

**LINCOLN CONSERVATION DISTRICT  
BOARD OF SUPERVISORS MEETING  
U.S. Forest Service, Eureka, Montana  
October 21, 2015**

**Attendance:**

Board of Supervisors: Darris Flanagan, Chairperson; Don Crawford, Vice Chairperson; Susan Ennenbach; Mark Romey; Mike Justus

Associate Supervisor(s):

Advisor(s): Brian Ressel, N.R.C.S; Laura Jungst, U.S.F.S.

District Administrator: Becky Lihme

Guest(s): Bill Hayes; Jim Dunnigan, Kootenai River Network; Darryl Miller

**Called to order:** 4:00 p.m. by Chairperson Darris Flanagan

**New Business;**

Item a. Kootenai River WRP Education/Outreach

- Mr. Dunnigan reported to the Supervisors the WRP is very close to completion; anticipated to be done by December. A major component of the WRP is stream restoration but public outreach is very important. The Kootenai River Network wants to extend an invitation and share information for funding sources to private landowners. The WRP allow for funding through DEQ and EPA; projects must be identified in the WRP to qualify for this funding. Even though a project is not specifically listed it could fall in generically.
- Mike Justus described the project Barry Roose is considering on Mud Creek.
- Staff added the conservation district has sponsored a 223 grant to prepare a conceptual design for the project.
- Mike Justus asked if this creek could be listed in the WRP.
- Mr. Dunnigan replied the stream must be listed in the TMDL, however, the project could be included in other ways.

Item d. Miller, Brimstone Creek

- Mr. Miller explained in the last few years Brimstone Creek during the months of July and August there has been no water coming through to his property. Above the private property in question there is plenty of water however between this land and the railroad grade there is no water flow. Water is going in but no water is coming out.
- Darris Flanagan asked if you can see a diversion from the railroad track.
- Mr. Miller responded no, but there is no water coming down.
- Darris Flanagan explained it is a water rights issue.
- Mike Justus agreed and added Mr. Miller is the senior water right holder.
- Mr. Miller stated there is a violation.
- Don Crawford asked if there had been any construction on the creek in the last 10 years.
- Mr. Miller replied yes.
- Darris Flanagan asked Mr. Miller on ways to approach the property owner.

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- Don Crawford noted a complaint had been filed.
- Mike Justus responded we looked at the pond. There have been no disturbances to the stream bank.
- Don Crawford suggested we (LCD) contact the owner by telephone and ask if something has occurred to divert the water.
- Mike Justus replied the diversion was done years ago; the water right goes back to 1942.
- Mr. Miller stated he has contacted the property owner previously and got water right away.
- Don Crawford asked Mr. Miller if he has received an answer he is satisfied with.
- Mr. Miller replied no; no water on the other end.
- Mark Romey suggested Mr. Miller pursue the water rights.
- Don Crawford noted there is nothing for us (LCD) to do; ask a question is about all.
- Mr. Miller agreed that might be enough. The water is flowing right now.

**Public Comment:**

- Mr. Bill Hayes explained he lives on the east bank of Frank Lake. He worked a life time to build a dream home and has been through ups and downs of Frank Lake. Currently, the water is so low there are no boats; kayaks only. He has decided to do something about it. He began a quest with working with DNRC and has received a favorable response from MtFW&P. He is proposing to drill two wells off of the OHWM to feed the lake and keep it at full pool. He is working with hydrogeologists to conduct a feasibility study. Hopefully he is not over his head financially.

**Minutes:**

- a. September 2015
  - **Motion** by Don Crawford to approve the minutes of September 2015 as presented. **Second** by Mark Romey. **Motion passed.**
- b. Local Work Group Meeting, September 16, 2015
  - **Motion** by Mike Justus to approve the minutes of the Local Work Group September 16, 2015 as presented. **Second** by Mark Romey. **Motion passed.**

**Financial Report:**

- Mike Justus reviewed the financial report.
- **Motion** by Mike Justus to approve the Financial Report for September 2015. **Second** Susan Ennenbach. **Motion passed.**

**NRCS Report – Brian Ressel**

- Thanks to the letter from Lincoln Conservation District the soil survey crew has us on its agenda to complete a level II survey in the next few years.
- Kirk Sullivan and Brain attended a workshop in Missoula covering the appeal process.
- An irrigation project they were waiting for MtFW&P approval has been approved. They are now in the process of purchasing equipment.
- On November 2<sup>nd</sup> a Soil Health Workshop hosted by MACD and NRCS will be held in Missoula.

