

LEWIS AND CLARK COUNTY  
WATER QUALITY PROTECTION DISTRICT  
BOARD MEETING  
316 North Park, Room 226  
Helena, MT 59623  
February 25, 2020

Members Present

Mayor Jamie Schell, chair  
Jeff Ryan, vice-chair  
Commissioner Susan Good Geise  
Kammy Johnson (arrived at 5:33 pm,  
departed at 7:05 p.m.)  
Catherine Scott (arrived at 5:35 pm,  
departed at 7:06 p.m.)

Staff

Kathy Moore  
Jennifer McBroom  
Peter Schade  
James Swierc  
Jolene Helgerson  
Drenda Niemann

Members Absent

Stan Frasier  
Amanda Harrow  
Ryan Leland

Guests Present

Connor Mertz, Big Sky Watershed Corps  
Mikayla Moss, Big Sky Watershed Corps

Mayor Jamie Schell, chair, called the 243rd meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:31 p.m. A quorum was not established. Introduction of Board members and public were made.

*A quorum was established at 5:33p.m.*

**REVIEW OF AGENDA**

Commissioner Susan Good Geise requested that board members work with staff to discuss zoning rules, approval, and public comments. Jennifer McBroom, WQPD Program Supervisor, announced that the Citizen Requested Policy discussion would require board approval and a vote. No public comment was given.

**MINUTES**

Mayor Schell asked if there were any corrections or additions to the December 10, 2019, minutes. Mayor Schell and Catherine Scott provided grammatical changes to the minutes. Ms. Scott made a motion to approve the amended minutes as written. Kammy Johnson seconded the motion. The motion carried 5-0. No public comment was given.

**FINANCE REPORT/FISCAL YEAR 2021 UPDATE**

Ms. McBroom presented the WQPD 2020 fiscal year cash flow statement and cash flow analysis budget (see Attachment "A"). As of February 28, 2020, we are 58% through the fiscal year, beginning cash is \$189,251; total revenues received are \$254,463 or 62% amount budgeted; total expenditures are \$251,222 or 52% amount budgeted; revenues are over expenditures by \$3,241; ending cash balance is \$197,961.

Kathy Moore, Environmental Services Division Administrator, referenced the cash flow analysis along with the WQPD Financial Data FY2016-2019 sheet (see Attachment “A”) during her discussion of the upcoming FY21 budget. Ms. Moore has determined that at this time the WQPD Board should not recommend a district fee increase to the Lewis and Clark County Commission. No public comment was given.

### **EAST NORTH HILLS PRESENTATION**

James Swierc, Hydrogeologist, gave an update on the East North Hills (ENH) presentation he gave in October 2019 to the community of the ENH and surrounding area regarding potential groundwater depletion from residential growth and the response to a citizen request for the WQPD to petition the Montana Department of Natural Resources for a Controlled Groundwater Area (on pages 25-65 of the board packet). Mr. Swierc discussed water level studies, water quality, water isotopes, aquifer geology, ground water temperature and the District’s WQPD’s conclusion during his update that a controlled ground water area was not warranted at this time. In answer to a question from Commissioner Good Geise, Mr. Swierc gave further explanation of water levels, hydrographs, recharge, and static water level measurements. In answer to a question from Valerie Stacey, Mr. Swierc stated that he did not include other wells that may have been part of the 2004, 2006 and later studies because those wells only had a limited amount of data, insufficient to include seasonal trends. In answer to a question from Jeff Ryan, Mr. Swierc stated that a well’s chemistry could change over time gets older depending on the geology, and the location of the well. In answer to a question from Commissioner Good Geise, Mr. Swierc stated that appropriate acreage size was reasonable for consideration regarding future subdivision development to reduce the risk of groundwater depletion. The best way to do that would be to allow for zoning controls. After further board member discussion, no public comment was given.

### **DATA APPLICATIONS**

Due to equipment malfunction, the data application discussion will be moved to the March agenda.

### **UPDATES AND ANNOUNCEMENTS**

DEQ Comments: Peter Schade, Water Quality Specialist, presented the comments submitted by the WQPD to the Department of Environmental Quality (DEQ) Open cut Mining Section regarding the Opencut Mining Permit #3088-Valley Sand and Gravel, LLC-McHugh 2 Gravel Pit (see Attachment “B”). Mr. Schade stated that if a flood permit were required that it would likely change the design of their gravel permit. Mr. Ryan noted that if a gravel pit is not allowed the residents of that area could see further housing development that would also affect the area. Mr. Ryan suggested that having a wetland as a post-mine land use could be beneficial. No public comment was given.

PFAS Update: The National Guard has received the results of PFAS (per- and polyfluoralkyl substances) sampling results of 4 domestic wells near Fort Harrison. The results showed that the 4 wells were below the 70 parts per trillion Montana groundwater standards for PFAS. All wells sampled were also below Fort Harrison’s action level of 40 parts per trillion. Fort Harrison’s next step is to move forward with the Superfund process. The WQPD is also participating in the development of a statewide PFAS action plan, under the guidance of a DEQ-led work group by the Montana DEQ. No public comment was given.

Citizen Request: Ms. McBroom presented the Lewis and Clark County Water Quality Protection District Policy on Citizen Requested Water Resource Studies for adoption. Commissioner Good Geise made a motion to approve the Lewis and Clark County Water Quality Protection District

Policy on Citizen Requested Water Resource Studies. Ms. Johnson seconded the motion. The motion carried 5-0.

**BOARD MEMBER DISCUSSION**

Mr. Ryan shared photos of last phase of the Prickly Pear Land Trust Greenway Stream Restoration Project along Prickly Pear Creek. Mr. Ryan recommended that the Board take a tour of the restoration this summer.

Mr. Ryan also looked at a new stream restoration site along Beaver Creek by Hauser Dam. Phase one of the project will begin this summer. The Lewis and Clark Conservation District will sponsor the grant to fund the second phase of the restoration project.

Mayor Schell announced that the East Helena City Council is touring the Prickly Pear Land Trust Greenway Stream Restoration site. Mayor Schell thanked Jennifer McBroom for her WQPD presentation to the East Helena City Council.

Adam Strainer the new Helena area Montana Fish, Wildlife and Parks Fisheries Biologist gave a presentation to the East Helena City Council at their last meeting.

Ms. Moore announced that the Board of Health would adopt the revised wastewater regulations at their February 27 meeting.

There being no public comment, the meeting adjourned at 7:11 p.m.

---

Mayor Jamie Schell, Chair

Action Items from the February 25, 2020 board meeting

- The Data Application presentation by Valerie Stacey will be added to the March agenda.
- WQPD Staff will set a time for the Board to tour the Prickly Pear Land Trust Greenway Stream Restoration Project.