

Missoula Conservation District
April 11, 2022 at 7:00 p.m.
3550 Mullan Rd, Ste 106, Missoula, MT 59808 – with virtual option

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); Bart Morris* (Associate Supervisor); Josh Schroeder* (Associate Supervisor); Radley Watkins (Staff); Bryan Vogt (Staff)

Additional Attendees: John Hart (Senior Deputy County Attorney); Ladd Knotek (MT FWP); Leo Rosenthal* (MT FWP); Deb Fassnacht* (WEN); John & Sandy Taknen (MS-12-22); James Sage* (MS-13-22); Nels Larson* (Public); Jody Wills (Public)

*Denotes virtual participation via Zoom

Absent: Travis Lemke (NRCS Supervisory District Conservationist)

Call Meeting to Order – 7:00 pm by Tim Hall

Minutes – Maclay noted two grammatical errors in the draft minutes along with a clarification to be added to the motion made by Bob Schroeder regarding the processing of future 310 Permit applications for utility boring projects, which specified that the Board reserves the rights to inspect the project at any time in the future. Libby Maclay moved to approved the March 14, 2022 Minutes as amended. Art Pencek 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 April 6, 2022 included with the Supervisors’ meeting packets.

First Security Bank – Checking	\$12,365.91
First Security Bank – Petty Checking	\$1,900.75
First Security Bank – Savings	\$50,415.19
DADCO Savings	\$206,871.44
Tax Mill Levy Account at County	\$333,709.81
Total Bank Accounts	\$605,263.10

Greenwalt also reported that the DA Davidson representative recently advised him that the Board should adopt a policy regarding what had been previously decided regarding the makeup of the District’s investment portfolio. Greenwalt indicated he would work on this item and report back. The Board also discussed changing the current portfolio makeup due to continued rising inflation.

Art Pencek moved to shift the makeup of the Missoula Conservation District’s DA Davidson investments portfolio out of bonds and into money market accounts. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Public Comment – None

NRCS Report – Watkins reported that Travis Lemke was out of town but had informed him that the Lower Miller Creek TIP for riparian restoration was selected for funding with the Missoula CD listed as a partner. Additionally, the PL566 proposal for the Middle Clark Fork Corridor project was moved forward for consideration by the Montana NRCS State Office with the Missoula CD being named the Sponsoring Local Organization (SLO) for the PL566 project.

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 that he hasn't been able to get the property owner or their attorney to respond to him since the offer for sale fell through. Watkins reviewed his correspondence with Jason Garber, DNRC 310 Permitting Specialist, regarding whether the landowner and/or contractor performing the work would be held liable for the 310 Violation in this instance. Hart and the Board discussed this matter in further detail and came to the agreement that the landowner hiring the contractor is ultimately liable under the 310 Law for obtaining the permit and for any violations that may occur. The contractor may also be liable under the 310 Law if they are aware of the need for 310 permitting. The Board discussed and agreed that a 310 Violation does not get inherited by a new owner if the property is sold.

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

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

Watkins reported that the applicant requested a one-year time extension to this permit in order to complete the project.

Bob Schroeder moved to approve a one-year time extension to existing 310 Permit No. MS-17-21 modifying the expiration date to June 14, 2023 with all other provisions of the permit remaining in place. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

- Project should be completed during base flow conditions between July 15 and November 1. This will minimize turbidity and impacts downstream, as well as improve success of revegetation.
- Dewatering: Site should be temporarily dewatered during construction to maximum extent possible to allow work in the dry. Primary dewatering would be accomplished through temporary tarping at upstream channel split and diverting water to left channel until project is completed. At completion of project, all tarping should be removed, with channel elevations and features restored to pre-project condition. Note: Small tributary upstream of new bridge crossing, seepage, etc. likely will not allow complete dewatering.
- Channel modifications indicated on plan sheets should be limited to area within ~100 yards upstream and downstream of crossing (as indicated) – no heavy equipment access or work outside of this area. Exception is hand work associated with temporary water diversion at channel split.
- No placement of rock or rip rap outside of bridge abutments (as per plan set).
- All disturbed areas within riparian corridor in project site footprint shall be revegetated.
- 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 project completion date).

- Project engineer/permittee shall be onsite during implementation to ensure adherence to specifications.
- Missoula Conservation District and Montana Fish Wildlife and Parks shall be notified when instream work begins.

