

**Missoula Conservation District – March 14, 2022 at 7:00 p.m.**  
**Alternative Meeting Location – Virtual/Phone**

**Missoula Conservation District Attendees:** Tim Hall (Chair); Libby Maclay (Vice-Chair); Travis Greenwalt (Treasurer); Paul Parson (Supervisor); Art Pencek (Supervisor); Bob Schroeder (Supervisor); Sidney Wills (Supervisor); Radley Watkins (Staff); Bryan Vogt (Staff)

**Additional Attendees:** John Hart (Senior Deputy County Attorney); Travis Lemke (NRCS Supervisory District Conservationist) and son Gage; Patrick Uthe (MT FWP); Thomas Hilley (MS-04-22); Hailey Graf (DNRC CDB); Steffany Rogge (Missoula Co. Weed District); Heather Brighton (Lolo WG); Lyndsey Holloway (Lolo WG); Mackenzie Tenan (BSWC); Nels Larson (Public)

**Absent:** Bart Morris (Associate Supervisor); Josh Schroeder (Associate Supervisor); Ladd Knotek (MT FWP)

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

**COVID-19 Meeting Procedures** – Hall provided reminders of modified meeting procedures due to ongoing COVID-19 precautions noting that the virtual meeting was held to comply with local guidance and limitations on use of the normal meeting location. Hall provided guidance to the Board on how to vote during the virtual meeting and further requested that participants please mute/unmute themselves as needed, introduce themselves before speaking, and note if they are participating for a specific agenda item. Form 273, 310 Permit – Conservation District’s Decision and all other decision forms would need to be signed electronically on behalf of the Board per advisement from John Hart, Senior Deputy County Attorney.

Tim Hall moved to authorize the modification of normal meeting procedures to allow for electronic signatures on all decision forms for the March 14, 2022 District meeting. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

**Minutes** – Bob Schroeder moved to approve the February 14, 2022 meeting minutes as presented. Tim Hall seconded the motion. Vote was unanimous in favor – motion carried.

**Treasurer’s Report** – Travis Greenwalt presented the following account balances from the District’s QuickBooks Balance Sheet dated March 10, 2022 included with the Supervisors’ meeting packets. Greenwalt noted that the \$250,000 transfer of funds out of the tax mill levy account for buy-in to the new building would be reflected on next month’s report.

First Security Bank – Checking	\$13,209.99
First Security Bank – Petty Checking	\$2,113.82
First Security Bank – Savings	\$50,411.76
DADCO Savings	\$211,738.34
Tax Mill Levy Account at County	\$591,733.48
<b>Total Bank Accounts</b>	<b>\$869,207.39</b>

**Public Comment** – None

**NRCS Report** – Travis Lemke, NRCS Supervisory District Conservationist, reported that as of last Friday this year’s applications under the Upper Ninemile TIP and Potomac Valley TIP had received pre-approval. Next week the NRCS State Leadership Team meets in Deer Lodge to review new TIP proposals from all across the state, and Lemke will present on the Miller Creek TIP. Office staffing levels are at 75% capacity and masks are no longer required. Screened members of the public are allowed in the office by appointment, and the CD is allowed to hold its meetings in the evenings as this would not count towards staffing levels. Lemke will be meeting with the CD very soon to discuss details on a potential PL566 project along the Clark Fork River corridor from Hellgate to Frenchtown. Indications are that these proposals need to be very large in scope, not just limited to something like the Grass Valley French Ditch diversion. Lemke offered to arrange a meeting between the CD and Montana NRCS leadership, if desired, to discuss this further.

### **Existing 310 Permits**

**MS-07-18** – Threshold Contracting – Rattlesnake Creek – Vegetation Removal, Tree Removal, Building in Riparian Zone

**Geocode:** 04-2200-11-2-05-08-0000

Watkins reported he contacted the current landowner’s attorney regarding this matter but hasn’t heard back.

**MS-17-21** – Double Arrow Ranch Landowners Association – Trail Creek – Bridge Construction

**Geocode:** 04-2540-14-1-01-03-0000

No discussion or action was taken on this request for permit timeframe extension.

### **310 Permit Applications**

**MS-33-21 (Tabled 09/13/21, Re: CM-02-21)** – Todd & Lisa Bender – Cooney Creek – Channel/Bank Restoration

**Geocode:** 04-2992-06-2-01-15-0000

Watkins reported on being contacted by the Benders and scheduling a site inspection with Leo Rosenthal on March 28, 2022.

