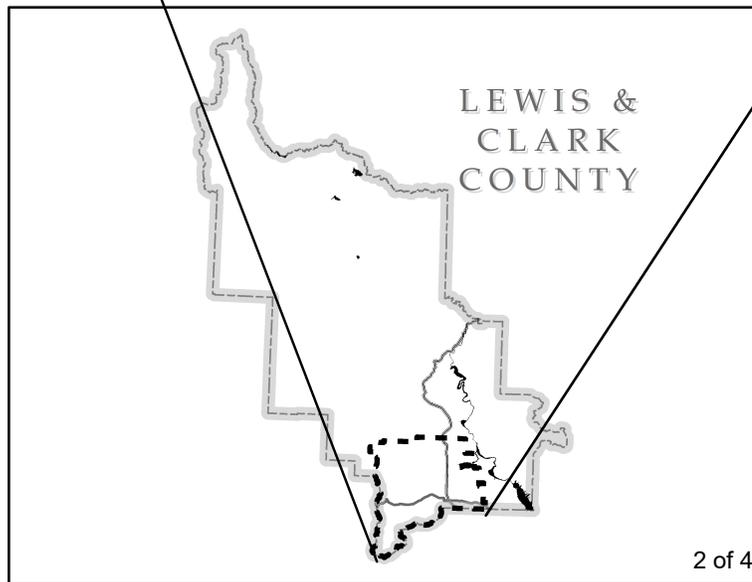
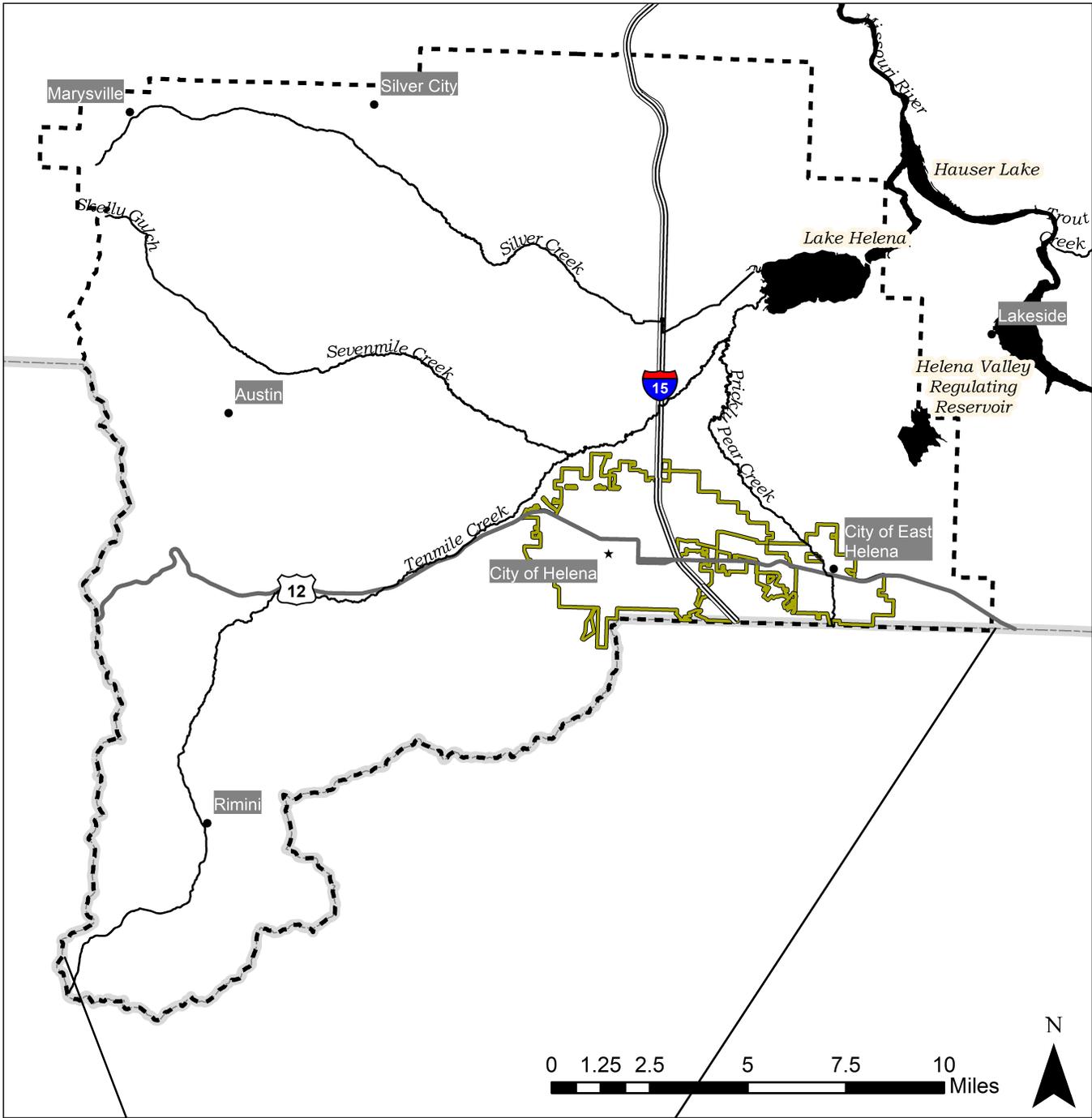




Lewis and Clark County Water Quality Protection District

Board Meeting Agenda Tuesday, March 24, 2026 4:00 pm Hybrid - In person and by Zoom

What (Content)	How (Process)	Who	Page	Time (When)
1. Call to Order & Establish Quorum –	Roll Call	Chair, Ed Kerins		4:00 p.m.
2. Review of Agenda	Present	Board	3	4:05 p.m.
3. Previous Minutes Review	Vote	Board	4	4:10 p.m.
4. Tenmile Creek Flood Zone Proposal	Present	Kegan McClanahan	8	4:15 p.m.
5. Past Business Strategic Planning - Review Process <ul style="list-style-type: none"> • Review mission, value and vision statements • 3-year strategic plan progress review • Next Steps 	Discuss	Jennifer McBroom/Drenda Niemann	20	4:30 p.m.
6. Watershed Update <ul style="list-style-type: none"> • Sunny Vista • Emerald Ridge HOA Meeting • DEQ NPS Grant Application 	Present	Staff	25	4:45 p.m.
7. Board Member Round-Robin <ul style="list-style-type: none"> • LCC Commissioner • City of Helena • City of East Helena • Board of Health • HCC • CD • Public at large – Mr. Johnson, Mr. Kerins, & Ms. Johnson 	Present/ Discuss	Board	34	5:00 p.m.
8. Public Comment	Present	Board	35	5:15 p.m.
9. Adjourn Meeting	Present	Board		5:30 p.m.



Water Quality Protection District Facts:

Total Acres: ~240,000

Total Square Miles: ~370

Miles of Stream: ~100

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

2

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Review of Agenda

PERSONNEL INVOLVED: Board Members and Staff

BACKGROUND: Time is allowed for board members to review the agenda and place any items under action or to add any new agenda items.

RECOMMENDATION: n/a

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
C. Payne						
S. Ohs-Mosley						
A. Johnson						
D. Dahl						

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

3

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Minutes of the February 24, 2026 meeting

PERSONNEL INVOLVED: Board Members

BACKGROUND: Upon agreement, the minutes represent official actions of the Water Quality Protection District. Every effort is made to have these recommended minutes accurately portray the proceedings and procedures of the board.

RECOMMENDATION: Approval

X ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
S. Ohs-Mosley						
C. Payne						
A. Johnson						
D. Dahl						

**LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING**

Hybrid – Zoom
February 24, 2026

Members Present:

Ed Kerins, Adel Johnson, Patrick Johnson, Ryan Leland, Commissioner Payne, Don Dahl

Staff & Guests Present:

Jennifer McBroom, Fred Sargeson, Drenda Niemann, Kegan McClanahan Kierstin LaRoche, Sandy Whittington

Mr. Kerins, Chair, called the 289th meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors (Board) to order at 4:00 p.m. A quorum was established. Introductions of Board members and WQPD staff were made.

REVIEW OF AGENDA

The agenda was reviewed and approved with no changes.

MINUTES

The Chair, Mr. Kerins, requested a review of the minutes, and no changes were requested.

STRATEGIC PLANNING

Ms. McBroom discussed and reviewed LCPH's current Strategic Plan and presented the timeline to create LCPH's new 3-year Strategic Plan, which will be reviewed over the next few months. The Board will discuss the current strategic plan, mission, value, and vision statements. The Strategic Plan work will pause in March but will resume starting in April along with discussion regarding the FY27 budget. LCPH's sampling and outreach will most likely not change, but the expenditures will most likely be different.