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 reminded the Board that this application was submitted to resolve Violation No. CM-02-21 for work done to dam Cooney Creek and install a new irrigation headgate on a multiuser ditch. Todd Bender had admitted to conducting the work, and the application submitted by Todd and Lisa Bender proposes to plant a total of 5 shrubs along the bank in the area of disturbance, seed the area with a native riparian grass mix, and “securely place a new screen of ¼” or less over the outgoing water ditch.” Watkins reported conducting a site visit with Leo Rosenthal and Mackenzie Tenan on March 28, 2022. Lisa Bender was available for the site visit, but the landowner had stated that they would no longer allow the Benders permission to access the property.

Rosenthal reported that while the Benders have included revegetation within their application, the potential for accelerated bank erosion at the newly installed headgate is the greatest concern at this site, which is not adequately addressed within the application. Therefore, the project needs to include armoring the banks at the headgate to prevent flanking of the structure. The Benders also included a screen as part of their application, but no designs or specifications were included. The Board and Knotek discussed that Montana law does not require a fish screen be installed on an irrigation point of diversion. If the fish screen is to remain a component of the proposed project, FWP would like to ensure it is appropriately designed and sized for the diversion system.

As with MS-07-18 above, the Board discussed who is ultimately liable under the 310 Law for the violation and conducting the work to resolve it since it was determined not to be the landowner. The Board, along with consultation from John Hart, felt the Benders are ultimately liable since they admitted to conducting the work that was deemed to be in violation of the 310 Law. Therefore, the Board directed staff to continue to work with the Benders on this application. The issue of the Benders gaining access from the landowner to conduct the work is beyond the District’s authority.

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 reviewed site location slides, the road grading work immediately adjacent to Drew Creek resulting in Violation No. CM-05-21, and this application to resolve the violation. Watkins presented photos from a recent site visit on April 7, 2022 showing that the road grading is still occurring immediately adjacent to the creek. Watkins recommended that this application be added to next month’s site inspection schedule to allow an on-site consultation with the applicant. The Board took no further action at this time.

MS-12-22 – John Taknen – Woodchuck Creek – Culvert Installation

Geocode: 04-1976-25-1-02-03-0000

Watkins presented site location slides and design plans included with the application for installation of a new 32-foot long, 24-inch diameter, round corrugated metal pipe (CMP) culvert crossing Woodchuck Creek for access to a proposed homesite. Watkins also presented photos from the site inspection on April 7, 2022 with B. Schroeder, Ladd Knotek, John and Sandy Taknen, and Watkins attending. John Taknen stated he chose this specific crossing location to have minimal impacts on the stream leaving it as natural as possible. The Board discussed the steepness and width of the proposed driveway in comparison to the amount of cover needed over the CMP culvert. A longer culvert to accommodate site specific conditions as recommended. B. Schroeder and Knotek reviewed their team member reports that recommended approval with modifications. Knotek added that the 24-inch diameter culvert is likely undersized for this section of stream, but it matches culverts at multiple sites both above and below the project site.

Bob Schroeder moved to make Application No. MS-12-22 a project for review under the 310 Law and to approve the project with modifications incorporating recommendations from team member reports and the requirement of lengthening the culvert to accommodate the appropriate amount of fill on top of the culvert. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

- Follow road crossing best management practices (BMPs), including water bars on approaches.
- The culvert length shall be no shorter than forty-two (42) feet long.
- Complete work at base flow – prior to May 15th or after July 1st to protect spawning westslope cutthroat trout in Woodchuck Creek.

MS-13-22 – Al Zepeda – Lolo Creek – New Construction: Residence, Cabins, Well, Road, & Pond
Geocode: 04-2092-33-4-01-05-0000

Watkins presented site location slides and a schematic included with the application showing the location of a proposed single-family dwelling, several cabins, wells, and a pond adjacent to Lolo Creek. As was reported last month under 310 inquiries and issues, these proposed activities were initially brought to the District's attention by Todd Kliez, Missoula County Floodplain Administrator. Additionally, James Sage with Missoula Engineering had expressed his understanding to Watkins that this fell outside of the District's 310 Law jurisdiction based on a 30-foot riparian buffer determination associated with Violation No. CM-01-20 and Permit No. MS-07-20. At the March 14, 2022 meeting, the Board required a new 310 application be submitted stating that the impacts of the proposed structures were different than the UTV trail and vegetation clearing associated with Violation No. CM-01-20 and Permit No. MS-07-20.

