

Missoula Conservation District
January 13, 2020 at 7:00 pm
3550 Mullan Rd, Ste 106, Missoula, MT 59808

Missoula Conservation District Attendees: Libby Maclay, Vice Chair; Travis Greenwalt, Treasurer; Sidney Wills, Supervisor; Bob Schroeder, Supervisor; Art Pencek, Supervisor; Bart Morris, Associate Supervisor; Jen McBride, Staff; Bryan Vogt, Staff; Barb Kreis, Staff

Additional Attendees: John Hart, Senior Deputy County Attorney; Steve McAfee (MS-59-19) Larry Cawlfeld, Tetra Tech (MS-59-19); Bryce Christiaens, Missoula County Weed District Manager; Jody Wills, public attendee.

Absent: Tim Hall, Chair; Paul Parson, Supervisor; Josh Schroeder, Associate Supervisor; Travis Lemke, NRCS Supervisory District Conservationist; Ladd Knotek, MT FWP

Call Meeting to Order – 7:01 pm by Libby Maclay

Minutes – Jen McBride reported an error on the December 9, 2019 Minutes where there was no reference between Bob Schroeder and Josh Schroeder and stated that it should be edited to show either B. Schroeder or J. Schroeder. Bob Schroeder moved to approve the December 9, 2019 Minutes with the edits discussed. Travis Greenwalt seconded the motion. All in favor, motion carried—unanimous.

Treasurer's Report – Travis Greenwalt reported \$11,825.36 in the District checking account.

Public Comment – No comment

NRCS Report – Nothing to report. Travis Lemke, NRCS Supervisory District Conservationist was absent due to his attendance at a NRCS training in Billings, MT.

310 Permit Applications

MS-41-19 – Double Arrow Ranch Landowners Association (DARLOA) c/o Greg Neudecker, DARLOA Board Member – Trail Creek – Bridge Construction & Culvert Replacement (tabled August 12, 2019)
Geocode: on or adjacent to 04-2540-11-2-02-01-0000

McBride reported that there is no update, and she is still waiting for the submission of bridge plans.

Action on Application No. MS-41-19 is postponed pending submittal of design plans.

MS-59-19 – Steve McAfee c/o Tetra Tech, Larry Cawlfeld – Clark Fork River – Bank Stabilization
Geocode: 04-2324-03-1-01-08-0000

McBride reported that this project was approved at the December 9, 2019, District Meeting. She received revised plans for this project on January 2, 2020 from McAfee and on January 13, 2020 from Cawlfeld. The revised plans provided two different designs for more protection on the corner of the bank upstream of the house. The Board reviewed images of the site from prior site visits along with the most recent aerial imagery from the Missoula County Property Information System. Additionally, the Board reviewed images provided by Cawlfeld including an image that Cawlfeld stated that he took on January 11, 2020 and an artist's

rendition depicting the area of proposed additional work superimposed on the same January 11, 2020 image. McBride noted during the meeting that none of the submitted design plans match the artist's rendering of the proposed work being presented and discussed tonight. The rendering depicts a concave area covered in rock that is upstream of the area where work was approved at the December 09, 2019 Meeting. Alternately, the modified designs provided on January 02, 2020, and January 13, 2020, depict a convex area to be stabilized upstream of the area where work was approved at the December 09, 2019 Meeting, with the same design of work that was approved downstream under previous 310 permits.

Cawlfeld reviewed the proposals and noted that the tie-back from a prior project does not provide adequate protection from erosion so they would like to extend some bank protection work upstream from what was approved at the December 9, 2019 meeting. Existing vegetation and potential damage to vegetation during construction was discussed. Cawlfeld noted that there would be some disturbance to vegetation and some would have to be removed to conduct the work. However, the goal would be to leave as much vegetation intact as possible. The proposed work includes revegetation with fabric lifts, seeds, containerized plants, and trees.

