

**Missoula Conservation District
September 12, 2022 at 7:00 p.m.
3550 Mullan Rd, Ste 106, Missoula, MT 59808 – with virtual option**

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

Additional Attendees: John Hart (Senior Deputy County Attorney); Travis Lemke* (NRCS Supervisory District Conservationist); Matt Heibel* (Missoula County CAPS); Gary Glenn (EM-01-22); Stacey Glenn (EM-10-22); Taylor Heggen (EM-01-22); Barbara Neilson (EM-01-22); Max Weiss (EM-01-22); Steve Kloetzel* (MS-29-22); Claire Romanko (MS-29-22); Henry Wheeler* (CM-08-22); Netta Linder* (CM-08-22); Apryl Lange* (CM-08-22); Bert Linder* (CM-08-22); Brian Deigle (CM-08-22); Mike Mitchell* (CM-08-22); Jessica Reyes* (EdMG-01-22); Kay Webb* (Public); Justin (last name not provided)* (Public)

*Denotes virtual participation via Zoom

Absent: Tim Hall (Chair); Sidney Wills (Supervisor); Bart Morris (Associate Supervisor); Ladd Knotek (MT FWP)

Call Meeting to Order – 7:00 pm by Libby Maclay

Minutes – Art Pencek moved to approve the August 8, 2022 minutes as presented. Libby Maclay 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 September 9, 2022 included in the Supervisors’ meeting packets. Also included was the year-to-date Profit and Loss report also dated September 9, 2022.

First Security Bank – Checking	\$15,926.64
First Security Bank – Petty Checking	\$1,820.26
First Security Bank – Savings	\$50,432.10
DADCO Savings	\$198,897.81
Tax Mill Levy Account at County	\$376,842.29
Total Bank Accounts	\$643,919.10

Public Comment – None

NRCS Report – Travis Lemke, Supervisory District Conservationist, reported that the sign up deadline for CSP and EQIP application is October 28th. There are five funding mechanisms through NRCS in Missoula County, including the Lower Miller Creek Riparian TIP, the North Ovando Fuels Reduction TIP, the Grizzly Conflict Mitigation TIP, the Potomac Valley Forest Health TIP, and the Upper Ninemile Forest Health TIP. Additionally, there are several outreach events NRCS has planned this year to promote their programs. On October 25th, there will be an outreach event in Potomac to highlight the TIP that is still active in that location.

310 Emergency Notices

EM-01-22 – Garry Glenn – Grass Valley/CF River slough on La Valle Creek – Sandbag Check Dam
Geocode: 04-2324-25-4-01-02-0000

Watkins reported on a Notice of Emergency Action received from Gary Glenn for placement of sandbags to allow use of the irrigation water rights and point of diversion associated with the Starlin property. The site where the sandbags were placed is the same location as that associated with 310 Permit No. MS-22-21 issued to Barbara Neilson for the removal of “two, old unused headgates.” Watkins presented site location slides and photos taken during a site inspection occurring on September 6, 2022 with Pencek, Knotek, and Watkins attending. Stacey and Gary Glenn, along with their attorney, Taylor Heggen, presented testimony that the sandbags were required to allow them to irrigate their hayfield for livestock forage under a 1952 water right and that it was the first time in 50 years that any emergency action was needed to access adequate irrigation water. They further attributed this need for emergency action with the removal of the headgate structures associated with the Starlin water right that was permitted under MS-22-21. Max Weiss testified on behalf of Barb Neilson in opposition to the emergency action taken as it involved trespass onto Neilson’s property. Weiss also presented evidence that the water rights the Glenn’s are claiming to operate under has a different source and point of diversion. Several members of the Board clarified to both parties that the issue before them tonight is whether the action taken under the Notice of Emergency Action conforms to the 310 Law; all other matters pertaining to water rights and trespass issues are outside the Missoula Conservation District’s 310 Law authority. Watkins reviewed Knotek’s team member report recommending approval of the emergency action taken. Pencek reviewed his team member report stating that the use of emergency procedures is not contested, but that the sandbags need to be removed at the end of the 2022 irrigation season. Additionally, Mr. Glenn must submit a 310 Permit application for any planned actions to secure his water right.

Bob Schroeder moved to consider actions taken under Notice of Emergency Action No. EM-01-22 an appropriate use of the emergency provisions of the 310 Law with the conditions that the sandbags be removed no later than the end of the 2022 irrigation season on October 19, 2022. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

It is requested that Mr. Glenn provide written notification that the sandbags have been removed within ten (10) days of October 19, 2022.

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 there were no new updates regarding this item.

