

**LINCOLN CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
Hybrid – Lincoln County Annex, Eureka/Zoom
March 20, 2024, 4:00 p.m.**

Attendance:

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

Absent:

Associate Supervisor(s): Wayne Maahs

Advisor(s): Brian Stephens, MTFWP; Brian Ressel, NRCS

District Administrator: Rae Lynn Hays

Administrative Assistant: Rhonda Rockwell

Guest(s): Chris Hindoien and Dustin Logdellan Rocky Mountain Insurance; Mark

Peterson and Joe McAfee, Glen Lake Irrigation District

Called to order: 4:00 p.m. by Kathleen Johnson, Chair

Public Comment: None

Minutes:

- February 21, 2024, regular meeting minutes
 - **Motion** by John DeLeo to approve the February 21, 2024, meeting minutes. **Second** by Don Crawford
 - **Motion** passes unanimously.

Financial Report:

- John D. presented the February 2024 treasurer's report.
- **Motion** by Joe Lewicki to approve the treasurer's report. **Second** by Don Crawford. **Motion** passes unanimously.

NRCS Report – Brian Ressel

- Brian R. reported the snowpack level is 78 percent in the Kootenai Basin. The best site within the basin is Stahl which is at 90 percent. The remainder of the state is at 60 percent. That doesn't bode well for irrigation and grazing this summer.
- NRCS would like to set a date for the Local Working Group meeting. Brian will get with Rae Lynn Hays to set a date.

MTFW&P Report – Brian Stephens

- FWP is collecting comments through the 26th on its proposals. One includes a gear restriction below Libby Dam. Regulations will be approved for two years instead of one.

District Administrator's Report – Rae Lynn Hays

- Volunteer hours were recorded.

- Rae Lynn and Rhonda attended the AIS Partner meeting remotely. The meeting was held in Helena.
- Rae Lynn and Rhonda have been working on AIS scheduling, ordering, and reviewing AIS applicants.
- Rae Lynn attended the WMCC quarterly meeting.

Planning Board Report – Jessie Haag

No report

310's

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

- Rae Lynn left another message with the attorney requesting an update.

Li-03-01-24, Burk, Sinclair Creek

Brian Stephens discussed the team report. The applicant proposes to create a new pond on a spring and pipe it over Sinclair Creek to an existing pond. The water from the spring drains into Sinclair Creek. The overflow from the existing pond would be returned to Sinclair Creek at a different location. The proposed project is complex and should include a detailed design to reduce or eliminate potential negative impacts to Sinclair Creek. The design considerations described by the landowner were generic and noted included in the written application.

Motion by Gary Pershall to accept the application as a project and deny a permit for Li-03-01-24 due to lack of detailed information. **Second** by Don C.

- **Motion** passes unanimously.

Li-03-02-24, Rusdal, Libby Creek

- Mr. Rusdal withdrew his application.
- **Motion** by Don C. to accept the application withdrawal. **Second** by John D.
- **Motion** passes unanimously.

Li-03-03-24, Lucier, Wolf Creek

- The application is a renewal to ford Wolf Creek for mining activities. The number of crossings should be limited.
- **Motion** by Don C. to accept Li-03-03-24 as a project and approve with a modification. One crossing over and back is permitted each year. Equipment must be cleaned prior to entering the stream. The permit is valid for two years. The 15-day waiting period is waived. **Second** by Joe L.
- **Motion** passes unanimously.

Li-03-04-24, Anderson, O'Brien Creek

- Brian S. and John D. conducted the onsite visit. Mr. Anderson would like to excavate material up to the streambank prior to the timeline discussed for instream work to protect migratory bull trout. The stream could be vulnerable to

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work within 10' of bank full. Supervisors expressed concern about water getting around the existing Eco blocks if material is moved behind them. The application did not have enough detail to describe how the Eco blocks would remain stable. John D. said the ground is mucky and not like the cobble in the stream. It is unknown what material is underneath the Eco blocks and the potential for them to settle or shift.

- **Motion** by Gary P. to ask DNRC about the possibility of a technical review and postpone a decision on Li-03-04-24 until more information is available to determine the impact on the stream. **Second** by John D.
- **Motion** passes unanimously.

Li-03-05-24, Caley, Tobacco River

- A site visit has not been conducted.
- **Motion** by Gary P. to accept Li-03-05-24 as a project. **Second** by Joe Lewicki.
- **Motion** passes unanimously.

Postponed 310's.

Li-02-03-24, Anderson, O'Brien Creek (Withdrawn)

- Mr. Anderson withdrew this application and submitted a new one.
- **Motion** by Gary P. to accept the withdrawn application. **Second** by Joe L.
- **Motion** passes unanimously.