**MS-43-21 (Re: CM-05-21)** – Robert Shaffer obo Double Arrow Ranch – Drew Creek – Restoration

**Geocode:** 04-2541-07-2-02-07-0000

Watkins reported this application remains tabled pending a site inspection once field conditions allow.

**MS-02-22** – Michael & Melisa Lapping – Clearwater River – House Construction

**Geocode:** 04-2540-15-1-02-05-0000

Watkins presented site location slides along with the plans and photos from a new application for construction of a cabin 125-feet from the bank of the Clearwater River. Watkins also presented the location of the 100-year floodplain in relation to the proposed cabin that was included with the application. Watkins stated that the landowner was informed that the 310 permit doesn’t normally apply to a project set so far back from the ordinary high-water mark, but there was a 310 application submitted and he was obliged to process it. Watkins stated that FWP Biologist Ladd Knotek did not requested a site inspection.

Bob Schroeder moved to declare Application No. MS-02-22 Not a Project since the proposed structure lies outside of the normal riparian buffer of the Clearwater Water River at this site. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

**MS-03-22 – Kirk Mace – Saint Lawrence Creek – Culvert Replacement**  
**Geocode:** 04-2202-17-1-01-03-0000

Watkins reported on a new application for installation of a culvert crossing to replace an existing ford on Saint Lawrence Creek, a tributary of the Blackfoot River. Watkins presented site location slides and photos from the site inspection conducted on March 9, 2022 with Paul Parson, Patrick Uthe, Kirk Mace, and Watkins attending. The crossing would provide access to a larger agricultural parcel located adjacent to a 4-lot subdivision off of Highway 200. Uthe reviewed his team member report, and Parson stated that his recommendations essentially mirrored Uthe's. The Board discussed abandoning the existing ford as an additional permit condition. Uthe stated the landowner also granted permission to survey Saint Lawrence Creek for cutthroat trout as it is one of the few Blackfoot River streams that has not yet been surveyed.

Bob Schroeder moved to make Application No. MS-03-22 a project for review under the 310 Law and to approve the project with modifications incorporating recommendations from team member reports and the additional requirement of abandoning the existing ford. Tim Hall seconded the motion. Vote was unanimous in favor – motion carried.

- Divert flow into Pond to conduct work in low-flow or dry conditions
- Move crossing slightly downstream to reduce tree removal to the three streamside conifers discussed at site inspection
- Three (3) to four (4) foot wide squashed pipe culvert
- Counter sink culvert when installing
- Minimize disturbance of riparian vegetation at culvert site and transplant alder/willow to upstream ford
- Abandon upstream ford

**MS-04-22 – Tom Hilley – Rattlesnake Creek – Home Addition**  
**Geocode:** 04-2200-14-3-06-05-5004

Watkins reported on a new application to add a 600-ft<sup>2</sup> addition onto an existing 1960's cabin adjacent to Rattlesnake Creek. Watkins presented site location slides and photos taken during the site inspection conducted on March 8, 2022 with Tim Hall, Tom Hilley, and Watkins attending. The photos included an approximate location of the proposed addition, which would sit 45-feet from Rattlesnake Creek on top of an existing driveway. Watkins stated that Ladd Knotek had not requested a site inspection. The application showed the structure being located outside of the FEMA floodplain, and Hilley stated that the creek has never come close to the existing cabin in the 12 years he's been there. Hall concurred that the proposed addition is outside of an area prone to flooding due to site specific conditions. Hilley added that the prior owner cleared vegetation down to the creek, which he is allowing to reestablish.

Tim Hall moved to make Application No. MS-04-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-05-22** – Blackfoot Communications c/o Rick Shaner – Seeley Creek – Utility Boring  
**Geocode:** 04-2649-34-4-04-05-0000

Watkins reported on a new application for a utility boring project beneath Seeley Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-05-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Due to the number of utility boring applications on the current agenda and the number of similar applications received in recent years, the Board discussed recommended procedures for processing and reviewing these types of applications. The Board's intent was to limit the amount of staff time required for utility boring applications that have sufficient design plans and level of detail included in the application.