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 he is working with John Hart on this item and will present new information as soon it becomes available.

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 stated he would provide updates next month following a planned October 6, 2022 site inspection with the applicant's engineer.

MS-29-22 – The Nature Conservancy c/o Steve Kloetzel – Wildhorse Creek – Large Wood Placement & Beaver Dam Analogues
Geocode: 04-2329-06-1-01-01-0000

Watkins reviewed this application first reported on at the August 8, 2022 meeting that includes placement of large woody debris and construction of beaver dam analogues (BDA) in Wildhorse Creek on property owned by The Nature Conservancy (TNC) that may eventually be transferred to the Bureau of Land Management (BLM). At the August meeting, the Board requested the applicant provide specific locations of the planned structures rather than just general references to a number of planned structures within a given reach, particularly in consideration of the discovery of an adjacent dry side channel during the August 8, 2022 site inspection. Watkins displayed a map of planned BDA structures had been obtained since the last meeting. BLM Hydrologist, Claire Romanko, presented typical design plans for BDA structures from a recent Utah State University training she had attended. Watkins reviewed Patrick Uthe's team member report recommending approval with modifications to incorporate riparian planting with willow stakes throughout the project area and to remove reference to large wood debris or post assisted log structures from the permit. No Supervisor had attended the site inspection. Steve Kloetzel stated that the intent to harvest and plant willow poles collected from nearby Gold Creek to minimize the use of posts within the BDAs. Additionally, there are already beaver present on Gold Creek that are expected to utilize the new BDA structures.

Bob Schroeder moved to consider Application No. MS-29-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports, and to waive the 15-day waiting period after the Board's decision. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

- Add willow plantings along riparian area near each BDA installation.
- The permit is only valid for BDA installation as amended, and no large woody debris or post assisted structures are part of the approved application.

MS-33-22 – Malcolm Miller (Treasure State Tree Service) obo Brookside Condo Assn – Rattlesnake Creek – Tree Removal
Geocode: 04-2200-11-3-09-01-0000

Watkins reported on a new application for the removal of hazardous, double trunked cottonwood trees on a parcel adjacent to Rattlesnake Creek to prevent damage to adjacent structure or injury/death to residents. Watkins presented site location slides and photos taken during a site inspection occurring on September 6,

2022 with Pencek, Knotek, and Watkins attending. Team member reports from Pencek and Knotek both recommended approval of the project as proposed.

Bob Schroeder moved to consider Application No. MS-33-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

MS-34-22 – Malcolm Miller (Treasure State Tree Service) obo Scott Beach – O'Brien Creek – Forest Stand Thinning

Geocode: 04-2199-28-1-03-04-0000

Watkins reported on a new application for forest stand thinning along O'Brien Creek. A site inspection was conducted on September 6, 2022 with Pencek, Knotek, and Watkins attending at which time it was determined that all proposed actions were to occur outside of the jurisdictional buffer zone for O'Brien Creek. Both Pencek's and Knotek's team member reports recommend a Not a Project determination.

Art Pencek moved to consider Application No. MS-34-22 Not a Project under 310 Law jurisdiction. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

MS-35-22 – Ron Pierce (Fish Tale Restoration) obo Scott Tucker– Gilbert Creek – Streambank Restoration

Geocode: 04-1978-26-1-01-07-0000

Watkins reported on a new application to perform final finish work along the outer banks of Gilbert Creek at eleven (11) separate sites on a newly constructed and restored channel that was permitted under MS-08-21. After 2022 spring high flows, the floodplain restoration project was inspected by Dave Rosgen who determined that elevating the streambanks to bankfull elevation and other minor finish work at the 11 sites is required to bring the final finished project in line with design specifications. A new 310 Application has been applied for since Permit No. MS-08-21 has already expired and cannot, therefore, be extended. Watkins stated that Brad Liermann declined the need for a site inspection. Watkins also clarified that multiple site inspections had been conducted by Liermann and various Supervisors during consideration of the MS-08-21 permit application.

Art Pencek moved to consider Application No. MS-35-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

MS-36-22 – Jordan Johnson c/o Blackfoot Communications obo MDT – Fish Creek – Utility Boring

Geocode: 04-2541-32-2-01-13-0000

Watkins reported on a new application to conduct a utility boring project beneath Fish Creek along a Montana Department of Transportation right-of-way. Watkins presented site plans included with the application showing a 4-inch diameter bore hole at a minimum depth of 6-feet below the existing streambed of Fish Creek with bore bits located a minimum of 50-feet from each side of the creek. Following previous

Board direction, a site inspection was not conducted for this utility boring application and no request was received from FWP.

