

**LINCOLN CONSERVATION DISTRICT  
BOARD OF SUPERVISORS MEETING  
U.S. Forest Service Office, Eureka, Montana  
August 16, 2017**

**Attendance:**

Board of Supervisors: Wayne Maahs, Chairperson; Mike Justus; Ernie Chacon; Darris Flanagan; Mark Romey, Valene Goff

Absent: Don Crawford

Associate Supervisor(s):

Advisor(s): Brian Ressel, N.R.C.S.

District Administrator: Becky Lihme

Guest(s): Richard Fagerlie

**Called to order:** 4:00 p.m. by Chairperson Wayne Maahs

**Public Comment:**

**Item Li-08-07-17 – Fagerlie, Derosier Creek – Item Moved**

- Darris Flanagan reported he visited the site. The project had an approved 310 permit in 2009; there are no real changes in the project with the exception of some vegetation. Darris recommended to approve the application as presented.
- **Motion** by Darris Flanagan to approve Li-08-07-17 as presented, waive the fifteen (15) day wait period. **Second** by Ernie Chacon. Motion passed.
- Ernie Chacon asked the duration of the project.
- Mr. Fagerlie replied one (1) month.

**Minutes:**

a. July 2017

- **Motion** by Darris Flanagan to approve the minutes of July 2017 as presented. **Second** by Ernie Chacon. **Motion passed.**

**Financial Report:**

a. July 2017

- Mike Justus reviewed the monthly financial report. Staff reported the Permissive Medical Mill Levy has been adjusted by \$60.00 annually (\$5.00 per month) due to the percentage formula. Staff spoke with Darren Coldwell, County Administrator to discuss the appropriate formula to use. **Motion** by Mike Justus to approve the Financial Report for July 2017. **Second** Valene Goff. **Motion passed.**

**NRCS Report – Brian Ressel**

- Brian reported he has been selected as the District Conservationist for Lincoln County.
- Brian attended a mandatory supervisor workshop in Minneapolis last week; is certifying practices; planning irrigation and grazing project for EQIP and is

completing initial site visits for next year's applications. Brian reviewed the EQIP practices that have been approved to date in 2017.

### **MTFW&P Report – Mike Hensler**

#### **District Administrator's Report**

- Volunteer hours were recorded.
- Newspaper articles are in the Board Packet.
- A sympathy card for Mel Parker was distributed for signatures.
- Darris Flanagan will receive his ten (10) year longevity pin at the Area V Meeting.
- The theme of the 2017 Lincoln County Fair will be "Kids, Crops and Critters".
- The 2017 Supervisors Summit will be held October 31<sup>st</sup> through November 1<sup>st</sup>.
- The Area V Meeting will be held on September 26<sup>th</sup>.
- The 2017 Rangeland Tour will be September 6<sup>th</sup> and 7<sup>th</sup>.
- The 2017 MACD Convention will be in Bozeman on November 14<sup>th</sup> through 16<sup>th</sup>. Mike Justus recommended the November Board Meeting be moved to the week prior.

#### **Planning Board Report – Mark Romey**

- Mark reported he missed the last meeting. The North Star Subdivision was passed by the County Commissioners with requirements.

#### **GLID Report – Valene Goff**

- Valene reported GLID did not receive funding to repair the dam from the Irrigation Development Grant. The 223 grant ditch project has been completed and the grant final report is being prepared.

#### **SWCDM - Samantha Tappenbeck**

- Samantha reviewed her report in the Board Packet.
  - ✓ Ranching for Rivers Project update.
  - ✓ SWCDM Conservation Menu program on the web.
  - ✓ Presented progress on the Thompson River Basin RFP.
  - ✓ Presented an update on the Clark Fork/Kootenai River Basins Council.
  - ✓ DNRC was recently awarded a Drought Contingency Planning Grant.
  - ✓ Ada Montague has left her position at DNRC Water Resources for a position in DNRC's legal offices.

### 310's

#### Li-08-01-17 – Canavan-Fifeld, S. Fork Yaak River

- Mike Justus reported Ms. Canavan-Fifeld is proposing a 40 foot span bridge across the river using timber. The Forest Service had a previous timber sale using large equipment. Ms. Canavan-Fifeld is attempting to have access through the Forest Service to her property using the same road created by the timber sale. The bridge project will be built with timbers from her property and using Eco-blocks. Native wood will be used for the planking. It is recommended to have mid-support for the crossing of large equipment but to be removed before winter. Ms. Canavan-Fifeld needs the bridge if her request for access through Forest Service land is denied. Mike recommended the Conservation District write a letter supporting the access through Forest Service land. The construction of the bridge will require one or two passes through the river. The project will have a two (2) part approach; 1) Build the bridge next year during low flow for logging purposes; 2) Provide mid supports for 6 months.
- Darris Flanagan noted to separate this into two (2) parts; sending of the letter first, then the bridge.
- **Motion** by Mike Justus to write a letter to the U. S. Forest Service in support of allowing Ms. Canavan-Fifeld access to her property through Forest Service land. **Second** by Darris Flanagan. **Motion passed.**
- **Motion** by Mike Justus to approve application Li-08-01-17 with the following modification: During heavy load activity crossing the bridge, mid support beams shall be placed for additional strength; heavy loads will be allowed June 1, 2018 through December 1, 2018; the mid support for the bridge shall be removed no later than December 2, 2018 to prevent winter ice jams and debris blockage during spring high water flow. Permit valid through December 31, 2018. **Second** by Ernie Chacon. **Motion passed.**

