

LEWIS AND CLARK COUNTY  
WATER QUALITY PROTECTION DISTRICT  
BOARD MEETING  
Helena, MT 59601  
316 N. Park, Room 226  
April 28, 2015

Members Present

Commissioner Andy Hunthausen  
David Donohue  
Randall Camp (arrived at 5:40 p.m.)  
Amanda Harrow  
Jeff Ryan

Staff

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

Members Absent

Stan Frasier, chair  
Mayor Jamie Schell, vice-chair  
Jennifer Lowell

Guests Present

Commissioner Andy Hunthausen called the 204th 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 not established.

**REVIEW OF AGENDA**

No additions were made.

**PUBLIC COMMENT**

There was no public comment.

**FINANCE MANAGER'S REPORT**

Norman 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 March 31, 2015, we are 75% through the fiscal year, beginning cash is \$101,794; total revenues received are \$206,287 or 61% amount budgeted; total expenditures are \$258,853 or 71% amount budgeted; revenues are under expenditures by \$52,566; ending cash balance is \$49,227.

*A quorum was established at 5:34 p.m.*

**FISCAL YEAR 2016 BUDGET PROCESS**

Mr. Rostocki presented to the Board a draft FY 2016 budget highlighting the financial outcomes for the district if they stayed at their current fee, with a 10 percent district fee increase and staying in the city-county building, or with a 10 percent fee increase and moving out of the city-county building (see Attachment "A"). Mr. Rostocki noted that the district needs to reduce their expenditures to be able to stay within a 90 day reserve. To help reduce expenditures, the reduction of Jim Wilbur's FTE by 20 percent was presented to the Board as an option. Mr. Rostocki recommended to the Board that they increase their fees by 10 percent for both FY 2016 and FY 2017. Mr. Rostocki also presented

and explained the WQPD pass thru funding and expenses (see Attachment “B”). Kathy Moore, Division Administrator for the Environmental Services Division, noted that they are looking into the possibility of the WQPD creating a 501C non-profit account to accommodate the pass thru funds. The Board will review and vote on the final budget on May 26.

## **MINUTES**

Commissioner Hunthausen asked if there were any corrections or additions to the minutes March 24, 2015. Amanda Harrow noted a grammatical error on page 3 of the board packet and requested a change to the Updates and Announcements on page 3 of the packet to read Montana Association of Conservation Districts (MAoC). Ms. Harrow made a motion to approve the amended minutes as written. Randal Camp seconded the motion. The motion carried 5-0.

## **LEGISLATIVE UPDATE**

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

- HB-2 General Appropriations Act
- Passed HB-168 Define combined appropriation for exempt wells in certain cases
- Died HB-519 Generally revise exempt well laws
- Passed SB- 262 Implement CSKT water rights settlement
- Passed SJ- 2 Study state assumption of federal dredge and fill permitting
- Died SB – 286 Limit agency rule making if it burdens property rights

Commissioner Hunthausen requested an update on combined appropriation definition for exempted well changes at the next board meeting.

## **PRICKLY PEAR CREEK STREAM RESTORATION PROJECT**

Mr. Wilbur gave a presentation on the Prickly Pear Creek Stream Restoration Project. The purpose of the project is to reduce the rate of erosion to stream banks of Prickly Pear Creek (PPC) by realigning the stream channel, improve stream bank stability through vegetation transplants and planting, and improve fish habitat through vegetation enhancement and placement of large woody debris. The project will also enhance fish habitat in an unnamed spring creek tributary to improve fish passage and spawning habitat. Project activities include realignment of eroding sections of PPC and treating stream banks with juniper tree revetments, willow cuttings, root wads, and rock to reduce the rate of bank erosion and improve fish habitat. The project encompasses two landowners; a Fish, Wildlife and Parks, the new fishing access site and Peter and Kim Elliott. Approximately 2,100 feet of stream will be realigned and/or treated, with approximately 700 feet on FWP property and 1,400 feet on the Elliott property. A water gap for livestock access to Prickly Pear Creek will be installed allowing the landowner to fence his horses from the project area. Project also includes treatments on approximately 660 feet of stream on an unnamed spring creek tributary to PPC. Treatments on the spring creek include moving the confluence of the spring creek and PPC from its current site to the previous confluence further downstream; moving the spring creek away from PPC at the current confluence to prevent capture of the spring creek by PPC in the future; removing an undersized and perched culvert and replacing with a pedestrian bridge; installing grade control structures (logs) to prevent head cutting following culvert removal; and placement of appropriate size spawning gravels in selected locations. Mr. Wilbur noted that the Federal Emergency Management Agency (FEMA) is requiring the WQPD to provide them with a revision of the new PPC floodplain map. Jeff Ryan commented that a Floodplain MOU with DNRC exempting stream restoration projects and/or projects that use bio-engineering techniques from the floodplain regulations is being created. If an

MOU cannot be reached, then the next step for the Districts (MACD is to take the issue to the state legislators.

#### **UPDATES AND ANNOUNCEMENTS**

Prickly Pear Creek Re-Watering Project: Mr. Wilbur announced that the Coca-Cola Company has committed \$10,000 for FY16 towards the Prickly Pear Creek Re-watering Project. The City of Helena donated \$2,500. Staff continues to solicit donation for the remaining monies.

Raven Road Groundwater Project: James Swierc, hydrologist for the WQPD, highlighted the Raven Road Groundwater project on pages 14-38 of the board packet. Mr. Swierc stated that 9 out of the 16 wells that were studied had elevated levels of arsenic, nitrate, and/or uranium. The affected land owners were provided factsheets on how to obtain treatment for their wells.

East Bench Groundwater GWIP nomination: Mr. Swierc highlighted the Helena Valley East Bench GWIP Project Nomination package on pages 39-50 of the board packet. Mr. Swierc recommended a study to characterize available ground water resources in Tertiary strata be done for the Helena Valley East Bench area to evaluate available water supply for future growth in the area.

METG Interim Measures Work Plan Comments: Mr. Wilbur presented the Montana Environmental Trust Group custodial trust response to the comments from the Montana Department of Justice (DOJ) on the draft 2015-2016 Interim Measures Work Plan (IMWP) on pages 51-66 of the board packet.

Watershed Group Activities: Volunteers from the Water Monitoring Program are currently monitoring 10 sites. A Noxious Weed workshop will be held on May 5-6 from 5:30-7:00 pm at the Weed District.

#### **BOARD MEMBER DISCUSSION**

Mr. Ryan attended an aposium on the reclamation restoration project on the upper Clark Fork.

Commissioner Hunthausen announced there is an area of severe erosion north east of Lake Helena and wanted to know who would be involved in repairing the area. Mr. Wilbur stated it would be the county's responsibility if the erosion made its way to the county road. He also recommended that soil lift bank stabilization similar to a project constructed on the north side of Lake Helena be considered. He recommended that the county talk to Mr. Jeff Ryan of the Lewis & Conservation District before taking on this as a project.

The meeting adjourned at 7:16 p.m.

---

Commissioner Andy Hunthausen