Travis Greenwalt moved to consider Application No. MS-36-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Art Pencek seconded the motion. Vote was unanimous in favor – motion carried.

MS-37-22 – Barry Smith – Mill Creek – Bridge Construction

Geocode: 04-2429-06-1-01-01-0000

Watkins reported on a new application for construction of 40-foot long by 16-foot wide rail car bridge crossing Mill Creek to allow for access to two cabin site on the other side of the stream. Watkins presented site location slides and photos taken during a site inspection occurring on September 6, 2022 with Pencek, Knotek, and Watkins attending. Watkins also presented description of work and design drawings included with the application showing the planned bridge to set 6-feet above the streambed of Mill Creek. Watkins read Knotek's team member report recommending approval of the project with the modification of limiting vegetation removal and disturbance to the immediate project area. Pencek stated his report also recommended approval of the project with this modification.

Art Pencek moved to consider Application No. MS-37-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

- Limit vegetation removal to crossing corridor only, no removal upstream or downstream.
- Limit disturbance in stream and on immediate banks of the stream.

MS-38-22 (Re: CM-07-22) – NorthWestern Energy c/o Sady Babcock – Miller Creek – Stream Crossings

Geocode: 04-2092-13-1-01-03-0000

Watkins reported on a new application received as a condition to resolve 310 Complaint No. CM-38-22 that calls for the approval of a previously constructed ford and three foot bridges crossing Miller Creek on this parcel. Watkins presented site location slides and photos taken during a site inspection occurring on September 6, 2022 with Pencek, Knotek, and Watkins attending. Watkins read Knotek's team member report recommending approval of the project with the modification of restricting any additional vegetation clearing within the 10-foot riparian buffer zone and the addition of planting or enhancing woody vegetation throughout the project area. Pencek stated he recommends approval of the project with these modifications.

Art Pencek moved to consider Application No. MS-38-22 a project for review under the 310 Law, to approve the project with modifications incorporating recommendations from team member reports, and to waive the 15-day waiting period after the Board's decision. Libby Maclay seconded the motion. Vote was unanimous in favor – motion carried.

- Limit vegetation removal to no closer than 10 feet from the stream.

- Plant or enhance woody vegetation along the riparian areas throughout the project area.

MS-39-22 – NorthWestern Energy c/o Sady Babcock obo Randall Moy – Marshall Creek – Utility Boring
Geocode: 04-2201-06-1-01-03-0000

Watkins reported on a new application to conduct a utility boring under Marshall Creek in order to provide primary electric distribution service to a customer. Watkins presented site location slides and photos/designs included with the application. The application states the bore will be a total of 150 foot in length at a depth of at least 4 feet under the streambed of Marshall Creek with the bore holes located approximately 75 feet from the edge of the creek. Following previous Board direction, a site inspection was not conducted for this utility boring application and no request was received from FWP.

Art Pencek moved to consider Application No. MS-39-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

MS-40-22 – Wayne and Judy Croft c/o Muth Consulting Engineers – Lolo Creek – Bridge Replacement
Geocode: 04-2090-20-3-02-01-0000

Watkins reported that a request was received by the applicants to postpone taking any action this month since they were not available for a site inspection. The Board took no action on this item.

MS-41-22 – Elissa Chott (Defenders of Wildlife) obo James Sapp – La Valle Creek & Backwater Slough – Beaver Dam Pond Leveler – site 1
Geocode: 04-2324-25-4-01-01-0000

Watkins reported on a new application for installation of a beaver dam pond leveler at a backwater slough site on La Valle Creek needed to alleviate flooding concerns on the landowner's property. Watkins presented site location slides, design plans from the application, and photos from the site inspection occurring on September 6, 2022 with Pencek, Knotek, and Watkins attending. There is a separate application (MS-41-22) for installation of another beaver dam pond leveler on an adjacent beaver dam on this property. Team member reports from both Pencek and Knotek recommended approving the project.

Art Pencek moved to consider Application No. MS-41-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

MS-42-22 – Elissa Chott (Defenders of Wildlife) obo James Sapp – La Valle Creek & Backwater Slough – Beaver Dam Pond Leveler – site 2
Geocode: 04-2324-25-4-01-01-0000

Watkins reported that as with MS-41-22, this is an application for installation of an analogous beaver dam pond leveling device. Team member reports from both Pencek and Knotek recommended approving the project as proposed.

