

**LINCOLN CONSERVATION DISTRICT
BOARD OF SUPERVISORS MEETING
North Lincoln County Annex
April 21, 2021, 4:00 p.m.**

Attendance:

Board of Supervisors: Darris Flanagan, Chairperson; Wayne Maahs, Vice-Chairperson; Laura Garner; Kathleen Johnson; Don Crawford, Mike Garner

Absent: Katrina Newton

Associate Supervisor(s):

Advisor(s): Brian Stephens, MTFW&P

District Administrator: Rae Lynn Hays

Guest(s): Commissioner Josh Letcher

Called to order: 4:06 p.m. by Chairperson, Darris Flanagan

Public Comment: None

Minutes:

- March 2021
 - **Motion** by Wayne Maahs to approve the minutes of March 2021 meeting as presented. **Second** by Mike Garner. **Motion passed.**

Financial Report:

- March 2021
 - **Motion** by Wayne Maahs to approve the March 2021 financial report as presented. **Second** by Kathleen Johnson. **Motion passed.**

NRCS Report – Brian Ressel

- No report

MTFW&P Report – Brian Stephens

- MTFW&P is continuing burbot sampling. They will be busy with gill net monitoring next month.

District Administrator’s Report – Rae Lynn Hays

- Rae Lynn will be working with Flathead and Sanders Counties to submit a 223 Grant for road signs.
- This month kicked off the LCD Pollinator Initiative. Several people have stopped in to pick up free seed.
- Governor Gianforte signed HB374 which addresses the funding shortfall from the coal severance tax.
- MACD is asking districts to consider potential projects that could be funded by HB 632 (America Rescue Plan Act)
- The NACD Wind, Water, and Wildfire Summit starts May 6.

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- Trees will be picked up on April 22 and distributed the next day at the Fairgrounds.
- Landowners have made inquiries regarding how the LCD could assist with potential restoration projects on Brimstone Creek and Meadow Creek. Rae Lynn contacted Kirk Sullivan who said he could walk them and advise the district.
- Rae Lynn and Darris attended a workshop on Ventenata. This noxious weed has been identified in southern Lincoln County and is extremely invasive. The Lincoln County Weed Board is looking for Cost Share Options for landowners.
- NRCS will be asking the district to facilitate a work meeting for prioritizing projects. Rae Lynn suggested that LCD also conduct public input meetings to determine local natural resource needs and priorities.

Planning Board Report – Laura Garner

- The planning board is looking at two minor applications. One is on Dickey Lake and one on Bull Lake. Both were approved.

310's

Li-04-01-21 – Miller, Lake Creek

- Wayne Maahs reported that debris had floated down the river causing a log jam. Mr. Miller would like to pluck some of the loose debris that is not embedded in the bank out to lower the water level.
- **Motion** by Wayne Maahs to accept Li-04-01-21 as a project and approve the application to remove debris with modifications. Modifications include the following: applicant is not permitted to remove any material anchored in the streambed. It is acceptable to remove the cedar root wad from the center of stream to rest against the east bank. The large root wad with attached truck spanning from west to east will remain in its current position. It is acceptable to remove the loose pieces of logs from the top of the jam. There should be no impact to streambanks. The 15-day waiting period is waived. **Second** by Kathleen Johnson.
- **Motion** passed

Li-04-02-21 – Cameron, Indian Creek

- Laura Garner inspected a small irrigation pond that belongs to Al Cameron. It is silted in and usually cleaned every 10 years. The project will not require any equipment near the stream.

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- **Motion** by Laura Garner to accept Li-04-02-21 as a project, approve the application as presented, and waive 15-day waiting period. **Second** by Mike Garner.
- **Motion** passed.

Li-04-03-21 – Sanders, Yaak River

- **Motion** by Wayne Maahs to accept LI-04-03-21 as a project and approve as presented for two years. **Second** by Kathleen Johnson.
- **Motion** passed.

Li-04-04-21 – Shea, Yaak River

- **Motion** by Wayne Maahs to accept Li-04-04-21 as a project and approve as presented for two years. **Second** by Kathleen Johnson.
- **Motion** passed.

C-04-05-21 – Avants, Parmenter Creek Water Users Association, Parmenter Creek

- Wayne Maahs said this is a water rights issue and falls under the jurisdiction of DNRC.
- **Motion** by Wayne Maahs to accept C-04-05-21 and declare it as no violation. **Second** by Don Crawford.
- **Motion** passed.