McBride read an email from Ladd Knotek, FWP, that entailed an addendum to his team member report following submission of revised plans on the existing permit. The message recommended that (1) extension of the rip rap bank stabilization project upstream should require demonstration that the previously permitted and installed rock refusal (buried into the bank/lawn) is inadequate to protect the house and associated infrastructure; (2) if new bank stabilization is warranted (in the eddy upstream of currently permitted project), the extent of riprap should only include the immediate bank that protects the house/infrastructure. (i.e., it should be specified that further work will not expand into other upstream areas or stream banks at the mouth of the side channel or other areas not directly tied to home protection), and; (3) the design of any new work should mirror previously permitted work just downstream, in terms of rip rap height, revegetation components and requirements, success criteria, etc. Additionally, McBride stated that Mark Sommer, landowner where the new proposed work will be conducted, has indicated that he is supportive of McAfee protecting his home. The Board noted that we needed to ensure that our office has that approval in writing.

Art Pencek moved to approve proposed modifications to Permit No. MS-59-19 specifying that the area and shape of work that is allowed is what is shown in the January 11, 2020 artist's rendition, and the work must incorporate the third point of Knotek's recommendations from the addendum to his team member report, and the modifications must be approved by the landowner. Bob Schroeder seconded the motion. All in favor, motion carried – unanimous.

The modification to Permit No. MS-59-19 to stabilize the bank on the Clark Fork River is approved incorporating the following:

- The design of any new work must mirror previously permitted work just downstream, in terms of rip rap height, revegetation components and requirements, success criteria, etc.
- The project, with the above condition, may extend upstream of the area allowed by the original permit, and bank stabilization work may occur in the concave shape and area depicted in the artist's rendering
- The landowner(s) must approve of all proposed work and modifications prior to construction

All conditions noted in the December 13, 2019 letter still apply to Permit No. MS-59-19

- Large rock should be sorted and placed from max scour to bankfull elevation
- Intensive native planting and revegetation emphasis must meet the following Conservation District standards:
 - During construction, intensive willow cuttings must be installed into riprap between Q_2 and Q_{10} elevations
 - Use native vegetation on the bank
 - Intensive planting and irrigation above bankfull elevation is required
 - Maintain District standards for vegetation survival rate - 75% of planted vegetation must survive one year from initial planting; 50% of planted vegetation must be evidently viable two years from the project completion date
- Construct utilizing similar techniques as previously completed on adjacent (downstream) projects

If plans change and are not consistent with the specified conditions, then a new request for a modification to Permit No. MS-59-19 must be submitted.

MS-61-19 – Erck Hotels c/o Nielsen Commercial – Grant Creek – Hotel Construction
Geocode: 04-2200-05-3-01-09-0000

McBride reported that revised plans dated December 18, 2019 were submitted from Mike Day, WGM Group, for this project that had been previously approved on December 9, 2019. The revised plans show a gravel trail that will extend out to the 100-year floodplain boundary. The trail will then fan out in an apron bordered by dense woody vegetation to try to limit public access up and down the channel. The majority of the public use will be designated to the area at the end of this trail. The trail will exist in an area with a low angle slope and hopefully reduce erosion issues from access. It was noted that this design proposes a good buffer distance, especially when compared to what exists on properties up and downstream of this site.

Art Pencek moved to approve proposed modifications to Permit No. MS-61-19. Bob Schroeder seconded the motion. All in favor, motion carried – unanimous.

- Use revised (December 18, 2019) plans submitted by Mike Day, WGM Group
- Ensure dense planting of the proposed vegetation is placed on both sides of the access point (after termination of the gravel trail); this dense planting should be completed in a way that it helps limit impacts from access to the banks of the creek upstream and downstream of the encouraged access point
- If project plans change and may impact the riparian buffer as measured 30-feet horizontally from the ordinary high water mark of Grant Creek, then submit plans to the District office for additional review and Board of Supervisor approval

310 COMPLAINTS

CM-04-19 – Fred Mills – Clark Fork River – Work on bank
Geocode: 04-2323-07-1-02-12-0000

McBride reported that a 310 Application was received via email from Mr. Mills by the deadline of January 13, 2020 and the application will be on next month's agenda.

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CM-05-19 – Ed Brewer – Camas Creek – Undersized Culvert
Geocode: 04-2204-31-1-01-08-0000

McBride reported that she has phoned and left voice mail messages for Mr. Brewer but has not received a response.

