



# LEWIS & CLARK CONSERVATION DISTRICT

790 Colleen Street • Helena, Montana 59601 • 449-5000 ext. 5

**Regular Meeting Minutes  
Helena Field Office  
790 Colleen Street, Helena MT  
July 11, 2019**

**Call to order** – The meeting was called to order by chairman Jeff Ryan at 8:32 a.m. In attendance were Jeff Ryan, Scott Blackman, Ron Ingersoll and Steve Granzow; also in attendance were Dustin Ramoie, David Martin, John George, Tracy Wendt, Jean Ramer and Jerry from Phillips 66 for YPL’s application, Braden Burns. Karl Christians joined the meeting at 9:02 am.

Motion by Blackman to approve minutes as sent, second by Ingersoll; motion carried.  
Motion by Granzow to approve the financial statement and to pay the bills, second by Blackman; motion carried.

### **Correspondence**

There was none except what was specific to another part of the agenda.

**Public Comment**-there was none.

### **Reports**

**NRCS** – Not much change since the last meeting. Darcy’s last day is next Friday. Nancy Sweeny is retiring at the end of August. They are obligating contracts, 7 new ones in Helena, all Forestry. There’s a CSP sign up going on right now too and the office has received a couple of applications.

**SRWG** – Tracy was present to give the report for the SRWG. They had a newsletter come out the end of June which had an article from each of the CDs. Robert Sain contacted the watershed group and asked if they might get some help for a project on the Broken O. The project includes some off-stream water, infrastructure etc. He will write up a scope of work that Tracy can take to the SRWG board. She is encouraged that he reached out to the Watershed Group about the project.

CMZ meeting/long range work group/RCPP for the Sun River was approached by MARS about CMZ and easements. Meeting is next week the 16<sup>th</sup> at 1pm at the DNRC in the Russell Room and Wendy from MARS will be talking about easements etc. and how the process works.

25<sup>th</sup> celebration and tour are coming together. They’re still looking for silent auction items and getting people to buy tickets.

Weed pull is this weekend, website upgrade is going to be good, the workplan is done and printed and ready to go out when the website is live. Dave is looking forward to getting the whole watershed board together to look at the workplan to identify areas for cooperation.

**MRCDC** – They are gearing up for the Fort Peck River Rendezvous. Jeff Ryan is probably going to drive over with John Chase. Karl is getting a van from the state for transport to that event. They met on the latest rendition of the Living on the Bank website.

**WQPD/ LHWG**—WQPD finalized their strategic plan and verified that they're looking at quantity as well as quality. The Prickly Pear Creek project will likely have a tour.

**County Floodplain**-900% uptick in permitting over that past year. He is due to issue 7 or 8 permits in the next 10 days. Jeff Ryan asked about the Claassen permit and they're waiting for a sign off from the ACOE on that one. There were 2 issues with that app, including the ACOE sign off and the encroachment analysis with Dan March. Dustin will get that encroachment analysis information to the landowner and to the CD so that we can work with Dan on the minimums that are part of the stream restoration committee goals.

There is a big fiber optic line going in near Floweree and Sierra roads. The Trap Club project got permitted and they're getting ready to do that project.

Coming up soon is the 70 acres purchased by Kim Smith west of McHugh that looks like instead of a subdivision will be a gravel pit and not only is it in the floodplain but there is concern about trucks on that road.

Evans asked if the county would have any records on the dikes and such that were put in in the Augusta area after the 1964 and 1975 floods. Dustin said that the records pre-1980 are slim and that he's not sure if there's anything around. The thought was that the county may have partnered with NRCS on an EWP project up there.

Steve asked about the new subdivision going in on Lake Helena and Canyon Ferry Road. Dustin said that their permit is almost ready to issue. They received a CLOMAR from FEMA just recently.

Dave Martin asked about the northern part of the county and if things have settled down in Augusta. He wanted to know how things were going to be dealt with after 2 years of floods. Dustin indicated that the work group that is formed will be moving forward to try to find some solutions.

### **Supervisor Reports**

Ryan spent an afternoon at Cascade CD to talk to some folks who had come together to talk about design techniques on bank stabilization. Steve Fisher from Fisher Consulting talked about riparian vegetation/buffers.

Granzow said the old Helena Sand and Gravel pit infrastructure is being moved. And that willows may be available.

Blackman said Camp Make a Dream is coming up soon.

Ingersoll-still dealing with fire run-off, 5 culverts had to be pulled again and replaced.

**Augusta Flood Workgroup**-there will be an open house on the 23<sup>rd</sup> at the Youth Center with FSA, NRCS and the CD. Some members from county departments will also be there. An invitation went out to all the landowners Evans could find addresses for, as well as everyone else on the workgroup for the first official meeting on July 30<sup>th</sup> in Augusta. Discussion will include history considerations, limitations due to environmental concerns (permitting) and expectations of the group.

