

**LINCOLN CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
North Lincoln County Annex, Eureka
October 18, 2023, 4:00 p.m.**

Attendance:

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

Absent: Joe Lewicki

Associate Supervisor(s): Wayne Maahs

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

District Administrator: Rae Lynn Hays

Administrative Assistant: Rhonda Rockwell

Guest(s): Crissy Day, NRCS; Anthony South, Yaak Valley Forest Council

Called to order: 4:05 p.m. by Chair, Kathleen Johnson

Public Comment: None

Minutes:

- September 20, 2023, regular meeting minutes
 - **Motion** by Don Crawford to approve the September 20, 2023, meeting minutes. **Second** by John DeLeo.
 - **Motion** passes unanimously.
- October 5, 2023, Special Meeting Minutes
 - **Motion** by Gary Pershall to approve October 5, 2023, Special Meeting Minutes. **Second** by John D.
 - **Motion** passes unanimously.

Financial Report:

- John DeLeo provided a treasurer's report.
- **Motion** by Gary P. to approve the September financial reports. **Second** by Don C. **Motion** passes unanimously.

NRCS Report – Brian Ressel

- Brian Ressel reported NRCS is in the middle of signups for the 2024 programs. EQIP signups begin end of October. Brian has also been working with Rae Lynn to help Glen Lake Irrigation District with funding irrigation infrastructure repairs. Since NRCS and the LCD have been busy with other projects, the Local Working Group Meeting will be held in the spring.

MTFW&P Report – Brian Stephens

- Brian S. reported that bull trout redd counts are up 57 compared to 47 last year in Graves Creek. Quartz Creek is at 29, up from 5 last year, which corresponds with the 5-year average. Fall kokanee gill net surveys are complete. The Kokanee size is status quo. Small mouth bass numbers were up in Thomson Lake and Sophie Lake.

District Administrator's Report – Rae Lynn Hays

- Volunteer hours were recorded.
- Rae Lynn H. reported the office has been relocated to the front of the Lincoln County Annex building in Door #3.
- Rae Lynn and Rhonda will be attending the AIS Partner meeting in Great Falls October 24-25.
- Rae Lynn was appointed to the Western Montana Conservation Coalition. This group was formed after the combination of UC3 and Flathead Lake Coalition. The first meeting is November 2-3 in Missoula.

Planning Board Report – Jessie Haag

No report

310's

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

- Rae Lynn explained the insurance company has hired Kimberly More of Crowley Fleck to defend the CD in the complaint filed by David Neumann. Attorney Caitlin Overland prepared a response to the complaint as well as a draft letter to the Neumann's attorney which will be shared with Ms. More. The response to the complaint is due today. Ms. More informed the insurance company that she personally knows Attorney Amy Guth. She would be asking Ms. Guth for an extension to file the response.
- Supervisors discussed customary maintenance.
- John D. discussed the Hafferman report and his experience working on other dam projects. He noted that customary maintenance of dams included resurfacing cracks but not raising the height of a dam.

Li-10-01-23, American Forest Management, Pleasant Valley Fisher River

- Don Crawford and Brian Stephens conducted the site visit with Dave Friedman. A wooden bridge with wooden supports collapsed. The applicant proposes to replace it with a poured concrete structure. There is no decking present. They plan to put in a railroad car when time permits. The stream channelized many years ago. It is straight and shallow. The stream can run heavier in the spring but was dry at the crossing site during the inspection.
- Motion by Don C. to accept Li-10-01-23 as a project and approve as presented. The 15-day wait period should be waived. Second by Gary Pershall.
- Motion passes unanimously.

Li-10-02-23, Bushfield, Tobacco River

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- This project is proposed to remove an earthen dam that was approved in an Emergency 310.
- **Motion** by Gary P. to accept Li-10-02-23 as a project, approve as submitted and waive the 15-day wait period. **Second** by Don C.
- **Motion** passes unanimously.

C-10-03-23, Bushfield, Browder, Lufholm, Mud Creek

- The site visit has not been conducted.
- **Motion** by Gary P. to postpone. **Second** by John D.
- **Motion** passes unanimously.

