



"Local Common Sense Conservation"
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**BROADWATER CONSERVATION DISTRICT
REGULAR MEETING MINUTES
March 24, 2020
6:00 PM
Teleconference – Call in Number 406-300-5727**

SUPERVISORS PRESENT: Rick Van Dyken, Darrell Baum, Greg Field, Kelly Ingalls, Gary Flynn

SUPERVISORS ABSENT: None

ASSOCIATE SUPERVISORS PRESENT: Jim Beck, Dallas Diehl

ASSOCIATE SUPERVISORS ABSENT: Daniel Davis

ADVISORS TO THE BOARD PRESENT: Ron Spoon (FWP), Justin Meissner (NRCS)

GUESTS: Casey Gallagher (MRCDC), Liv Stavik (MRCDC), Doug Bing (BW-1-20)

- I. **Chairman Rick Van Dyken called to order the regular meeting of the Broadwater Conservation District at 6:02 p.m.**
- II. **AGENCY REPORTS**
- a) **Planning Board** (*Herb Argabright*) – Absent. Due to the current circumstances with the pandemic any sub dividers are being asked to take a voluntary stay. The public hearing on the 1st for the Silos 10 acre lot has been postponed indefinitely.
 - b) **MR CDC** (*Jim Beck*) – Jim provided a written report to the board (See Attachment A).
Measurements- Jim provided a written report to the board (See Attachment A).
 - c) **FW&P** (*Ron Spoon*) – No new update.
 - d) **NRCS** (*Justin Meissner*) – All contracts are ready for final review. Contractors for Radersburg projects are ready to get to work when the snow begins to melt. Justin is the only one in the office due to the COVID-19 virus. Only 1 NRCS employee is given clearance to be in the office until further notice. The doors are locked and no one from the public is allowed inside. They continue to do work as normal but are being cautious due to the virus. This will remain in effect until April 3rd.
 - e) **Helena National Forest/Townsend Ranger District** (*Mike Welker*) – Absent. No report.
 - f) **MSU Extension Office** (*Allison Kosto*) – Absent. No report.
 - g) **Weed Coordinator** (*Jessica Bushnell*) – Absent. No Report.
 - h) **Broadwater County Commissioner Representative** (*Darrel Folkvord*) – Absent. No Report.
 - i) **DES Coordinator/Floodplain Coordinator** (*Mike Koehnke/Shawn Higley*) – Absent. No Report.
 - j) **County Attorney** (*Cory Swanson*) – Absent. Cory is finalizing the preparation of the administrative record on the Fortner case for the hearing on April 10. The entire Administrative Record is over 1,700 pages. He pared it down to just the exhibits that both parties cited in their briefs. He would like to submit an appendix of the exhibit documents to the Court to assist in its decision-making. To do that, his plan is to send it to a printer and have them print 3 copies. They need to be in color due to photos in the exhibit. It is a total of 481 pages. He asked if the Conservation District would be willing to pay the printing costs. **Darrell Baum made a motion to pay for the costs to print the appendix of the exhibit documents for the case. Gary Flynn Seconded. Motion passed.**
 - k) **MACD/NACD/DNRC/SWCDM/MACDEO & Other State and Federal Agencies** – No report.
- III. **PUBLIC COMMENT/GUESTS:** Casey Gallagher and Liv Stavik (MRCDC) – Casey introduced herself to the board. The 2020 River Rendezvous will be held in the headwaters area this year, specifically Gallatin County. Casey thanked Jim Beck and Katie Mumford for their help with planning efforts. Casey also invited all the supervisors to join the tour. It will be held July 24th. Liv introduced herself as the new coordinator for MR CDC. She updated the board that she has been on the job for about a week. She is located in Sydney and is looking forward to a meeting the board in person in the future. She updated the board that she received a call from the Bozeman Municipal Watershed Office yesterday and is planning a River Rendezvous tour spot at this site. She is excited to be on board and continue to work with districts in the future. Dallas Diehl commented that he was excited to be a part of the team as a new representative and that it was good to meet the MR CDC staff in Lewistown for their meeting last week.
- IV. **310 BUSINESS**
- a) **Open Applications**
 - BW-6-15 – Tracy Fortner, Montana Gulch – reclaiming mine tailings – **Fortner has filed their final brief. The court hearing is scheduled for April 10 in Townsend. Due to new policies which were implemented last week, they are asking to limit the number of people who come to court. However, if any of the staff or Board want to attend the hearing, Cory asked to let him know and will make arrangements accordingly. Darrell, Gary, Greg, and Rick all expressed interest in attending. Katie will inform Cory of this and get back to the board on the arrangements.**
 - BW-16-18 – Tony and Shannon Woodward, Duck Creek – bridge/culvert construction and improvement – **(Expires September 11, 2020) No March Report.**
 - BW-22-18 – Chuck Hahn, Beaver Creek – irrigation – **No March Report.**
 - BW-23-18 – Chuck Hahn, Deep Creek – **No March Report.**