### **Old Business**

MACD/SWCDMI update

Dave Martin recapped the spring board meeting for MACD. A possible silver lining is that the MACD board asked for leadership training. Laurie Zeller is going to work on that with them. We should know by the end of the year whether the organization will survive or not. There have been ongoing questions on the committees. Their Operations Committee has revamped the resolutions process. The Water Committee has a lot going on but their direction is not clear. The Education Committee doesn't have a lot going on, but Elisha Dempsey who is chair wasn't even recognized as the chair by the MACD board. It's not a great sign when the board members don't

even know each other. Regarding some questions from us, we were referred to the District Dispatch – which is unworkable because they aren’t searchable or archived anywhere that we can find, and they aren’t always sent from the same “sender”. The organization is essentially in a crisis. Dave thinks that we could send them a response regarding the strategic plan. The sense he got from them was they feel like they are entitled to dues regardless of how we feel they are functioning. The discussion on financials seems to be resolving. SWCDMI was discussed and whether CDs understand the separation in the 2 organizations. They admitted that the dues committee had been working but failed miserably. One comment during the Spring meeting was that if “big Districts” would just pay up, they wouldn’t need to restructure the dues. Our CD looks at dues as a voluntary thing; the MACD board looks at them as an entitlement. According to Monday’s conference call, they’re retracting that CDs aren’t required to pay dues for the next 3 years.

**Cost Share application**-piping water versus ditch near Keir Lane. There was discussion about the conservation benefits of the proposed project. The irrigation district has presented a letter of approval as have those receiving the water from the irrigation district. Motion by Granzow to approve, second by Blackman, motion carried.

**New Business**

Proposal to change summer meetings schedule-one meeting in each area? Revisit at next meeting.

**310 Permit Applications**

LC-18-19 YPL-Requested amendment by YPL – discussion about the request for modification and clarification of permitted modifications, specifically what “effective” means and bullet #3 about the next step being lowering. There was discussion about what “effectiveness” in the first bullet means. The discussion settled on effective meaning no exposure of the pipeline, or issues related to the concrete cap with the stream, such as creation of fish barrier, head cutting etc. Jeff asked if the cap is determined to be ineffective, what would be next? Jean said that they don’t really know. A geotechnical study may be required to determine what material is under the site. The definition of “lowering” was discussed with clarification being that to the CD, lowering in place can mean trenching or boring. Blackman said that he’s seen applications for YPL’s pipeline so many times in his 25 years on the board that he’s really tired of seeing band aid solutions every time we have high water and his concern is that there’s a potential for disaster with breach of the pipeline. Other energy companies are proactively burying crossings either trenching or boring. A site on the Yellowstone River was buried and could easily have been exposed had it not been.

Evans indicated that we had missed a few modifications at the last meeting so we need to include those in the re-issue of the permit. Modifications that the board settled on were:

1. Concrete cap is a trial to determine effectiveness (meaning no exposure of pipeline, or contribution to stream instability such as fish barrier, head cut, excessive erosion etc.)
2. Long-term monitoring needs to be done on an annual basis with the Conservation District
3. Should the pipeline become exposed, or cause stream issues in the future at this location, the permittee will conduct additional data collection which may include stream surveys and geotechnical investigations
4. This is a site-specific solution, not suitable for all pipeline sites

\*\*\*Additional modifications which were agreed to at the site visit, but were not in the previously issued permits list of modifications are:

- 5. Work must be completed between June 15 and September 31, 2019
- 6. Extend bridge riprap from downstream end of current riprap to the first “natural weir” below the proposed cap site on both sides of the channel
- 7. Notify FWP/FS 2 weeks prior to project to allow time to set up a fish salvage

Not modifications, but considerations:

- Consider a 3-foot horse shoe concrete cap rather than the proposed 2-foot cap to prevent scour potential
- Consider all alternatives at other proposed future sites, including boring, weirs etc.)
- Discussed coordinated (YPL/FS) stream surveys prior to future proposed projects.

Motion by Blackman to modify permit, second by Granzow; motion carried.

LC-28-19 Tyson-Ryan went out to the inspection-motion by Blackman to approve, second by Granzow motion carried.

**Calendar of upcoming events**

August 24-25<sup>th</sup> Anniversary Celebration of SRWG-tour (free) and BBQ Dinner Sun Canyon Lodge (\$20)

August 27/28-RCAC mtg in Helena-Requested tour of projects

September 4-5 Montana Range Tour-Harlowton hosted by Upper Musselshell & Yellowstone CDs

September 24-MACD Area 6 meeting-Ruby Valley CD

**Announcements**

**Next meeting** – August 8, 2019 Dearborn Community Center 8:30 am

**Having no further business, the meeting adjourned at 10:45 a.m. for the Local Work Group.**

**APPROVED**

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Presiding Officer	Date
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Recorder	Date
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