James Sage stated that Zepeda's current plan is to build the single-family dwelling and build the guest cabin which will be located closest to the creek. Future plans might include building additional guest cabins to rent to the public. Watkins reviewed photos taken from the site inspection on April 7, 2022 with B. Schroeder, Ladd Knotek, James Sage, Al Zepeda, and Watkins attending. B. Schroeder and Knotek reviewed their team member reports that recommended approval of the proposed project since most activities would occur at the very edge, or outside, of the District's 310 Law jurisdiction. Additionally, any areas that may be disturbed, or that are already disturbed, within the 50-ft riparian buffer zone need to be revegetated to District standards. The Board also discussed that the permit should be conditioned to state that the landowner assumes future risks of building so close to the riparian buffer zone, including those from hazard

trees that might threaten structures, flooding events, or the likelihood of stream channel migration closer to the proposed structures. Future options to mitigate or reduce these risks would likely not be permitted. Additionally, any future commercial uses of the site would require additional 310 permit applications for review.

Bob Schroeder moved to make Application No. MS-13-22 a project for review under the 310 Law and to approve the project with modifications incorporating recommendations from team member reports and Board discussion. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

- This permit does not authorize any removal of vegetation in the riparian buffer, including ageing cottonwood trees, and owner recognizes and assumes all risk and liabilities of building new structures near this type of vegetated riparian buffer.
- Lolo Creek is prone to flooding which may cause the location of the stream to move. Landowner recognizes and assumes all risk and liabilities of building new structures near the stream and recognizes stabilizing/armoring the banks of the streams to protect against erosion or future flooding hazards may not be an option.
- This 310 permit is not intended for the intensity of commercial use. Alteration to more intense uses of the property could trigger additional 310 review.
- There is a site just southeast of the cabin building location that has been cleared of vegetation. This area shall be restored with native trees and shrubs. All planted trees must meet the Missoula Conservation District viability standard of at least 75% survival after one year and at least 50% survival after two years or will require replanting.

MS-14-22 – Malcolm Miller (Treasure State Tree Service) obo Sycamore Trust – Rattlesnake Creek – Tree Removal

Geocode: 04-2200-14-3-06-06-0000

Watkins presented site location slides for a new project to remove up to eight hazard cottonwood trees on a lot being developed for a homesite. Watkins reviewed photos from the site inspection on April 7, 2022 with B. Schroeder, Ladd Knotek, and Watkins attending that showed which specific trees would be removed and which would be left. B. Schroeder and Knotek reviewed their team member reports that recommended approval of the propose project with the modifications of leaving the stumps in place and replanting 10 ponderosa pine seedlings.

Paul Parson moved to make Application No. MS-14-22 a project for review under the 310 Law and to approve the project with modifications incorporating recommendations from team member reports and Board discussion. Tim Hall seconded the motion. Vote was unanimous in favor – motion carried.

- Plant 10 ponderosa pine (*Pinus ponderosa*) seedlings in the general area around the removed trees.
- Cut near base and leave root structure.
- Leave large, forked cottonwood nearest stream in place.
- All planted trees must meet the Missoula Conservation District viability standard of at least 75% survival after one year and at least 50% survival after two years or will require replanting.

MS-15-22 – Kathryn Logan – Swan River – Sod Installation

Geocode: 04-2992-18-4-02-13-0000

Watkins presented site location slides for a new application to plant sod approximately 50 feet back from the banks of the Swan River. Watkins reviewed photos from the site visit on March 28, 2022, with Kathryn Logan, Mackenzie Tenan, and Watkins attending. The photos included representation of the approximate 50-foot buffer zone. The photos showed some evidence of vehicle tracks within the buffer zone that the applicant explained were from snow clearing earlier in the season. Rosenthal, who had reviewed the photos earlier, stated he did not feel that this project would cause adverse effects given that it would occur mostly 50-feet from the edge of the Swan River.

Art Pencek moved to make Application No. MS-15-22 a project for review under the 310 Law and to approve the project as proposed with the condition that the District may inspect the project at any point in the future to ensure compliance with the permit. Paul Parson seconded the motion. Vote was unanimous in favor – motion carried.

The Board requested the applicant be reminded that any ground disturbance closer than 50 feet towards the river needs to be restored with a native grass seed mix.

MS-16-22 – Big Blackfoot Chapter of Trout Unlimited obo Larry Carrico – Clearwater River – Bank/Channel Restoration

Geocode: 04-2649-08-4-01-01-0000

Watkins reported on a new application for bank and channel restoration along a 217-foot terrace on the Clearwater River. An inspection needs to be conducted once site conditions allow for access and full assessment of the proposed project. The Board took no further action at this time.

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

Watkins reported that he was contacted by the Ridegs who stated they had finished work to install a headgate that isolates their irrigation pond from Spring Creek. Watkins also presented photos received from the Ridegs showing the newly constructed headgate and reseeding efforts along Spring Creek. Watkins stated he will conduct a site visit next month and report back to the Board.

