

**LINCOLN CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
U.S. Forest Service Office, Eureka, Montana
December 19, 2018**

Attendance:

Board of Supervisors: Darris Flanagan, Chairperson; Wayne Maahs, Vice Chairperson; Don Crawford; Mark Romey; Tom Maffei; Kathleen Johnson

Absent:

Associate Supervisor(s): Laura Garner

Advisor(s): Brian Stephens, MTFW&P; Samantha Tappenbeck, SWCDM; Brian Ressel, NRCS; Josh Erickson, USFS

District Administrator: Becky Lihme

Guest(s): Gregg Johnson

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

Public Comment:

Minutes:

- a. November 2018
 - **Motion** by Wayne Maahs to approve the minutes of November 2018 as corrected; omit "Both parties" under Item C-11-01-18, Motion. **Second** by Tom Maffei. **Motion passed.**

Financial Report:

- a. November 2018
 - **Motion** by Kathleen Johnson to approve the November Financial Report as presented. **Second** by Wayne Maahs. **Motion passed.**

NRCS Report – Brian Ressel

- The new GS 12 Supervisory District Conservationist has been hired. Sean Johnson is from Minnesota and will supervise Flathead and Lincoln Counties. He may be attending future LCD Board Meetings.
- Funding was received for five high tunnels. Forestry, irrigation and grazing applications will potentially be funded in January or February.
- The government shutdown is looming.
- NRCS will be hiring a summer intern for our office next summer. The student must be a natural resource major.
- The Soil Health Grant through McCone Conservation District has not been approved or denied pending further clarification.

MTFW&P Report – Brian Stephens

- No report

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District Administrator's Report

- Volunteer hours were recorded.
- An article announcing the Tobacco Valley aquifer meeting is in the Board Packet. Darris Flanagan attended the afternoon meeting and noted an article will be in the Tobacco Valley News and he will report at the January meeting. Kathleen Johnson attended the evening meeting and commented all the water flows into Lake Koocanusa, not the Tobacco River. Darris Flanagan responded the information is based on the location of the wells that were tested.
- A conservation calendar is being compiled and comments on "why did you become a supervisor" are being requested to be published in the calendar.
- Staff has contacted Gretchen Lancaster, from Lancaster Realty for office space pending a federal government shutdown. Gretchen has a desk we can use.
- We received a "thank you" card from MWCC for the tour on October 11th.
- Youth Range Camp information has been received for 2019.
- MACD sent out a survey regarding stream gauging. Staff asked the survey questions and supervisors responded.
- The Thompson Watershed sent out their WRP stream priority list for comment.
- We may be asked to once again send letters to our state representatives for their support of conservation district activities.
- A request and application for hosts for the Working Lands Internship Program was received.
- Staff contacted Laurie Zeller regarding the status of 310 Admin funding. We should be receiving the funding agreement in January followed by the funding when the signed contract is received back to DNRC.

Planning Board Report – Laura Garner

- Laura Garner reported the next meeting is in January.

SWCDM - Samantha Tappenbeck

- The Kootenai River Network quarterly meeting will be held via teleconference call on January 8th.

310's:

Li-12-01-18, King, S. Fork Yaak River

- Wayne Maahs noted this is a standard underground utility bore.
- **Motion** by Wayne Maahs to approve Li-12-01-18 as presented; waive 15 day wait period. **Second** by Tom Maffei. **Motion passed.**

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Li-12-02-18, Cordara, Sinclair Creek

- Darris Flanagan described the photo he sent in an e-mail to the Board of the diversion upstream of the home. He commented he was impressed by the manner the contractor “hooked” into an alternate channel upstream.
- It was noted this is an “after the fact” 310 permit.
- Kathleen Johnson asked if this was a “one day job” as the contractor had projected.
- Darris Flanagan replied he did not know.
- Don Crawford noted the photo showed the water flow was moved to an existing channel.
- Darris Flanagan replied the water flow was moved one channel past that; maybe he counted the channels incorrectly.
- Laura Garner noted the contractor took the flow over to the second channel as recommended.
- Wayne Maahs agreed this is exactly as we discussed. Question is; is the intent to move the flow back to the channel near the house.
- Don Crawford stated if the flow stays in the far channel, no further work is required.
- Laura Garner stated the current project is a short-term solution.
- Wayne Maahs noted the current channel is temporary; de-watering to move back near the house.
- **Motion** by Don Crawford to approve Li-12-02-18 as presented. **Second** by Wayne Maahs.
- Wayne Maahs asked is there is any provision to move the water flow back to the original channel near the house.
- Darris Flanagan responded he didn’t think our intention was to move the water back to the house but to keep flow in the new channel. The contractor moved the diversion further upstream moving the flow into the new channel.
- Tom Maffei noted the contractor had no intention of moving the channel again. Our intent was diverting the channel to give more time to repair the original channel.
- Mark Romey clarified no work was to be done along the bank near the house.
- Laura Garner asked can we force him to move the flow back to the channel near the house.
- Don Crawford responded we don’t want to move the channel back. If it stays through this spring, great. He has an approved 310 permit for one year if he needs to do construction on the original channel. It is a fairly flat plain where the contractor did the work. Where the channel drops rapidly, several channels

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have been created. We provided him an option. We can't predict what the water will do.