#### Li-08-02-17 – Stimson Lumber, Fall Creek

- Wayne Maahs reported on the application and project. The culvert is 40 feet long to provide access to a few acres. The project is part of a BMP improvement project. The recommendation is to develop three (3) step pools using vortex weirs.
- **Motion** by Mark Romey to approve Li-08-02-17 with the modification to develop three (3) step pools using vortex weirs; waive fifteen (15) day wait period. **Second** by Darris Flanagan. **Motion passed.**

#### Li-08-03-17 – Prescott, Mud Creek (withdrawn, no action required)

#### E-08-04-17 – GLID, Grave Creek

- **Motion** by Darris Flanagan to declare E-08-04-17 was necessary under the definition of the Natural Streambed and Land Preservation Act (310 Law). No mitigation will be required. **Second** by Mark Romey. **Motion passed.**

**Li-08-05-17** – Welch, Callahan Creek

- Wayne Maahs reported he participated in a teleconference call between the agencies involved in the county mitigation of Callahan Creek. No negotiation was reached. Mr. Welch wants to maintain his water right location from the 1948 water right. Wayne visited the location on Monday. The head gate is located where the county dumped river rock. The ditch is evident at the location. The tires Mr. Welch placed are where the head gate was previously. Mr. Welch's agreement is he has the right to begin using his water right. Two (2) lawyers were present at the teleconference call meeting. The county will have a restoration plan within thirty (30) days and it will not include the water right (head gate). The ditch may be included in the county restoration plan. Without the design prepared by the county, LCD can deny the permit application or table the application waiting for the design from the county. Wayne recommended table the application until next month pending the design.
- **Motion** by Darris Flanagan to declare Li-08-04-17 project, however, table the application pending the restoration design from the county. **Second** by Ernie Chacon. **Motion passed.**

**C-08-06-17**- Kargol, Iron Creek

- Wayne Maahs reported this project is the same as the previous approved 310 application submitted by the applicant. The removal of bedload from the channel. Wayne recommends approval.
- **Motion** by Darris Flanagan to approve Li-08-06-17 as presented; waive the fifteen (15) day wait period. **Second** Mark Romey. **Motion passed.**

**Li-08-07-17** – Fagerlie, Derosier Creek - Item moved.

**Li-08-08-17** – Hafferman Engineering, Rainy Creek

- **Motion** by Mike Justus to approve Li-08-08-17 as presented. **Second** by Valene Goff. **Motion passed.**

**Tabled 310's**

**Li-07-01-17** – Dutton, Libby Creek

- Staff reported Mr. Dutton received landowner approval from the county. A signed copy of the 310 permit application was received by LCD.
- **Motion** by Mike Justus to approve Li-07-01-17 with rock picking guidelines. **Second** by Darris Flanagan. **Motion passed.**

**C-07-04-17** – Peterson, Wolf Creek

- Mike Justus reported the location of the alleged violation is the access point for Kim Lucier to his mining claim on Forest Service Land. Mr. Lucier has an approved 310 permit application with the District.
- **Motion** by Darris Flanagan to declare C-07-04-17 not a violation as it is the access point for Kim Lucier. **Second** by Mark Romey. **Motion passed.**

**New Business:**

- a. Amend Motion C-07-05-17 Green, Callahan Creek
  - Staff reported she contacted Don MacIntyre regarding the wording of the letter to Mr. Green prior to sending it. Don stated the motion was not correct due to the findings of Board. The motion should have read; "Due to non-verifiable information, the Board was not able to act on the complaint".
  - **Motion** by Mike Justus to correct the motion for C-07-05-17 to read; "Due to non-verifiable information, the Board was not able to act on the complaint".  
**Second** by Darris Flanagan. **Motion passed.**
- b. Annual Subscription to the Western News
  - Staff reported the Forest Service has cancelled their subscription to the Western News. Staff has found articles in the Western News that are pertinent to the District and would like to continue providing articles in the Board Packets.
  - It was suggested by the Board to check for an on-line service before subscribing for the hard copy.
  - **Motion** by Darris Flanagan for staff to check into an on-line subscription service for the Western News. If the on-line is not available then, pursue the hard copy subscription. **Second** by Valene Goff. **Motion passed.**
- c. Staff Time Off Week of August 28, 2017
  - Staff reported she would like to take time off the week of August 28<sup>th</sup>. She will coordinate with Wayne Maahs the days and times.
- d. Lincoln County Fair, August 25<sup>th</sup> – 27<sup>th</sup>
  - Staff reported on under Administrator's Report.
- e. Stockmanship Seminar
  - Staff asked who would like to attend the Stockmanship Seminar in Charlo. Ernie Chacon will let staff know.
- f. DNRC Reclamation Planning Grant, Due September 8<sup>th</sup>
  - Staff reported the planning grant application is now open for new projects.
- g. Swan Conservation Forest Resolution
  - Wayne Maahs reported the Swan Conservation Forest has been in the process of development for the past two (2) years by Lake County Conservation District. It is the "brain child" of Jim Simpson of Lake County Conservation District. The project is to enter into an agreement with the Forest Service to manage land in the Swan Valley. The conservation forest will be managed by DNRC and will promote overall forest management. Ownership does not change. Any profited funds from timber sales will go towards the management through Lake County Conservation District. DNRC and the Forest Service have been neutral towards the project. This will be a pilot project.

