



**BITTERROOT CONSERVATION DISTRICT  
(BCD)  
1709 NORTH FIRST STREET  
HAMILTON, MONTANA 59840  
MINUTES  
November 12, 2024**

Board of Supervisors regular scheduled meeting, Tuesday the 12th of November 2024, called to order at 7:00 p.m., by Kent Myers, Vice Chairman.

**MEMBERS PRESENT:**

Tommy Dobberstein; Howard Eldredge; Mike Hansen; Dan Kerslake; Bob Nelson; Paul Rosenberg; Chad Sutherlin.

**MEMBERS EXCUSED:**

Jeff Mark; Todd Reagan.

**OTHERS PRESENT:**

Steve Davis, General Public; Michael Howell, Bitterroot River Protection Association (BRPA); Jason Lindstrom, MT Fish Wildlife & Parks (MFWP); Rob Livesay, Ravalli County Floodplain & Planning Department; Keith Mullan, Bitterroot Trout Unlimited (BRTU); Mark Oswald, Ravalli County Fish and Wildlife Association, (RCFWA); Julie Ralston, BCD Administrator; Randy Rose, General Public; Fred Upchurch, Ravalli County Fish and Wildlife Association (RCFWA); David Ward, Bitterroot Chapter of Trout Unlimited (BRTU).

**MINUTES:**

Rosenberg moved to approve the 29th of October 2024 meeting minutes as sent. Dobberstein seconded; motion carried.

**BUSINESS BEFORE THE BOARD**

1. Reviewed the proposed 2025 Conservation District resolutions:
  - a) Gallatin CD's proposed policy resolution to reduce the use of neonicotinoids. Rosenberg contacted Gallatin CD and presented its explanation of the resolution.
  - b) McCone CD's national resolution that encourages the National Association of Conservation Districts (NACD) to work with the Natural Resources and Conservation Service (NRCS) to return some hiring responsibilities back to individual states.
  - c) Richland CD's policy resolution to have MACD work with the Department of Natural Resources and Conservation (DNRC) on managed aquifer recharge (MAR) potential in Montana. Rosenberg contacted Richland CD and presented its explanation of the resolution.
  - d) Sheridan CD's legislative resolution to have MACD work with the Montana Department of Transportation (MDOT) and Burlington Northern Santa Fe (BNSF) Railway to address invasive species cooperation along highways and railways.

Dobberstein moved to have Rosenberg carry the BCD's vote of approval on all four proposed 2025 resolutions as presented at the MACD Annual State Business Meeting in Great Falls on Thursday the 21<sup>st</sup> of November. Kerslake seconded, motion carried.

2. Reviewed the proposed updated draft joint 310 application form. Myers asked that when the State 310 Committee meets this coming Friday (11/15/2024) have it make sure that the joint application instructions match up with the application form.
3. Ralston reported that Steve Hodgdon, Montana Conservation Corps, couldn't attend the meeting tonight and has asked that we reschedule his presentation for another time.

4. Reviewed the Western Montana Native Plant Initiative.

### **BCD COMMITTEE REPORTS**

1. Myers reported:
  - a) The Open Lands Board will meet Thursday the 21<sup>st</sup> of November to vote on a recommendation to bring before the Ravalli County Commissioners the proposed Groff Open Lands Bond application for a 21-acre park located north of the Victor Cemetery. The BCD discussed who would oversee maintaining the park. Myers reported that the Land Trust is prepared to take on the project until Victor can take over the area.
2. Rosenberg reported he talked with Dan at the Teller Wildlife Refuge today and discussed revision to the draft “No-Till Drill Memorandum of Understanding” between the BCD and Teller Wildlife Refuge. He is hoping to have a final draft copy to present at the first BCD meeting in December.

### **PARTNER REPORTS**

1. Jason Lindstrom, MFWP Fisheries Biologist reported:
  - a) Lindstrom will present a fisheries report at the Bitterroot Chapter of Trout Unlimited meeting November 21, 2024, at 7:00pm, Ravalli County Elks Club, if anyone is interested in attending.
2. Rob Livesay, Ravalli County Floodplain and Ravalli County Planning Department Manager reported:
  - a) The County has been without its internet service, making it hard to accomplish work tasks. He is hoping it will be up and running tomorrow.
  - b) He invited the BCD Board to attend the Open Lands Board meeting on the 21<sup>st</sup> of November.

### **BCD COST-SHARE/GRANT PROGRAM**

1. Reviewed Teller Wildlife Refuge’s notice of project completion for cost-share 004-2024 restoration of native plants and soil health. Discussed the fact that it will be very difficult to see the results of the project until sometime next spring.

### **NOTICES**

Reviewed:

1. Montana Department of Environmental Quality notice that all grant applicants must be registered with eMACS before submission of grant applications.
2. Montana Disaster & Emergency Services Workshop the 19<sup>th</sup> of November, 1:00-5:00 pm, Missoula County Fairgrounds. Rosenberg moved to send Hansen to this meeting. Kerslake seconded, motion carried.
3. Ravalli County floodplain permit issued to Paul and Kathleen Weitzel for fill and a landscaping berm.
4. Soil Health Symposium 2025 February 5-6, 2025, Billings, MT.

