



# LEWIS & CLARK CONSERVATION DISTRICT

790 Colleen Street • Helena, Montana 59601 • 449-5000 ext. 112

**Regular Meeting Minutes  
USDA Service Center  
790 Colleen Street, Helena MT 59601  
October 13, 2016, 1 p.m.**

**Call to order**—the meeting was called to order by Chairman Stan Frasier at 1 p.m. In attendance were Stan Frasier, Bob Bushnell, Ron Ingersoll, Steve Granzow and Jeff Ryan. Also in attendance were John George, Jeanette Nordahl, David Martin, Brad Langsather, Kevin Stone, Van Sherman and Chris Evans.

Introductions were made.

Motion by Bushnell to approve the minutes as sent, second by Granzow; motion carried.  
Motion by Bushnell to approve the financial statement as presented, second by Granzow; motion carried.

### **Correspondence**

Letter from NRCS State Office regarding our 2<sup>nd</sup> run attempt at the resolution and their plans to move forward.

NACD Dues request—Motion by Bushnell, second by Granzow to pay the same amount as last year for dues, motion carried.

**Public Comment**—there was none.

### **Reports**

**NRCS**—FY 16 money is all obligated. There are 35 new contracts between Lewis & Clark and Meagher offices. There were 3 new CSPs in Lewis & Clark. Contracts hit pretty much all the funding sources except cropland which is not unusual. They have 25 new applications that the office staff is working on.

There is a funding request in to extend the 2 Chiefs project and another for a special initiative for forestry for 3 counties.

**WQPD**—no meeting.

**SRWG**—See report.

**MACD/SWCDMI**—there was discussion about the resolutions at the Area meeting. Evans indicated that what was made fairly clear to her in the discussion portion on the NRCS funding resolution is that most district supervisors and staff are not in touch with the kinds of projects that are coming into their offices, what is and isn't get funded as far as funding pools and project types. With the discussion on the resolution, John said that the office staff is going to encourage landowners to apply for projects even though the ranking questions don't always predict that those projects have a good shot at getting funded. He also said that one of the



problems with the progressive pool is that if there are applications in that pool that have RMS level contracting, they rank higher in the progressive pool, instead of the RMS pool. John encouraged the board to start talking to landowners that may have applications that aren't "full deal" contracting.

John also encouraged someone from the Board to attend the State Technical Advisory Committee meeting which might encourage more funding discussions in regard to the funding pools and contracting. Most of the STAC meetings don't have a lot of direct representation for the landowners/producers and if there were more CD people who attended those meetings, the group could get a fuller picture of needs across the state. The industrial hemp resolution passed. John George will be attending the all DC's meeting during the MACD convention.

Steve had some more comments on the Area meeting happenings. He thinks the resolution that was defeated was done so because people don't really understand the issue. There was discussion about the growing concern across the state in regard to how NRCS funding is working – or not working – and that while it seems widespread, the concerns seem to not be concentrated in one MACD area.

There was some discussion about the draft agenda for the Convention. Jeff Ryan may go, if things work out right.

Stan asked about the Fergus County bison paper that was in the area meeting packet. There was some discussion at the meeting about how that impacts the landowners who are producing bison on private property.

**Lincoln Area** – Bob said that there's not much going on recently. Given his health issues, he gave resignation letter to the Board effective November 9<sup>th</sup>. Since Jeanette Nordahl has been attending meetings and going out on inspections with him, the board will likely appoint her to finish his ter

**Lake Helena Watershed** – no report.

**MRCDC** – Kevin said that they are in the 319 grant pool for the Ranching for Rivers program. They had a film crew out to do the movie for that program.

**Weed District** – Larry is on vacation.

### **New Business**

Small Acreage Landowner Workshop – upcoming event.

Cheatgrass soil inoculant – The CD got in on a trial of the new inoculant to divvy out to landowners with the understanding that they'll give us before and after pictures. It should be in toward the end of October.

### **310 Permit Applications**

CP-06-26 – Hunt

Location: Banner Creek

When: sometime in the past year

Purpose: crossing

Materials: 2 18" culverts covered with erosive granitic sands.

Team report comments: It was the opinion of the inspection team that the crossing should be removed. If a culvert is necessary they should look at using at least a 48" culvert with road mix, not sands found on site. A hardened ford may be more appropriate.



Decision: Motion by Granzow second by Bushnell to consider the actions a violation of state law. Landowner needs to file a 310 permit application to remove the culverts/dam and rehabilitate the banks and stream. If a crossing is necessary, it was recommended that they use a 48 inch culvert at a minimum and use appropriate road mix. A better option may be to install a hardened ford. Motion carried.

CP-07-16 Van Sherman

Location: Blue Cloud Creek

When: recent

Purpose: work in stream

Activity: work in stream on old placer mine area.

Team report comments:

Decision: Frasier made a motion that the activity was not in violation of state law, second by Granzow; motion carried. A letter will be sent to inform the landowner of that. Remind him that any work affecting the bed or banks of the stream will need to have an approved 310 permit.

CP-09-16 Ron Adams

Location: Rogers Creek

When: Sometime in the past 2 years

Activity: 3 stream crossings and 2 instream ponds

Team report comments: Inspection will take place October 17

Decision: Tabled pending the inspection

LC-27-16 Tuttle

Location: Sevenmile Creek

When: ASAP

Purpose: Bridge

Dimensions: will not encroach into stream, abutments 3 feet back from bank.

Materials: 10CY concrete

Team report comments: Much better than first application

Decision: motion by Ryan to approve as proposed, second by Bushnell

CP-28-16 Morgan

Location: Missouri River (Holter Reservoir)

When: 12/1-2/28/17

Purpose: bank stabilization

Dimensions: 200 feet linear, 2-3 feet into the water body

Materials: 10CY 4"-10" rock from the area

Team report comments: No inspection requested, Eric said that the small diameter of rock will likely not do much and it's a pretty small volume of rock.