CM-01-22 – Joseph Boyer Jr. – Clark Fork River – Bank Manipulation

Geocode: 04-2428-33-4-02-03-0000

Watkins reported on a complaint received from Craig Pablo, ALCO Technician with the CSKT Natural Resources Department, of a large backhoe apparently doing work along the banks of the Clark Fork River on property owned by Joseph Boyer Jr. Watkins presented site location slides, the photo received with the complaint, and pictures taken during the April 7, 2022 site inspection with B. Schroeder, Ladd Knotek,

Joseph Boyer Jr., and Watkins attending. The photos showed one site where Boyer Jr. had placed large logs across a side channel of the river to prevent bank erosion and reduce flows entering the side channel. At another site, Boyer Jr. had placed cut logs/posts and fill along a section of bank that the river had undercut beneath an existing fence. During the site inspection, Boyer stated this was done to stabilize the eroding bank and prevent cattle from accessing the river through the undercut section of fence. He added that a calf had already drowned at that location by falling through on the river side of the fence. Both B. Schroeder and Knotek reviewed their complaint site inspection reports, and both determined that activity had been initiated on a perennial flowing stream without a valid permit. Neither recommended any remediation of the work already conducted as this would likely result in additional, unnecessary disturbance at both locations. A modest fine was recommended due to Boyer Jr.'s knowledge that 310 permitting is required for this type of work.

Bob Schroeder moved to declare Complaint No. CM-01-22 a violation of the 310 Law for work conducted without a valid permit and require payment of a \$250 fee; no remediation of work already conducted without a permit is required but the landowner must submit a 310 Permit application for any similar work they wish to conduct in the future. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

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 (Re: MS-43-21) – 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 reviewed issues leading to the determination of Violation No. CM-06-21 and presented photos taken during a recent site visit on March 28, 2022, that showed abandonment of the road across a side channel, the planting of three trees within the streambank footprint of the abandoned road, and reactivation of the side channel of the Swan River.

Art Pencek moved to declare Violation No. CM-06-21 resolved due to work completed through Permit No. MS-38-21. Paul Parson seconded the motion. Vote was unanimous in favor – motion carried.

310 Inquiries & Issues

Watkins reported on a prior 310 permitting inquiry for proposed gold mining on an unnamed tributary of Kearns Creek located very close to the southern edge of Missoula County near Garnet Ghost Town. The potential applicant has a DEQ permit, but it is questionable whether this is a perennial stream falling under

the District's jurisdiction. When Watkins asked FWP Biologist, Brad Liermann, on whether he felt this was a jurisdictional stream and project, Liermann deferred that decision to the CD Supervisors. The Board directed staff to inquire with BLM as to their protocols for issuing a plan of operation for this kind of activity.

Watkins also reported on his recent correspondence with neighbors to Barbara Neilson who claim they were negatively impacted by the actions implemented under Permit No. MS-22-21 on LaValle Creek. One adjacent landowner retained an attorney who requested and was provided District records on the issued permit and associated meeting minutes.

Reports

County Attorney Report – John Hart reported that while 2021 was a busy year for subdivision plats, there have already been more plats issued so far in 2022 than in all of 2021. The Smurfit-Stone site review and considerations for environmental cleanup is moving along slowly, and concerns regarding the levees at the Smurfit-Stone site is of great importance to Missoula County. Hart stated that it would be beneficial if the Conservation District provided comments on this matter.

Montana FWP – Ladd Knotek reported that it does make a difference when the Conservation District provides comments on any planned subdivision even if just in the context of the 310 Law.

DNRC Conservation District Bureau – A copy of Hailey Graf's April 1, 2022 written report was included in the Supervisors' meeting packets.

Bitter Root RC&D – Libby Maclay distributed an April 2022 written report of RC&D project updates to the Supervisors for review.

Weed District/Extension – Watkins reported that the Extension office has invited the District to participate in a pollinator program in late April that will be discussed under the Programs portion of the agenda.

Watershed Groups – Deb Fassnacht with Watershed Education Network (WEN) reported that April 25th will be the last WEN Winter Speaker series. The Citizen Science Stream Team Coordinators will be presenting 2019-2021 survey data from Rattlesnake Creek. The presentation will be from 5-7pm at GoodWorks Ventures or via Zoom.

Planning Board Update – Josh Schroeder had provided a written report that overviewed Planning Board meetings held on March 1st, 15th, and 22nd, which focused on the new proposed Missoula County Zoning Update and Zoning Map. A public hearing on the proposed Zoning Code and Zoning Map will take place on May 5, 2022 at 2:00pm.

Water Quality District – Elena Evans was not in attendance and had not provided a report.