The April meeting will be longer than normal as two things need to be accomplished. Strategic Planning processes need to resume, and the FY27 budget will need to be presented and approved prior to being presented at the commission meeting in May. The Board Subcommittee would like to be involved with any budgetary processes prior to any presentations to the Board as a whole. Niva Loney from the MT Department of Health and Human Services will facilitate the April meeting. At our meeting in June, we will finalize our goals and objectives, and staff will develop activities to meet those goals and objectives and present them to the Board. The July meeting will be the start of fiscal year FY27.

Mission Statement – Ms. Johnson feels our Mission Statement is spot-on and easy to understand. Commissioner Payne was concerned about changes in water rights and if the mission statement currently reflects these changes, or if those changes need to be addressed at all. Mr. Kerins noted that “quantity” relates to availability and wants to be sure the WQPD is staying alert. Ms. Niemann noted how Commissioner Payne’s question relates to the Mission. Mr. Leland noted the mission works, and WQPD should be a resource for folks who have no water rights.

Values – Mr. Kerins noted that “ethics”, while not listed, are represented. Commissioner Payne noted that we just need to do the best we can, and if we get sued, it’s okay. Ms.

Johnson noted the word “knowledgeable” would be “scientifically based” stewardship. Commissioner Payne noted that the word “knowledgeable” is more than science because we also must deal with the values of our community. Mr. Johnson noted “knowledgeable” covers a lot and that he liked the “integrity” part and felt like the willow project showed our integrity. Mr. Kerins asked if there would be time to reflect on what is discussed today before making final decisions for the new Strategic Plan. Ms. McBroom stated that although the hope was that everyone reviewed the packet prior to today’s meeting, that yes, of course, if there are any changes to today’s discussion that needed to be made, Ms. McBroom will create a draft to review and discuss at the next two meetings in April and May.

Vision – Commissioner Payne noted that changing the statement to “Every resident will use the water responsibly and has access to sustainable and clean water” and does not think “uses the water responsibly” fits and is concerned that if there were ever a lawsuit, things could get beat up by the current wording and would like a clearer sentence. Commissioner Payne would like the statement sent out electronically via Word, so other Board members could note their comments on the statement to be discussed at the next two meetings. Commissioner Payne questioned if the Mission coordinated with the Vision because how do you fit improved water quality into it? Ms. Niemann reminded the Board of Mission/Vision statements again. Mr. Leland noted it only references residents, not the environment or animals. Ms. McBroom used the term “beneficial uses” and Mr. Leland agreed with this term. The Board continued conversation about the best way to unite the vision to include people, animals, agricultural life, and organic life. Commissioner Payne noted future Data Centers could have negative impacts on water quality and quantity. Ms. McBroom noted she will offer some revised suggestions for the Board to consider. Mr. Johnson noted Helena’s sustainable water will attract more businesses, good or bad. Commissioner Payne commented that Helena’s water rights are first and how a forest fire could damage our drinking water and the possibility of forest thinning and fire mitigation above Chesman Reservoir. Mr. Kerins noted Mr. Leland gets updates and keeps the Board abreast of happenings. Mr. Leland noted that Helena and the Forest Service have done work to thin and prevent forest fires.

Ms. McBroom gave a quick re-cap of the current strategic plan and how well it has worked. Ms. McBroom asked a few questions about the current plan - Did the plan improve? Did we complete the objections? Ms. McBroom reiterated that the Board comes up with the goals and objectives; staff comes up with activities to meet those goals and objectives, then it is presented quarterly. If there are any questions or concerns about meeting those goals and objectives, that is the time to bring them up. Ms. McBroom is looking to see what can carry over to the new plan and anything new that can be added. Mr. Kerins noted the review was helpful to see where we hit the mark or missed. He appreciated the review but would like more time to reflect. Ms. Johnson noted the MS4 permit and asked if there is anything that can be done to help. Mr. Leland said he will need time to figure that out. Ms. Niemann noted WQPD could support the county for sure and prompted the Board to think about MS4 participation.

RE-WATERING PROJECT

This is a past business follow-up. The rewatering project is a \$125,000 contract that we entered with the National Resource Damage Program. The Prickly Pear Project costs \$13,500 to run. We have sent the NRD an invoice and report in the amount of 4,929.00 and an invoice and report in the amount of \$8,571.00 sent to Bonneville Environmental Foundation, our other financial source. Commissioner Payne questioned who carries the liability insurance for the rewatering program. Ms. Niemann stated that the insurance is

through Lewis & Clark County and that the WQPD is not defined as a special district in law, it has its' own designation in law. Commissioner Payne would like Ms. McBroom or Ms. Niemann to call Nicho Hash at the County Attorney's office to investigate insurance coverage further.

BOARD MEMBER ROUND-ROBIN

- LCC Commissioner Payne – noted her concern about the insurance. Ms. Niemann noted she is positive that the WQPD is absolutely covered by the county's liability insurance through MACO and will confirm this with Marnie and Nicho.
- City of Helena – Spring run-off has begun – opened bids for wells to develop water reservations – bids came in at 2.6 million which was less than the 4 million predicted – high levels of water main breaks – Mr. McClanhan asked if we receive calls about water main breaks, who can we refer them to, Mr. Leland stated to send them to water quality or utility maintenance building
- City of East Helena – upgrading sewer plant lagoon liner, it has reached the end of its life and its capacity – it is over 25 years old. The Prickly Pear Subdivision is proposing 365 houses on the planning board on the 19th, usually 50-60 a year per phase, so probably about a 5-year plan
- Board of Health – Ms. Niemann noted BOH has been working on creating their own strategic plan which should be coming out in April. It will be shared with the district.
- HCC-Upcoming year priorities at next meeting
- CD-Mr. Sargeson noted there is a site visit tomorrow, 2/25 on the RV Ranch permit to approve or make modifications/changes to their plan. A new policy has been developed to remove participants at meetings who are disruptive and unruly. Mr. Sargeson was given a report regarding the nitrates that are being investigated around Head Lane.
- Public at large – Mr. Johnson, Mr. Kerins, & Ms. Johnson – Mr. Kerins noted the wells at the Grandview Drive subdivision went dry. None of the residents had applied for water rights, so are in the process of doing so now. The residents are not happy with the cost at the DNRC to file for water rights.

PUBLIC COMMENT

There was no public comment.

Next meeting will be March 24, 2026, at 4:00 p.m.

There being no public comment; the meeting was adjourned at 5:03.

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

4

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Tenmile Creek Flood Zone Proposal

PERSONNEL INVOLVED: Mr. Kegan McClanahan

BACKGROUND: Tenmile Creek

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
A. Johnson						
C. Payne						
D. Dahl						
S. Ohs-Mosley						

Project Proposal

Project Title:	Tenmile Creek Flood Zone
Point of Contact:	Kegan McClanahan and Kierstin LaRoche
Start and End Dates:	April – May 2026
Funding Requested:	\$11,500 (Growth and Development + MS4)
Project Approved:	Yes

Project Details

Background:	<p style="text-align: center;">Summary</p> <p>The proposed project includes a three-pronged approach in the Tenmile Creek and Silver Creek flood zones:</p> <ul style="list-style-type: none">(1) investigate groundwater quality impacts in the Tenmile Creek and Silver Creek flood zones,(2) assess current levels of impairment along Tenmile and Silver based on the 2006 TMDL (Total Maximum Daily Load) study, and(3) assess water quality impacts to surface water and groundwater in relation to the county’s upcoming Phase II MS4 (Municipal Separate Storm Sewer System) permit. <p>The water quality parameters will therefore be a combination of all three approaches.</p> <p style="text-align: center;">Hydrologic Background</p> <p>Tenmile Creek (TMC) is the second largest stream, by recharge area, in the Lake Helena watershed. Measured from the confluence with Prickly Pear Creek, TMC has a recharge area of 190 square miles. The recharge area is located west-southwest of Helena and includes the northern margin of the Boulder Batholith volcanics, which are known to contain naturally high levels of heavy metals and radionuclides (e.g. uranium and radon). Before reaching the Helena Valley, TMC flows through the town of Rimini, an area of extensive historical mining activity dating back to the 1800’s. Due to the extensive mining, TMC became contaminated with heavy metals and was designated an EPA Superfund Cleanup Site in 1999 (U.S. EPA, 2002). These metals include arsenic, cadmium, chromium, copper, iron, lead, manganese, and zinc.</p>
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Silver Creek (SC) is the smallest of the four main tributaries, with respect to recharge area. SC has a recharge area of approximately 47 square miles. This is an approximation as the stream channel is fragmented in the Helena Valley due to residential development. Under baseflow conditions, SC does not carry enough flow into the Helena Valley to reach Lake Helena due to a combination of irrigation withdrawals and the underlying valley-fill aquifer promoting infiltration of surface water. The intermittent nature of SC therefore rarely sees water flowing far enough into the Helena Valley to cause concern or damage due to flooding. On the rare occasions that SC does flood, its proximity to residential developments leads to a greater risk of damage to property and human lives.