Art Pencek moved to consider Application No. MS-42-22 a project for review under the 310 Law, to approve the project as proposed, and to waive the 15-day waiting period after the Board's decision. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

310 Complaints

CM-07-22 – Northwestern Energy – Miller Creek – Hardened Crossing/Ford
Geocode: 04-2092-13-1-01-03-0000

Watkins reported that MS-38-22, reviewed and approved above, was received in response to this complaint.

Art Pencek moved to dismiss Complaint No. CM-07-02 considering the approval of 310 Permit No. MS-38-22. Travis Greenwalt seconded the motion. Vote was unanimous in favor – motion carried.

CM-08-22 – Henry Wheeler – Grant Creek – Damming/Concrete/Operating Machinery in Stream
Geocode: 04-2326-32-3-09-01-0000

Watkins reported on a complaint regarding multiple reports and separate instances of machinery being operated in the channel of Grant Creek around an existing irrigation ditch headgate. Watkins presented site location slides and reviewed a timeline of events associated with the complaint. The official complaint was received on August 15, 2022 at which point Watkins conducted his first site visit and observed that concrete had been poured within the channel of Grant Creek in front of the headgate. On August 18, 2022, Watkins called Joe Wheeler who claimed to have no knowledge of the work conducted or who might be involved. Watkins also called and left a message with Henry Wheeler, Joe Wheeler's son, on August 18, 2022. Watkins left a second phone message with Henry Wheeler on August 19, 2022. A second site visit was also conducted on August 19th at which time Watkins observed additional machinery work, deposition of fill along the banks and within the channel, and vegetation disturbance from the machinery. A complaint letter dated August 23, 2022 was mailed to Henry Wheeler informing him of the complaint received that also stated a witness reported observing him damming and operating machinery in Grant Creek and its riparian area. Watkins received an email on August 27, 2022 notifying him that sandbags had been added to the check dam in the stream. On August 30, 2022, Watkins mailed a second letter to Henry Wheeler stating that the CD office continued to receive notification of damming, filling, and operation of machinery in Grant Creek without a permit. In the letter to Henry Wheeler, Watkins referenced the multiple efforts he made to contact Mr. Wheeler with no reply. The letter requested Henry Wheeler cease and desist any additional work and cautioned that the Board has the authority to levee a \$500 per day fine for work done without a 310 Permit. Watkins took additional site photos on September 6, 2022 that showed the concrete dam hidden by sod and rock fill placed over it. On September 8, 2022, Watkins received a phone call from Henry Wheeler at which point Wheeler confessed he had conducted the work conducted without a 310 Permit. Watkins stated that Ladd Knotek of FWP and Nathan Greene of the USACE had also been out with him on the site visits.

Henry Wheeler stated that he had not placed the sandbags mentioned but did confess to pouring the concrete dam and conducting the machinery work in an effort to clear debris that other had placed in front of the headgate. He also stated he did not know a 310 Permit was required to conduct this work and that the concrete was poured in the creek as a final effort to keep others from placing rocks and sod in front of his headgate in an attempt to block it. He also stated he would remove the concrete if necessary. Netta

Linder was attending virtually with Henry Wheeler and asked what should be done in the future if someone messes with Wheeler's diversion. Watkins replied that he should be contacted with a complaint to follow up on as was done with this activity.

Watkins asked the multiple members of the public attending to hear this item whether they had anything additional to speak to or add to the discussion. No one had an additional comments. Watkins read Knotek's site inspection report from September 6, 2022 that determined activity had been conducted without a permit and recommended Wheeler submit a plan to mitigate the actions taken and that a fine was warranted. Pencek reviewed his site inspection report that determined activity had been conducted without a permit and recommended that the violator pay a fine and submit a 310 Application for removal of the concrete placed in the creek and the fill placed in the side channel.

Art Pencek moved to consider Complaint No. CM-08-22 a violation of the 310 Law for activity initiated on a perennial stream without a valid permit. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Art Pencek moved to require Henry Wheeler to pay a fine in the amount of \$250 and to file a 310 Application for removal of the concrete placed within the channel of Grant Creek and the fill material placed within the side channel of the creek with the condition that the application incorporate all the conditions from the team member site inspections. The 310 Application must be received prior to the next monthly Board meeting. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

CM-09-22 – Victoria Rae Smith – Clearwater River– Vegetation Removal
Geocode: 04-2540-10-1-02-01-0000

Watkins reported on an anonymous complaint received August 30, 2022 regarding vegetation being removed with a weed-eater along the banks of the Clearwater River on a parcel where a new home is being built. Watkins contacted the landowner who stated no prior knowledge of the 310 Law. Watkins conducted a site visit on August 31, 2022 but was unable to show photos at the meeting due to technical issues. He observed mowed grass that he advised the landowner to allow to regrow. No official site inspection was conducted.