Decision: Motion by Granzow to approve as proposed, second by Bushnell; motion carried.

LC-29-16 Fechter

Location: Elk Creek

When: October-August

Purpose: Irrigation headgate removal and replacement; removal of beaver dam

Dimensions: no encroachment into creek,

Materials: 4 cy 24-48" boulders

Team report comments: Recommended approval with modifications: Accomplish at low water (fall 2016 preferred); Minimize disturbance to stream bank; remove debris below ordinary high water mark

Decision: Motion by Bushnell to approve with the modifications as noted and to waive the 15 day waiting period, second by Ingersoll; motion carried.

LC-32-16 Fechter

Location: Elk Creek

When: 10/1/16-9/30/17

Purpose: debris removal

Dimensions: removal of debris concrete that was dumped into the creek for a diversion years ago

Materials: none

Team report comments: Approval with modifications: Accomplish at low water (fall 2016 preferred); Minimize disturbance to stream bank; remove debris below ordinary high water mark

Decision: Motion by Bushnell to approve with the modifications as noted and to waive the 15 day waiting period, second by Ingersoll; motion carried.

LC-33-16 Gilmore

Location: Missouri River (Canyon Ferry Reservoir)

When: last year

Purpose: after the fact to satisfy BOR and ACOE

Dimensions: about 190 LF of shoreline 10-12 feet high extended 5-6 feet into water at high pool

Materials: 1CY/Linear foot Class 3 Riprap 3' minus

Team report comments: This is an after the fact application. Eric indicated that when we first got the complaint on this that the inspection team recommended vegetation be included to mitigate damage. It's unclear whether that has been done.

Decision: Motion by Granzow, second by Ingersoll to consider work done to be in violation of the law. Work done may remain as is, except for the requirement to add vegetation as noted in the permit application. Vegetation will likely need to be irrigated at least the first year or two to be successful.

LC-34-16 Frank Thompson – This was returned as an incomplete application – have not heard back from him



LC-35-16 Hronek

Location: Missouri River (Canyon Ferry Reservoir)

When: last year

Purpose: after the fact

Dimensions: ~95 feet of shoreline, rise about 1 foot above highpool elevation

Materials: ~95 feet length, 8' high and 14' deep class 3 riprap

Team report comments: This is an after the fact application. Eric indicated that when we first got the complaint on this that the inspection team recommended vegetation be included to mitigate damage. It's unclear whether that has been done.

Decision: Motion by Granzow, second by Ingersoll to consider work done to be in violation of the law. Work done may remain as is, except for the requirement to add vegetation as noted in the permit application. Vegetation will likely need to be irrigated at least the first year or two to be successful.

LC-36-16 Steinbach

Location: Little Skunk Creek

When: ASAP

Purpose: Irrigation structure; replace old headgate for irrigation

Dimensions: about 20 feet of bank

Materials: 20 CY pit run

Team report comments: approval with modifications: Reinforce upstream face of culvert with rock rip-rap; maintenance of culvert to avoid blow out; embed 12" in streambottom to pass substrate during high flow.

Decision: Motion by Granzow to table, pending a more complete drawing of what the plan is, including how and where the structure will sit in the stream and how the water will be raised to get into the pipe. Second by Bushnell; motion carried.

LC-37-16 John Wilkins

Location: Ten Mile Creek

When: ASAP

Purpose: replace old bridge and remove debris from old bridge from the stream

Dimensions: 15-20' on each side

Materials: 60CY riprap, logs or metal stringers, wood decking

Team report comments: 33' timbers to span bankfull width of the stream. 12' wide deck on bridge. 8-12" rip rap to face concrete blocks (which are going to be used as the bridge footers).

Decision: Motion by Frasier to approve with modifications, waiving the 15 day waiting period, second by Granzow; motion carried.

LC-38-16 Lynn Barker

Location: Blackfoot River

When: ASAP

Purpose: mitigate damage from violation, fix bank in two places

Dimensions: 30 linear feet total;

Materials: 5CY 8" minus alluvium for bank toe; 50CY native alluvium and loam general backfill; 200 Willow cuttings 6-8 ft; 120 sq. feet native upland sod

Team report comments: Haven't heard from Ron Pierce since sending the designs.

Decision: Motion by Bushnell to approve with the modification of requiring 10 dormant willow cuttings per lineal foot of the project. Second by Ingersoll; motion carried.

LC-39-16 Gehring

Location: Silver Creek

When: ASAP

Purpose: stream crossing

Dimensions: there was discussion at the onsite, a bridge will be used at the upper crossing instead of a culvert and an additional crossing lower will use a culvert

Materials: around 18CY road fill for culvert

Team report comments: Bridge at upper crossing, culvert at lower crossing. Embed culvert approximately 20%. Bridge stringers at FWP.

Decision: Motion by Frasier, second by Granzow to approve with modifications and to waive the 15 day waiting period; motion carried.

**Other Business**

Planning/Budget meeting/Self Audit and financial review—it was decided to do the planning/budget meeting before December's regular meeting. Dave Martin, Jeanette Nordahl, Scott Blackman and Stan Frasier would like to be part of the committee for the financial review and self-audit.

Conservation easements--Ryan talked about the new ones. Next meeting, let's talk about how the CD could help support those easements.

Jeff Ryan said that there's a meeting in Butte tomorrow meeting with Tester's office on the Floodplain resolution.

**Adjourned 3:10 p.m.**

**APPROVED**

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Presiding Officer

Date

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Recorder

Date