District Committees – Pencek reported that the Budget Committee will need to meet soon to consider a FY23 Budget. Pencek requested staff prepare materials for the Budget Committee's consideration. Hall reported that the Grants Committee met on April 8, 2022 with specific items to 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 March 14th Board meeting held via Zoom.
- Submitted monthly claims to the county for payment. Entered monthly claims into QuickBooks.
- Drafted minutes from the March 14th Board meeting.
- Checked District's general email and QuickBooks account daily; received/distributed agency mail daily.
- Reconciled First Security Bank accounts and DA Davidson account in QuickBooks.
- Prepared monthly claims, agenda, financial report, and upcoming events sheet for monthly meeting packet.
- Sent agenda to the county. Posted agenda & approved minutes from Feb 14th meeting on the CD website.
- Sent pre-meeting packets to Supervisors.

Program Assistance:

- Assisted with physical and electronic file management of five new 310 Applications and one new Complaint.
- Updated 310 Master List spreadsheet and Current Permits webpage on MCD website
- As requested, assist Watkins with 310 permitting history on MS-22-21 and MS-31-20
- Research price of reprinting the CD's Healthy Riparian Guide publication
- Finalized contract for the Healy Riparian Planting Mini Grant (RP-01-21)
- Developed full grant proposal form and standard completion report form for current MCD Grants
- Assist M. Tenan with review of her proposal to the BSWC Nonpoint Source Pollution Project Support grant
- Requested extension to DNRC Pollinator Grant
- Continued development of HB223 Grant 23G-22-3705 Priority Water Quality Monitoring Grant
- Notified M. Maggio of reporting requirements to close out DNRC Education Mini-Grant 23G-21-3702
- Finished drafting/submitting DNRC Education Mini-Grant for the Weed District's Leave No Weeds Program
- Discussed CD's involvement with Miller Creek TIP and PL566 Middle Fork Corridor project with Watkins
- Organized and participated in a Grant Committee meeting to review the full Education Cost Share Grant application from WEN, request from Lolo WG to be sponsored for a RRGL applications, ideas for the CDB Conservation Project RFP, and NRCS Miller Creek TIP and PL566 Middle Fork Corridor involvement.
- With Watkins, met with Patrick Mangan (OSU Extension) to discuss partnering on pollinator program efforts

Technical Assignments:

- Continued management of the no-till drill rental program, including 2 rentals, 13 reservations, & 10 inquiries

- With assistance from Fairground's Maintenance staff, took no-till drill out of winter storage and loaded onto the CD's trailer; hauled drill back to CD office
- With Watkins, conducted maintenance on the no-drill in preparation for the 2022 rental season
- Hauled drill to Les Schwab tires to have tire tube on no-drill drill replaced
- Assisted local landowner with questions regarding seed for pollinator habitat
- Provided guidance to Gallatin Co. landowner on who to contact for local no-till drill options
- Communication and Outreach:
- With Watkins, met with CFC staff to discussion current and future project partnering opportunities
- Corresponded with H. Graf, M. Hendrix, and S. Criswell on status of all current DNRC Grants held by CD
- Participated in Employee Organization Roundtable Meeting on NRCS Local Working Groups
- Participated in the Area 5 Employee Organization meeting to discuss partnership/collaboration efforts and upcoming training opportunities, including discussion of hosting a 2023 Western Montana Grazing and Agriculture Conference

**2 Days Vacation Leave*

Radley Watkins - Resource Conservationist

Office Administration:

- Coordinated the March District Board meeting.
- Followed up on actions taken at the March meeting by writing letters, packaging them, and sending them.
- Reviewed/edited/approved draft March meeting minutes.
- Approved and submitted staff timesheets to County payroll and entered payroll in Quick Books.
- Reconciled January and February Mill Levy Account in Quick Books.
- Conducted weekly staff meetings and updated Chairman Hall.
- Obtained signatures for checks from Chairman Hall.
- Drafted agenda for April 11, 2022, District Meeting.
- Prepared comments related to review Lease Agreement for the Rocky Mounty Gardens and Exploration Center office.
- Attended Area 5 Conservation District Employee's Organization Meeting with staff from Area 5 CDs, MACD and DNRC Conservation District Bureau representatives.
- Fielded phone and email communications regarding MCD programs and 310 permits.

310 Law Administration:

- Reviewed six incoming 310 applications and processed five.
- Received and processed one complaint file.
- Conducted Swan Valley site visits with Mackenzie Tenan of Big Sky Watershed Corp (BSWC) and Leo Rosenthal of FWP.
- Revisited Rebecca Ramsey's (Swan Valley Connection Executive Directors) offer to serve as an Associate Supervisor who could do site visits up the Swan and invited her to introduce herself to the Board at the District Meeting.
- Conducted site inspections with Ladd Knotek of FWP and Supervisor Schroeder.