During periods of heavy precipitation and snowmelt, typically in the late spring, TMC and SC can receive sufficient recharge to overflow their banks and flood low lying areas of the Helena Valley. TMC typically breaches its banks at the Green Meadow Drive bridge (Figure 1) and follows paleochannels north of the modern-day stream channel. SC will breach its banks just east of Green Meadow Drive as well and spreads throughout residential areas until it encounters the D2 drain further to the east. Extensive work has been undertaken by Lewis and Clark County Public Works to mitigate flood impacts primarily through increasing drainage capacity. During periods of flooding, contaminants in the surface water can infiltrate into the ground in the inundated areas and introduce contaminants into the local groundwater.

As TMC and SC enter the Helena Valley, they encounter the valley fill aquifer that underlies the central Helena Valley. This aquifer is the primary source of drinking water for residents in the LCCWQPD. The valley-fill aquifer is a complex sequence of Quaternary age (<2.6Ma) cobbles, gravels, and sands with interlayered clays (Briar and Madison, 1992). Moreland and Leonard (1980) demonstrated that the fine-grained lenses that show lower hydraulic conductivity are laterally discontinuous to the point that the coarse-grained materials are hydraulically interconnected and thus act as a single aquifer body. Briar and Madison (1992) estimated the horizontal hydraulic conductivity is approximately 200 feet per day. The surface water that TMC and SC bring into the Helena Valley infiltrates into the groundwater aquifer that is used by residents in the Helena Valley. Contaminants in the surface water can be introduced into the valley-fill aquifer and impact the water quality of residential potable water wells.

TMDL

In addition to contaminants being introduced into the valley-fill aquifer from streams, they can also be introduced from anthropogenic activities in and around the Helena Valley (mining, farming, septic systems, lawncare chemicals, etc.). In 2006, a TMDL study concluded that TMC and SC were impaired water bodies (i.e. elevated levels of contaminants were degrading the water quality beyond acceptable levels). TMC was found to be impaired for arsenic, cadmium, copper, lead, zinc, sediment, nitrogen, and phosphorus. SC was found to be impaired for arsenic and mercury (mercury will not be investigated during this project due to the logistics and complexities of collecting field samples).

Additionally, the Helena Valley Irrigation District (HVID) canal crosses through the TMC and SC flood zones. Past studies have shown that the HVID canal contains elevated levels of arsenic from the Missouri River (Tuck, 2000).

In addition to these contaminants posing a health risk to residents through groundwater contamination, the contaminants can impact the water quality of Lake Helena, and the Missouri River further downstream. A common concern in the area is harmful algal blooms due to excess nutrient inputs into Lake Helena.

MS4

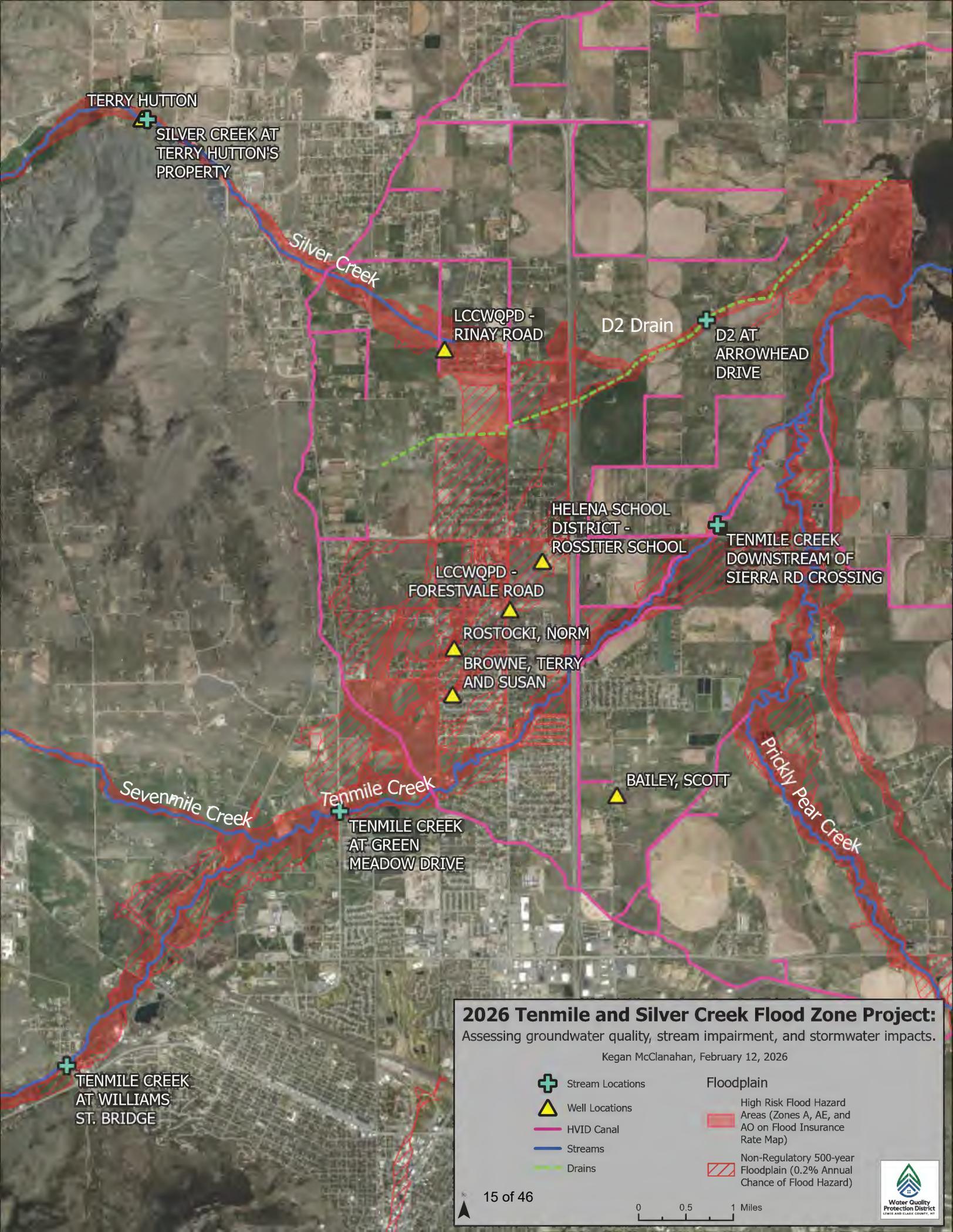
Lewis and Clark County's population has exceeded the threshold for urban areas with a population of at least 50,000 under the Clean Water Act's Municipal Separate Storm Sewer System (MS4) Phase II rule. Under this rule, smaller municipalities and construction activities must monitor stormwater impacts to local surface water bodies. Stormwater can mobilize contaminants in streets, lawns, and from rooftops into local streams. These contaminants include anthropogenic sources such as oil and grease from vehicles but also sediment from construction activities. This study will study these potential impacts prior to the activation of Lewis and Clark County's permit being activated in 2027.

To assess the flood impacts, TMDL impairment levels, and MS4 impacts, this study will collect aquifer-representative groundwater samples from multiple wells in the TMC and SC flood zones to characterize the wide range of contaminants including nutrients, fluoride, and heavy metals. Surface water samples will be collected longitudinally along TMC and SC to characterize spatial water quality changes. Additionally, nitrate isotopes will be collected to identify the source(s) of nitrates in the groundwater and surface water.