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- BW-25-18 – Doug Bing, Jefferson River – Doug updated the board on his completion of this project. Although the work has been completed the area continuously silts in. He asked if the board would be open to issuing him a maintenance permit for this area. Ron Spoon mentioned that the board does not generally issues maintenance permits but instead submit another permit for review. **The board agreed with Ron's statement.**
 - BW-27-18 – John Baker, Cabin Gulch – recreational mining – **No March Report.**
 - BW-28-18 – Ron Schock, North Fork – irrigation structure – **No March Report.** A site visit will be scheduled in June.
- b) **2019 Applications**
- BW-1-19 – Richard Lyon, Duck Creek – bank stabilization/alteration – **No March Report.**
 - BW-2-19 – Tim Peterson, Beaver Creek – bank stabilization/alteration – Tim requested a one-year extension. He has been working with the contractor on softer alternative options that would be more affordable. Gary Flynn made a motion to extend BY-2-19 for one year. **Darrell Baum seconded. Motion passed.**
 - BW-4-19 – Robert Boswell, Duck Creek – irrigation structure – **No March Report. (Exp. May 28, 2020)**
 - BW-5-19 – Randy Robertson, Beaver Creek – bank stabilization/alteration – **No March Report. (Exp. May 28, 2020)**
 - BW-6-19 – Hilliard Thornton, Jefferson River – bank stabilization/alteration – Mr. Thornton withdrew his application. **Permit closed.**
 - BW-7-19 – Dennis Hayes, Johnny's Gulch – recreational mining – **No March Report.**
 - BW-10-19 – Steve Davis, Whites Gulch – recreational mining – **No March Report.**
 - BW-11-19 – Brandon Flynn, Greyson Creek – bridge/culvert installation – **No March Report.**
 - BW-12-19 – Tyson O'Connell, Un-named – pond – **No March Report.**
 - BW-14-19 – Leisa McArthur, Deep Creek – bank stabilization/alteration – **No March Report.**
 - BW-16-19 – James & Teresa Conner, Deep Creek – irrigation structure/debris removal – **No March Report.**
 - BW-17-19 – Yellowstone Pipe Line Company (Eli Kliewer), Crow Creek – utilities – **No March Report.**
 - BW-18-19 – Yellowstone Pipe Line Company (Eli Kliewer), Warm Springs Creek – utilities – **No March Report.**
 - BW-19-19 – Sam Antonick, Deep Creek – irrigation structure – **No March Report.**
 - BW-20-19 – Herb Argabright, Missouri River – bank stabilization - **The board reviewed the application. Herb would like to get started within the next 2-3 weeks. He will be using cottonwood trees that are cabled to the bank to help address the undercutting at the project site. This requires minimal work and the board agreed that they will waive the site inspection and are in support of Mr. Argabright trying this project. Greg Field made a motion to declare BW-20-19 a project. Darrell Baum seconded. Motion passed. Darrell baum made a motion to approve BW-20-19 as proposed. Greg Field seconded. Motion passed.**
- c) **2020 Applications**
- BW-1-20 – Doug Bing, Jefferson River – bank stabilization/flood protection – **The board received grant agreement from DNRC for technical assistance on this 310 project. The agreement included funding to hire Karin Boyd (Applied Geomorphology LLC) to assist Broadwater CD and FWP in review, data interpretation, and recommendations of the 310 permit. Karin submitted her memorandum of findings/recommendations earlier this week to the board, FWP, and Doug Bing. The board discussed the memorandum. Darrell asked if the side channels could be opened up to alleviate flooding issues. Gary asked if any of the suggestions listed in the memorandum were helpful to Doug. Doug feels that arming the bank in the proposed project area will alleviate the flooding for the long term. Ron pointed out that when you harden a bank it tends to scour deeper and may have unintended consequences downstream. Ron addressed that Doug has tried berming some side channels previously and asked if that work was done extensively enough, or if Doug feels there is potential to berm more intensively using the LiDar maps as reference. Doug does not think that will be effective enough. Dallas Diehl asked if excavating out the sandbar in the channel would help lessen the impact to the eroding bank. This may be a less intrusive and less expensive option for Doug. Ron and the board would like to get Karin's opinion on this option. The bridge upstream from the project has shown downstream impacts and may create a problem. The board and Mr. Bing agreed to get Karin's opinion on the option of dredging out the sandbar in the channel to help ease flooding. Ron will ask Karin two questions. (1) Would this option take pressure off the outside bend? (2) Would this be a long term solution, or would it quickly re-deposit the gravel?**
 - BW-2-20 – Leonard Lambott, Warm Springs Creek – Channel Alteration- **The board reviewed the application. Mr. Lambott would like to move the channel 30-40 feet so he does not need to install pivot crossings. This creek currently has minimal flow. The board and FWP agreed that the site inspection could be waived for this project. Darrell Baum made a motion to declare BW-2-20 a project. Gary Flynn Seconded. Motion passed. Gary Flynn made a motion to approve BW-2-20 as proposed. Darrell Baum seconded. Motion passed.**
 - BW-3-20 – Howard Hensley, Crow Creek – Irrigation Structure- **The board reviewed the application. Mr. Hensley is working with NRCS on this project. Justin clarified some questions from the board on the design. Justin mentioned that some cottonwoods were cut out of the way and the debris has been moved out of the floodplain. Darrell Baum made a motion to declare BW-3-20 as a project. Greg Field seconded. Motion passed. Darrell Baum made a motion to approve BW-3-20 as proposed. Greg Field Seconded. Motion passed.**
- d) **Other 310 Business:**
- (PENDING) Graymont, Indian Creek – **No March Report.**
 - Due to the current situation with COVID-19 restrictions it creates difficulties with decision sheet signatures from all board members. Katie asked Laurie Zeller (DNRC) if the full board is required to sign the decision sheets or if one signature will suffice. Laurie Zeller replied via email: *"If your application has been approved by the board, but the decision form has not been signed, the board may delegate either a supervisor or administrator to sign the permit form. Make sure the delegation and the permit decision are documented in the minutes. If the board doesn't want to delegate, the form can be sent electronically, signed by the supervisors,*