Bob Schroeder moved that future utility boring applications with sufficient design detail be processed by staff, reviewed by the Board at the next monthly meeting, and approved as proposed unless either the Board or Montana Fish, Wildlife, and Parks Fisheries Biologist requests an official site inspection or additional information. Additionally, the Board reserves the right to inspect any of these utility boring projects during or following implementation to verify compliance with provisions of the 310 permit. Libby Maclay seconded the motion. Vote was unanimous in favor – motion carried.

**MS-06-22** – Blackfoot Communications c/o Jordan Johnson – Lolo Creek – Utility Boring  
**Geocode:** 04-2092-35-3-02-08-0000

Watkins reported on a new application for a utility boring project beneath Lolo Creek. Watkins presented aerial photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-06-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-07-22** – Blackfoot Communications c/o Jordan Johnson – McClain Creek – Utility Boring  
**Geocode:** 04-1975-23-1-03-01-0000

Watkins reported on a new application for a utility boring project beneath McClain Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-07-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-08-22** – Blackfoot Communications c/o Jordan Johnson – Maple Creek – Utility Boring  
**Geocode:** 04-1975-23-4-01-02-0000

Watkins reported on a new application for a utility boring project beneath Maple Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-08-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-09-22** – Blackfoot Communications c/o Jordan Johnson – Carlton Creek – Utility Boring  
**Geocode:** 04-1975-26-4-01-04-0000

Watkins reported on a new application for a utility boring project beneath Carlton Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-09-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-10-22** – Blackfoot Communications c/o Jordan Johnson – Sin-tin-tin-em-ska Creek – Utility Boring  
**Geocode:** 04-1975-35-3-04-02-0000

Watkins reported on a new application for a utility boring project beneath Sin-tin-tin-em-ska Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-10-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

**MS-11-22** – Blackfoot Communications c/o Jordan Johnson – Sin-tin-tin-em-ska Creek – Utility Boring  
**Geocode:** 04-1975-35-3-04-04-0000

Watkins reported on a new application for a utility boring project beneath a second site on Sin-tin-tin-em-ska Creek. Watkins presented site location photos and plans included with the application. Watkins stated that Ladd Knotek had not requested a site inspection.

Art Pencek moved to make Application No. MS-11-22 a project for review under the 310 Law and to approve the project as proposed. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

### **310 Complaints**

**CM-06-20 (Re: MS-31-20, AWM 11/09/20)** – Mark and Cassandra Rideg and William Rideg – Spring Creek – Dam Building/Maintenance  
**Geocode:** 04-2427-07-1-01-01-0000 and 04-2427-07-1-02-08-0000

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Watkins reported that he is still waiting to hear that work has been completed under Permit No. MS-31-20 to resolve the complaint in order to conduct a follow up site visit.

### **Existing Violations**

**CM-02-21 (Re: MS-33-21, Tabled 9/13/21)** – Deborah & Andrew Carstensen– Cooney Creek – Channel/Bank Restoration  
Geocode: 04-2992-06-2-01-15-0000

See MS-33-21 above for additional details.

**CM-05-21** – Double Arrow Ranch Landowners Association c/o Greg Neudecker – Drew Creek – Fill Stream  
Geocode: 04-2541-07-2-02-07-0000

See MS-43-21 above for additional details.

**CM-06-21 (Re: MS-38-21)** – Robert & Ann Miller – Swan River – Tree Removal/Equipment in Stream  
**Geocode:** 04-2992-18-2-01-13-0000

Watkins stated there is nothing new to report at this time. This item will remain on the agenda until either Watkins or Rosenthal can conduct a follow up site visit to confirm the work was completed under Permit No. MS-38-21 and the violation resolved.

### **310 Inquiries & Issues**

Watkins reported on notice he'd received from Todd Kliez regarding Al Zepeda's plans to build a house on his property adjacent to Lolo Creek. In subsequent correspondence, James Sage of Missoula Engineering indicated that the planned structures were outside of the District's 310 Law jurisdiction based on a 30-foot riparian buffer determination associated with CM-01-20 and MS-07-20. The Board discussed that the impacts of the proposed structures were different than the UTV trail and vegetation clearing associated with the prior permits and agreed that a new 310 application should be submitted for this work.