	<p>These data, conclusions, and recommendations will then be shared with the local residents to help them understand their water quality.</p> <p>References:</p> <p>Briar, D.W., and Madison, J.P., 1992, Hydrogeology of the Helena valley-fill aquifer system, west-central Montana: U.S. Geological Survey Water Resources Investigations Report 92-4023, 92 p.</p> <p>Moreland, J.A., and Leonard, R.B., 1980, Evaluation of shallow aquifers in the Helena Valley, Lewis and Clark County, Montana, United States Geological Survey Water-Resources Investigations open-file report 80-1102, 24p.</p> <p>Tuck, L.K., 2001, Reconnaissance of arsenic in surface and groundwater along the Madison and Upper Missouri Rivers, southwestern and west-central Montana, United States Geological Survey Water Resources Investigations Report 00-4028, 79p.</p> <p>U.S. EPA, 2002, Upper Tenmile Creek mining area site, Lewis and Clark County, Montana: Record of Decision, Helena, Montana, 1083155-R8 SDMS.</p>
Location:	Tenmile Creek and Silver Creek flood zones
Objectives:	<p>Answer the following research questions:</p> <ol style="list-style-type: none"> 1. What, if any, contaminants are present at elevated levels in the valley-fill aquifer of the Tenmile Creek and Silver Creek flood zones and how do the contaminants vary spatially? 2. If nitrate is present above background levels, how do the sources of nitrate vary spatially? 3. What are the current levels of impairment along Tenmile Creek and Silver Creek in relation to the 2006 TMDL study? 4. At what level are stormwater contaminants present in Tenmile Creek and within the flood zones of Tenmile Creek and Silver Creek?
Proposed Activities:	Collect aquifer-representative samples from wells in the Tenmile Creek and Silver Creek flood zones for nutrients, fluoride, metals, and nitrate stable isotopes. Additionally, synoptic samples will be collected along the reach of Tenmile Creek from Williams Street to Sierra Road and the

	reach of Silver Creek from Terry Hutton’s property (formerly known as the Smelko Property) to the D2 drain.
WQPD Strategic Plan Alignment	<p>Goal 2: Design and implement projects that protect and improve water quality and water quantity</p> <ul style="list-style-type: none"> • Objective 2.2 • As new homes are developed in the TMC flood zone, current and future residents need to understand the potential contaminants in the groundwater. • The TMDL’s for Tenmile Creek and Silver Creek were developed in 2006. This project will yield an assessment of the current impairments along both streams. <p>Goal 3: Inform public policies for the management of water quality and quantity.</p> <ul style="list-style-type: none"> • Objective 3.1 • Continued growth in the Helena Valley is driving higher density residential development. As the development continues to spread, more wells and septic systems will be installed in the flood zones leading to more sources of groundwater contamination. • As the county begins the permitting process for the Phase II MS4 program, understanding stormwater impacts to the local water bodies will help inform our contamination sources and pathways. • The findings will be shared with the public and with the Lewis and Clark County Planning Department to help guide future zoning and growth policies. • The findings will also be used to inform future outreach and education initiatives by the WQPD and by the county’s MS4 program.
Expected Outcomes:	Assessment of surface water and groundwater contamination and sources of nitrate in the flood zones.
Estimated Budget Breakdown:	<p>Personnel:</p> <ul style="list-style-type: none"> • work will be conducted as part of the standard 40-hour work week. • No additional personnel time will be allotted for this project. <p>Equipment, Supplies, and Sampling: see attached budget</p>
Timeline:	<ul style="list-style-type: none"> • April/May 2026 – conduct groundwater and surface water sampling

Proposed Partners:	None
Deliverables:	<ul style="list-style-type: none"> • Technical report • 1-page summary (for public distribution and quarterly report) • Public meeting • Online Storymap
Attached Documents:	<p>Attachment 1: Site Map Attachment 2: Proposed Budget Attachment 3: Alpine Analytical Lab quotes for sampling Attachment 4: Isotech nitrate isotope quote</p>



2026 Tenmile and Silver Creek Flood Zone Project:

Assessing groundwater quality, stream impairment, and stormwater impacts.

Kegan McClanahan, February 12, 2026

 Stream Locations

 Well Locations

 HVID Canal

 Streams

 Drains

Floodplain

 High Risk Flood Hazard Areas (Zones A, AE, and AO on Flood Insurance Rate Map)

 Non-Regulatory 500-year Floodplain (0.2% Annual Chance of Flood Hazard)

2026 Tenmile Creek Flood Zone Project Proposed Budget

Budget Sources

Growth and Development Sampling	\$8,500
MS4 Sampling	\$3,000
Total:	\$11,500

		Number of Sites	Price per Sample Set	Cost
Groundwater sites	Environmental samples	8	\$310.00	\$2,480.00
	Field blank	1	\$310.00	\$310.00
	Field Duplicate	1	\$310.00	\$310.00
	NO3 Isotopes	8	\$392.00	\$3,136.00
				Sub total:

Surface Water	Environmental samples	5	\$405.00	\$2,025.00
	Field blank	1	\$405.00	\$405.00
	Field Duplicate	1	\$405.00	\$405.00
	NO3 Isotopes	5	\$392.00	\$1,960.00
				Sub total:

Total:	\$11,031.00
Budget:	\$11,500.00
% of Percent:	95.9%



1315 Cherry, Helena, MT 59601
(406)449-6282

<u>Groundwater Quote</u>	<u>Price</u>
DW 151	\$200.00
Chemical Oxygen Demand	\$35.00
Total Kjeldahl Nitrogen (TKN)	\$40.00
Tkn + Nn = Total Nitrogen as N	Calc
Total Phosphorus as P	\$35.00
Cost is Per Sample	\$310.00

www.alpineanalytical.com



1315 Cherry, Helena, MT 59601
(406)449-6282

Surface Water

Price

DW 151	\$200.00
Chemical Oxygen Demand	\$35.00
Total Kjeldahl Nitrogen (TKN)	\$40.00
Tkn + Nn = Total Nitrogen as N	Calc
Total Phosphorus as P	\$35.00
Total Suspended Solids	\$20.00
Oil & Grease	\$75.00
Cost is Per Sample	\$405.00

www.alpineanalytical.com

Price Quote - Standard TAT

February 5, 2026

Project: Nitrate Water Analysis
Quote Number: 01292026-01
Isotech Job: TBD

Prepared for:
Kegan McClanahan
Water Quality Protection District
Hydrogeologist
1930 9th Avenue
Helena, MT 59601
Phone: 406-457-8927
KMcClanahan@lccountyml.gov

Prepared by:
Aidee Steele
Stratum Reservoir (Isotech), LLC
aidee.steele@stratumreservoir.com

Description	Unit	Currency	Retail Unit Cost	Estimated Quantity	Cost
Isotopes of Dissolved Nitrate (1 L of sample required, field filtered, must be shipped on ice or frozen - no preservative) ¹⁵ N/ ¹⁴ N and ¹⁸ O/ ¹⁶ O analysis of dissolved nitrate	per sample	USD	\$392.00	1	\$ 392.00
Total Estimated Amount					\$ 392.00

- Notes: 1. Shipping/Customs related charges will be added to the total invoice amount, if such charges are paid by Isotech.
2. Final invoice will only be for analyses completed.
3. A fee of 5% will be applied to the final invoice for payments made via credit card.

Prices valid through December 31, 2026.

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

5

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Past Business – Strategic Planning Review Process

PERSONNEL INVOLVED: Ms. McBroom and Ms. Neimann

BACKGROUND: Business discussed at previous board meetings

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
S. Ohs-Mosley						
C. Payne						
A. Johnson						
D. Dahl						

WQPD Strategic Plan

Evaluation

The Strategic Plan, is our road map for protecting water quality, guiding our resources and serving our community. As we look ahead to the next several years, this is an opportunity to reflect on what we've accomplished and intentionally decide where we are going or would like to go next.

Evaluating/Assessing how our current strategic plan performed – what worked, what didn't, and what we learned.

These are the questions to consider when evaluating the existing goals and objectives.

Overall:

What has our current strategic plan helped us achieve.

Where do we see opportunities to strengthen our impact?

Did this plan improve water quality

Did it strengthen partnerships

Any questions on specific items?

Relevance:

Are these goals still aligned with our mission?

Do these goals still address today's challenges?

Are these goals still a priority?

Effectiveness:

Did we make measurable progress.

Where do we see opportunities to strengthen our impact. Also consider this when developing the new plan.

Are there any goals or objectives that you see for the next strategic plan.

.

Mission, Vision and Values

1. Mission Statement (Why we exist – What we do, for whom and why)–

Current Mission Statement - To preserve, protect, and improve water quality and quantity within District boundaries.

Comments from the board:

Hits the target right on. It is easy to understand.

It takes right from our charter.

Concerned about major decision on water rights who can own them and who can't. Do we use water right information to talk to our legislation. So it doesn't have unintended consequences.

Response- We are cognizant of the issues.

Question - Is the mission too restrictive or does it allow the WQPD to work in the water right area. If the board has a desire to engage in this, the development of the goals and objectives is the opportunity to address this.

Response – The mission statement includes water rights. The WQPD does have to be a resource for those that are seeing issues with quality and quantity.

