

**Mineral County Conservation District- January 4th, 2023 at 2p.m.  
Alternate Meeting Location – Virtual/Phone  
Minutes**

**Mineral County Conservation District Attendees:** Jim Lommen, Chair- Virtual; Layne Hansen- Vice Chair Supervisor; Joe Spangler, Supervisor; Tom Castles, Supervisor; Joe Hughes- Supervisor; Andy Short, County Planner; County Commissioner- Dawn Terrill

**Additional Attendees:** Bill Henne WET, Caleb Burns-Kasper MMW, Jacob Wright-MMW; Ron Rule-Landowner,

**Absent:** Charlee Thompson- Supervisor; Ladd Knotek- Fish Wildlife and Parks, Cathy Tsukimura, Supervisor; John Bowe, NRCS.

**Call to Order:** 2:11pm Layne H.

**Minutes**

December 7th, 2022 minutes as presented. Motion to Change the date to the 7th from the 11th on the minutes to Accept minutes Motion by Tom C. second by Joe S. **Vote passed 5-0**

**Public Comment** -No public comment

**Administrative-** Decide if we are having a February meeting and second meeting of January- We will be holding to the original schedule 2 meetings a month next meeting Jan 17th at 6pm, Admin duties for the next 2 months; Paul Parsons Meeting January 2023- to be decided when Charlie is present, Meet with Web design and Joe S. for updating website-Agreed to have Joe and Stephanie meet with web host next week, grants for 5th grade workshop April 22 2023, come up with a plan for vehicle recovery from Highway accidents. DNRC outreach, 310 Application Survey due Feb 15th. Update Kevin Extreme case- Email presented by Caitlin Overland that the case will take months and she will notify us when she needs our participation. Joe H requested a job review for Stephanie Todd.

**310 Permit**

**54-37-2022V-** Fuujin Investments- Rivers Edge Pavilion Project Clark Fork River- **Discussion Vote- Note change discussion and vote is for application 54-38-2022.** Landowner Ron Rule first to talk. Ron described his passion for the project, detailing his background in Geology and outdoor recreation, he is from southern California and a veteran who loves the mountains. Project purpose; To get a better view of the Clark Fork River and to see the rock formations thinking of people with disabilities and older population. Second to talk was Caleb with a 3 slide presentation. Slide 1 is a photo showing the proposed re vegetation of the bank with natural plants and shrubs. Caleb then confirmed that the memorandum for the change of revegetation plan was received by the District and was included in the application. All members present acknowledged that the memorandum was received along with the Administrator, Stephanie. The board then engaged in discussion of re-orientating the structure so that there was not an impact to the river bank and that the elevation line of reference was 2970 determined on a topographic map provided by the project managers for the pavilion. The line is well defined and marked as a highlighted yellow line on the building plan. Detail to bank impaction is confirmed that 6 Pylons would be in the Conservation Districts jurisdiction that is referenced as the bank of the clark fork river from elevation line 2970 to the waters current edge. At this time discussion was opened up to the board members by Layne. Joe S. defined “line” as immediate bank and, are the same. Terminology was

referred to page 4 of the policy handbook in definitions section 8. Discussion in the form of a question to what is immediate by Bill Henne. Land owner referenced in discussion erosion vs. streambank. Which was explained by board member Joe S. as which direction would water run when discharged at a defined area or spot either to the Clark Fork River or away from the river. (referencing a garden hose vs. storm water runoff from the proposed building's deck). Tom C. is concerned about the deck and how far it intrudes on the river bank. His question is; Is the deck runoff directed away from the river? Caleb's response is; No impact on the Clark Fork River- stated. The architect explained that the deck will be designed to slope away from the river so that runoff is caught and dispersed in a vegetation area. Joe H concerns for drainage system failure and what is the plan for future management. Caleb stated- The maintenance plan is in place and the heat trace strips will be used to keep the snow load discharged in designated areas away from the river bank. Caleb described the engineering of the 6 pylons to stabilize the bank and Tom C. agreed with his statement. Joe H. replied with the concern of surface erosion de stabilization not bank structural stabilization. Joe H. explained that the placement of concrete pylons will disrupt the surface stabilization. Joe H. states that storm water drainage is a forever impact on the Clark Fork River bank and who is going to be held responsible years from now to maintain the structure? Jim L. perspective for the CD is; We need to implement Rule 11 of Policy. As a board we need to review our rules and apply the project to our policy. Motion to accept the River's edge pavillion application with modification of revegetation plan as presented, is made by Joe H. and seconded by Tom C. Jim L. requests that each member give their vote with explanation to the CD policy rule number 11 in the policy handbook. Joe H. vote NO- Due to sediment production in the river and loss of native habitat on the Clark Fork River bank. Tom C. vote YES/"Accept"- improvement for sediment. Joe S. vote NO- DUE to sediment issues and the effect on natural streambed vegetation. Jim vote YES- No rule 11 violation. Layne Vote -NO- due to rule 11 impact on River bank. **Vote- DENIED 3-2.** Cathy and Charlee were given the opportunity to submit a vote prior to the meeting. At this time no vote was received by the 2 absent board members. Board advises applicant to re-apply. Discussion by the board with the remaining project managers Bill H., Caleb Burns-Kasper educating the CD policy in Mineral County for 30 min. Going over the policy and terminology and how it is applied to the River bank of perennial streams in Mineral County. Covering details that every location is different in bank slope and stability and that is what the CD does site inspections.

**54-33-2022V/54-40-2022-** Guy and Toni DeBilzan- Clark Fork River- Awaiting Application for removal. Fine Paid. No discussion

**Business of the Board-** No Discussion

**Financial Report- Reports** Financial report same as last meeting 12/7/2022.

- a. Andy Short, County Planner- **Present**
- b. Ladd Knotek, Fish Wildlife and Parks- **Absent**
- c. John Bowe, NRCS Field Rep- **Absent**
- d. Dawn Terrill County Commissioner, **-Present-** Dawn is willing to submit a monthly report for real estate sale on the county for the CD to use to educate new landowners about 310 permitting.

### **310 Follow-Ups**

54-17-2022V: Montana Rail Link- Clark Fork Remediation- **Final Follow-Up, UPDATE-awaiting berm to be taken down, Waiting on parts for the machine to finish this project**

54-6-2022: Yvonne Wheeler- Nemote Creek- Reduce the beaver pond depth upstream of the dam by 10-12 inches because the water is inundating a well and raising water levels to within several inches of an electrical box. Geocode: 54-2423-22-4-01-01-0000 **Followup in October 2022**

54-8-2022: Arrow Construction: Steve & Julie Prater- Ready Rock retaining wall, Superior  
Geocode: **Current**  
54-15-2022: Jason Nordberg- **Current; Follow-up with photos when completed additional  
amendment**  
54-18-2022: Michael Keast- Clark Fork River- Maintenance on stairway, **Follow-up June 2023**  
54-29-2022V- Gretchen Webb- Clark Fork River-**Spring 2023 follow-up**

**ADJOURN**- 4:37 pm Motion to Adjourn by Joe S. and Seconded by Tom. **Vote Passes 5-0**