

**Mineral County Conservation District- July 19, 2022 at 6pm
Alternate Meeting Location – Virtual/Phone
Minutes**

Mineral County Conservation District Attendees: Jim Lommen, Chair; Joe Spangler Supervisor; Joe Hughes, Supervisor; Tom Castles, Supervisor; Layne Hansen, Supervisor; Cathy Tsukimura, Supervisor-Virtual; Charlee Thompson, Supervisor; Ladd Knotek, FWP; Laurie Johnston, Mineral County Commissioner;

Additional Attendees: Kevin Extreme- Landowner; Phill Meenach-Landowner, Mateu Hunter-Landowner

Absent:
Andy Short, County Planner; John Bowe, NRCS

Call to Order: 5:59pm By Jim Lommen

Minutes

July 6th, 2022 minutes as presented. A motion was made by Layne H. to approve the minutes with no changes. Seconded by Tom C. All in favor. **Motion Passes 6-0.**

Public Comment - None

Administrative- Currently collecting addresses to send out brochures/letters to new and existing residents along the Clark Fork River- Discussion- Charlee advised to use the current list that the CD has on file, it was constructed in the fall, recommendation to be made to include sold homes from realtor.com/Zillow.com and to do a mass mailout to box holders in St. Regis, Superior, DeBorgia and Alberton Post Offices. Administrator brought to the Attention of the board of a recent land sale that was not disclosing the 310 Law and advising buyers against the CD position on agreed bank establishment of enforcement of the 310 law. Supervisors please read over our Mineral County CD policy for a refresher -Discussion by Administrator to see her if you need a copy. 5th grade Outdoor School, Update on expenses and direction of the board-Discussion by Charlee and Jim to contact the Superintendents of each school to see if they would attend the 5th grade Outdoor School.

310 Permit

54-22-2022- Meghan Wirth/ New Fields- Clark Fork- Irrigation Lower Meadows Subdivision, 60 day Extension.-Discussed- Board declines the current 310 and requests to be re submitted due to the delay in obtaining the other permits needed for the work proposed on the Clark Fork River. **Application Declined-** Notify Applicant to re-submit when Army Corps of Engineers issues 404 permit. Motion by Charlee seconded by Joe S. **Vote Passes- 6-0**

54-23-2022- Mateu Hunter- Clark Fork- New Application on existing trail- Discussion, 60 day extension- Discussion- Board approves 310 Permit with the recommendation to contact Fish and Wildlife to settle with them regarding issues that are not within the CD jurisdiction. The application is accepted as public use for 1 year and the landowner must submit a Maintenance 310 application before any improvements can be made. Motion made by Charlee, seconded by

Joe H. **Vote Passes 6-0**

54-16-2021- Meenach, Phil - Remove large cottonwood trees on shoreline that have sections that are dead. Clark Fork River. GeoCode: 2744-19-3-03-06-0000 - **Follow-up with photos- Discussion- Discussed-** Board reviewed current 310 requirements and decided the 4 planted trees requirement had not been met. Landowner was told in person to plant the additional required trees and then to submit photos of the completed modifications of the permit. Motion by Charlee, second by Joe H. **Vote passes 6-0**

54-28-2022- Meenach, Phil - Remove trees from shoreline-Clark Fork- **New Application-**Not Accepted/ Tabled until previous permit (54-16-2021) is in closed status.

54-27-2022- MRL - Trout Creek- Bridge Rehabilitation- **New Application-**Accepted by Board, recommended by Ladd to observe the date to start is 1 year from permit application. Motioned by Tom C. Seconded by Joe S. **Vote Passes 6-0**

54-26-2022V- Kevin Extreme-Clark Fork River- Cease and Desist Letter/Remediation Plan- **Discussion-** - Site inspection completed by Jim L. and Layne H. accompanied by the DEQ- Heidi Barnes and Susan Bawden; Army Corps of Engineers Jonathan Green; FWP Ladd Knotek, Two Sheriff deputies R. Funke and deputy 2. At 4:30 pm at the residence of the landowner and violation site. Discussed - Multiple Violations have occurred on the landowners property on the Clark Fork River affecting approximately 100foot by 50 foot or river bank. The multiple violations include heavy machinery used to excavate a large portion of the bank completely removing vegetation. Importation of sand as documented by photos and described by the land owner as dump truck loads. An addition; excavation of the stream bank area size 10 foot by 20 foot as documented with photos. Multiple roads and trails on the stream bank. The owner has been and is currently under a cease and desist order issued on **Jul 7, 2022** . The 310 law was explained to the Landowner by Jim L. and compliance was verbally accepted by the landowner. The law behind the Cease and Desists order was explained to the landowner and the Fine of \$500 a day was affirmed. The Landowner commented, “\$500.00 a day is nothing”. Notification of Discussion at the next meeting whether or not the violations will be discussed was confirmed by the landowner and the Board of Supervisors. Compliance with the Cease and Desist was discussed a second time before the landowner left. Board directed the Landowner to keep the river bank in its current condition at the high water mark and above. No new activity is to be done.

Business of the Board

Financial Report- Discrepancy found in Assets, Admin to request the removal of the Elite office machine, chipper shredder and carport to Roni Haskins CPA. Motion by Charlee T. seconded by Joe H. **Vote Passed 6-0**

Update on DNRC Admin Grant-Final awardance should be announced in the next couple of weeks, forecasted amount the CD will be receiving \$29, 241 for your CDA grant and \$1,900 for your 310 portion, for a total of \$31,141. The contract isn't finalized yet, so those numbers might change a little. But that will give you a ballpark idea. You can expect to receive a contract for signing next month. Discussed- Cd Requested 36,255.00 with a budget of \$500 for Tours and camps, Possible Mini grants available of \$500. The grant used for financing the 5th Grade Outdoor School was Soil and water CD of Montana, which is not available currently. The last 5th grade camp was budgeted for 5,120.00 total cost.

Reports

- a. Andy Short, County Planner- **Not Present**
- b. Ladd Knotek, Fish Wildlife and Parks- **M. Hunter “Applicant” has no legal access to his land**
- c. John Bowe, NRCS Field Rep-**Not Present**
- d. Laurie Johnston, County Commissioner-**Nothing**

310 Follow-Ups

1. 54-16-2021: Meenach, Phil - Remove large cottonwood trees on shoreline that have sections that are dead. Clark Fork River. GeoCode: 2744-19-3-03-06-0000 **Followup July 2022.**
2. 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**
3. Arrow Construction: Steve & Julie Prater- Ready Rock retaining wall, Superior Geocode: 54-2631-27-4-01-01-0000 **Current**
4. 54-17-2022 Montana Rail Link- Remediation-: **Photos submitted, Awaiting the completion of Berm removal.**
5. 54-15-2022 Jason Nordberg- **Current; Follow-up with photos when completed additional amendment**

ADJOURN

Motion by Layne H., second by Tom C. @ 7:38pm, Motion Passes 6-0