Travis Greenwalt moved to consider Complaint No. CM-09-22 a violation of the 310 Law for activity initiated on a perennial stream without a valid permit and to send the violator a warning letter stating that the mowed vegetation shall be allowed to grow back and no additional work is to be conducted within the 50-foot riparian buffer considered on the Clearwater River without a valid permit in place. 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-03-22 (Re: MS-22-22) – Justin Turley – Lolo Creek – Vegetation Removal
Geocode: 04-2092-35-3-02-05-0000

Watkins stated there were no updates to provide. This item will remain on the agenda until the applicant provides evidence that work to resolve the violation has been completed under Permit No. MS-22-22.

310 Inquiries & Issues

Watkins reported on participating in a site visit to the Elk Creek Nature Reserve managed in cooperation by Swan Valley Connections (SVC) and the Confederated Salish and Kootenai Tribes of the Flathead Reservation in regard to permitting requirements for removal of a log jam that is threatening Elk Creek Road. Landowners on the outside of the Reserve boundaries are looking for SVC to remove the log jam. SVC had requested a site visit to see if removal would require a 310 Permit. Watkins discussed 310 Law jurisdiction with the CSKT representative present and was told that because the Elk Creek Nature Reserve was outside of the reservation boundary that CSKT regulators relinquished their authority and deferred to the Missoula Conservation District. Watkins stated that the County may decide to do the work to protect a bridge over Glacier Creek, and if that is the direction chosen, a 310 Permit would not be needed as the County would obtain a 124 Permit for the work.

Reports

County Attorney Report – John Hart stated he had no official report but that he would be running his tenth 100-mile marathon soon.

Montana FWP – No representatives were in attendance and no reports had been provided.

DNRC Conservation District Bureau – A copy of Hailey Graf's September 2022 written report was provided in the Supervisors' meeting packets. Vogt reviewed highlights from the report including on new CDB grant programs.

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

Weed District/Extension – No representative was in attendance and no report had been provided. Watkins reported that due to concerns with overall costs, he has received suggestions from some Board members to research the CD's individual purchase of office furniture for the new building rather than going in with the Weed District and Extension for a group purchase of furniture.

Watershed Groups – No representatives were in attendance and no reports had been provided.

Planning Board Update – Josh Schroeder reported that there hasn't been a Planning Board meeting in over a month. There is a study planned for the Highway 93 corridor between Lolo and Florence.

Water Quality District – Elena Evans was not present and had not provided a report. Watkins read an email from Tim Hall that the Smurfit Stone site review is still under discussion with the new EPA director as the community continues to ask for additional sampling and monitoring. Hall has also asked Elena Evans to make a presentation to the CD Board this fall regarding the Smurfit Stone efforts.

District Committees – Vogt reported that the Grants Committee recently discussed several items that will be covered later on the agenda.

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

Bryan Vogt - Program Specialist

Office Administration:

- Checked District's general email and QuickBooks accounts daily; received/distributed agency mail daily
- Assisted Watkins in facilitating and taking notes at the August 8th Board meeting (in-person & virtual)
- Submitted monthly claims to the county for payment; entered monthly claims into QuickBooks
- Posted July 11th approved meeting minutes to District website
- Drafted minutes from the August 8th Board meeting
- Reconciled First Security Bank accounts (3) 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 for public posting. Posted agenda & approved minutes on the CD website
- Updated quarterly Supervisors' reimbursement claims as needed
- Put together monthly meeting packets for monthly Board meeting and sent Zoom link for virtual participation

Program Assistance:

- Prepared Form 273, 310 Permit – CD's Decision, for applications considered at August 8th meeting
- Assisted with file management of 8 new 310 Permit Applications, 2 new Complaint & 1 new Emergency Notice
- Updated 310 Master List spreadsheet and Current Permits webpage on MCD website
- Reviewed Program Specialist and Administrative Assistant position descriptions for updates
- Continued Grant Program Management:
 - Developed full MCD Legacy Conservation Grant application for future program use
 - Assisted Watkins with review of his application for BSWC member housing stipend assistance
 - Corresponded with Grants Committee on new/revised MCD grant applications
 - ECS-01-22 WEN Family Citizen Science Program: Grant contract and payment mailed to grantee
 - LCG-01-22 Johnson Creek Fish Screen: received and reviewed full application materials
 - CEG-01-22 Frey Grant Crk Riparian Fencing: received and reviewed updated application materials
 - EdMG-01-22 Kodiak Resistant Bear Garbage Can Loaner Program: reviewed request from grantee