CM-06-19 – Betty Miller – Rattlesnake Creek – Vegetation Removal
Geocode: 04-2200-11-3-06-01-0000

McBride updated the Board of Supervisors regarding correspondence with the city and county regarding Violation No. CM-06-19. The Board noted that although large woody debris is desirable and necessary for natural function in riparian systems, requiring an application for removal may be necessary since receiving a report from the City of Missoula that floodplain regulations classify cut trees in the floodway as “artificial obstructions” and therefore the trees are prohibited under that entities regulations.

Art Pencek moved to require Miller to submit a 310 Application for removal of the trees from the Rattlesnake Creek corridor to remain consistent with the City of Missoula Floodplain regulations. Travis Greenwalt seconded the motion. All in favor, motion carried – unanimous.

CM-08-19 – James Schlinger – Barber Creek – Excavation on Creek and Banks
Geocode: 04-2992-19-1-01-11-0000

McBride reminded the Board that Complaint No. CM-08-19 is a violation of the 310 Law. The excavation work was not permitted as it altered the bed and banks of the creek and a 310 Application is required by January 31, 2020, with a plan to reclaim and revegetate the disturbed area. Complaint No. CM-08-19 will remain on the Conservation District agenda until the Board deems this violation is resolved.

310 Inquiries & Issues – McBride stated that she had nothing to report

Reports

County Attorney – Hart stated he had nothing to report.

Montana FWP – No report as Ladd Knotek, MT FWP was absent.

Bitter Root RC&D – Maclay stated she had nothing to report.

District Committees – McBride reported that there will be a Budget Committee meeting ahead of the the next District Meeting; the Grants Committee will meet at the end of February or early March; the Equipment Committee may be contacted regarding changes to the program; and the Long-Range Planning Committee may become active again soon.

Missoula CD Employees – McBride reported that Kreis had her 6-month review and she has completed her probationary period. Written reports were also provided:

Barb Kreis - Administrative Assistant - December 10, 2019 – January 13, 2020

Office Operations: Received and sorted agency mail daily and followed up on all District business

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correspondence, including electronic correspondence. Attended December 9, 2019 District meeting, took notes and did conference room setup. Drafted December meeting minutes; drafted agenda for January 13, 2020 meeting and posted November meeting minutes to District website. Mailed out sponsorship checks to WEN and Bitterroot RC&D. Renamed files/folders in shared drive per naming convention spreadsheet. Added deadline dates to website calendar. Pulled tax documents from all Cost Share files. Entered tasks on Glip (task manager) as needed. Attended meetings regarding website updates.

Stream Permit Processing: Completed and sent out decision letters to applicants from the December 9th meeting; typed up Form 272 for all 310 Applications updated PowerPoint presentation for January 13th meeting; added January agenda to website; completed DNRC 310 survey draft for McBride's review
Bookkeeping, Accounting, Reporting, and Recordkeeping: Printed out Profit/Loss and Balance reports for January 13th meeting; entered claims into QuickBooks; reconciled December bank statements; completed FY19 Fiscal Annual Report draft for McBride's review; ordered checks from First Interstate Bank; reconciled DADavidson December statement; completed Supervisors quarterly claim sheet and monthly claim sheet for January 13, 2020 meeting

Bryan Vogt - Program Specialist - December 10, 2019 – January 13, 2020

Program Assistance: Attend and take notes at the December 9, 2019 Board meeting. Training on using Glip application for office work prioritization and task management. Meeting with Heidi Fleury of Lake Co CD on program partnering possibilities, including pollinator program, Western Montana Grazing & Ag Conf., etc. Extensive HB223 grant research, correspondence, and proposal development with Jean Curtis, Manager-Seeley Lake Sewer District, and Caryn Miske, Exec. Dir.-Clearwater Resource Council, with oversight from McBride on the Seeley-Lake-Clearwater River Watershed - Water Quality Education project. Meeting with Dave Renn at Community Food & Agriculture Coalition for introduction and initial discussion of future partnering possibilities. Assist in editing of direct sponsorship award letter to Watershed Education Network and Bitterroot RC&D. Discussion with McBride on development of revised District grant policy. Assist in editing of the Dec. 9th meeting minutes.

