LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
316 North Park, Room 226
Helena, MT 59623
January 22, 2019

Members Present
Mayor Jamie Schell, vice-chair
Commissioner Andy Hunthausen (arrived @ 6:09 pm)
Randall Camp (arrived @ 5:39 pm)
Dick Sloan
Amanda Harrow
David Donohue
Jeff Ryan
Kammy Johnson (arrived @ 5:41 pm)

Staff
Kathy Moore
Jennifer McBroom
James Swierc
Pete Schade
Valerie Stacey
Jolene Helgerson

Guests Present
See Attached Sign In Sheet

Members Absent
Stan Frasier, chair

Mayor Jamie Schell, vice-chair, called the 235th 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. Introduction of Board members and the public were made.

REVIEW OF AGENDA
No changes were made. No public comment was given.

MINUTES
Mayor Schell asked if there were any corrections or additions to the December 5, 2018, minutes. No public comment was given. Amanda Harrow made a motion to approve the minutes as written. Dave Donohue seconded the motion. The motion carried 5-0.

HEALTHY TOGETHER- COMMUNITY HEALTH REPORT
Drenda Niemann, Health Officer, presented the Community Health Improvement Planning process or CHIP. Ms. Niemann announced that the Healthy Together is an ongoing partnership among agencies in Lewis and Clark County that are concerned with improving population health. Our primary goals are to produce, every 3 years, an assessment of public health needs in the county, identify priority issues, and consider strategies and resources to address them. The partnership will monitor and record progress on health improvement annually. The CHIP is an opportunity to develop a common agenda for the entire community. It will help everyone to focus energy and resources and support policies, projects, and programs that will be most effective in improving the health of the people we serve. The result of the CHIP process will be a health improvement plan that will describe how participating community organizations can work together to improve health of our population. The Healthy Together Taskforce met on January 7 for their first of four CHIP meetings. The next three meetings are scheduled for February 4, March 4 and April 1, 8 AM to noon, St. Peter's Health
Education Center. The updated CHIP report is available on the Public Health web page. No public comment was given.

2019 LEGISLATIVE SESSION UPDATE
Jennifer McBroom, WQPD Program Supervisor, gave a brief update on House Bill No 118 & Senate Bill No. 32 (see page 7 of the board packet). Mayor Schell announced that HB 118 may see opposition from municipalities as the bill would raise water connection costs by an additional $2. Those opposing the bill may present alternative connection solutions. James Swierc, WQPD Hydrogeologist, spoke briefly on the possible Department of Environmental Quality (DEQ) rule changes regarding ground water drinking standard involving manganese. Mr. Swierc and Ms. McBroom will continue to update the board on all upcoming water related bills throughout the 2019 Legislative Session.

BUDGET STATUS REPORT
Ms. McBroom, presented the WQPD 2019 fiscal year cash flow statement budget (pages 9-11 of the board packet). As of January 15, 2019, beginning cash is $133,726; total revenues received are $219,548 or 51% amount budgeted; total expenditures are $216,568 or 43% amount budgeted; revenues are over expenditures by $2,980; ending cash balance is $218,798. No public comment was given. Ms. McBroom provided further budget explanation on minor equipment and contracted services.

EXPLANATION OF DISTRICT BOUNDARY
Ms. McBroom presented an area map of 5 potential areas of expansion (Spokane Creek, Missouri River, North Missouri River, and Upper North Hills) beyond the original WQPD boundaries (see Attachment “A”). Ms. McBroom provided information on the additional miles, acreage and revenue that would be added to the district if approved. She also highlighted the additional workloads that would be required of staff and the need for board prioritization. Ms. McBroom suggested that during the next Strategic Planning Session the Board should consider whether to add expansion of the district as part of their strategic plan priorities. Further discussion was had on the possibility of combining the district expansion efforts with the Helena Valley Planning Area. Ms. Harrow requested further information in areas such as growth and development, actual location of the boundaries, cost to the district, impact on staff, potential work plans, and possible collaborations with other departments all before the upcoming strategic planning session. No public comment was given.

ASARCO EAST HELENA SMELTER RESTORATION PLAN
Ms. McBroom presented an update on the draft Montana Department of Justice, Natural Resource Damage Program (NRDP) Restoration Plan that addressed injuries to natural resources from the ASARCO East Helena Smelter (see Attachment “B”). Ms. McBroom highlighted the restoration alternatives suggested in the plan and discussed in detail the Trustees recommendation of Restoration Alternative 3. Mayor Schell announced that the NRDP would host a public meeting on January 29, at the City of East Helena Fireman’s Hall at 6 p.m. All written comments regarding the plan are due by February 11, 2019. The draft plan can be found on the Public Notice page of the City of East Helena’s website. No public comment was given. After further board member discussion, Ms. Harrow made a motion for staff to send a written letter on or before February 11, 2019, thanking the NRDP for the opportunity to comment and expressing the District’s support for money for restoration including creek restoration and rewatering of Prickly Pear Creek. Randal Camp seconded the motion. The motion carried 7-0 with Mayor Schell abstaining from the vote.
UPDATES AND ANNOUNCEMENTS

Watershed Update: Watershed Day will be held on January 28, 2019 10-2 p.m. at the Montana State Capitol Rotunda. No public comment was given.