- PPCS-01-22 Shared 2022 BSWC Member: corresponded with M. Tenan on providing pollinator seed packets for Sunday Street Missoula event
- 23G-21-3694 Rocky Mtn Gardens & Exploration Center-Greenhouse Construction: reviewed budget provided by B. Christiaens to add education signage to contract; corresponded with H. Graf on figures to include in budget amendment and handling of greenhouse construction funds request
- 23G-21-3702 Updating /Reprinting MT Biocontrol Guide: corresponded with H. Graf on DNRC reporting requirements; corresponded with M. Maggio on edits to final report and funds request
- 23G-22-3717 Leave No Weeds: corresponded with S. Rogge on final reporting needs
- 23G-22-3734 Local TIP Support & Area 5 Training: corresponded with H. Graf on MEPA checklist
- Provided pollinator wildflower seed packets to local landowner
- Participated in EO Roundtable training on new CDB Grants Program offerings and rule changes
- Participated in MACD Virtual Leadership Training – Working with Volunteers

Technical Assignments:

- Continued management of the no-till drill rental program, including one rental and two reservations
- Sought additional information regarding Blackfoot Challenge’s biochar pilot project
- With Watkins and Hall, participated in tour of Grass Valley Farms soil health program
- Provided information on Montana Range Tour to local landowners
- Provided technical assistance on weed identification and treatments, pollinator habitat, soil health, & photo point monitoring

Communication and Outreach:

- With Watkins and T. Lemke, participated in meeting with Big Sky HS Science and Voc. Ag. teachers on ideas for natural resource management curriculum and hands-on training with the CD and NRCS
- Corresponded with new DNRC Conservation Seedling Nursery Manager on potential partnering opportunities
- Participated in EO meeting on preparation of CD Employee Exit Strategy/Staff Transition policies for Districts
- Participated in CDB Office Hour on project and grant planning

**1 Holiday (Labor Day); 2.5 Days Vacation; 9 Hrs Sick Leave*

Radley Watkins - Resource Conservationist

Office Administration:

- Coordinated the August District Board meeting.
- Followed up on actions taken at the August meeting by writing letters, packaging them, and sending them.
- Reviewed/edited/approved draft August meeting minutes.
- Approved and submitted staff timesheets to County payroll and entered payroll in Quick Books.
- Reconciled County Mill Levy account in Quick Books.
- Conducted weekly staff meetings and updated Chairman Hall.
- Drafted and finalized agenda for September 12, 2022, District meeting.

- Submitted 2022 employee census information.
- Worked on FY23 Budget.

310 Law Administration:

- Reviewed and processed eight (8) new 310 applications and processed two (2) new complaint.
- Conducted nine (9) site inspection on with Supervisor Pencek and FWP Biologist, Ladd Knotek.
- Fielded public calls regarding 310 permitting requirements and am anticipating three (3) new applications.
- Worked with Attorney Natalie Hammond on Clark Fork river bank issue.
- Worked with County Attorney John Hart on CD-02-21/MS-33-21.
- Met with landowners and Swan Valley Connection staff to discuss needs for Elk Creek

Program Management:

- Participated in Extension Grazing Conference meetings.
- Attended BSWC 2022/23 host webinar.
- Wrote grant applications for \$6,000 in rental assistance for 2022/23 BSWC.
- Wrote application for 2022/23 BSWC member.
- Helped craft signs for landowners who participate in BSWC member Pattee Creek restoration plan.
- Assessed bridges on Pattee Creek with Tenan.
- Continued to work with Mackenzie Tenan, BSWC member, to update the MCD Stream Crossing Guide.
- Helped Knotek with electroshocking on Grant Creek.
- Participated in EO Roundtable training on new CDB Grants Program offerings and rule changes
- Participated in monthly Grant Creek Working Group meeting.
- Worked with landowner Dale Fry and his consultant Mike Day to get revised grant application for MCD Conservation Enhancement grant.
- With Vogt and Hall, participated in tour of Grass Valley Farms soil health program.
- Worked on PL566 narrative and confirmed the statement of work is submitted.
- Met with U of M Environmental Studies instructor, Seamus Land, to discuss opportunities for students to help with restoration.
- Coordinated and attended meeting with Big Sky High School Missoula Agriculture Center team, MCD and NRCS staff.
- Attended Missoula Bear Smart Working Group meeting.
- Participated in weed management training with Bryce Christensen of the Weed District.
- Established date for fist conservation trivia night at the Imagination Brewery.
- Set up meeting with Corner Farm Village, at the corner of Tower and Third in Orchard Homes.
- Set up meeting with new DNRC nursery manager.