- Communicated with neighbors on La Valle Creek to discuss their unhappiness with the regarding the debris removal by Barbara Neilson associated with MS-2221.
- Fielded a call from Ferguson Law firm regarding MS-2221, and forwarded MS-2221 approval letter, permit application, and associated meeting minutes.
- Met with Extension, Weed District, and Office City staff to review furniture options for the new building.

Program Management:

- With Vogt, conducted maintenance on the no-drill in preparation for the 2022 rental season.
- Met with Jed Whitely and Will McDowell with Clark Fork Coalition (CFC) to discuss future partnerships opportunities.
- Reviewed Tenan proposal to the BSWC Nonpoint Source Pollution Project Support grant and visited landowners along Pattee Creek to discuss revegetation opportunities.
- Continued work with Tenan on designing watershed pamphlets.
- Worked with Lake County to begin to discuss opportunities for a January Western Grazing Conference.
- Represented MCD on Bear Smart Missoula team.
- Communicated with Lolo Watershed Group Board members to discuss MCD's willingness to sponsor a DNRC grant for riparian restoration on Lolo Creek.
- Met with Vogt and Hailey Graf from DNRC CDB to discuss their RFP for grant proposals.
- Participated in Conservation District Working Group meeting.
- Attended Lunchtime Conservation Conversation Stream Geomorphology hosted by Montana Watershed Coordination Council.
- Participated in Big Sky Watershed Corp training on how to create Arc Story Maps
- Met with Travis Lemke of NRCS and Rob Roberts of Trout Unlimited to discuss PL566 Grant application.
- Discussed MCD's potential involvement with NRCS's Miller Creek TIP with Travis Lemke.
- Drafted PL566 grant letter of interest requesting funds from NRCS for a Preliminary Investigation and Feasibility Report for the Middle Clark Fork River Corridor projects and obtained Chairman Halls signature.
- Attended Grant Creek Kick Off Meeting hosted by the CFC to discuss restoration process for Grant Creek
- Met with Patrick Mangan of Extension to discuss pollinator collaboration and agreed to participate in an April 29th talk.
- Met with Grants Committee to discuss Watershed Education Network MCD grant application, Lolo Watershed Group's request for MCD to sponsor a DNRC grant and talk about other program areas.

Other Reports

BSWC member update – Watkins reported that Mackenzie Tenan and the City Stormwater Utility have been working on a project to engage citizens with voluntarily planting riparian vegetation on Pattee Creek below the grit chamber. Watkins had assisted in some of the project's initial efforts but wanted to verify with the Board that they are in support of spending a nominal amount of staff time towards this

effort before anymore CD staff time goes towards this project. The Board voiced support of the project and staff participation.

New Business

Correspondence and Upcoming Events – Vogt reviewed the Upcoming Events sheet included in the Supervisors' packets highlighting the 2022 Montana Stormwater Conference where Watkins will serve as a moderator to a panel discussion and the Missoula Co. Extension Service's "Creating Backyard Habitats for Pollinators" that Watkins will also be participating in to discuss the District's Pollinator Initiative.

310 Permit Workshop – Vogt reviewed a flyer for an upcoming training to be held May 19th in Helena and promoted Board attendance. Any interested Supervisor can travel over and back with Watkins and Vogt.

Reprinting MCD Healthy Riparian Guide – Vogt reported on a recent estimate of \$2,000–\$3,000 obtained from AlphaGraphics to reprint 1,000 copies the MCD Healthy Riparian Guide. Watkins stated that the District is running low on its current supply of the publication. However, this expense was not included in the current fiscal year's budget. The Board directed staff to go ahead and order replacement copies of the Healthy Riparian Guide.

2023 Western Montana Grazing & Agriculture Conference – Vogt reported on discussions that took place at a recent meeting of the Area 5 Montana Conservation District Employee Organization regarding efforts to plan and host a Western Montana Grazing & Agriculture Conference in early 2023. The group requested Missoula CD hold the venue contract since the event would be held in Missoula. Vogt asked the Board to consider allowing staff to move forward with this level of participation. Vogt added that Missoula CD would not be obligated to plan the entire event just because we might hold this venue contract.