Li-10-04-23, South, South Fork Yaak River

- John D. and Brian Stephens conducted the site visit. Mr. South provided an amendment to the original application. He said they would be working with the contours of the bank and adding native plant material. John D. noted the bank is undercut and starting to roll over. Mr. South said they will build a shelf for it to sit upon. A probe will be used to put willows in, so they won't be digging in the area.
- **Motion** by John D. to accept Li-10-04-23 as a project, approve as submitted with the modification, and waive the 15-day wait period. **Second** by Don C.
- **Motion** passes unanimously.

Li-10-05-23, Anderson, O'Brien Creek

- John D. and Brian S. conducted the site visit. Mr. Anderson submitted a supplemental drawing. John D. noted that Mr. Anderson stacked two eco-blocks on top of each other and placed a small amount of rip rap in the area. He did not have a 310 permit to do the work. The applicant plans to use the two eco-blocks and place three 40' panels on top of them. The panels will be tack welded together to create a bridge. John D. said he was concerned about stability if O'Brien Creek roars during spring run-off. Don C. said it looked as if the blocks had been there several years. Brian S. agreed and said they were placed rather than set into the bank.
- **Motion** by John D. to declare the placement of eco-blocks and rip rap a violation. Mitigation is required. Mr. Anderson must submit a 310 application with a plan to address the violation as well as the proposed bridge. The window for in-stream work will be July 15-September 1 due to bull trout. The application must be submitted by April 1, 2024. **Second** by Don C.
- **Motion** passes unanimously.

Postponed 310's.

New Business:

- **LCD Management of AIS Stations in Eureka and Troy**
 - Rae Lynn H. informed the board that a few of the inspectors at the Troy station were hesitant to work under LCD management. A few currently receive benefits through FWP and would not want to lose them. Another factor is the current workload for LCD. Rae Lynn asked the board to consider managing the AIS Station in Eureka for 2024 but not to include the Troy station.
 - Motion by Don C. to manage the AIS station in Eureka for 2024. Second by Gary P.
 - Motion passes unanimously.
- **Resolution 23-01, A Resolution to Coordinate Reuse of used Infrastructure Materials**
 - Motion by Don C. to support the resolution. Second by Gary P.
 - Motion passes. John D. opposed.
- **Resolution 23-02, Natural Water Bodies and Land Preservation Disclosure**
 - Motion by Gary P. to support the resolution. Second by John D.
 - Motion passes unanimously.
- **Resolution 23-03, Irrigator Water Rights**
 - Motion by John D. to support the resolution. Second by Gary Pershall
 - Motion passes unanimously.
- **Resolution 23-04, Support for Removing Conservation Leasing from the BLM's Proposed Public Lands Rule BLM-1004-AE92**
 - Motion by Gary P. to support the resolution. Second by John D.
 - Motion passes. Don C. opposed.
- **Resolution 23-05, Resolution to Support the Governor's Recommendation to Exclude Grizzly Bear Encroachment into Eastern Montana**
 - Motion by Gary P. to support the resolution. No second. Motion dies.
 - Motion by Don C. to oppose the resolution. Second by John D.
 - Motion passes. Gary P. opposed.
- **Local Working Group**
 - Will be delayed until spring.

Unfinished Business

- **MACD Auction Item**
 - No action. No one is attending.
- **MACD Annual Convention Nov 14-16 Billings**

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- No action. No one is attending.
- **Filling Supervisor Vacancy**
 - No Action. The board has not received any applicants.

Final Inspection Reports

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

- Don will conduct a site visit.

Li-10-06-23, American Forest Management, Wolf Creek

- Don and Brian will conduct a site visit.

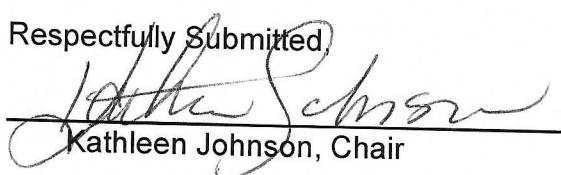
Li-02-02-23, Southern Pines Plantation, Wolf Creek

- Don and Brian will conduct a site visit.

Open Mic and Other Business –

The meeting was adjourned at 6:41 p.m.

Respectfully Submitted,



Kathleen Johnson, Chair



Rae Lynn Hays, District Administrator

Date: Nov 15, 2023