New Business:

- **Personnel Policy**
 - Rae Lynn H. said they were waiting for information to address AIS employees and asked to postpone until the next meeting.
 - **Motion** by Don C. to postpone until the next meeting. **Second** by Joe L.
 - **Motion** passes.
- **Watercraft Inspection Station New Hires**
 - Rae Lynn said the committee interviewed eight candidates. The committee recommended hiring John Fetterolf as a part-time employee and Jessica Bollinger as a full-time employee for the AIS season.
 - **Motion** by Gary P. to approve the hiring recommendation. **Second** by Joe L.
 - **Motion** passes unanimously.

- **Montana Forest Landowner Conference**
 - Montana Forest Landowner Conference submitted a request for a donation.
 - **Motion** by Don C. to fund at the Silver Level of \$250. **Second** by Gary P.
 - **Motion** passes unanimously.
- **Libby Elementary School: Hooked on Fishing Program**
 - Brian S. said the Libby School is looking for funding to cover bus expenses associated with a field trip. The request is for \$400.
 - **Motion** by Gary P. to approve project funding request for \$400. **Second** by Don C.
 - **Motion** passes.
- **Glen Lake Irrigation District Dam Repair Project Funding**
 - Joe McAfee, GLID chairman, discussed the project funding request. The irrigation district serves over 300 irrigators on over 4200 acres. Glen Lake is the irrigation reservoir. This past fall, the district discovered a hole in the dam. The district ran water out of the reservoir through December to keep the water level below the dam as requested by their engineer. The hole is the size of a football. It is unknown if there is piping through the dam. A contractor will be excavating to determine the damage inside the dam. Mark Peterson, GLID member, said the district worked with their engineer as well as with Mike Hogan and other consultants to determine the best way to patch the hole. The district has received donations for the concrete patch material, as well as donated labor and some equipment. GLID would also like to add riprap to control erosion. Kathleen Johnson asked if they could gather the amount of donated labor, equipment, and supplies. Don C. said the project sounded like an emergency and asked what would be done if the project was not funded. Joe McAfee said they would have to operate with the water level below the hole in the dam. Mark Peterson said that would impact irrigation and could result in crop failure. The project funding request is up to \$10,000.
 - **Motion** by Gary P. to fund the Glen Lake Dam Repair project up to \$10,000. **Second** by Joe L.
 - **Motion** passes unanimously.
- **LCD Project Funding Form**
 - Rae Lynn asked about the functionality as well as ease of the form for project requests and if the board was in favor of using it.
 - **Motion** by Joe L. to approve the LCD Project Funding Form. **Second** by Gary P.
 - **Motion** passes unanimously.

Unfinished Business

- **Filling Supervisor Vacancy**
 - The filing period has closed for elections.
- **RMIS Workers Compensation Program Alternative**
 - Chris Hindoien explained the program and described an instance of an organization in Helena. A volunteer was hurt under the coverage of a policy like the LCD. They ended up having a \$90,000 Workers' Compensation bill. Under the proposed policy, any volunteer is covered. A couple supervisors indicated they have coverage but did not want to speak for other volunteers.
 - **Motion** by Gary P. to drop the all-volunteer endorsement and enroll in the Occupational Accident and Business Travel Policy. **Second** by Joe L.
 - **Motion** passes
- **Montana Pesticide Stewardship Partnership**
 - Rae Lynn has not been in contact with the organizers.
- **2022-2027 LCD Strategic Plan**
 - Rae Lynn H. described updates to reflect suggested changes.
 - **Motion** by Joe L. to approve the strategic plan. **Second** by Don C.
 - **Motion** passes unanimously.
- **2024 Annual Plan of Work**
 - **Motion** by Gary P. to approve the plan. **Second** by Joe L.
 - **Motion** passes unanimously.

Final Inspection Reports

- Li-04-01-22, Miller, Lake Creek – postpone until weather is better.
- Li-10-03-22, Swanson, Kootenai River – postpone until weather is better.
- Li-05-02-23, Wheeler, Tobacco River – Schedule a site visit for April 1 or 2.
- Li-10-04-22, Ness, Stewart Creek – still trying to contact.
- Li-09-01-22, Burnett, Kootenai river - postpone until weather is better.

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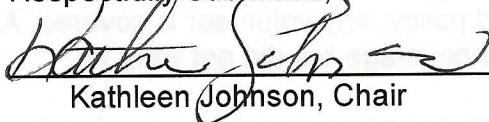
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8:00

Open Mic and Other Business –

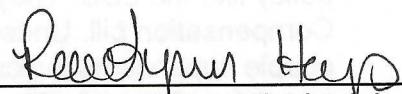
The next meeting will be in person in Eureka.

Meeting adjourned at 6:08 pm.

Respectfully Submitted,



Kathleen Johnson, Chair



Rae Lynn Hays, District Administrator

Date: 4-17-24