

**LINCOLN CONSERVATION DISTRICT  
BOARD OF SUPERVISORS MEETING  
North Lincoln County Annex - Eureka  
August 16, 2023, 4:00 p.m.**

**Attendance:**

Board of Supervisors: Kathleen Johnson, Chairperson; Don Crawford; John DeLeo; Gary Pershall, Joe Lewicki

Absent:

Associate Supervisor(s): Wayne Maahs

Advisor(s): Brian Stephens, MT FW&P

District Administrator: Rae Lynn Hays

Guest(s): Doug and Roze Hearn

**Called to order:** 4:01 p.m. by Chairperson, Kathleen Johnson

**Public Comment:** None

**Minutes:**

- July 19, 2023, regular meeting minutes
  - **Motion** by John DeLeo to approve the July 19, 2023, meeting minutes. **Second** by Don Crawford. **Motion** passes unanimously.

**Financial Report:**

- John DeLeo provided a treasurer's report.
- **Motion** by Gary Pershall. to approve the July financial reports. **Second** by Joe Lewicki. **Motion** passes unanimously.

**NRCS Report – Brian Ressel**

- No Report

**MTFW&P Report – Brian Stephens**

- Brian S. reported that FWP is still working on many of the same items noted during last month's meeting.

**District Administrator's Report – Rae Lynn Hays**

- Volunteer hours were recorded.
- Rae Lynn H. reported on DNRC Funding Forum Results
- The AIS Inspection Station recently conducted a full decontamination on a mussel-fouled boat. The boat owner expressed appreciation for the team's effort and professionalism. He noted that the process could have been heavy on the enforcement end but was geared toward education and protection of Montana's water.
- DNRC asked about any revision needs for the current Joint Application for Proposed Work (310 Permit Application)
- AIS Appreciation week will be celebrated Aug. 23. Board members are invited to the check station to view the process and celebrate with lunch.

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- The LCD will have a booth at the Lincoln County Fair. The theme is Red, White, and Blue, this Fair is for You. Rae Lynn H. created a display entitled Red, White, and Blue, Conservation Activities for You. The display will feature Soil Health, Pollinators, and AIS as well as 310 Law education.
- Rae Lynn H. will take two days of vacation this month.

## Planning Board Report – Jessie Haag

No report

## 310's

### C-10-02-22, Neumann, Phillips Pleasant Valley Fisher River Civil Penalty

- Caitlin Overland would like to meet with the board soon.

### Li-08-01-23, O'Connor, Falls Creek

- The 310 application is in response to a violation.
- **Motion** by John D. to accept Li-08-01-23 as an application and approve as submitted. **Second** by Don C.
- **Motion** passes unanimously.

### E-08-02-23, Little 69 Ranch, Tobacco River

- John D. provided the team report. Mr. Bushfield has a bar  $\frac{3}{4}$  of the way across the river. His intent was to force water toward his point of diversion for his irrigation system. The team recommendation is that the bar be removed as soon as his irrigation season is over. John D. also talked with him about the potential of requesting a revised point of withdrawal from DNRC. Mr. Bushfield has a partial ditch excavated and will see if he can re-establish that as his point of diversion. When he does remove the bar, he will need to have a 310 for the work.
- **Motion** by John D. to accept and approve the emergency 310. A 310 application will be required, and work must be complete by November 1. **Second** by Gary P.
- Discussion: Don C. said this should not require a 310 application. Mr. Bushfield should just be told what work is required.
- **Motion** passes unanimously.

### Li-08-03-23, Hearn, Grave Creek

- Gary P. provided the team report. The river is cutting away at their property line near the orchard. The septic is not too far away from the eroding bank. It is a steep bank with the channel running against it. The application is to place boulders against the bank and dig out the channel. John D. said the slope is about 50-60 feet high. Trees on the bank are about to fall in the stream. Brian

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Stephens expressed concern that the native material may not stay in place so the risk vs. the reward would need to be evaluated. Joe L. noted similar problems on the reservoir as much of the material is glacial till.

- Doug and Roze Hearn said they were concerned that the stream would take their fence, satellite, trees, septic, and yard. Don C. asked if Hearns would consider having a professional evaluate the situation. Brian S. said he would like to see a risk assessment.
- **Motion** by Gary P. to postpone Li-08-03-23. **Second** by John D.
- **Motion** passes unanimously.

**Li-10-06-22, American Forest Management, Wolf Creek**

- Dave Friedman is no longer the contact on this application. American Forest Management requests that the application be amended to appoint Brian Anderson as the contact for the project.
- **Motion** by Don C. to amend the application with Brian Anderson as the primary contact. **Second** by John D.
- **Motion** passes unanimously.

**Postponed 310's**

**New Business:**

- **Stream Restoration Projects.**
  - Rae Lynn H. noted that the Hearns as well as Mr. Bushfield are looking for funding for restoration projects. The first step is usually a planning grant through DNRC for preliminary engineering. Construction funding could come from a variety of sources such as DNRC and DEQ. Matching funds are usually required to complete the project. Rae Lynn will explore the possibilities for planning grants on these projects and asked if John D. could assist with the technical aspects. The grants are expected to open for applications late Fall/early Winter.
- **Bridger Plant Material Center \$35 Donation**
  - Each Conservation District in Montana is asked to provide a donation.
  - **Motion** by Gary P. to provide a \$35 donation to the BPMC. **Second** by John D.
  - **Motion** passes unanimously.
- **2023-2024 LCD Budget Amendment**
  - The mill amount was finalized by the state and provided to the county for LCD's anticipated income.
  - **Motion** by Gary P. to approve the budget amendment. **Second** by John D.

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- **Motion** passes unanimously.

**Unfinished Business**

- **Filling Supervisor Vacancy**
  - Postponed
- **Appoint CD representative to the Lincoln County Planning Department**
  - John D. volunteered to provide CD representation but noted he wouldn't be able to attend every meeting.
  - **Motion** by Gary P. to appoint John D. to represent LCD on the Lincoln County Planning Board. **Second** by Joe L.
  - **Motion** passes unanimously.

**Final Inspection Reports**

**Li-04-01-22, Miller, Lake Creek**

- Don will conduct a site visit in September.

**Li-05-03-23, Noble, Fortine Creek**

- Gary P. reported that the site was seeded with grass, however, a heavy rain event occurred and washed away the seed.
- **Motion** by John D. to have the applicant put in straw waddles on top of rip rap. It should be reseeded and covered with straw mats to protect it from rainfall in the next couple of weeks. **Second** by Gary P.
- **Motion** passes unanimously.

**Li-06-01-22, Miller, Spring Creek**

- Gary P. and Brian S. conducted the site visit. It is complete and the file can be closed.

**Li-07-05-22, Whitson, Quartz Creek**

- John D. said the project is complete and the file can be closed.

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**Open Mic and Other Business –**

Gary P. noted that Mr. Bushfield said he received a 310 permit to fix Ksanka Creek. One of the problems with the stream is that a dam was put in to keep water in the pond at the fairgrounds. Mr. Bushfield said his water rights are older than the county's water rights. LCD has no jurisdiction over water rights.

The meeting was adjourned at 5:49 p.m.

Respectfully Submitted,

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Kathleen Johnson, Chairperson

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Rae Lynn Hays, District Administrator

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