Technical Assignments: Received all 2019 No-Till Drill rental agreements from Larry's Tractors, Trailers & More and reviewed them against in-house records for completeness. Picked up drill from LTTM and hauled to B. Schroeder's for winter storage. Discussion with McBride on approach to housing drill and trailer in office parking lot. Continued discussion on revised in-house rental policy development. Follow-up with landowner on pasture plant identification from early December site visit. Provided new landowner in Orchard Homes/Target Range area technical assistance on district functions and programs, along with setting a tentative, future site visit to provide onsite management recommendations.

Communication and Outreach: Posted updates to District website including training opportunities, youth education events, and J. Schroeder's bio as new Associate Director. Watched online WordPress tutorials as part of training on website stewardship. Website development research and in-depth staff discussion regarding desired approach to website revisions. Phone correspondence with Kate Arpin, SWCDM, on website questions and issues. Emails sent to multiple partners (i.e., WEN, Weed District, Envirothon teachers, CRC, SVC, and Blackfoot Challenge) on upcoming youth education opportunities. Correspondence with Lake Co. CD and Flathead CD on hosting The Pollinators film at local venues as part of joint Area V Pollinator Initiative. Contacted The Roxy as possible venue to host The Pollinators film. Continued discussion with McBride on direction for newsletter development and timeframes.

Jen McBride – Resource Conservationist – December 10, 2019 – January 13, 2020

310 Administration: Met with Kreis and Vogt weekly to review tasks, deadlines, questions, and concerns. Implemented the use of *Glip*, a task management tool for our team to assign, track, and share tasks. Worked with Kreis on annual financial reporting and updating books. Corresponded/met with Greenwalt to review final annual report. Met with Bryan regarding changes to the website review/planning, review of old and

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existing grant programs available through our District. Discussed project goals for the next few months. Reviewed District Meeting Minutes for December 09, 2019 and edited as needed. Submitted time to county bi-weekly and entered county month end reports into QuickBooks as they were received. Corresponded with NRCS and agency personnel regarding office operations as needed. Submitted timesheets and time summary to the county. Reviewed documents/letters that Vogt or Kreis drafted as needed. Scheduled, wrote, and conducted 6-month review for Barb.

310 Law Administration: Reviewed and edited 310-law related correspondence following the December 9, 2019 District Meeting. Corresponded and assisted individuals regarding 310 projects, complaints, issues or inquiries including locations on Grant Creek, Rattlesnake Creek, Barber Creek, and the Clark Fork River. Met onsite or in the office with landowners as needed regarding 310 inquiries and issues. Reviewed images for PowerPoint and notes for the January meeting. Corresponded with other agencies regarding 310 projects, inquiries, issues, flooding, and complaints as needed. Some work on a map to isolate attributes to extract data needed for *Salesforce* menu's - working toward implementation of the database.

Program Management: Met with Vogt and discussed program specifics regarding the no-till-drill, pollinators program, and 223 Grant Application. Met with Vogt and Fleury to discuss Lake County programs. Corresponded with NRCS regarding Equipment Program. Corresponded with Grass Valley French Ditch Company and DNRC staff regarding cancelling of the DNRC RRGL Grant. Directed inquiries on available grant programs for conservation assistance.

** 2 Holidays, 2 Vacation Days, 4 Sick Days*

Other Reports – None

New Business

Correspondence

MACD Reorganization Survey - Information regarding the survey and upcoming leadership training from Charles Cornillie was included in the Supervisors meeting packets. The purpose of the survey was to garner opinions on establishing one state conservation organization, utilizing aspects of the two (MACD & SWCDM) that we currently have. The Reorganization Committee will investigate the process and tasks that need to take place in order to meld MACD with SWCDM, forming a single 501c3 non-profit organization. The Board discussed history of MACD and SWCDM, the current status of both, and pros and cons of merging the two organizations. The discussion led to several questions, and the Board expressed interest in hearing from an Area V MACD representative. The Board directed McBride to contact Jim Simpson, MACD President, inviting him to attend the February 10, 2020 District Board meeting to provide more in-depth information on the Reorganization Survey.

Clearwater Resource Council (CRC) – DNRC AIS Monitoring 2020 Letter of Support – Joann Wallenburn with CRC is working on a grant application to DNRC for Aquatic Invasive Species (AIS) Monitoring in 2020 and is requesting a letter of support from the Missoula Conservation District. The deadline for the grant application is January 23, 2020. The plan is to sample 6 major lakes of the Clearwater River watershed and 3 lakes in the Blackfoot River watershed every two weeks from mid-May to mid-October by plankton tow net to test for invasive mussel larvae. They have been running the same program for the past 10 years.