Prickly Pear Creek Update: Ms. McBroom presented slide updates on the progress that has been made to the Prickly Pear Creek Restoration project. No public comment was given.

East North Hills Update: Ms. McBroom highlighted the progress that has been made to the East North Hills Groundwater Characterization Study from October 2018 to January 2019 (pages 15-19 of the board packet). A letter will be sent thanking the residents who have submitted data to the district. Ms. McBroom also addressed future sampling dates, district survey and upcoming spring public meetings. Mayor Schell opened the discussion for public comment.

   Val Jaffe, 2623 Tea Road- Val Jaffe noted that the fact sheet that Ms. McBroom presented did not have a date. Ms. Jaffe also noted that she has submitted names of 19 North Hills residents who have requested monitoring and along with additional information who are not being monitored. Ms. Jaffe is requesting that those 19 residents receive the fact sheet that Ms. McBroom will be sending out. Ms. McBroom confirmed that they would. Ms. Jaffe also requested clarification of the start date of the work plan, what is enough data, more interim data to show in GWIC, and when will the district revisit the initial request on the controlled groundwater area petition. Ms. McBroom stated that the August district meeting that was held in the City-County Building Commission Chambers was the start date of yearlong data collection. Ms. Jaffe discussed the work plan’s Wellntel pilot project, and the draft contract of the pilot project. Ms. Jaffe noted that cost to the residents for the Wellntel monitoring units are going up. Ms. Jaffe presented a webinar on Wellntel for the board to consider (see Attachment “C”). She also addressed her concern regarding the subdivision regulation that is miss-protecting groundwater. Ms. Jaffe recommended that the Lewis and Clark County Subdivision Review Board review the Butte Silver Bow Subdivision Regulations Impacts and Public Safety. Kathy Moore, Environmental Services Division Administrator, stated that she is meeting with the Lewis and Clark County Attorney regarding the Wellntel pilot project.

   Connie Cole, 6040 Ferry Drive- Connie Cole expressed the need for Wellntel project to move forward due to the number of subdivision development in the North Hills area and the future depletion of groundwater.

Ms. Moore stated that she would distribute to the Board the Butte Silver Bow Subdivision Regulation hand out presented by Ms. Jaffe (see Attachment “D”). Commissioner Andy Hunthausen explained the Lewis and Clark County Subdivision preliminary review process. Ms. Moore noted that the Department of Environmental Quality (DEQ) is requiring a pumping test on the Olivett Subdivision.

   Val Jaffe, 2623 Tea Road- Ms. Jaffe noted there are several pumping tests being conducted near her property. Ms. Jaffe noted that she has expressed to James Swierc of the other opportunities for well observation in the area.

Mayor Schell closed public comment.

Valley Flooding Update: Lewis and Clark County, along with the Helena Valley Flood Committee and Community Organizations Active in Disasters (COAD), will sponsor a free, three-part series of
community workshops to help residents prepare for potential flooding in the Helena Valley this spring.

- Part 1: Flooding in the Helena Valley, Jan. 24, Helena Valley. 6:30 to 8:30 p.m., Our Redeemer’s Church, 3580 N. Benton Ave.
- Part 2: Planning and Preparing for Floods, Feb. 28, 6:30 to 8:30 p.m., Our Redeemer’s Church, 3580 N. Benton Ave.
- Part 3: Hands-On Preparedness Fair, March 2, 10 a.m. to 2 p.m., location to be announced.

Ms. Moore noted that the Lewis and Clark County public information officer is drafting a flood communication plan to provide consistent messaging throughout county departments. No public comment was given.

In answer to a question from Mayor Schell, James Swierc, WQPD Hydrogeologist, stated that the irrigation line date in the graph on page 22 of the board packet is from April to October.

**BOARD MEMBER DISCUSSION**

Jeff Ryan announced that the Conservation District Newsletter showed Dick Sloan participating the recent willow cutting for the Prickly Pear Creek Project.

In answer to a question from Dave Donohue, Ms. Moore stated that the current subdivision well drilling, pumping test and data collection is not consistent. Not all subdivisions drill a well and offer a pumping test. DEQ does review GWIC data along with adjacent well data within the vicinity and looks at water quality based on samples. Private local well sampling is required. If it is a public water well, testing is required before use. Commissioner Hunthausen stated that if pump testing is required, the county does not have the authority to divert the subdivision from approval. That is a Department of Natural Resources Conservation (DNRC) or DEQ issue. Mr. Swierc stated the subdivision developers are choosing the minor subdivision process as it is an easier approval process to get through. Ms. Moore stated that to create a major subdivision, a developer would be required to provide access to either a public water supply or public wastewater system or both. Developers typically drill individual wells for larger subdivision because they do not need a water right but a groundwater certificate for the exempt. Mr. Sloan stated that this proves why a good amount of data is needed to prove groundwater availability. Mr. Sloan highlighted the Grand Vista Estates Subdivision comment letter (on page 44 of the board packet).

No public comment was given.

There being no further public comment, the meeting adjourned at 7:34 p.m.

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Mayor Jamie Schell, Vice Chair
Action Items from January 22 WQPD Meeting

- Staff will provide the board with regular legislative updates
- Staff will draft a letter of recommendation to the NRDP
- The Board will consider adding the expansion of the WQPD into their strategic planning process.