**MtFW&P Report – Mike Hensler**

- No report

**District Administrator's Report**

- Volunteer hours were recorded for September.
- News articles and a thank you note from Elena Evans are in the Board Packets.
- The letter we received from Mr. Sprinkle on behalf of Mr. Emery and the response e-mail from Don MacIntyre are in the Board packets.
- Staff will be out of the office on Thursday to attend the DEQ 319 grant review and award session in Helena.
- Staff reported she will be ordering 310 permit signs that were approved last fiscal year.

**Planning Board Report – Mark Romey**

- The Planning Board will not meet in October. A public hearing was held for recreation vehicle regulations in both Eureka and Libby.

**GLID Report**

- No report

**310's**

**Li-10-01-15 – Sighting, Doak Creek**

- Darris Flanagan reviewed the inspection report prepared by Wayne Maahs.
- **Motion** by Don Crawford to approve Li-10-01-15; waive the 15 day wait period; grass seed the area; place large rocks at the outlet to dissipate the water flow. **Second** by Susan Ennenbach. **Motion passed.**

**Li-10-02-15 – Roediger, Silver Butte/Fisher River**

- Wayne Maahs and Mark Romey conducted the on-site.
- **Motion** by Mark Romey to approved Li-10-02-15 as presented; waive 15 day wait period. **Second** by Mike Justus. **Motion passed.**

**Li-09-06-15** – Raynor, Seventeen Mile Creek – Withdrawal

- **Motion** by Mike Justus to close Li-09-06-15. Both parties to be notified by letter of permit closure. **Second** by Susan Ennenbach. **Motion passed.**

**Li-10-03-15** – Newton, Coniff Creek

- Mark Romey reviewed the application. Darris Flanagan read the inspection report submitted by Wayne Maahs.
- **Motion** by Mark Romey to approved Li-10-03-15 as presented; waive the 15 day wait period. **Second** by Susan Ennenbach. **Motion passed.**

**Li-10-04-15** – Kootenai Logging/LaBelle, Bobtail Creek

- This application is the second for this project. Last year an extension was granted but the project could not be completed.
- **Motion** by Don Crawford to approved Li-10-04-15 as presented; waive the 15 day wait period. **Second** by Mark Romey. **Motion passed.**

**Li-10-05-15** – Parrish, Tobacco River

- Mike Justus, Darris Flanagan and Brian Ressel conducted the on-site.
- Mike Justus described the project as a long channel off of the Tobacco River and to install a new pivot irrigation system. A fish screen will be placed in the channel to keep the aquatic life out. Mike Justus recommended the pump house be re-built.
- **Motion** by Mike Justus to approve Li-10-05-15 as presented with the following; recommend re-building the pump house and re-seed the area. **Second** by Susan Ennenbach. **Motion passed.**

**Tabled 310's**

**C-08-03-15** – Franklin/Cordara, Sinclair Creek

- Staff reported the on-site has been scheduled for Monday, October 26<sup>th</sup> at 11:30 a.m. Supervisors can meet at the Forest Service at 11:00 a.m.

**C-08-04-15** – Kilbreath, Lake Creek

- Staff reported telephone messages have been left at two numbers given by Jay Sandlin. Wayne Maahs has set the on-site inspection for Wednesday, October 28<sup>th</sup> at 10:00 a.m.

**Li-09-02-15** – Ruffinen, Grave Creek

- Darris Flanagan, Susan Ennenbach and Mike Justus conducted the on-site.
- Darris Flanagan explained Mr. Ruffinen wants to place two large rocks in the creek to divert water from the dyke. Mike Justus proposed two (2) large dimensional rocks, 3 to 4' in size, be keyed in at least two (2) feet below stream bed and placed well into the bank. The rocks will be placed at a 45 degree angle and 10 feet down river from existing shrubs.