Bob Schroeder moved to allow the Missoula Conservation District to proceed with booking and holding the contract for a suitable event venue in Missoula to hold the 2023 Western Montana Grazing & Agriculture Conference. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

NRCS Miller Creek Targeted Implementation Plan (TIP) – Hall briefly reviewed the TIP's background, including the CD being included as a partner. Watkins reported that while the TIP was approved for funding, NRCS did not approve paying for an irrigation well needed to convert Oxbow Cattle Co's surface water rights to groundwater rights, which is a critical component to ensuring the TIP's success. Oxbow Cattle Co's current surface water right is 7.5 cubic feet per second (cfs) from Miller Creek while less than 1 cfs would be needed from an irrigation well in order to supply a high efficiency sprinkler system to irrigate 51.7 acres. The water right conversion will allow antiquated, unscreened ditches off of lower Miller Creek to be permanently abandoned and surface water to remain in-stream within a reach of Miller Creek that goes dry each year. Bart Morris stated the Clark Fork Coalition has started working on converting the surface water rights off of Miller Creek to ground water. The Board discussed options but did not come to consensus on using District funds to pay for an irrigation well to support this effort. Watkins also stated that Travis Lemke would like the District to assist in hosting a TIP kick-off meeting sometime at the end of May or first week of June. The Board expressed support for assisting with this effort.

NRCS PL566 Program – Middle Clark Fork Corridor Project – Watkins reported on recently submitting a letter of interest requesting the Montana State Conservationist, Tom Watson, consider the Middle Clark Fork Corridor Project for a potential Public Law (PL) 566 project. Watkins received permission from the Grants Committee to submit this letter of interest naming Missoula CD as the Sponsoring Local

Organization (SLO). If selected to advance, NRCS would provide funding and hire a contractor to develop a Preliminary Investigation and Project Feasibility Report (PIFR). As the SLO, the District is under no financial obligation at this point, and there is no certainty that the PIFR would result in selection for PL566 implementation funding. However, being selected for the PIFR would be an important first step in conducting an environmental evaluation of importance resource concerns along this section of the Clark Fork River, including aging infrastructure issues on multiple irrigation districts, bank erosion and stabilization concerns, and municipal stormwater inputs into the Clark Fork River that impact water quality. Watkins emphasized this could result in a long-term (e.g., 5+ year), multi-phased implementation project to address these resource concerns with multiple local partners.

CDB Conservation Projects RFP – Watkins and Vogt reported on a new request for proposals (RFP) put out by the DNRC Conservation Districts Bureau. They reviewed the RFP document included in the Supervisors’ meeting packet along with discussions they had recently with CDB staff regarding the program’s intent and potential project ideas. This is a one-time funding opportunity, not a grant program that will be offered on a regular basis. The RFP has a submission deadline of May 6, 2022, prior to the next District meeting. Therefore, Supervisors would need to approve a project at this meeting and allow staff to develop the proposal for submission prior to the next Board meeting. Supervisors discussed several potential project ideas for staff to develop into a CDB Conservation Projects proposal.

Bob Schroeder moved to allow the Missoula Conservation District staff to develop and submit CDB Conservation Projects proposal to support the Miller Creek TIP. Paul Parson seconded the motion. Vote was unanimous in favor – motion carried.

Programs

Grants Program:

MCD Grants

Education Cost Share Grant – Vogt reported that the Grants Committee reviewed a full application from the Watershed Education Network (WEN) for the Healthy Watersheds: Family Citizen Science Program. Additional discussion took place on the details and merits of the proposed project with Deb Fassnacht, WEN Executive Director, addressing questions from the Board.

Travis Greenwalt moved to approve the Watershed Education Network’s application for an Education Cost Grant in the amount of \$5,000. Tim Hall seconded the motion. Vote was 4 in favor (Tim Hall, Libby Maclay, Travis Greenwalt, Paul Parson) and 3 opposed (Art Pencek, Bob Schroeder, Sid Wills) – motion carried.

2022 Montana Natural Resources Youth Camp – Vogt reported he still needs to reach out to local schools to determine if there are any students interested in attending the camp.

Sponsored Grants – Vogt reported the Grants Committee recently considered a request from Lolo Watershed Group for District sponsorship of a DNRC RRGL proposal supporting a riparian restoration project located on the Zens-Kimerly property. Lolo WG already has secured match for this project through a DEQ 319 Grant. The Board discussed the merits of this project, history of the site, and concerns over conditions of the bridge immediately upstream of the proposed project. There was consensus that in order for the Board to support sponsoring any kind of project proposal they would need to see a completely developed application and signed landowner agreement for protection and long-term maintenance of the

restoration project. The Board also expressed desire to see a long-term solution to the bank erosion issues at the upstream bridge included in any restoration project designs in order to fully support the project.

Revised MCD Grant Program – Vogt stated there was nothing new to report at this time.