Watkins reported being contacted regarding a landowner's plan to build a home 150-feet back from the Bitterroot River that is within the Erosion Hazard Zone of the newly completed Channel Migration Zone (CMZ). Watkins asked the Board if they wanted to review all projects that fall within the newly determined CMZ even if they fall outside of the normal riparian buffer zones the Board normally considers for those streams and rivers. The Board was in agreement that this falls outside their 310 Law jurisdiction but that cautionary advice should be given to property owners regarding the risks of projects built within the CMZ. The Board discussed considering policy that states projects undertaken within the CMZ are done at the landowner's risk and future permanent repairs would not be issued 310 Permits if the stream moves naturally and then threatens these structures as they would prohibit the stream from moving as it needs to.

### **Reports**

County Attorney Report – John Hart stated he had nothing new to report.

Montana FWP – Ladd Knotek was absent; a report had not been provided.

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DNRC Conservation District Bureau – Hailey Graf reported that the deadline for DNRC Conservation District grants (i.e., HB223, Education Mini-Grants, Pollinator Grants) is April 8<sup>th</sup> and that she is available to assist as needed. A copy of Graf's written report was included in the Supervisors' meeting packets.

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

Weed District/Extension – Steffany Rogge stated she was participating in the meeting for grant related items and did not have a report to provide.

Watershed Groups – Heather Brighton with Lolo Watershed Group introduced Lyndsey Holloway as their new Big Sky Watershed Corps (BSWC) member and thanked the Board for their financial assistance that allowed Lolo WG to offer Holloway the position. Holloway gave a brief presentation on a project she is working on to revegetate a section of Lolo Creek at Traveler's Rest State Park. Brighton provided an update on the project to revegetate and enhance 3,000 linear feet of streambank downstream of the Zens-Kimerly bridge. Lolo WG is currently looking for a sponsor to submit a DNRC Renewable Resource Grant and Loan (RRGL) application for \$125,000 to match against their existing \$155,000 DEQ 319 Grant to implement this project. This work does not currently include replacement of the bridge, but a working group has been formed that includes the Clark Fork Coalition and new board member, Ron Pierce of Fish Tale Restoration, to look at potential options and funding sources. Current estimates for design and replacement of the bridge are roughly \$80,000-\$100,000. Brighton stated it has been difficult to find any funding sources that could be used for replacement of a private bridge. The Board briefly discussed their concern over the bridge failing during future high flows and jeopardizing any riparian enhancement work done immediately downstream.

Planning Board Update – Josh Schroeder was absent; a report had not been provided.

Water Quality District – Watkins reported he met with Elena Evans last Friday to discuss both the CMZ and Smurfit Stone site. The WQD would like to see the levees removed at the Smurfit Stone site, but the EPA is very uncertain about this as removal of the levees would require much greater remediation efforts. Watkins stated Evans might reach out to the Board for another letter of support regarding this matter. Paul Parson reported he is planning on meeting with Evans in the next couple of weeks and also agrees with the rationale of removing the levees. High flows have almost taken out these levees in the recent past.

District Committees – Hall reported that both the Equipment and Grants Committees met on March 4<sup>th</sup>. Specific items will be discussed under the Programs portion of the agenda.

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

***Bryan Vogt - Program Specialist***

Office Administration: Assisted Watkins in facilitating and taking notes at the February 14<sup>th</sup> Board meeting held via Zoom. Submitted monthly claims to the county for payment. Entered monthly claims into QuickBooks. Drafted minutes from the February 14<sup>th</sup> Board meeting. Checked District's general email and QuickBooks account daily. Received and distributed agency mail and packages daily. Reconciled First Security Bank accounts and DA Davidson account in QuickBooks. Prepared monthly claims form, agenda, profit and loss sheet, balance sheet, and upcoming events sheet for monthly meeting packet. Sent meeting agenda to the county for posting. Posted agenda and approved minutes from January 10<sup>th</sup> meeting on the

District website. Sent pre-meeting packets to Supervisors and Zoom link to Supervisors, partners, and 310 Permit applicants.