Response – The WQPD has no control over water rights. Rewatering project provides water to irrigators.

Question – Is the WQPD a resource, does it educate, and work in those areas that may have water availability issues? Are these concerns allowed under our current mission statement?

Reply – Board replies Yes.

2. Value statement (How do we operate – principles that guide behavior and decisions)

Current Value Statement – We strive for competent, knowledgeable stewardship of the environment.

We practice transparent and accountable service.

We maintain a culture of leadership, service, commitment, and integrity.

We collaborate with partners, customers, and our community to preserve, protect, and improve water resources.

Comments from the board:

Response - Ethics is not dealt with here.

Response - First one is a little bit dangerous – Not being good stewards of the environment the state can be sued. Opinion of the word environment can be two very different things. Make sure we don't try to enforce regulations we are not responsible for.

Response – The values are really important and if ever sued we will contact our county lawyer.

Response – Knowledgeable stands out in the first statement. It is scientifically based stewardship. Based on science.

Response – Knowledgeable is more all encompassing than science. We also have to deal with the values of our community. It is a good statement.

Response – Knowledgeable includes science, history, and regulations.

Response – It includes federal law. We need to abide by them.

Response – Integrity statement is liked. Gave the example of Grizzly Gulch.

Response – We can circle back and make sure that the board agrees on the statements after the discussion.

3. Vision Statement (This is where we're going – the desired future condition – in a perfect world)–

Current Vision Statement - Every resident has access to sustainable and clean water and uses the water responsibly.

Definition of Sustainable – managing water resources to meet current needs. The availability of water for human consumption and use in agriculture and industrial processes.

Definition of Beneficial uses include agriculture, aquatic life support, drinking water and recreation.

Concern – If statement is agreed upon, look at the syntax. The vision part is not clear. Does the mission coordinate with the vision?

Concern – Are we worried about just the residents? What about the natural environment and recreation.

Concern – Concerns about data centers – Look at

Several options to consider after comments from the board:

Option 1 – The current one - Every resident has access to sustainable and clean water and uses the water responsibly.

Option 2 - Clean, sustainable water is available to all, and the water is used responsibly.

Option 3 – Clean, sustainable water is available for every resident, aquatic life, agriculture and our community uses it responsibly.

Option 4 – Clean, sustainable water is available to support all beneficial uses, and our community uses (their) water responsibly.

Option 5 – Another option suggested

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

6

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Watershed Update

PERSONNEL INVOLVED: Staff

BACKGROUND: Watershed project

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
C. Payne						
A. Johnson						
D. Dahl						
S. Ohs-Mosely						



Site Investigation Report

Date of report: 03/12/2026

Investigation Date Range: 11/10/2025 –

Address/Location: Sunny Vista Road (off Head Lane, north of Fort Harrison)

Property Owner: Multiple properties

GWIC ID (if applicable): _____

WQPD Contact: Jennifer McBroom, Supervisor

SITE OVERVIEW

Mr. Don Clark, former wastewater superintendent with the City of Helena, reached out to the WQPD with concerns of elevated nitrates in his well water. After meeting with Mr. Clark, the WQPD was introduced to several residents along Sunny Vista Road who share his concerns of high nitrates. At least one resident’s nitrate levels are above the safe drinking water limit with 12.9mg/L NO₃ + NO₂, as N.

One resident was also concerned about the number of livestock on certain properties in the area. Local zoning laws allow for 4 grazing animals on each 10-acre lot, but some properties were observed to exceed this limit. The resident filed a complaint with the Community Development and Planning Department (CDP). CDP is currently reviewing the complaint.

The Sunny Vista Road area lies along the southern margin of the Scratchgravel Hills volcanics (Figure 1). Groundwater moves through the bedrock using fractures and faults. These pathways allow for rapid movement of water with likely little natural filtration compared to the central valley-fill aquifer. This could allow contaminants, like nitrate, to enter the groundwater and migrate through the aquifer.



2026 Nonpoint Source Pollution Reduction Application - Capacity Building/Education Outreach Projects

General Information

Project Name

Applicant Name

Is your organization registered with the Montana Secretary of State?

Explanation: Each applicant must be registered with the Montana Secretary of State to do business in the state of Montana. Registration with the Secretary of State may be completed via the following website: <https://sosmt.gov/business/>

Is your organization registered with the federal System for Award Management (SAM)?

Explanation: Each applicant is required to register with SAM. To register or check your organization's status, go to <https://sam.gov/content/home>. If you get an "Unsupported Browser" error, copy, and paste the link into a Google Chrome browser window.

Your organization's Unique Entity Identifier number (UEI #)

Explanation: Each applicant is required to have a current UEI number. The UEI number replaces the old DUNS number. If your organization had a DUNS number, you should have received a notification from the federal government indicating that your DUNS number has been changed to a UEI number. If you did not receive this notification, or if you never had a DUNS number, you will need to go to the federal government's System for Award Management (SAM - <https://sam.gov/content/home>) to obtain your UEI number. DEQ recommends starting this process early as it is very time-consuming, requires providing documentation-sometimes with follow-up requests for additional information, and can take up to 2 months to complete. If you need assistance, you may contact the federal help desk at 866-606-8220 Monday-Friday 8:00 a.m. through 8:00 p.m. EST.

Does your organization have adequate liability insurance for the risks associated with your project?

Explanation: Each applicant must have or obtain liability insurance coverage meeting the requirements stated in the Draft Sample Contract and/or requirements negotiated based on the appropriate level of risk associated with the project.

Primary Contact Title

Address City State Zip Code

Phone Number Email

Signature

Explanation: This is the person who DEQ would routinely contact to discuss project progress, billing, etc.

Signatory Title

Address City State Zip Code

Phone Number Email

Signature

Explanation: This is the person who can legally sign contracts and other binding documents on behalf of the applicant (e.g., a board chair)

Note: The primary contact and the signatory must both sign the application. Signatures must be either signed electronically, or wet-signed, scanned and emailed.

Project Form

Project Type

Is this a Capacity Building Project, or is it an Education and Outreach Project?

Capacity Building Project

Explanation: DEQ supports education and outreach efforts that focus on changes in behavior that will prevent or reduce nonpoint source pollution. Our goal is to encourage adoption of Community Based Social Marketing concepts to produce measurable, sustainable change. We also want to support activities that improve local capacity to develop and implement on-the-ground projects to prevent or reduce nonpoint source pollution. In so doing, we are making a distinction between capacity building projects, and education and outreach projects. The selection you make above will be used to determine which questions on the Scoring Sheet reviewers will use to evaluate your project.

Required Attachments in Addition to This Form

- Letter of support or from each organization critical to the project (*if applicable*)
- Letter of support from each landowner associated with any on-the-ground component of the project (*if applicable*)
- Budget Table (see Microsoft Excel Template)

Activity Location

List the watershed(s) where your proposed work will happen.

Lake Helena Watershed Group

Activity Description

Describe your project goals, proposed activities and how the project will make progress towards addressing nonpoint source pollution. Explain why the proposed work is an appropriate next step towards preventing or reducing nonpoint source pollution.

The Lake Helena Watershed Group has a mission for “Improving the health of our watershed to benefit our communities and increase the enjoyment of our resources.” They accomplish that by working as an interdisciplinary and invested volunteer board working in four main goals connected to water availability, water quality, land use, and watershed health. The Water Quality Protection District (WQPD) is a team at Lewis and Clark Public Health (LCPH) who provides fiscal responsibilities for the Lake Helena Watershed Group and helps coordinate and collaborate on projects and goals. LCPH will be the grant recipient. Water Restoration Plans (WRPs) are essential tools for improving water quality by guiding local investment toward data-driven, high-priority actions that address nonpoint source pollution. The WQPD and the Lake Helena Watershed Group implemented a WRP from 2016–2023. Much of the data is more than ten years old, projects have been completed, and priorities have changed, therefore making this plan outdated and not reflective of current conditions and unusable for the group. A new plan will incorporate current data, strategically align with current watershed conditions, engage new stakeholders, reinvigorate current partners, and incorporate projects such as ones for HABs. A new plan is needed for the group to move forward on projects for biggest impact to the watershed.

The project goal is to have an updated WRP that outlines a clear, collaborative, and data-driven roadmap for preventing or reducing nonpoint source pollution. A successful WRP can provide multiple co-benefits, including reduced land loss, enhanced wildlife habitat, increased crop and forage productivity, and expanded recreational opportunities.