Li-04-06-21 – Kvapil, Libby Creek

- **Motion** by Wayne Maahs to accept application Li-04-06-21 as a project and approve as presented for two years. **Second** by Mike Garner.
- **Motion** passed.

C-04-07-21 – Crawford, Rehl, Flower Creek

- Don Crawford reported he had been in the vicinity of Flower Creek when he observed muddy water and heard equipment above his location. During the team inspection, Don, Wayne M., and Brian Stephens observed a large stack of eco-blocks footed at creek level, construction of a new bridge, as well as signs that equipment had been crossing the creek.
- **Motion** by Mike Garner to accept C-04-07-21 and declare it a violation. The applicant must present a plan with assistance from an engineer or contractor to remove the blocks, bridge, and stringers to restore the stream to its previous condition. This should be included with a 310 application that also specifies any additional work to be completed. All work must be accomplished by Oct 1, 2021. **Second** by Laura Garner.
- **Motion** passed.

Tabled 310's

Li-02-05-21 – Curtiss, Roberts Creek

- **Motion** by Don Crawford to accept Li-02-05-21 as presented. **Second** by Laura Garner.
- **Discussion:** Brian Stephens advised the board to not approve the application as it would set precedents. He noted that Mr. Curtiss planned to install a headgate. Laura Garner said the applicant cannot put a headgate in the stream. In addition, this would allow him to control all the water in Roberts Creek.
- **Motion Failed. Kathleen Johnson abstained. Darris Flangan and Don Crawford voted in favor. Opposed by Mike Garner, Laura Garner, and Wayne Maahs.**

C-03-02-21, Eaves, Yorlum, Brimstone Creek

- Don Crawford reported that in addition to the team inspection, he and Brian Stephens went out a second time with Brian Goram.
- **Motion** by Don Crawford to declare C-03-02-21 as no violation. **Second** by Mike Garner.
- **Motion passed.**

C-03-03-21, Smith, Yorlum, Brimstone Creek

- **Motion** by Mike Garner to declare C-03-03-21 as no violation. **Second** by Wayne Maahs.
- **Motion passed.**

C-03-04-21, Goram, Yorlum, Brimstone Creek

- **Motion** by Don Crawford to declare C-03-04-21 as no violation. **Second** by Mike Garner.
- **Motion passed.**

New Business:

- **MACD Dues**
 - **Motion** by Wayne Maahs to pay dues as presented. **Second** by Laura Garner.
 - **Motion passed.**
- **Montana Forest Landowner Conference**
 - **Motion** by Laura Garner to approve a Bronze Level Sponsorship. **Second** by Wayne Maahs.
 - **Motion passed**

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- **Retirement Book Donation**
 - **Motion** by Wayne Maahs to approve \$25 donation to MACD for the DNRC Retirement Book. **Second** by Mike Garner.
 - **Motion passed**
- **On-X**
 - Postpone until next meeting
- **Stream Trailer**
 - Wayne Maahs will be taking the stream trailer to the Fifth Grade Tour. He suggested Rae Lynn attend as well.
- **Letter to DNRC regarding water rights**
 - Darris Flanagan said we had received a request from Todd Butts to write a letter to DNRC in Kalispell to inquire about why they refer complaints to LCD.
 - **No motion. Motion Fails.**

Unfinished Business:

- **New Personnel Model Policy**
 - Postpone until next meeting.
- **Model 310 Enforcement Policy Documents**
 - Postpone until next meeting
- **Social Media Policy**
 - Postpone until next meeting
- **Grant Update**
 - Tobacco River – Kassler
 - Phase 1
 - Phase 2 – DEQ 319 Grant
 - Maintenance Funding – All work has been completed. Rae Lynn will be completing the final report this week.

Final Inspection Reports

- Li – 06-04-20, Schuman Crystal Creek
 - Wayne Maahs conducted the final inspection and said it is complete.

Open Mic and Other Business

None

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The next Conservation District Board Meeting will be held Wednesday, May 19, 2021 at 4:00 p.m. The meeting will be held at the Weyerhaeuser Office, 138 Pipe Creek Road, Libby, as well as conducted via Zoom to adhere to COVID19 guidelines.

Meeting adjourned at 6:05 p.m.

Respectfully Submitted,

Darris Flanagan, Chairperson

Rae Lynn Hays, District Administrator

Date: _____