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scanned and returned to the office.” The board agreed that one signature would be satisfactory. **Gary made a motion that the supervisor that is delegated to the area where the 310 permit project is located will be the signer on the decision sheet for said permit. Darrell Baum seconded. Motion passed.**

- Denise asked Ron to examine area near pole creek where some aspen trees are being removed from a riparian area. Ron checked out the project but was unable to determine whether this area was jurisdictional or not. Darrell lives near this area and was asked if he knows about the project and if he has thoughts on it. Darrell stated that the area is similar to a wetland and Staubach creek and Beaver Creek would be nearby to the project site. The board asked if Darrell approach those working at the site and find out what work they are pursuing. Darrell Baum will talk with those at the site and report back to the board.

e) **Emergency Applications: N/A**

f) **Complaint Notices: N/A**

V. DISTRICT BUSINESS

a) **Minutes Approval: The February 18, 2020 regular meeting minutes were approved following a motion by Darrell Baum and a second by Greg Field. Motion Passed.**

b) **Financial Business**

1. **Financial Report Approval:** February financial reports stand approved.
2. **Bills Pending Approval:** Board approved to pay the remaining March bills pending, including a \$182.00 check for flowers and balloons to Broadwater Blooms, following a motion by Greg Field and a second by Gary Flynn. Motion Passed.
3. **Payroll Approval:** February payroll stands approved.
4. **Other Financial Business:**
 - **County Mill Levy/Permissive Mill Levy** – No March update.
 - **Employees/Budget** – Next month marks the 3-month anniversary that Katie will be employed with the district. Due to the stipulations when Katie was hired, Katie is required to undergo a 3-month evaluation to determine if she is eligible for PERS. Katie asked to perform the initial evaluation with her on a Friday that paychecks need to be signed, either April 10th or April 24th. This would be an initial evaluation with one or two supervisors. Katie asked if any board members would like to be a part of the initial evaluation. Darrell Baum and Rick Van Dyken agreed to take part in the initial evaluation. Darrell and Rick will perform this initial evaluation before the board meeting and report to the rest of the board during the April board meeting. The full board will make a decision at the April board meeting regarding Katie’s eligibility for PERS.
 - **Katie and Denise authorization to do books for Opportunity Bank account-** Opportunity Bank has rules that differ from State Bank and require that the board give official authorization to non-signers to do the books on the CD account. If the board wishes to have employees do the books for the account the board must make a motion and then submit the official signed minutes to the bank. **Greg Field made a motion to authorize Katie Mumford and Denise Thompson to do the books for the Broadwater Conservation District bank account at Opportunity bank. Darrell Baum seconded. Motion passed.**
 - **CD’s-** The district has until the 30th of March to take out CD7186 and CD7187 without penalty. We need a signer to take out this money to be transferred to DA Davidson.
 - **MACD EO Dues** – **Greg Field made a motion to pay the 2020 MACD EO dues for sixty dollars. Gary Flynn seconded. Motion passed.**
 - **Annual Ag Appreciation Dinner P&L** – The board reviewed the Annual Ag Appreciation dinner profit and loss spreadsheet that Katie created. The board discussed how the money that was profited from the dinner should be used. Last year the board discussed using the money for the Ted Flynn Memorial Scholarship fund. **Greg Field made a motion to use the money profited from the dinner towards the Ted Flynn Memorial Scholarship. Gary Flynn seconded. Motion passed.**