The updated WRP will incorporate current data, document progress made to date, engage stakeholders for input, and establish new priorities. Approach and Work Plan will follow these steps: 1. Project and Data Review. 2. Assessment of Assessment of Changes and Challenges. 3. Stakeholder Engagement. 4. Project Prioritization. 5. Plan Development and Review.

Budget Form

Please fill out the Capacity Building and/or Education Outreach Project Budget Template (Excel file). Cells highlighted in yellow may be edited to fit the needs of your particular project. DEQ uses a template to construct nonpoint source grant contracts. The Budget Template contains tasks and typical deliverables that match up with the grant contract template. Please see the Example Contract and Scope of Work template for a more detailed look at typical task requirements and deliverables.

Capacity Building Projects

(only complete this page if you selected "Capacity Building Project" on the top of page 2; otherwise, leave this page blank)

Need and Opportunity

Describe your organization's need for increased capacity, and how the proposed project activities will help you meet those needs. Describe the local interest and opportunities for using the capacity you create to prevent or reduce nonpoint source pollution.

Over 70,000 people live in Lake Helena watershed in a basin that ranges from the top of Elkhorn Peak to its outlet of Lake Helena. Over 150 years of human activity ranging from mining to agriculture and burgeoning residential development have impacted many streams in the watershed. Currently, twenty-four streams or portions of streams in this watershed have been identified as having one or more pollutants that negatively impact beneficial uses of segments of rivers, streams or lakes (waterbodies), including aquatic life, agriculture, and drinking water. To restore these streams to ensure that they can fully support these beneficial uses, an active Water Restoration Plan is needed. Water Restoration Plans (WRPs) are a critical tool for ensuring that communities work collectively to prevent and reduce nonpoint source pollution. An expired WRP presents several challenges. First, the data informing the plan is more than ten years old and no longer reflects current water quality conditions, emerging issues, or trends. Second, the community input that shaped the plan is outdated, resulting in reduced engagement and investment from current stakeholders and residents. Third, many of the plan's identified priorities have either been completed or are no longer relevant, leaving the community without clear, data-driven guidance for future actions. Lewis and Clark Public Health (LCPH) via the Water Quality Protection District is committed to updating the WRP through a meaningful and inclusive process that incorporates current data collection, community and stakeholder feedback, prioritization exercises, and community awareness efforts. However, existing staff capacity limits the ability to conduct this work in a timely and strategic manner. Grant funding would allow LCPH to partner with a qualified consultant to design and facilitate a comprehensive planning process, maintain project momentum, integrate feedback throughout development, and deliver an updated WRP to the Water Quality Protection District that is both actionable and impactful.

Measurement and Sustainability

Describe how you will measure an increase in capacity and how you would sustain this in to the future

At the end of the funding opportunity, one updated and ready to execute WRP would be completed that would not be possible without the help of this funding opportunity. The Lake Helena Watershed Group is already active, engaged, and wanting to work together on projects that meet the community needs. The capacity gap lies in not being able to update the plan to help guide the direction of the group. The group will participate in providing guidance, direction, and feedback to the consultant to ensure the plan meets their goals and needs. In the end, this funding opportunity would provide an actionable plan that the group could sustain and take and use as their action plan for the future.

Timeline

Describe your anticipated project timeline

It will take 1-3 months to get the contract signed. Therefore, we are starting this timeline in January 2027, but if the award and signors happen quicker, then these will be moved up.
Jan 2027-March 2027: Procure a consultant and contracts signed.
April 2027-June 2027: Review of the past plan, updating key data points, and researching changes or challenges to water quality that have changed in the past ten years.
July 2027-Sept 2027: Stakeholder involvement 4-6 interviews and/or focus groups.
Oct 2027-Dec 2027: Board prioritization exercises.
Jan 2028-March 2028: Write and edits to plan. Final Report shared with the board and community by March 31, 2028.

Education and Outreach Projects

(only complete this page if you selected "Education and Outreach Project" on the top of page 2; otherwise, leave this page blank)

Behavioral Change

Identify the behavior change you are targeting and the target audience. From a nonpoint source pollution perspective, why is the change in behavior important and what impact would it have?

Barriers

What are the existing barriers to changing the behavior? How will your proposed activities address the identified barriers and lead to behavior change?

Evaluation

How will you measure the extent of the behavioral change achieved because of your project?

Timeline

Describe your anticipated timeline

Project Partners and Roles

Identify the partners that will be working on the project, and their roles.

Successful development and implementation of the WRP will rely on strong collaboration among local, state, federal and community partners. LCPH will be the recipient of the grant funds to provide financial and programmatic guidance for the project. Jennifer McBroom, WQPD Supervisor, will be the liaison who will ensure the grant deliverables, reporting, and finances are being spent appropriately. In-kind time from the LCPH Finance Specialist and Epidemiologist to help with data connected to environmental conditions that affect human health.

The WQPD and the Lake Helena Watershed Group will be the leads for the project. They will be responsible for directing the consultant and will lead implementation.

Lewis and Clark and Jefferson County are key partners in the development of the WRP because the identified impairment affects the entire watershed, crossing county boundaries and impacting resources, communities, and downstream waters in both jurisdictions.

MT DEQ will play a key role in development of the WRP by providing data and reports to help identify data gaps, offer technical guidance to ensure alignment with EPA nine-element watershed plan criteria, and recommending best management practices.

Private landowners and agricultural producers are essential voluntary partners in water restoration and will be critical to implementing on-the-ground conservation practices.

Co-Benefit Considerations

DEQ is committed to carrying out nonpoint source pollution reduction projects within engaged communities where the impact stretches beyond improving water quality. DEQ will award additional points in the scoring form where co-benefits extend beyond the project. Below are a few examples of how projects might exemplify co-benefits.

- Project will reduce economic hardship such as from livestock mortalities, cost and energy needs to treat municipal drinking and wastewater treatment, or loss of income from recreation
- Project will benefit underserved markets
- Project will improve or create equitable access to a clean and healthy environment
- Project planning included consultation with Tribal Nations
- Project will improve flood and drought resilience of the landscape
- Project impacts will benefit a downstream community and other natural systems (e.g., drinking water sources, human health, wildlife habitat, etc)

Please use this section to highlight co-benefits your project may have.

This watershed area is considered disadvantaged Climate and Economic Justice Screening Tool provided by DEQ because it meets more than 1 burden threshold and the associated socioeconomic threshold. Nonpoint source pollution originating in the Tenmile and Prickly Pear Creek headwaters contributes sediment, nutrients, and metals to the Lake Helena watershed and downstream Missouri River system. These pollutant loads threaten designated beneficial uses, including public drinking water supplies, aquatic life support and overall water quality. Protecting and restoring these headwaters areas will be achieved by updating the existing Water Restoration Plan (WRP), which will help guide stakeholders in preventing and reducing nonpoint source pollution. Harmful Algal Blooms (HABs) are becoming increasingly common along beaches on the Missouri river, raising human health concerns along with limiting recreational opportunities and harming aquatic ecosystems. Financial losses occur when areas close or are heavily impacted due to HABs – Log Gulch on Holter Lake, Black and Sandy campground beaches, fishing along the Causeway and Hauser Lake. Because Lake Helena serves as a collection point for the watershed, any improvements with water quality made anywhere upstream multiply in benefit as water moves downstream. A coordinated plan ensures that restoration efforts are strategic, measurable, making sure to maximize local and regional impact.

Project Administration

Each contract will have a Project Administration Task. Take the requirements (listed below) into consideration when planning logistics and budget for your project. Project administration includes bookkeeping, invoicing, interim/annual/final report preparation, office supplies, rent, communications, etc. Nonpoint source funding applied to this task on each project must not exceed 10% of the total amount of funding requested, or \$3,000, whichever is lower. Like all other tasks, payment is by reimbursement for actual expenses incurred.

Report Format:

- *Contractor shall submit each Attachment B Billing Statement, Status Report and Final Report using the most current reporting guidance and templates provided by the DEQ project manager.*
- *Contractor shall ensure each Status Report and Final Report contains adequate documentation to justify accompanying reimbursement requests and match reporting, to the satisfaction of the DEQ project manager.*
- *Contractor shall ensure that the Final Report is a standalone document describing all contract activities and containing copies of all contract deliverables (even if the deliverables were previously submitted).*

Reporting Schedule:

- *Status Reports: Due June 15th and December 15th of each year the Contract is in effect.*
- *Draft Final Report: Contractor shall submit a complete draft Final Report for DEQ review and comment at least 15 days prior to the contract expiration date.*
- *Final Report: Contractor shall submit a Final Report, addressing DEQ comments on the draft Final Report, on or before the Contract expiration date.*
- *Attachment B Billing Statements: Contractor shall submit an Attachment B Billing Statement with each Status Report, or Final Report submitted to DEQ while the Contract is in effect. To maintain cash flow, Contractor may submit interim Attachment B Billing Statements as frequently as monthly during the term of the Contract. However, each interim Attachment B Billing Statement must be accompanied by an Interim Report.*

Additional Information

Use the space below to include anything additional for the review panel to consider. Attach additional items and information that could help reviewers better understand your project. Please be conscious of reviewers' time, as they may not have time to read lengthy studies and reports. Please do not attach copies of TMDL documents or watershed restoration plans. Please no more than 20 pages.