Art Pencek moved to write a letter of support contingent upon Fish, Wildlife, and Parks support of CRC's proposed efforts. Bob Schroeder seconded the motion. All in favor, motion carried – unanimous.

Other Correspondence – McBride reported receiving an invoice from Montana Association of

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Conservation District Employee Organization (MACDEO) for FY2020 renewal of annual dues of \$ 30 per employee. Discussion ensued regarding training, scholarships, and voting regarding the EO.

Libby Maclay moved to pay the MACDEO invoice of \$ 90 for 3 employees but to correspond regarding clarification on the function of the EO. Travis Greenwalt seconded the motion. Art Pencek and Sid Wills opposed. Three in favor, motion carried.

Other Correspondence continued: McBride reported that there is a Water Quality Advisory Council Meeting on January 14, 2020 at 7:00 p.m. The Council will be hearing from Silixa and the University of Montana regarding the groundwater study adjacent to Smurfit-Stone. McBride is unable to attend, but wanted to extend the invitation as Conservation District Supervisors are welcome to attend.

Other New Business – Vogt reported on upcoming trainings and lectures including: Area 5 Pollinator Training on January 21, 2020 from 11am-2pm in Lake County; MSU Ravalli County Extension hosted lectures related to weeds (January 22, 2020) and herbicide treatments (March 11, 2020) at the Tin Can Bar & Draft Room, 207 Main Street, Stevensville from 6-8 pm: and the MT Soil Health Symposium, February 4-5, 2020 at the Billings Hotel & Convention Center.

Old Business

Grant Programs

District Programs

MT Natural Resources Youth Camp Sponsorship Request – Vogt reported receiving letters November 13, 2019 and December 16, 2019 requesting donations/sponsorships for the July 12-17, 2020 Youth Camp for students age 14-18. The announcement for the camp is posted on the Conservation District website and the announcements have also been forwarded onto our partnerships. We have not received any applications or requests for sponsorships to date. The Board has previously sponsored students to attend prior camps. Discussion pertained to allocating a certain amount of money toward sponsoring students.

Art Pencek moved to table the MT Natural Resources Youth Camp Sponsorship Request to the February 10, 2020 District Meeting for further discussion. Sid Wills seconded the motion. All in favor, motion carried – unanimous.

DNRC Sponsored

223 Grant – Seeley Lake Sewer District & Clearwater Resource Council – Vogt reported that he is currently working with Jean Curtiss on completing the 223 Grant which has a deadline of January 15, 2020. Curtiss had asked for support and funding for this grant at the November 4, 2019 District Meeting. Copies of the draft grant were passed out to the Board for their review.

Bob Schroeder moved to submit the 223 Grant to DNRC by the deadline date of January 15, 2020 and for Jean Curtiss to attend the February 12, 2020 grant meeting in Billings – Missoula Conservation District Staff may attend as appropriate. Travis Greenwalt seconded the motion. All in favor, motion carried – unanimous.

Other DNRC Sponsored – GVFD Company & RRGL Grant – A letter was received from Carl Saunders, Vice-President of the Grass Valley Ditch Company (GVFD Co.) on December 4, 2019 stating they were exploring less expensive options for their dam rehabilitation project. The Missoula Conservation District emailed Carl Saunders notifying him of cancellation of the grant funded by DNRC. McBride asked a Board

member to sign a termination agreement with DNRC.

MSU Extension/Weed District Collaboration – Fairgrounds – Bryce Christiaens, Missoula County Weed District Manager, gave an update on the Fairgrounds building project. Christiaens brought paper plans which were color coded and showed who will be using which spaces. The Butterfly house will be on the first floor; the Conservation District will be on the second floor, and there will be “way-finding” signs for the public. Christiaens provided an update regarding The Butterfly House fundraising efforts and deadlines. The Board discussed the latest plans, space for the No-Till Drill, and a large enough conference room to hold large capacity meetings. This is an Interlocal Agreement with a 10-year lease agreement for both the Butterfly House and the Conservation District.

