied. The Board and McBride also discussed what was realistic to expect in terms of District involvement in DNRC grants given present responsibilities and programs and that the District presently lacks staff capacity to be heavily involved.

Equipment Program – McBride stated that she anticipated that Gamertsfelder would receive calls regarding the no-till-drill and that she may schedule some appointments. Schroeder stated that the drill needed maintenance and that the earliest it would be back at Larry's Tractor Trailer and More would be April 15, 2019.

Long-Range Plan – McBride reminded the Board that a copy of Missoula CD's draft Long Range plan was provided in last month's folders. McBride asked if there was any feedback on the plan. The Board offered no feedback. McBride stated that this was intended to be followed by a strategic plan and individual work plans, and that any thoughts or feedback are appreciated.

Former Smurfit Stone Site – McBride stated that she was receiving a lot of information regarding meetings and reports on the former Smurfit Stone Site and asked the Board if they would like her to forward all the emails. The Board stated that the Supervisors did not want all the e-mails and that she should keep the Board informed as she saw relevant issues arise.

Other – Hall stated that he thought that the Three Rivers Collaborative Event was a success and that people seemed excited about the river. He stated that the process may be slow, but he encouraged continued engagement with the group.

At 9:32 pm Tim Hall called the meeting into an executive session

### **Payment of Bills –**

The Board discussed MACD dues, the role and function of MACD, and issues that have arisen amongst the body. Overall the Board believes the association is an essential part of Conservation Districts in the state of Montana and it believes that the Districts with more funds need to carry the association to ensure that conservation voices are heard in the Legislature.

Bob Schroeder moved to pay dues to MACD in the full amount invoiced, \$17,000.00; Paul Parson seconded the motion, motion passed—unanimous.

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The Board further discussed the role and function of SWCDM and the \$25.00 request to fund the Bridger Plant Materials Center.

Tim Hall moved to continue the annual contribution to the Bridger Plant Materials center; Art Pencek seconded the motion, motion passed—unanimous.

Bob Schroeder moved to pay the bills; Tim Hall seconded the motion, motion passed—unanimous.

**Warrants:**

Ck # 2558	Verizon – District cell phone	\$ 69.47
Ck # 2559	Montana State Fund	\$ 329.80
Ck # 2560	Charter Communications – Internet	\$ 84.99
Ck # 2561	John Kamman – Salesforce Platform Development	\$ 3937.50
Ck # 2562	MACD - Dues	\$ 17000.00
	<b>Total:</b>	<b>\$ 21,421.76</b>

**Checks:**

Ck # 1480	Missoula County Weed District – Cost-Share Partnership	\$ 3385.00
Ck # 1481	SWCDM – Bridger Plant Materials	\$ 25.00
Ck # 1482	Bob Schroeder – Reimbursement	\$ 100.75
Ck # 1483	Envirothon	\$ 600.00
Ck # 1484	Big Sky-High School	\$ 2437.50
	<b>Total:</b>	<b>\$ 6,548.25</b>

**Adjournment** – Bob Schroeder moved to adjourn the meeting Paul Parson seconded the motion, motion passed—unanimous. Meeting adjourned at 9:51 pm.

<b>Voting Record – CD</b>	<b>IN FAVOR</b>	<b>OPPOSED</b>	<b>ABSTAIN</b>
Tim Hall	12		
Libby Maclay	12		
Travis Greenwalt	12		
Paul Parson	12		
Art Pencek	12		
Bob Schroeder	12		
Sidney Wills		Absent	

**XIII. Adjournment**

The next Missoula Conservation District meeting is scheduled for Monday, April 08, 2019 at 7:00 p.m. in the USDA Service Center conference room at 3550 Mullan Road, Suite 106, Missoula, MT 59808