Program Assistance: Assisted with physical and electronic file management of ten of new 310 applications. As requested, researched and sent Watkins information on prior 310 history associated with a property on Lolo Creek. Continued management of Grants Program, including development and submission of an RRGL Planning Grant for Missoula CD Upper O'Brien Creek Restoration Design Planning in partnership with CFC, continued development of HB223 Grant 23G-22-3705 Priority Water Quality Monitoring Grant with CRC and DNRC staff, and management of Envirothon Team funding requests and submission of Envirothon team registration forms and fees. Assisted BSWC member, Mackenzie Tenan, with development and review of her application to the MWCC's BSWC Non-Point Source Pollution Project grant program. Participated in the virtual EO Roundtable on ARPA requirements associated with DNRC grant programs for training purposes. Participated in the MWCC Annual Meeting held virtually in order to learn about potential funding opportunities. Participated in a TEAMS meeting with Weed District, NWF, and MDT on development of the Hwy 93 Roadside Pollinator Habitat project. Organized and participated in a Grant Committee meeting to review the new pre-application from WEN for the Education Cost Share grant, approve re-advertising the mini-grant programs for the next cycle, and discuss an approach to offering the remaining FY22 MCD Grants. Picked up ID Card from County Administration Office for access to fairground's maintenance building where no-till drill is stored.

Technical Assignments: Continued management of the no-till drill rental program, including handling three drill rental inquiry calls and one reservation for the month of April. Ordered parts needed to conduct maintenance and repairs of the no-till drill. Reviewed drill rental documents and protocols in preparation for the 2022 rental season. Assessed preliminary damage and repair needs associated with a piece of molding that blew off the Toyota 4-Runner in high winds during Vogt's return trip from Billings. Organized and participated in an Equipment Committee meeting held at the fairground's maintenance building where the no-till drill is being stored. Provided technical assistance on pasture seeding recommendations and native plantings for pollinator habitat enhancement to local landowners. Participated in MWCC Lunchtime Conservation Conversation: Stream Bank Restoration with Willows as a virtual training.

Communication and Outreach: Had extensive correspondence with C. Miske of CRC and Hailey Graf and Stephanie Criswell of DNRC on needs to allow for continued development of HB223 Grant 23G-22-3705 Priority Water Quality Monitoring Grant. Corresponded with Steffany Rogge with the Missoula Co. Weed District regarding the District's potential participation in a NEEF Biodiversity Conservation Grant for Enhancing Pollinator Habitat and her interest in submitting Education Mini-Grant applications for their Leave No Weeds program. With Watkins, participated in a discussion with Travis Lemke regarding the continued development of Clark Fork River projects along the Missoula corridor and Urban Ag. Resource opportunities.

*\*1 Holiday – Presidents' Day; 5 hours Sick Leave*

### ***Radley Watkins - Resource Conservationist***

#### Office Administration:

- Coordinated the February District Board meeting.
- Followed up on actions taken at the February meeting by writing letters, packaging them, and sending them.
- Reviewed/edited/approved draft February meeting minutes.
- Approved and submitted staff timesheets to County payroll and entered payroll in Quick Books.
- Conducted weekly staff meetings and updated Chairman Hall.
- Obtained signatures for checks from Chairman Hall.
- Drafted agenda for March 14, 2022, District Meeting.



- Worked with Jean Jenkins from Extension/Weed District to review office furniture choices.
- Began reviewing Lease Agreement for the Rocky Mounty Gardens and Exploration Center office.

310 Law Administration:

- Reviewed eleven incoming 310 applications and processed ten.
- Continued discussion with Confederated Salish and Kootenai Tribes' (CSKT) Shoreline Protection Program Compliance Officer about 310 Jurisdiction and discussed authority with Jason Garber of DNRC.
- Conducted one site visit on Rattlesnake Creek and followed up with a site inspection with Chairman Hall.
- Conducted one site inspections with Patrick Uthe of FWP and Supervisor Parson.
- Conducted five solo site visits for utility boring projects on Bitterroot tributaries.

Program Management:

- Met with Grants Committee to relaunch of the grant program and review the Watershed Education Network.
- Met with Equipment Committee to discuss drill repairs and upcoming rental program.
- Submitted submission of an RRGL Planning Grant for Missoula CD Upper O'Brien Creek Restoration Design Planning in partnership with Clark Fork Coalition (CFC)
- Worked with Big Sky Watershed Corp Member on designing watershed pamphlets.
- Worked with Lake County to organize an Area 5 employee's meeting to be held Tuesday, April 5th, 2022.
- Corresponded with Steffany Rogge with Weed District regarding the District's potential participation in a NEEF Biodiversity Conservation Grant for Enhancing Pollinator Habitat
- Represented MCD on Bear Smart Missoula meeting and wrote the Community Profile and Ecology of Missoula County sections of the Draft Bear Hazard Assessment.
- Communicated with CFC regarding more MCD involvement on MCD sponsored grant projects in the future.
- Met with Vogt and Stephanie Criswell from DNRC CDB to discuss Clearwater Resource Council (CRC) water quality monitoring 223 grant.
- Met with Caryn Miske of CRC to discuss next steps in cleaning up their 223 grant application.
- Attended virtual National Center for Appropriate Technology soil initiative meeting and film premiere.
- Participated in Highway 93 pollinator gradient project virtual meeting with MDT representatives and attended follow up site Visit with Weed District and MPG Ranch.
- Participated in Conservation District Working Group meeting.
- Attended Lunchtime Conservation Conversation Streambank Restoration with Willows hosted by Montana Watershed Coordination Council (MWCC).
- Attended virtual MWCC Annual Meeting.
- Met virtually with MWCC Executive Director Ethan Kunard to discuss what they do and how we can work together.
- Sent out a press release to local media channels.
- Had discussions with Travis Lemke of NRCS regarding the continued development of PL566 grant and Clark Fork River projects along the Missoula corridor

*\*1 Holiday – Presidents' Day*

### Other Reports

BSWC member update – Watkins introduced Mackenzie Tenan as the BSWC member working in partnership with the Missoula City Storm Water Utility through the District Public Partnering Cost Share Grant. Tenan stated she was from North Carolina near Asheville and had recently completed a Masters of Science in Sustainable Engineering from Villanova University. Watkins reported that Tenan is working on educational pamphlets for local streams along with an application to the Montana Watershed Coordination Council's BSWC Projects Nonpoint Source Pollution grant for a revegetation project on Pattee Creek.

### **New Business**

Office Furniture for New Building – Watkins reported receiving cost estimates for new office furniture from Jean Jenkins of the Weed District & Extension's Healthy Acres Foundation. Given the overall expense for new office furniture, it is likely better to bundle this purchase with the Weed District than to try and buy the CD's furniture separately. Hall stated that the purchase of new furniture and furnishing had been budgeted in consideration of moving into the new office building.

Lease Agreement – Rocky Mountain Gardens and Exploration Center – Watkins reported that a draft lease agreement had been included in the Supervisors' meeting packet. He asked the Board to review it and let him know if they had any questions or concerns they'd like addressed.

Correspondence and Upcoming Events – Vogt reviewed Correspondence items and the Upcoming Events sheet included in the Supervisors' packets. The Missoula Urban Demonstration Project (MUD) will be hosting an Earth Day Event at their facilities on April 23<sup>rd</sup> and is looking for sponsors and exhibitors. Steffany Rogge stated that the Weed District is purchasing a non-profit table at this event. The Board did not take any action on this matter. Watkins reported on a recent article in the Seeley Swan Pathfinder that highlighted the \$500 Operations Mini Grant the Board awarded to the Seeley Swan High School.

### Programs

#### Grants Program:

##### MCD Grants

Education Cost Share Grant – Vogt reported that the Grants Committee reviewed a new pre-application from the Watershed Education Network (WEN) and decided to invite WEN to submit a full application to the Education Cost Share Grant program for consideration.

2022 Montana Envirothon – Vogt reported that at last month's meeting the Board approved covering \$200 in registration fees for the two Missoula FFA Envirothon teams. Immediately following the February Board meeting, the Frenchtown High School Envirothon Team submitted a request to have their \$100 registration fee paid for by the District. The Grants Committee approved paying this additional \$100 team registration fee at their meeting on March 4, 2022 due to the March 10<sup>th</sup> deadline to submit Envirothon team registrations. The Grants Committee also reviewed and recommended that the Board approve supporting all three teams from Missoula County by covering their estimated \$844.08 in lodging expenses associated with attending the 2022 Envirothon competition in Great Falls on April 25-26.

Tim Hall moved to award an additional \$844.08 to cover lodging expenses associated with one Frenchtown High School Envirothon team and two Missoula FFA Envirothon teams as they participate in the 2022 Montana Envirothon Competition in Great Falls. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

2022 Montana Natural Resources Youth Camp – Vogt reminded the Board that the annual request to provide financial support either to individual campers and/or the camp directly was reported at last month’s meeting. The Board directed staff to reach out to local schools to see if there are any students interested in attending and inform them that the District would consider providing them with financial support to attend the camp.