c) **On-Going Business:**

1. **Misc. Projects/Grants Updates**
 - **NRCS Technical Assistance Grant** – Katie asked if the board would allow her to bill her hours toward this grant at a wage of \$21.00 per hour. The board agreed.
 - **RMEF Grant (Forest Service)** – No March update.
 - **Crow Creek Watershed DNRC Grant** – No March update.
 - **2020 River Rendezvous** – There is currently a tentative plan being put together for this event. Next steps include securing presenters.
 - **Project Coordinator Updates:**
 - **Wyse Acres Garden** – Denise submitted the amendment for the grant. It was proposed in the amendment that funding that was set aside for Jemma’s wages will now be used towards supplies needed for the garden. Denise will update the board when she hears back from DNRC on the status of the amendment.
2. **Deep Creek Updates**
 - **Deep Creek Watershed Restoration Project/Grant Update:**
 - **Monitoring:** No March update.
 - **FEMA:** No March update.
 - **Reach 8:** No March update.
 - **319 Grant:** No March update.
 - **Deep Creek General Updates:** No Report.
3. **Memorandum of Agreement-** No March update.

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4. **Personnel Policy** – No March update.
 5. **6th Grade Conservation Day** – Katie is continuing to plan for this but is being cautiously optimistic.
 6. **2020 Elections** – The county informed Katie that no other candidates filed.
 7. **MACD Reorganization Survey** – No March update.
 8. **Pledge and Flag Stand** – No March update.
- e) **Event Reports:**
1. **Area VI Meeting**- Area VI meeting went well. Chris Evans with LCCD will be helping Katie with QB questions, and has already started this process. Lake CD launched a pollinator initiative project in partner with NRCS. They promote pollinator plantings in their area by giving away free seed and monitoring plots. This initiative has been very successful and may be a great project to take on in Broadwater County in the future.
 2. **Annual Ag Appreciation Dinner**- Herb Argabright provided feedback to Katie that she shared with the board. Herb suggested that the district recognize both current and past supervisors from the district. Currently the board only recognized current supervisors. This could be mentioned by the emcee or on a poster. He also suggested that we give more recognition to the younger generation of farmers, much of the concentration tends to be towards the long-time ranch families. Discussion about changes in the agenda and shortening the program also arose.
 3. **Montana Water Summit**- Katie discussed her key takeaways from this event. She mentioned great presentations from Dave Scott (NCAT) on pasture management and his success story, Mr. Mattix, and his success story as a rancher in the Missoula area, and a panel with the Helena USFS on a juniper thinning and good neighbor authority project in the capitol 360 area. She thinks that these folks would be great presenters for Crow Creek education and outreach events. Katie also mentioned that she plans to be more cognitive of events that she attends in the future and really study the agenda before committing to attendance to make sure that the conference is well worth her time and the district's money to send her.
- f) **New Business:**
1. **Ted Flynn Memorial Scholarship**- Funds profited from the Ag Dinner that will be used towards the scholarship are around \$1,000. In the past the board has given the scholarship for \$500. It was discussed to raise the scholarship amount to \$1000. This may increase the number of students who apply. **Kelly Ingalls made a motion to raise the scholarship award money to \$1000. Greg Field seconded. Motion passed.**
 2. **2020 Admin Grant**- Katie received the application for Fiscal Year 2021. She plans to have the application drafted to present to the board at the April meeting.
 3. **Coronavirus effects and updates on BCD operations**- Katie is currently working from home until further notice. All calls are being forward to Katie's cell phone. She is checking mail 1-2 times per week. Dallas Diehl asked if Katie should be reimbursed for her cell and internet use during this time. The board asked Katie to keep track of her cell and internet usage during this time and present to the board at a later date.