**1 Holiday (Labor Day)*

Middle Clark Fork Corridor Project (PL 566) – Watkins reported that upon once he began developing a Statement of Work for the project, Lemke notified him that NRCS state representatives told him there was already a Statement of Work for the project and additional direction was not needed at this time. Watkins

reported that no Statement of Work had been provided to him when he asked to see a copy of what was submitted.

Other Reports

BSWC member update – Watkins reported that Mackenzie Tenan is currently working on gathering volunteers to assist with revegetation efforts on Pattee Creek between Bancroft Street and Higgins Avenue. Watkins also stated that an application was submitted to host a BSWC member in 2023 along with a grant to supply additional housing assistance to the BSWC member. The application for housing assistance was not selected for funding and notifications for BSWC host site selections have not gone out yet.

New Business

Correspondence and Upcoming Events – Vogt reviewed a letter received from Montana FWP regarding comments on Clark Fork Area V federal levee repair in Missoula. Vogt reviewed the Upcoming Events report highlighting dates of the several local events.

Site Inspections Scheduling – September’s site inspections are scheduled for Thursday, October 6th. Watkins will request Supervisor participation in advance of this date.

October Board Meeting date – Watkins stated that the second Monday of October falls on the Columbus Day holiday. Options for an October meeting date were discussed with the Board agreeing on Tuesday, October 11, 2022 at 7 pm.

MACD Area 5 Meeting – Vogt reported that the MACD Area 5 meeting will be held on Wednesday, October 5, 2022 at the Swan River Community Hall near Bigfork. The agenda was included in the meeting packets for review. Vogt asked who was interested in attending so that registrations could be sent in. Bob Schroeder and Libby Maclay stated their interest in attending.

Western Montana Grazing & Ag Conference – Watkins reported this event is being planned for January 19-20, 2023 at the DoubleTree Hotel in Missoula. A committee is working on recruiting speakers for the event.

Programs

Grants Program:

MCD Grants

LCG-01-22 Johnson Creek Fish Screen & Water Conservation Project – Vogt reported the Grants Committee had reviewed a full proposal for this Legacy Conservation Grant request that Ryen Neudecker with the Big Blackfoot Ch. of Trout Unlimited had presented on at the August 8, 2022 meeting.

Travis Greenwalt moved to approve the \$7,000 LCG-01-22 request from the Big Blackfoot Chapter of Trout Unlimited for the Johnson Creek Fish Screen & Water Conservation Project as a reimbursement award. Libby Maclay seconded the motion. Vote was unanimous in favor – motion carried.

CEG-01-22 Frey Grant Creek Riparian Fencing – Vogt reported the Grants Committee reviewed an updated proposal for this project to include additional portions of Grant Creek on Frey’s property for a full \$5,000 CEG cost-share grant award.

Bob Schroeder moved to approve the \$5,000 CEG-01-22 request from Dale Frey for the updated Frey Grant Creek Riparian Fencing project. Travis Greenwalt seconded the award. Vote was unanimous in favor – motion carried.

EdMG-01-22 Kodiak Resistant Bear Garbage Can Loaner Program in Lolo – Vogt reported that the Grants Committee reviewed a request from the grantee to repurpose the awarded funds to use for installing temporary electric fence and distributing bear proof garbage cans in the Carlton Creek area of Missoula County where new grizzly bear activity has been reported.

Travis Greenwalt moved to approve the repurposing of EdMG-01-22 funds as requested by the grantee. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion carried.

Sponsored Grants – Vogt reported he will be working on quarterly reports that are due for all DNRC grants.

Equipment Program – Vogt reported he anticipates fall reservations and rentals of the no-till drill to increase soon. The Bitterroot CD has asked Vogt to present on the Missoula CD's equipment rental program at their September 27th Board meeting.

Pollinator Program – Watkins reported that a fall seeding of the Highway 93 Roadside Pollinator Habitat project is still being planned with use of the District's no-till drill. Bob Schroeder and Travis Greenwalt both expressed concerns with the idea of trying to seed directly into the existing stand of sheep fescue without first treating it with herbicide. Watkins will pass this concern to the Weed District for their feedback.

Wildlife Damage & Habitat Conservation Program – Watkins reported that the Bear Smart Missoula group has finished their damage assessment and proposed recommendations. A joint resolution supporting the Bear Smart Missoula recommendations will be considered by the Missoula City Council and Missoula Board of County Commissioners at a meeting on Monday, October 3, 2022.

Urban & Small Agriculture Program – Watkins read a brief report from Tim Hall stating that he had participated in a meeting with NRCS on how to provide funding opportunities for urban and small agriculture producers. Additionally, the county small agriculture working group continues to develop means to offer funding for operations and possible easement purchases.