### **OLD BUSINESS**

1. 310 Application BT093-2024 William Schrock, DRTX, LLC/Skalkaho Creek-stream bank stabilization. Rosenberg tabled for further information.
2. 310 Application BT099-2024 Madlyn Moellering/Mitchell Slough-utility crossing. Kerslake moved to approve as proposed. Dobberstein seconded, motion carried.
3. 310 Application BT100-2024 Roy Fenster/Mitchell Slough-install man-made floating islands for wildlife habitat. Kerslake moved to deny because there are reasonable alternatives. Dobberstein seconded, Myers stated the applicant is going to consider a more natural approach. Livesay was asked if the applicant would need to submit a floodplain application if a more natural method was proposed? Livesay stated, yes, but he will work with the applicant on those requirements. Myers called for any further comments. Randy Rose stated he is the one that took on the Mitchell Slough access issue in 1991. Myers stated that the BCD Board isn’t going to discuss access issues tonight and will only stick within its 310 jurisdictional authority. Motion carried.
4. 310 Application BT101-2024 Roy Fenster/Mitchell Slough-fence crossings. Kerslake, Sutherlin, and Lindstrom visited the area today and discussed with the applicant that he will need to provide a map for the exact location sites of each crossing, the length, width, height, and where the posts will be placed on the banks.

Also discussed was a request that the applicant provide a reasonable alternative with less impact for flooding and erosion both upstream and downstream of each crossing. Steve Davis, General Public; Michael Howell, Bitterroot River Protection Association (BRPA); Keith Mullan, Bitterroot Trout Unlimited (BRTU); Mark Oswald, Ravalli County Fish and Wildlife Association, (RCFWA); Fred Upchurch, Ravalli County Fish and Wildlife Association (RCFWA); David Ward, Bitterroot Chapter of Trout Unlimited (BRTU) presented written and oral opposition to the proposed project. Kerslake tabled for further information.

### **OTHER OLD BUSINESS**

1. Project completion BT0074-2024 Cooper Loop Water Rights, LLC/Lost Horse Creek-replace existing irrigation structure. Mark and Lindstrom performed a follow-up inspection. Mark submitted a written statement that the project was completed as proposed. Lindstrom would like to revisit the site after highwater as some of the rip-rap used in the project wasn't very angular.

### **NEW BUSINESS**

1. 310 Application BT104-2024 Glenn Construction/West Fork Bitterroot River-remove hazardous debris. Hansen reported that he and Lindstrom met with the applicant and it was determined that the applicant would like to delay the proposed project until after highwater. The BCD Board asked if the applicant was planning on withdrawing the application? Hansen wasn't sure and was asked to contact the applicant for further clarification.
2. 310 Application BT105-2024 Brian Waits/East Fork Bitterroot River-bank stabilization. Tabled for inspection.
3. 310 Application BT106-2024 Grizzly Broadband/Ambrose, Iron Cap, Mitchell Slough, Threemile-fiber optics utility bore. Kerslake moved to approve as proposed. Rosenberg seconded; motion carried.

### **OTHER NEW BUSINESS**

1. Discussed magnet fishing and if it would be something that would fall under 310 jurisdiction. Ralston has contacted DNRC for further clarification.
2. Lindstrom reported that he has spoken with Alan Bradley, JWT concerning the 310 violation on Woodchuck Creek. JWT did not do any work on that property as it was sold earlier in the year. Bradley was not sure who currently owns the property. Kerslake stated he would contact the county and/or a Title Company to find out who currently owns the property.

### **PUBLIC OPEN MIC**

Mark Oswald thanked the BCD Board for its time.

### **DISTRICT BUSINESS**

1. Rosenberg presented the BCD September budget report. Myers moved to accept the September 2024 budget report as presented. Dobberstein seconded; motion carried.
2. Dobberstein moved to approve BCD county checks 106990-106995. Kerslake seconded, motion carried.
3. Rosenberg and Ralston will discuss the BCD county checking account with the Ravalli County Treasurer concerning its new requirement for writing checks and present the requirement at the next BCD meeting.
4. Reviewed the BCD State Fund refund of \$100.00.
5. BCD mileage reports should be turned in by the first meeting in December.
6. Local Government Services Bureau accepted the BCD's 2024 annual financial report.
7. Myers asked if it would be possible to scan and post any new 310 applications on the internet? Ralston asked where he would like to see those posted. Myers believed they should be posted on the BCD Website. There was a brief discussion that applications are currently available for review upon request.

## INCOMING CORRESPONDENCE

Available for review:

1. CD Building Blocks Workshop.
2. CD Instagram.
3. CD Nursery Order Forms.
4. MACD District Dispatch.
5. NACD District brochure template.

Myers adjourned the meeting at 8:55 pm.

The next BCD Board meeting will be held in person on Tuesday the 26th of November 2024, at 7:00 p.m.



Jeff Mark, Chairman



Julie Ralston, District Administrator

Date: 11-26-2024