- **Motion** by Wayne Maahs to present a resolution at the Area V Meeting in the support of the Swan Conservation Forest.
  - Samantha Tappenbeck stated Lake Conservation District Board will make their decision on September 14<sup>th</sup> on weather to continue with the Conservation Forest project. The Public Comment period closes on August 30<sup>th</sup>.
  - It was asked if it is appropriate to Lincoln Conservation District to author a resolution for a project developed by another conservation district.
  - Mike Justus added we (LCD) can approve to support a resolution should one be presented.
  - Samantha Tappenbeck read of the percentages of support and opposition; 16% for, 84% against.
  - **Motion withdrawn** by Wayne Maahs.
- h. Kootenai Harvest Fair, September 16, 2:00 to 8:00 p.m.
- Staff reported we (LCD) have been invited to set up a booth at the harvest fair and inquired if anyone would like to participate. It was suggested to ask Don Crawford when he returns.
- i. Supervisor and Administrator of the Year Nominations
- Staff reported Wayne Maahs was nominated last year for Supervisor of the Year and placed second.
  - Darris Flanagan added he decided not to nominate Becky Lihme for Administrator due to not wanting to nominate two (2) people from the same conservation district in the same year.
  - **Motion** by Darris Flanagan to nominate Becky Lihme as Administrator of the Year”. **Second** by Valene Goff. **Motion passed.**
- j. Montana Bureau of Mines and Geology Ground Water Assessment
- Darris Flanagan explained a ground water assessment will be compiled to determine the flow of ground water to the Tobacco River and/or Lake Koocanusa (Kootenai River). The study was established due to the denial by DNRC for wells for Indian Springs Golf Course. Funding was located to do the study. The sample wells to complete the monitoring have been selected.
- k. Color Lazer Printer
- Staff reported the ink jet printer we have no longer prints. She has run the “cleaning” options on the printer with no improvement. We use the ink jet for color printing, such as letterhead and fliers for the county fair exhibit. She has priced units and found printers that will meet our needs to be under \$100.00.
  - **Motion** by Ernie Chacon to approve the purchase of a new ink jet printer. **Second** by Mark Romey. **Motion passed.**

**Unfinished Business:**

- a. Grant Update
  - i. Tobacco River – Kassler
    1. Phase I – DEQ 319 Grant
      - Staff reported the modification to the 319 grant for the final design is in “process” with DEQ.
    2. Phase 2 – DNRC Reclamation Grant Application
      - Phase 2 funding will be released in summer 2018.
  - ii. GLID – Reported previously.
  - iii. Mud Creek DEQ
    1. 319 Grant
      - Staff reported she is preparing the RFP with Darris Flanagan and Dave Martin. A meeting was held in February to review the landowner’s request to move the channel alignment; differing from the conceptual design. It was decided to review the landowners request in the final design. When staff began writing the RFP it was found we do not have a construction cost based on the re-alignment to put in the RFP. Staff contacted Dave Martin for assistance to prepare the RFP.
    2. KRN / USF&WS Partners for Fish Wildlife Program
      - Staff and Jim Dunnigan are attempting to contact Greg Neudecker for the guidelines for the archeological survey.
    3. Watershed Management Grant
      - Funding will be released in spring 2018.
- b. Clark Fork WRP, Thompson River Drainage – Reported under SWCDM report.
- c. Welch, Callahan Creek – Reported under 310 permit application.

**Final Inspection Reports:**

**On Sites Needed:**

**Open Mic and Other Business:**

- Mark Romey reported the Davis home on Lake Creek is sitting over the embankment from erosion. Wayne Maahs added a “4 wheeler” trail has been carved at the base of the embankment.
- Mike Justus reported a SMT violation has occurred at Libby Creek. Slash has been placed within the channel and this may be a 310 violation.

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The next Conservation District Board Meeting will be held on Wednesday, September 20, 2017 at 4:00 p.m. at the Weyerhauser Office, Libby, Montana.

Meeting adjourned at 6:04 p.m.

Respectfully Submitted,

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Wayne Maahs, Chairperson

\_\_\_\_\_  
Becky Lihme, District Administrator

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