Equipment Program – Vogt reported on repairs he and Watkins made to the no-till drill in preparation for the upcoming rental season. With assistance from fairground’s staff, the drill was removed from the maintenance building, loaded back on the trailer, and transported back to the office. There are already almost as many drill reservations for Spring 2022 as in all of 2021.

Pollinator Program – Watkins reported he will participate in the Missoula Co. Extension Service’s “Creating Backyard Habitat for Pollinators” event on April 29th to kick off the District’s 2022 pollinator program.

Other New Business – None

Old Business

Lease Agreement – Rocky Mountain Gardens and Exploration Center – The Board discussed the draft lease agreement between the District and County previously sent out by Watkins for review. Supervisors expressed multiple concerns over certain provision within the draft agreement and requested staff send them the Board’s original letter of intent to the County for additional review.

Other Old Business – None

Payment of Bills and Claims

Tim Hall moved to pay the bills, claims, and quarterly Supervisor reimbursements. Art Pencek seconded the motion. Vote was unanimous in favor – motion passed.

Petty Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from March meeting			\$2,113.82
3/17/2022	City of Missoula – Downtown Parking – Watkins	(\$2.00)		\$2,111.82
3/23/2022	McAfee – Two-year subscription for Vogt laptop	(\$89.99)		\$2,021.83
3/30/2022	Staples – HDMI to VGA monitor adapter	(\$36.99)		\$1,984.84
3/31/2022	Zoom – Monthly fee for Watkins & Vogt	(\$31.10)		\$1,953.74
4/2/2022	Les Schwab Tires – tire tube for no-till drill	(\$52.99)		\$1,900.75
	Totals	(\$213.07)		
	NET TOTAL	(\$213.07)		

Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from March meeting			\$13,209.99
3/18/2022	Frenchtown HS: Lodging for Envirothon team	(\$192.00)		\$13,017.99
3/18/2022	Missoula FFA: Lodging for 2 Envirothon teams	(\$652.08)		\$12,365.91
	Totals	(\$844.08)		
	NET TOTAL	(\$844.08)		

Savings Account

Date	Description	Charge	Deposit	Balance
	Balance from March meeting			\$50,411.76
3/31/2022	Interest		\$3.43	\$50,415.19
	Totals		\$3.43	
	NET TOTAL		\$3.43	

DA Davidson Account

Date	Description	Charge	Deposit	Balance
	Balance from March meeting			\$211,738.34
3/31/2022	Losses	(\$4,866.90)		\$206,871.44
	Totals	(\$4,866.90)		
	NET TOTAL	(\$4,866.90)		

Tax Mill Levy Account (Warrants/Claims)

Date	Description	Charge	Deposit	Balance
	Balance from March meeting			\$591,733.49
1/31/2022	Mill Levy and Interest		\$2,609.31	\$594,342.80
2/17/2022	Missoula County Treasurer – Payment towards new fairgrounds building	(\$250,000.00)		\$344,342.80
2/28/2022	Mill Levy and Interest		\$2,346.39	\$346,689.19
3/11/2022	Payroll – Pay Period 5	(\$6,018.81)		\$340,670.38
3/15/2022	Montana State Fund – Workers Comp. premium	(\$396.55)		\$340,273.83
3/15/2022	Verizon Wireless – District cell phones	(\$104.74)		\$340,169.09
3/15/2022	Charter Spectrum – Office internet	(\$109.99)		\$340,059.10
3/15/2022	FIB Mastercard – fleet gas card	(\$151.55)		\$339,907.55
3/15/2022	Bryan Vogt – per diem for Soil Health Symposium	(\$59.50)		\$339,848.05
3/15/2022	Truax – parts for no-till drill repairs	(\$119.44)		\$339,728.61
3/25/2022	Payroll – Pay Period 6	(\$6,018.80)		\$333,709.81
	Totals	(\$262,979.38)	\$4,955.70	
	NET TOTAL	(\$258,023.68)		

Adjournment

Tim Hall moved to adjourn the meeting at 11:03 pm. Art Pencek seconded the motion. Vote was unanimous in favor – motion passed.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	14	-	-
Libby Maclay	14	-	-
Travis Greenwalt	14	-	-
Paul Parson	14	-	-
Art Pencek	13	1	-
Bob Schroeder	13	1	-
Sidney Wills	13	1	-

The next Missoula Conservation District meeting is scheduled for **Monday, May 9, 2022**, at 7:00 p.m. in the USDA Service Center conference room located at 3550 Mullan Road, Suite 106, Missoula, MT 59808. A virtual option via Zoom or phone will also be offered.

APPROVED