

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 226
March 24, 2015

Members Present

Mayor Jamie Schell, vice-chair
David Donohue
Randall Camp (arrived at 5:40 p.m.)
Amanda Harrow
Jeff Ryan
Jennifer Lowell

Staff

Kathy Moore
Jim Wilbur
Jennifer McBroom
Jolene Helgerson
Melanie Reynolds
Norman Rostocki

Members Absent

Stan Frasier, chair
Commissioner Andy Hunthausen

Guests Present

Julie DalSoglio, EPA

Mayor Jamie Schell, vice-chair, called the 203rd meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:32 p.m. A quorum was established.

MINUTES

Mayor Schell asked if there were any corrections or additions to the minutes February 24, 2015. Mayor Schell noted requested on page 3 of the board packet in the updates and announcements COEH report adding EPA METG before City of East Helena Council. Jennifer Lowell made a motion to approve the amended minutes as written. David Donahue seconded the motion. The motion carried 5-0.

REVIEW OF AGENDA

No additions were made.

PUBLIC COMMENT

There was no public comment.

FINANCE MANAGER'S REPORT

Mr. Rostocki presented the WQPD 2015 fiscal year cash flow statement and comparison to cash flow analysis budget on pages 8-9 of the board packet. As of February 28, 2015, we are 66% through the fiscal year, beginning cash is \$101,794; total revenues received are \$200,830 or 59% amount budgeted; total expenditures are \$232,9848 or 64% amount budgeted; revenues are under expenditures by \$25,164; ending cash balance is \$69,675.

FISCAL YEAR 2016 BUDGET PROCESS & TIMELINE

Mr. Rostocki presented to the Board a draft FY 2016 budget highlighting the financial outcome of the district if they stayed at their current fee, went with a 10 percent district fee increase, or reduced

the expenditures and increase the district fee (see Attachment “A”). Mr. Rostocki noted that the district needs to reduce their expenditures to be able to stay within a 90 days reserve. Kathy Moore, Environmental Services Division Administrator, proposed reducing the rent cost by moving the WQPD out of the City-County building and into the Weed District building. This would be a savings of \$15,000. The Board requested more discussion regarding the proposal. Melanie Reynolds, Health Officer, highlighted the timeline for the budget process. The Board agreed to have a sub-committee meet at the end of April to discuss the budget. Mayor Schell agreed to be on the committee and Ms. Lowell and Ms. Howell agreed also pending work obligations.

LEGISLATIVE UPDATE

James Wilbur, Water Quality District Coordinator, highlighted the water related legislative bills:

- HB-2 General Appropriations Act
- HB-168 Define combined appropriation for exempt wells in certain cases
- HB- 613 County review of wood stove regulations
- SB- 20 Reallocate metal mines license tax
- SB- 262 Implement CSKT water rights settlement
- SB- 325 Revise process for adopting water quality regulations
- SB- 387 Revise water quality violation penalties
- SB- 389 Provide definitions for intermittent, ephemeral streams
- SJ- 2 Study state assumption of federal dredge and fill permitting
- SB – 286 Limit agency rule making if it burdens property rights

PERFORMANCE MANAGEMENT UPDATE

The Health Department staff which includes staff from the WQPD is working with Katie Loveland on developing new performance measures and work load indicators to better track measured outcomes within each program. Ms. Moore handed out the WQPD’s program logic model (see Attachment “B”) and work plan (see Attachment “C”).

UPDATES AND ANNOUNCEMENTS

Prickly Pear Creek Stream Project Update: After the request by the Department of Natural Resources and Conservation (DNRC) Water Operation Bureau for an updated floodplain map for work completed on the Prickly Pear Creek Stream Project, staff was able to get the Federal Emergency Management Agency (FEMA) to waive the application fee of \$8,000. Jeff Ryan commented that he met with Fish Wildlife and Parks (FWP) and DNRC at the request of the Montana Association and Conservation Districts to discuss the draft resolution on entering in a MOU with DNRC on stream restoration projects and/or projects that use bio-engineering techniques that they be exempt from the floodplain regulations. If not successful, then they will go before the legislature with the request for exemption. Mr. Wilbur noted that the district could bring forward an amendment to the County Floodplain Ordinance regarding engineering review of stream restoration projects.

Prickly Pear Creek Re-Watering Project: Mr. Wilbur announced that the Coca-Cola Company has not yet confirmed their 5-year funding of \$10,000 a year towards the Prickly Pear Creek Re-watering Project. It was noted that if this project is not in place, Prickly Pear Creek could dry up again. Mr. Wilbur mentioned that the district will apply to the Natural Damage Resource Program for an emergency grant. The NRD could fund \$75,000 for two years which will help with operations and the changing of water rights used in the project. Mr. Wilbur presented the Montana Snotel data for board

review (see Attachment “D”). Prickly Pear Water Association has agreed to participate with the project. FWP encourage the district to put in for a contract with Future Fisheries.

East Bend Groundwater GWIP nomination: James Swierc, hydrologist for the WQPD, stated that during discussion with the County Planning Department and DNRC regarding Emerald Ridge Subdivision water depletion, discussion was also had about the proposed Canyon Ridge Subdivision. It was recommended that the district should apply for Ground Water Investigation Program project with the Bureau of Mines and Geology regarding groundwater water availability in the area of the Canyon Ridge Subdivision and surrounding areas for future subdivisions as shown on the draft East Bench groundwater map on page 15 of the board packet. Mr. Swierc will have the application for the Board to review at the next meeting.

METG Interim Measures Work Plan comments: Mr. Wilbur highlighted the comments made by Mr. Swierc (pages 16-19 of the board packet) and made by the Department of Justice Natural Resource Damage Program (pages 20-26 of the board packet) regarding the METG Interim Measure Work Plan. Julie DalSoglio, office director for the EPA in the State of Montana, stated that METG has responded to the State of Montana comments. EPA will post their responses to the comments on their web page in a couple of weeks.

Watershed Group Activities: The Water Monitoring Program will start back up again in April. The Watershed Festival will be held on August 22nd at Women’s Park in Helena. There will be a noxious weed workshop held in May.

BOARD MEMBER DISCUSSION

Mayor Schell announced that the City of East Helena received a request to consider moving forward with connecting the Red Fox Subdivision into the city’s wastewater treatment plant. The East Helena City Council requested their wastewater engineer to provide the council with more data on how much of potential land could be developed.

Jennifer Lowell announced that Carroll College received a 3-year grant from the MJ Murdock Charitable Trust to study anti-microbial existence in the Upper Ten Mile Watershed and hopes to involve district in the study.

Ms. Moore announced that Board member Eric Regensburger has resigned from the board. The County is advertising for his position.

Randal Camp announced that the City of Helena West Side Annexation Project has hit a snag. The City Commission passed a resolution for Phase 1 of the project but is having push back from citizens regarding Phase 2 & 3 of the project.

Mr. Ryan announced that the Lewis & Clark Conservation District is assisting a land owner with a bio-engineer willow lift project on Little Prickly Pear Creek. Mr. Ryan will email the board with location and time of the project and encourages the Board to come out and watch.

The meeting adjourned at 7:20 p.m.

Jamie Schell, vice-chair