Riparian Mini-Grant RPG-01-21 – Healy – Watkins reported on this application first brought before the Board at the May 10, 2021 meeting. The Board had directed staff to work with Healy on a more comprehensive approach to the outcomes he wished to accomplish, particularly regarding recommended weed control and site preparation. Watkins stated that staff would like the Board to consider approving this mini-grant now that the Grants Committee has directed the relaunch of the Riparian Mini-Grant program.

Travis Greenwalt moved to approve Riparian Mini-Grant RPG-01-21 – Healy in the amount of \$500. Paul Parson seconded the motion. Vote was 6 in favor, none opposed; Bob Schroeder abstained. – motion carried.

Sponsored Grants – Vogt reported on receiving a request from Steffany Rogge with the Weed District to assist with the Leave No Weeds program that is put on annually for local 5<sup>th</sup> graders to educate them about noxious weeds. Rogge described some of the past and planned activities that include both classroom and field trip activities. In past years, she had worked with the CD staff to obtain funding both from the District directly and through a DNRC Education Mini-Grant. Vogt reported that Rogge has submitted a draft application to the DNRC Education Mini-Grant program as the deadline for submission is April 8, 2022, prior to the April Board meeting. Vogt reported that Rogge is also requesting a MCD Education Mini-Grant for an additional \$500 in support.

Tim Hall moved to approve sponsoring the Missoula County Weed District for a \$500 DNRC Education Mini-Grant to support their 2022 Leave No Weeds program, allowing staff to agree on final edits prior to its submission, and to further award a \$500 MCD Education Mini-Grant award of \$500 to support the 2022 Leave No Weeds program. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

The Board decided to take no additional action related to the initial request from Lolo WG to sponsor a DNRC Renewable Resource Grants and Loan (RRGL) proposal for the Zens Riparian project discussed by Heather Brighton or the request from Trout Unlimited for District sponsorship of a RRGL proposal for the Grass Valley French Ditch irrigation diversion.

Revised MCD Grant Program – Vogt reported that the Education, Operations, and Continuing Education Mini Grants will be opened for another quarterly cycle, and the Riparian Mini-Grant will also be advertised in the coming month. Additionally, staff continues work to relaunch the Landowner Cost Share Grant, likely under a new name.

Equipment Program – Vogt reported that the Equipment Committee met recently at the fairground’s new maintenance building where the no-till drill is currently stored for the off-season. The Committee reviewed the 2021 rental season and discussed modifications to the 2022 rental program. No changes were deemed necessary. Staff has ordered parts necessary to perform required maintenance and repairs on the no-till drill prior to the first scheduled rental on April 1<sup>st</sup>.

Pollinator Program – Vogt reported that the one-acre’s worth of the 2022 pollinator wildflower habitat seed mix was received from Lake Co. Conservation District. Staff needs to package this seed for distribution to the public, possibly with the assistance of BSWC member Mackenzie Tenan.

Other New Business – None

## **Old Business**

New Associate Supervisor Discussion – Nels Larson was in attendance. Previously Larson had expressed interest in serving as an Associate Supervisor on the Missoula CD Board. Hall indicated mentioned that the CD Board was heavily loaded with Supervisors living in the Bitterroot Watershed, but that he would reach out to Larson in the near future to discuss this matter with him directly.

### Missoula CD 310 Jurisdiction

Confederated Salish Kootenai Reservation – Watkins reviewed prior discussions related to the draft resolution he had prepared regarding Missoula CD relinquishing 310 Law authority within the Flathead Reservation boundary in Missoula County. Watkins reported that the Tribes did verify that they are handling permits on both fee and non-fee lands on the reservation. Watkins also visited with Jason Garber, DNRC 310 Permitting Specialist, on this matter. Garber indicated that moving forward with the drafted resolution seemed straightforward so long as the last sentence indicating that the District never had the authority to regulate 310 matters on the reservation was removed. Regarding the question of whether streams on the reservation were considered “waters of the state,” Garber indicated this is more of a term used by DEQ in relation to the Clean Waters Act rather than that used by DNRC in relation to the 310 Law. The Board indicated this matter did not require further action at this time and directed staff to remove it from the agenda.

Streams with Prior “No Jurisdiction” Determination – Watkins reported that he visited with Jen McBride, prior MCD Resource Conservationist, on her knowledge of official District documentation on which streams the Board had designated having “No Jurisdiction” under the 310 Law. McBride indicated she was never aware of any official documentation but relied mostly on the Board’s knowledge. Discussion took place as to whether a digitized layer was ever developed that provided this information and whether Tara Comfort, retired MCD Resource Conservationist, may be able to provide additional insight. Watkins indicated he will likely reach out to Board members via email to find out their knowledge of past declarations of “No Jurisdiction.”