Strategic Planning – Watkins discussed the need for the District to conduct strategic planning efforts to guide both short and long term work plans. Following discussion, the Board agreed on holding a special strategic planning meeting on Tuesday, October 25, 2022 at 7pm in the conference room of the Missoula USDA Service Center.

Other New Business – Bob Schroeder reported he sat in on the Environmental Quality Council's meeting last week regarding a new funding bill to augment shortfalls in Coal Severance Tax funds with the new state Marijuana Tax in order to provide \$6 million in annual funding to conservation districts. MACD has requested individual districts to write letters of support for the proposed funding bill.

Bob Schroeder moved for the Missoula Conservation District to write a letter of support for the findings of HJ27 and the proposed funding bill resulting from this study. Travis Greenwalt seconded the motion. Vote was 3 in favor, 1 opposed (Libby Maclay); Art Pencek abstained – motion carried.

Old Business

Other Old Business – None

Payment of Bills and Claims

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

Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$15,634.54
8/5/2022	B. Schweitzer - No-till drill rental (2-day) & deposit		\$486.90	\$16,121.44
8/17/2022	Return: B. Schweitzer drill deposit refund	(\$194.80)		\$15,926.64
	Totals	(\$194.80)	\$486.90	
	NET TOTAL	\$292.10		

Petty Checking Account

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$2,107.07
8/8/2022	Montana Club - August meeting dinner	(\$116.00)		\$1,991.07
8/8/2022	Albertsons - Supplies for Board meeting	(\$10.38)		\$1,980.69
8/9/2022	USPS - Priority postage for grant payment	(\$8.95)		\$1,971.74
8/16/2022	onXmaps - Annual subscriptions for Watkins work phone	(\$23.99)		\$1,947.75
8/31/2022	Zoom - Monthly fee for Watkins & Vogt	(\$31.10)		\$1,916.65
9/7/2022	Mike's Print & Copy - 310 file scanning/copying	(\$92.89)		\$1,823.76
9/8/2022	City of Missoula -downtown parking for Watkins	(\$3.50)		\$1,820.26
	Totals	(\$286.81)	\$0.00	
	NET TOTAL	(\$286.81)		

Savings Account

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$50,428.67
8/31/2022	Interest		\$3.43	\$50,432.10
	Totals	\$0.00	\$3.43	
	NET TOTAL	\$3.43		

DA Davidson Account

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$204,158.73
8/31/2022	Losses	(\$5,260.92)		\$198,897.81
	Totals	(\$5,260.92)	\$0.00	
	NET TOTAL	(\$5,260.92)		

Tax Mill Levy Account (Warrants/Claims)

Date	Description	Charge	Deposit	Balance
	Balance from August meeting			\$412,504.52
7/15/2022	Payroll - Pay Period 14 (not previously entered into QB)	(\$6,023.95)		\$406,480.57
7/31/2022	Mill Levy and Interest		\$2,960.43	\$409,441.00
8/12/2022	Payroll - Pay Period 16	(\$6,023.95)		\$403,417.05
8/12/2022	MACD - 2022 Membership dues	(\$17,000.00)		\$386,417.05
8/12/2022	MACo - Property & Casualty insurance	(\$3,335.90)		\$383,081.15
8/12/2022	Verizon Wireless - District cell phones	(\$104.92)		\$382,976.23
8/12/2022	Charter Spectrum - Office internet	(\$109.99)		\$382,866.24
8/26/2022	Payroll - Pay Period 17	(\$6,023.95)		\$376,842.29
	Totals	(\$38,622.66)	\$2,960.43	
	NET TOTAL	(\$35,662.23)		

Adjournment

Travis Greenwalt moved to adjourn the meeting at 10:01 pm. Bob Schroeder seconded the motion. Vote was unanimous in favor – motion passed.

Voting Record – CD Supervisor	IN FAVOR	OPPOSED	ABSTAIN
Tim Hall	Absent	-	-
Libby Maclay	21	1	-
Travis Greenwalt	22	-	-
Paul Parson	22	-	-
Art Pencek	21	-	1
Bob Schroeder	22	-	-
Sidney Wills	Absent	-	-

The next Missoula Conservation District meeting is scheduled for **Tuesday, October 11, 2022 at 7:00 p.m** in the USDA Service Center conference room located at 3550 Mullan Road, Suite 106, Missoula, MT 59808. Meeting location is subject to change based on the most updated COVID guidance. A virtual option to join via Zoom or phone will also be offered.