- Tom Maffei noted if this spring the water doesn't jump back, he can implement the first 310 permit.
- Laura Garner asked if he chooses to do the work from the original 310 permit does he need to submit an addendum.
- Darris Flanagan responded no, it is part of the project.
- Wayne Maahs noted he is disappointed on how the contractor approached the project and should put the flow back in the original channel.
- Laura Garner noted that is what she asked.
- Don Crawford noted the stream chose to move toward the house, its natural course. We gave the option to move the channel and we are modifying a natural event. If the water stays in the new channel, why make him move it.
- Wayne Maahs stated there is concern of losing property.
- Don Crawford added he can't see requiring the contractor to move the water flow again if the work done under the second 310 works.
- Wayne Maahs noted there is no 310 permit to move the channel back.
- Laura Garner clarified, so they need a third 310 permit to move the water back to the original channel.
- Darris Flanagan commented his conversation with the contractor was the permanent solution was to install root-wads. This project began in 2012.
- Don Crawford noted the streambed is filled with rock and gravel.
- Josh Erickson noted Wayne's concern is it (the channel) may move back into the original channel. Does the contractor need a third 310 permit?
- Wayne Maahs responded the first 310 permit is valid for one year. Emergency action could be an alternative if needed. Our standing policy is to semi-armour the embankment; move gravel up against the bank but we don't want to do that. This is a "back door" to resolve the issue.
- Darris Flanagan commented he understood the project was to move the water flow to the new channel and be done. The contractor understood this as well.
- Wayne Maahs commented he understood the project was to de-water to do the work in the original channel and restore flow there.
- Tom Maffei agreed with Wayne.
- **Motion passed;** "Yes" 4; "No" 2 (Mark Romey and Tom Maffei).
- Tom Maffei stated the Board did not adequately communicate its decision to either the contractor or the Board itself and we have to do a better job at this.

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Li-12-03-18, Ende/Miller, Trimble Creek

- Darris Flanagan reported Mike Justus visited the project site as a thinning project. The original approved 310 permit has expired. Mike reported this is a simple project on a small stream.
- Brian Ressel noted this is a NRCS logging project. The stream is indicated as intermittent on the USGS maps but flows perennially.
- **Motion** by Don Crawford to approve Li-12-03-18 as presented; waive fifteen day wait period. **Second** by Wayne Maahs. **Motion passed.**

Tabled 310's:

Li-11-05-18 – Hafferman/Tisher, McGinnis Creek

- Wayne Maahs reported he and Con Crawford conducted the on-site. This is a well engineered project. A project amendment has been presented by the engineering firm.
- **Motion** by Wayne Maahs to approve Li-11-05-18 as amended. **Second** by Don Crawford. **Motion passed.**

New Business:

- a. Topics for Supervisor Training, January 16th
 - Staff reviewed suggested topics for the training; understanding the 310 Law, parliamentary procedures, how the mill levy works, supervisor roles and responsibility, district model rules. Supervisors from neighboring conservation districts may be attending.
 - After discussion, the Board selected understanding the 310 Law.
 - The workshop will be limited to 2 hours, beginning at 2:00 p.m.
- b. Soil Health Workshops
 - Staff reported Soil Health Workshops will be held the week of January 14th.
 - Brian Ressel noted these workshops do not necessarily include information appropriate for Lincoln County.
- c. 2019 MWCA Annual Conference, January 8th and 9th, Great Falls
 - Staff reported the information for the conference is in the Board Packet.
- d. Montana Grazing Lands Conservation Initiative Mini Grants
 - Staff reported these grants are accepted throughout the year; there are no deadlines.

Unfinished Business:

- a. 2018 Western Montana Grazing & Agriculture Conference Sponsorship
 - Brian Ressel reported he has folks who are interested but not without the District paying for the hotel accommodations.

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- Darris Flanagan responded with our limited funding, we are only able to pay for the registration.
- **Motion** by Wayne Maahs to sponsor the 2018 Western Montana Grazing & Agriculture Conference in the amount of \$50.00. **Second** by Tom Maffei.
Motion passed.
- b. MACD Convention Report
 - Katheleen Johnson reported on how conservation districts are connected with so many other organizations.
 - Brian Ressel noted the diversity of conservation district's; what other cd's are doing.
- c. CD Boundary Signs
 - Wayne Maahs reported he will meet with the MDT engineers after the holidays. The sign will be one mile in from the Idaho-Montana state line.
- d. Grant Update
 - i. Tobacco River – Kassler
 1. Phase I – DEQ 319 Grant
 - Staff reported we are waiting for payment.
 2. Phase 2 – DNRC Reclamation Grant Re-submission
 3. Watershed Management Grant
 4. Sweet Grass CD Watershed Grant
 - Staff reported the final report and invoice have been submitted.
 - ii. Mud Creek - Roose
 1. DEQ 319 Grant
 - A. Project update
 - Staff reported 67,000 pounds of steel debris was removed as well as concrete and logs. We are waiting for invoices from River Design Group.
 - B. Riparian Workshop
 - Samantha Tappenbeck and staff will be coordinating a riparian workshop and public on-site tour for next spring.
 2. KRN/USF&WS Partners for Fish and Wildlife Program
 3. Clark Fork & Kootenai River Basins Council
 4. DNRC 223 Grant
 - iii. Conservation Districts Environmental Contingency Grant Program

Final Inspection Reports
Li-02-02-18 – Hurst, Dudley Creek

Open Mic and Other Business:

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The next Conservation District Board Meeting will be held Wednesday, January 16, 2019 at 4:00 p.m. at the Weyerhauser Office, Libby, Montana.

Meeting adjourned at 5:25 p.m.

Respectfully Submitted,

Darris Flanagan, Chairperson

Becky Lihme, District Administrator

Date: _____