HB 383 and 310 Rule Change – McBride reported that on Form 273, 310 Permit Conservation District’s Decision, the Legislature passed new rules allowing people to disagree with the terms of their permit and seek judicial review in district court within 30 days (previously 15 days) of receipt of their permit. All in-house forms and letters have been updated to show this change. McBride will work with Deputy County Attorney Hart on reflecting this change in the Administrative Rules, but this effort may take some time as the intent is to revise other portions of the rules as well.

Equipment Program –Vogt reported he is working on a revised policy for the No-Till Drill. The drill is currently being stored at B. Schroeder’s property during the winter months. B. Schroeder stated that he had spoken with a Truax representative and learned that we can make modifications to the drill if needed.

Other - No other old business to discuss.

Payment of Bills

Libby Maclay moved to pay the bills. Travis Greenwalt seconded. All in favor, motion carried—unanimous.

Debits:

12/09/19	Costco – Paper towels	\$ 16.49
12/09/19	Walgreens – Ziplock containers	\$ 8.18
12/11/19	Napa Auto Parts - Hitch for truck to haul No Till Drill	\$ 50.17
12/12/19	Best Buy – Insignia Audio Extension Cable	\$ 14.99
12/13/19	Downtown Parking	\$ 1.75
12/30/19	Downtown Parking	\$ 1.75
01/06/20	USPS – Postage	\$ 16.10
01/07/20	QuickBooks – Yearly QB Software Fee	\$ 755.00
01/08/20	Albertsons – Meeting Refreshments	\$ 22.38
01/08/20	Downtown Parking	\$ 1.25
01/08/20	Downtown Parking	\$ 1.25
01/08/20	Billings Hotel & Convention – Soil Health Symposium-lodging	\$ 321.06
	TOTAL	\$ 1,210.37

Checks:

12/23/19	Check # 1503 – Bitterroot RC&D 2019 Sponsorship	\$ 300.00
12/26/19	Expense for new checks	\$ 28.28
12/31/19	Check # 1502 – Watershed Education Network Sponsorship	\$ 5,000.00
01/13/20	Check # 1504 – UofM Catering – December Meal	\$ 467.54
	TOTAL	\$ 5,795.82

Warrants:

Transfer	Transfer to Checking from Tax Mill Levy Account	\$ 25,000.00
Ck # 2656	Verizon – District cell phone	\$ 57.88
Ck # 2657	MACDEO	\$ 90.00
Ck # 2658	Bryan Vogt Mileage Reimbursement	\$ 35.50
Ck # 2659	Barb Kreis Mileage Reimbursement	\$ 133.40
Ck # 2660	Larry’s Tractors, Trailers & More, Inc.	\$ 182.00
Ck # 2661	First Interstate Bank Mastercard	\$ 31.23
Ck # 2662	Montana State Fund	\$ 435.93
Ck # 2663	Charter Communications	\$ 84.99
	TOTAL	\$ 26,050.93

Ck # 2664	Tim Hall, mileage/CD business	\$ 816.67
Ck # 2665	Elizabeth Maclay, mileage/CD business	\$ 1,360.48
Ck # 2666	Travis Greenwalt, mileage/CD business	\$ 119.08
Ck # 2667	Paul Parson, mileage/CD business	\$ 1,157.76
Ck # 2668	Art Pencek, mileage/CD business	\$ 13.92
Ck # 2669	Robert Schroeder, mileage/CD business	\$ 998.82
Ck # 2670	Sidney Wills, mileage/CD business	\$ 90.48
Ck # 2671	Bart Morris, mileage/CD business	\$ 12.76
Ck # 2672	Josh Schroeder, mileage/CD business	\$ 32.48
	TOTAL	\$ 4,602.45

Adjournment

Libby Maclay moved to adjourn the meeting at 9:53 pm. Travis Greenwalt seconded. All in favor, motion carried —unanimous.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall – Absent	-	-	
Libby Maclay	10	-	
Travis Greenwalt	10	-	
Paul Parson – Absent	-	-	
Art Pencek	9	1	
Bob Schroeder	10	-	
Sidney Wills	9	1	

The next Missoula Conservation District meeting is scheduled for **Monday, February 10, 2020** at 7:00 p.m. in the USDA Service Center conference room at 3550 Mullan Road, Suite 106, Missoula, MT 59808.