Other Old Business – None

## **Payment of Bills and Claims**

Tim Hall moved to pay the bills and claims. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion passed.

**Petty Checking Account**

Date	Description	Charge	Deposit	Balance
	Balance from February meeting			\$445.92
2/14/2022	City of Missoula – Downtown Parking – Vogt	(\$1.00)		\$444.92
3/2/2022	Zoom – Monthly fee for Watkins & Vogt	(\$31.10)		\$413.82
3/7/2022	Transfer from Checking Account		\$1,700.00	\$2,113.82
	<b>Totals</b>	<b>(\$32.10)</b>	<b>\$1,700.00</b>	
	<b>NET TOTAL</b>	<b>\$1,667.90</b>		

**Checking Account**

Date	Description	Charge	Deposit	Balance
	Balance from February meeting			\$15,009.99
2/14/2022	Transfer from Mill Levy Account		\$1,700.00	\$16,709.99
3/4/2022	Wind River Bear Institute: EdMG-01-22	(\$500.00)		\$16,209.99
3/4/2022	Seeley Swan High School: OpMG-01-22	(\$500.00)		\$15,709.99
3/4/2022	Rattlesnake Creek Watershed Group: OpMG-02-22	(\$500.00)		\$15,209.99
3/7/2022	Transfer to Petty Checking Account	(\$1,700.00)		\$13,509.99
3/8/2022	Montana Envirothon: team registrations	(\$300.00)		\$13,209.99
	<b>Totals</b>	<b>(\$3,500.00)</b>	<b>\$1,700.00</b>	
	<b>NET TOTAL</b>	<b>(\$1,800.00)</b>		

**Savings Account**

Date	Description	Charge	Deposit	Balance
	Balance from February meeting			\$50,408.67
2/28/2022	Interest		\$3.09	\$50,411.76
	<b>Totals</b>		<b>\$3.09</b>	
	<b>NET TOTAL</b>	<b>\$3.09</b>		

**DA Davidson Account**

Date	Description	Charge	Deposit	Balance
	Balance from February meeting			\$211,693.58
1/31/2022	Interest		\$44.76	\$211,738.34
	<b>Totals</b>		<b>\$44.76</b>	
	<b>NET TOTAL</b>	<b>\$44.76</b>		

**Tax Mill Levy Account (Warrants/Claims)**

Date	Description	Charge	Deposit	Balance
	Balance from February meeting			\$606,623.05
2/11/2022	Payroll – Pay Period 3	(\$6,018.80)		\$600,604.25
2/14/2022	Lake Co. Conservation District – 2022 pollinator seed mix & donation for 2021 seed mix	(\$364.50)		\$600,239.75
2/14/2022	Local Gov’t Services – annual financial report late filing fee	(\$55.00)		\$600,184.75
2/14/2022	Montana State Fund – Workers Comp. premium	(\$517.73)		\$599,667.02
2/14/2022	Verizon Wireless – District cell phones	(\$104.74)		\$599,562.28
2/14/2022	Charter Spectrum – Office internet	(\$109.99)		\$599,452.29
2/14/2022	Transfer to FSB Checking Account	(\$1,700.00)		\$597,752.29
2/25/2022	Payroll – Pay Period 4	(\$6,018.80)		\$591,733.49
	<b>Totals</b>	<b>(\$14,889.56)</b>		
	<b>NET TOTAL</b>	<b>(\$14,889.56)</b>		

**Adjournment**

Tim Hall moved to adjourn the meeting at 9:48 pm. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion passed.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	18	-	-
Libby Maclay*	14	-	-
Travis Greenwalt	18	-	-
Paul Parson	18	-	-
Art Pencek	18	-	-
Bob Schroeder	17	-	1
Sidney Wills	18	-	-

\*Supervisor Maclay joined the meeting at 7:35pm following the votes on COVID-19 Meeting Procedures, Minutes, MS-03-22, and MS-04-22.

The next Missoula Conservation District meeting is scheduled for **Monday, April 11, 2022**, at 7:00 p.m. in the USDA Service Center conference room located at 3550 Mullan Road, Suite 106, Missoula, MT 59808.