Please also see the attached Letters of Support (2).

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

7

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Board Member Round Robin

PERSONNEL INVOLVED: Board members

BACKGROUND: Updates from board members on other community groups

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
S. Ohs-Mosley						
C. Payne						
A. Johnson						
D. Dahl						

**LEWIS & CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
Helena, Montana**

BOARD AGENDA ITEM

Meeting Date

March 24, 2026

Agenda Item No.

8

Minutes Board Member Discussion Staff & Other Reports Action Hearing of Delegation

AGENDA ITEMS: Public Comment

PERSONNEL INVOLVED: Public and Board Members

BACKGROUND: Time is allowed for public comment on matters within the Water Quality Protection District's boundaries not mentioned on the agenda.

RECOMMENDATION: n/a

ADDITIONAL INFORMATION ATTACHED

BOARD ACTION:

NOTES:

	M O T I O N	S E C O N D	A Y E	N A Y	A B S T A I N	O T H E R
D. Hammer						
P. Johnson						
E. Kerins						
R. Leland						
A. Johnson						
C. Payne						
S. Ohs-Mosley						
D. Dahl						

**Attendance Record for the
Lewis & Clark County Water Quality Protection District
FY 2026**

Board Member	Jul	Aug	Sep	Oct	Dec	Jan	Feb	Mar	Apr	May	Jun
P. Johnson	T	X	*	X	X	X					
E. Kerins		Xp	*	X	X	OE					
D. Hammer		O	*	X	Xp	Xp					
R. Leland	T	O	*	X	X	X					
A. Johnson	T	X	*	X	X	X					
T. Rolfe	T	X	*	X	X						
S. Ohs-Mosley	T	X	*	X	X	X					
C. Payne						X					

Legend:

- X = Present
- Xp = By phone/video
- * = No meeting held
- O = Absent
- OE = Absent/Excused
- T = Tour



Lewis and Clark County Water Quality Protection District

316 N. Park. Rm. 230
P.O. Box 1723
Helena, MT 59624
Ph: 406.457.8584
Fax: 406.447.8398

Commissioner Candace Payne

316 N. Park Helena, MT 59623
406-347-8303 (W)
Email: cpayne@lccountymt.gov

Representing the Board of County
Commissioners

Don Dahl

PO Box 863, East Helena, MT. 59635
406-439-2175 (C)
Ddahl863@gmail.com

Representing the East Helena City Council

Vacant

Representing the L & C Conservation District

Ryan Leland

316 N. Park Helena, MT 59623
(406)447-8433 (406)431-5689 (C)
Email: rleland@helenamt.gov

Representing the Helena City Commission

Diana Hammer

30 South Harrison Helena, MT 59601
(406)461-4148 (C)
Email: diana.hammer.hcc@gmail.com

Representing the Helena Citizen's Council

Sheri Ohs-Mosley

133 Alfalfa Road, Helena, MT 59602
(406)581-3167
Email: sherohs@outlook.com

Representing the Board of Health

Edward Kerins, Chair

920 Peosta Ave. Helena, MT 59601
(406)594-1040 (H)
Email: kerins@mt.net

Term ends 06/30/28 – General Public 1st Term

Patrick Johnson

1271 Sawbuck Place Helena, MT 59602
(406)465-3428 (C)
Email: pnjhnsn@gmail.com

Term ends 06/30/27 – General Public 2nd Term

Adel Johnson

647 N Rodney Street, Helena MT 59602
406-431-4579
Email: Adel.Johnson@gmail.com

Term ends 06/30/26 – General Public 1st Term



Lewis and Clark County Water Quality Protection District

1930 Ninth Ave
P.O. Box 1723
Helena, MT 59601
Ph: 406.457.8584
Fax: 406.457.8990

MEETING DATES FOR FISCAL YEAR 2026

July 22, 2025

August 26, 2025

September 23, 2025

October 28, 2025

December 2, 2025

January 27, 2026

February 24, 2026

March 24, 2026

April 28, 2026

May 26, 2026

June 23, 2026

All board meetings are held in room 72 of the Murray Building- Lewis and Clark Public Health, 1930 Ninth Ave, Helena, Montana and via Zoom at 4:00 p.m. The meetings are generally completed by 5:30 p.m. The public is always welcome to join and meeting.

For Your Information



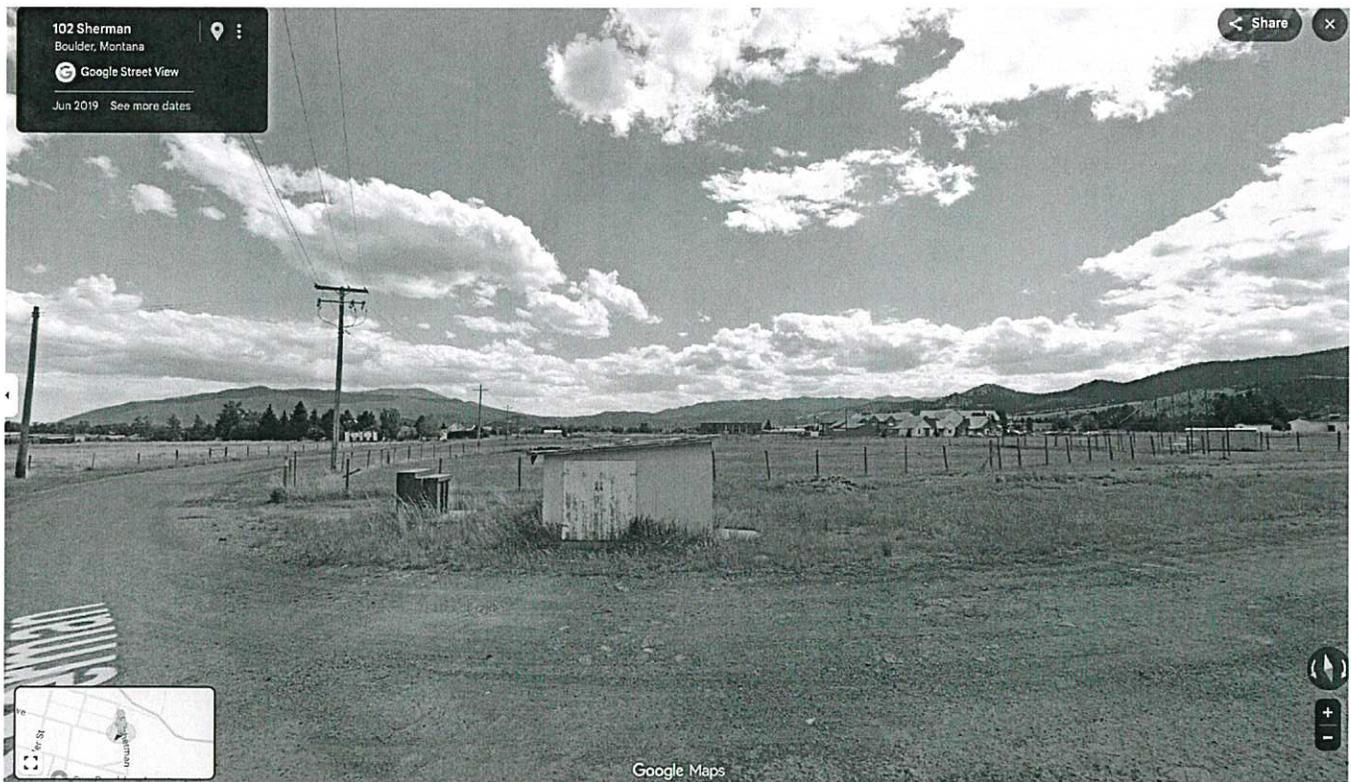
Lewis & Clark City-County
Water Quality Protection District
316 North Park
Helena, MT 59601

ENVIRONMENT

Judge warns Crazy Mountain Ranch to be more careful about vetting water sources for golf course

Exclusive resort will not face a fine for watering golf course with illegal well water, but judge tells Crazy Mountain Ranch “to make damn sure” it follows law in future.

by Amanda Eggert
03.12.2026



The illegal water in Boulder flowed up from an aquifer, around 80 feet under the ground, through a well located in a wooden pumphouse, pictured here. Credit: Google Earth

Did the luxury resort Crazy Mountain Ranch illegally use hundreds of thousands of gallons of water to keep its golf course green last summer? And if so, was the violation egregious enough that the multi-million dollar resort developer should pay \$1,000 for each day it improperly watered its invitation-only club with water from a well in Boulder?