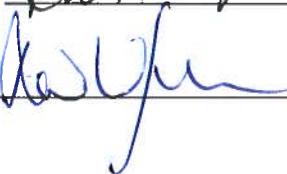
VI. OTHER BUSINESS

- a) **Miscellaneous Reading Material Folder and Correspondences:**
- b) **On-Going Business:**
- c) **Other New Business:**
 1. Denise asked if the board would allow her to buy the old NRCS laptop. The laptop's hard drive has been wiped clean, so the district will not be able to use it on the NRCS system again. However, they could keep this computer as a backup for a QuickBooks computer. If the district wishes to keep this computer as a backup, they will need to pay 150 – 200 dollars to get the computer up and running again. Denise is willing to foot that bill herself if she could purchase the computer. The board agreed to give Denise the computer for her own personal use.
 2. The board discussed getting signature stamps for FY2021. The board will revisit this discussion at a later date.

VII. UPCOMING EVENTS: (noted on the agenda)

- VIII. ADJOURNMENT:** The meeting was adjourned at 8:45p.m., following a motion by Greg Field and a second by Kelly Ingalls. The next meeting is tentatively scheduled for 6:30 p.m. on April 27, 2020 at the USDA Service Center.

Minutes submitted by:  Administrator

Minutes approved by:  Chairman

Measurement

I have had discussions with Ron and Coltan concerning measurements on local streams, in particular Ray Creek and Duck Creek. The sounder (water depth measuring device) has arrived. Coltan and I plan to install it at Deep Creek Clopton Lane this month or in April. Measurements on streams will begin in April. In April or May I plan to work with Justin to look at measurement sites at conifer removal sites.

Missouri River CD Council

Thank you to Dallas for attending the last meeting in Lewistown. After that meeting the MRCD council interviewed candidates for coordinator and have since hired Olivianne "Liv" Stavick for the position. She formerly held a similar position for the Montana Farm Bureau. Several topics were discussed at the meeting:

- There is or will be a suit filed because of fish entrainment at the St. Mary's Diversion. The design for the replacement diversion is 60% completed but \$2.5 million is being sought from the Milk River irrigators to finalize the design. The diversion construction, slated for 2026, is estimated to cost \$50 – 60 million with 75% coming from irrigators. The diversion is vital for irrigators but it equally important to municipalities, recreation interests, wildlife, and fisheries.
- The CMR pilot project is documenting potential management practices for the BLM land adjacent to Ft. Peck Lake, with emphasis on the symbiosis between cattle and wildlife.
- The saltcedar efforts have been successful in the target areas. The plan is to revisit those areas to prevent any reinfestation and to begin treatment on a new focus area(s).
- The Corps of Engineers is considering changes in the post 1930s flow regime below Ft. Peck Dam in order for pallid sturgeon to have spawning success. Those changes have the potential to affect about 150 irrigation diversions.
- Much of DNRC's funding for CDs come from coal tax revenues and those are dropping each year. DNRC, with the support of CDs, needs to lobby for additional/alternative revenue sources.

Water Summit

There were a couple of general themes at the Montana Water Summit – Cooperation and collaboration on common goals helps projects flourish and if streams can be allowed to seek their own equilibrium (floodplain) they will be healthier and provide more benefits.

Additionally, there were several points made by a variety of speakers:

- The Ft. Belknap compact has yet to be ratified by Congress. The Ft. Belknap community has a stake in the St. Mary's diversion and the ratification of the compact could provide support for the rehabilitation efforts.
- Montana has less public land than surrounding states. About 65% of Montana land is privately owned and most of it is used for some type of agriculture.

- Involving younger people in farm and ranch operations is vital to incorporate new ideas and plans.
- There is no new water available – we can only change the timing and relocation of the resource.
- Late season stream flow is from groundwater. Groundwater recharge in some manner remains vital to our water supply system.
- Floodplain maps do not predict safe areas in which to build.
- In western Montana, 2/3 of the housing development is outside of incorporated cities.
- Half of new homes are built on parcels of 10 acres or more. More housing development is happening in western Montana, but the actual area developed in the east is greater because of larger subdivision parcels.
- Consider planning on a larger scale to include more partners and to minimize the border effects of many smaller projects.
- Multiple partners can add value to projects and atypical partners can often provide leverage in areas in which you cannot.
- If you agree with the action or direction of an agency, support them. Individual input to public officials is more powerful than agency summaries or testimony.
- Be sure to emphasize the implementation/completion of projects in order to keep partners interested and collaborating.

Jim Beck