- **Motion** by Mike Justus to approve Li-09-02-15 as presented with the following modifications: 2 large dimensional rocks, 3 to 4' in size, be keyed in at least 2 feet below stream bed and well into the bank. The rocks will be placed at a 45 degree angle and 10 feet down river from existing shrubs. **Second** by Susan Ennenbach. **Motion passed.**

**New Business:**

- a. Kootenai River WRP Education/Outreach –
  - Item discussed earlier.
- b. November 18<sup>th</sup> Board of Supervisors Meeting/MACD Convention
  1. Wednesday, November 11<sup>th</sup> Veteran's Day
    - Staff reported she confirmed with Maggie at Plum Creek Timberlands the use of the conference room on Wednesday, November 11<sup>th</sup> (Veterans' Day)
    - Don Crawford recommended to check with Plum Creek Timberlands Office staff to see if Tuesday, November 10<sup>th</sup> is available.
    - **Motion** by Mark Romey to re-schedule the November Board of Supervisors Meeting to Tuesday, November 10<sup>th</sup> contingent on availability. If the conference room is not available set the meeting for Wednesday, November 11<sup>th</sup>. **Second** by Susan Ennenbach. **Motion passed.**
- c. Yaak Valley Forest Council
  1. Natural Resource Camp Scholarship
    - Staff reported representatives from the Yaak Valley Forest Council will attend the meeting next month to discuss this project with the Supervisors.
  2. 223 Grant, Invoice Payment
    - Staff reported there is a discrepancy between the figures she is totaling and what the invoice is for. She will contact Robyn by telephone on Monday to determine the correct figure.
    - **Motion** by Mike Justus to pay the invoice from the Yaak Valley Forest Council upon proper documentation. **Second** by Mark Romey. **Motion passed.**
- d. Miller, Brimstone Creek
  - Item discussed earlier.
- e. MACD Convention
  - Staff reported she has not received any news on the auction items for the MACD convention. In previous years the Board has approved \$50.00 to purchase auction items.
  - **Motion** by Mike Justus to approve \$50.00 to purchase auction items for the MACD Convention. **Second** by Susan Ennenbach. **Motion passed.**

**Unfinished Business:**

- a. District Credit Card – Update
  - Remove from agenda
- c. Mil Levy Adjustment – Update
  - Staff will invite Robin Benson to the November Meeting.
- d. Tobacco River Restoration 319 Grant – Update
  1. Grant Review, Helena, October 22<sup>nd</sup>
    - Item discussed under Administrator's Report
- e. Area V Meeting, September 30<sup>th</sup>, Libby Dam – Report
  - Staff presented a budget worksheet for the event and a list of those in attendance.
  - Discussion was made about reimbursing Kris Lihme for his time in preparing the lunch.
  - **Motion** by Susan Ennenbach to purchase a \$50.00 gift certificate. **Second** by Mark Romey. **Motion passed.**

**Final Inspection Reports:**

- a. Li-06-04-14, Plum Creek Timberlands, Tributary of Cruian Creek – Tabled
- b. Li-10-04-14, Vincent, Fisher/Silver Butte - Closed

**On Sites Needed:**

- a. Li-09-11-14, Janssen, Yaak River

**Open Mic and Other Business:**

- Mike Justus reported he received a call from Leland Driggs for removing large cottonwoods and maintenance on a head gate. We can expect a 310 permit application.
- Darris Flanagan did an on-site for a diversion on Sinclair Creek and the project will require a 310 permit.

The next Conservation District Board Meeting will be held on Tuesday, November 10, 2015 at 4:00 p.m. at the Plum Creek Timberlands Office, Libby, Montana.

Meeting adjourned at 5:35 p.m.

Respectfully Submitted,

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Darris Flanagan, Chairperson

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Becky Lihme, District Administrator

Date: \_\_\_\_\_