These were two of the main questions District Court Judge Matthew Wald weighed during a Thursday morning hearing. Ultimately, Wald found that during an eight-day period last summer, Crazy Mountain Ranch relied on water it shouldn't have used. However, he acknowledged that Crazy Mountain Ranch appeared unaware that the town of Boulder was selling ill-gotten water and decided not to levy the \$8,000 fine requested by Montana's water-right administrator. Instead, he told the ranch to be more careful about vetting water sources in the future.

"You don't just get to do a wink and a nod and say, 'I can use the water and don't have to figure it out,'" Wald said. He also chastised the ranch for not being more careful, reminding their lawyer that under the consent decree the parties signed in July "to make damn sure that the water you put on those sodded acres is compliant — and it wouldn't have taken a lot."

The ruling came directly after two hours of debate between Crazy Mountain Ranch and the Montana Department of Natural Resources and Conservation, which took place before a small audience assembled at the Park County courthouse. It's just the latest in a yearlong legal battle between Crazy Mountain Ranch and the state over how Crazy Mountain Ranch sources water to keep the 18-hole golf course it's constructing green, without infringing on the needs of agricultural neighbors.

In marketing materials, CrossHarbor describes the golf course as "challenging, yet very playable course that seamlessly blends with the landscape." Crazy Mountain Ranch has weathered criticism from neighboring landowners who fault it for starting construction on its golf course before it had secured the necessary approvals to irrigate it, an action for which Sam Byrne, co-founder of Crazy Mountain Ranch's parent company, has since apologized, arguing it wasn't intentional.

All parties agreed that the ranch had purchased hundreds of thousands of gallons of water from a well in Boulder lacking a valid water right, which is required by state law before a party can withdraw water from the state's rivers or aquifers. Crazy Mountain Ranch began trucking in the water from Boulder, around 130 miles away, last summer after Judge Wald faulted Crazy Mountain Ranch for irrigating its golf course with water from nearby Rock Creek that had been historically used for agricultural purposes.

The water in Boulder flowed up from an aquifer, around 80 feet under the ground, through a well located in a wooden pumphouse about 35 minutes outside Helena. (The ranch also began using water from Big Timber and a utility in Four Corners last summer. Though some protested, those purchases did not prompt legal proceedings.)



The developing Crazy Mountain Ranch golf course is seen from above during a flight with EcoFlight over Paradise Valley on Aug. 7, 2025. Credit: Lauren Miller / MTFP/CatchLight/RFA

While both the Department of Natural Resources and Conservation and Crazy Mountain Ranch agreed that the Boulder well wasn't a legal water source, they did not agree on whether it was the ranch's responsibility to vet the well under the terms of a legal agreement Department of Natural Resources and Conservation and the ranch entered into in July.

It's not clear why Boulder was selling illegal water — whether sloppy record-keeping, a misunderstanding or something else. Boulder is not facing legal repercussions, but the city has agreed to stop selling water since the issue surfaced. (Boulder declined to comment on the matter on Thursday.)

Crazy Mountain Ranch attorney Peter Scott argued that his client had “no duty to investigate” the legality of the City of Boulder's well and that Crazy Mountain Ranch shouldn't be penalized for Boulder's decades-long use of an illegal well. He also argued that Crazy Mountain Ranch was being unfairly targeted by the state. The golf course, which partially opened for use last year to members of its invitation-only ranch, is owned by CrossHarbor Capital Partners. That company also owns Yellowstone Club, an exclusive skiing and golfing community whose members include Tom Brady, Bill Gates and Eric Schmidt.

“There’s no evidence that CMR had actual knowledge — and, importantly, no obligation to acquire additional knowledge” of the well in question, Scott argued. “There’s no pattern, there’s no intent, there’s no lack of good faith. The question just comes down to not should they or could they have found out, but were they required to do so.”

Department of Natural Resources and Conservation lawyer Jennifer Wells countered that Crazy Mountain Ranch had violated the Montana Water Use Act on multiple occasions to irrigate its golf course. Wells also argued that Crazy Mountain Ranch has repeatedly bristled at the agency’s efforts to get them in line with state law. She faulted Crazy Mountain Ranch for “persistent noncompliance and noncooperation,” highlighting the illegal water use that landed them in court in the first place.

She argued that Crazy Mountain Ranch in 2024 and 2025 irrigated its golf course with another source of water it should not have tapped into — namely, Rock Creek, a tributary of the chronically overallocated Shields River — without obtaining the required authorization. The use raised the ire of a dozen ranchers, agricultural companies and other downstream irrigators, who petitioned the DNRC to investigate. “CMR has yet again used unauthorized water,” Wells told Wald on Thursday.

Rich Serrazin, a water commissioner who divides up water among Shields Valley water-right holders when there isn’t enough to go around, was one of the few members of the public who attended the hearing.

“At least they got a little slap, anyway,” Serrazin said of the Judge’s decision to find Crazy Mountain Ranch out of compliance with the court order.

“It could really be tight on water this year,” he added. “It should stay limited to ag use, I think.”

While Thursday’s development ends the lingering question of whether the ranch will be fined over trucking in water from Boulder, it does not determine how the ranch will secure water for the golf course moving forward.

It could be years before the Crazy Mountain Ranch water-use issue is fully decided. The ranch is moving forward with two tracks to secure access to its existing water rights. In the near term, it’s hoping to temporarily lease water to itself using legislation that state lawmakers passed last year. In the long term, it’s going through a change application process so it can apply its existing — and substantial — water rights to the golf course, which is located on an area of the

ranch that hasn't previously been irrigated. Both applications are currently before the Department of Natural Resources and Conservation.

Its owners have defended the golf course, with its extensive water needs, as one of the primary amenities that allow parent company CrossHarbor Capital Partners to keep the ranch 90% undeveloped. If they lost the golf course, they'd need to build more homes, they have suggested.

Asked to reflect on what the order means for the larger landscape of water use and enforcement in Montana, Missoula-based attorney Graham Coppes offered that DNRC appears to be taking a more hands-on role to prevent illegal water use.

"This specific example is receiving so much scrutiny because of who it is and what it is and the amount of public outcry about it," Coppes said, adding that he and others who value viable fisheries welcome the state's shift toward enforcing the Montana Water Use Act.

"From my view, the government is the only actor with enough power and money to really step in and fill the void," Coppes said. "If you think about the future, big developments, big data centers — [these] powerful market forces that have interests in water — having farmers trying to stand up to those people and enforce those water rights is a pretty out-of-balance equation."

Disclosure: MTFP Reporter Amanda Eggert is married to John Meyer, executive director of Cottonwood Environmental Law Center, which is involved in unrelated litigation against the Yellowstone Club. Meyer did not contribute to the reporting or writing of this story.

Helena to add 13 groundwater wells to public system for \$2.7M

March 13, 2026

If you dig new water, you're in luck.

Thirteen new wells are coming to "perfect" Helena's groundwater supply after the City Commission approved a \$2.7 million bid on Monday.

The project will involve drilling three 12-inch-diameter wells at the Missouri River Water Treatment Plant, six 8-inch wells at the Frontage Road site, and four 10-inch wells at Stone Meadows, according to city documents.

All will add to the public water supply and be connected to the city's water system. The water comes from a groundwater reservation allowing up to 7,071 acre-feet per year and 7,361 gallons per minute.

The nearly \$2.7 million bid awarded to Arlee-based Coldwater Drilling and Pumps will include pump testing, disinfection and video inspection.

Bids are coming faster and cheaper, Public Works engineer Jamie Clark noted, guessing that American Rescue Plan Act and post-COVID funds are "starting to dry up and contractors seem to be a little more hungry for work." Four companies responded to the wells project with bids, according to city documents.

City Commissioner Ben Rigby, who has a background in water infrastructure, said he was surprised to see the project underbid. City engineers initially estimated the project at a cost of \$4.5 million.

Though the water will benefit the city system, city officials mentioned at a March 4 administrative meeting they wouldn't know the taste or smell until said water is drawn. Taste and odor treatments were requested in the Public Works department's wish list for fiscal year 2027.

The project bid was passed at 5-0.

Christine Compton is a reporter for the Helena Independent Record.