



Yellowstone River *Conservation District* Council

Meeting Minutes – March 24, 2017 Region 5 FWP Billings, MT.

Members Present: – Walter Rolf, Custer – Don Youngbauer, Rosebud/MACD – Steve Story, Sweet Grass – Phil Fox, Treasure – Steve Story, Stillwater - Bob Hector, Yellowstone – Shawn Conradsen, Richland – John Moorhouse, former RAC Chair.

Not in attendance: Dawson CD, Prairie CD and Park CD.

Others Present: Alicia Stickney, NRDP; Warren Kellogg, former TAC; Sara Meloy, DNRC; Burt Williams, former TAC; Ken Frazer, and Barb Beck MT FWP; Gerald Benock, BOR; Jordan Tollefson, DEQ; Lauren Alleman and Wendy Weaver MARS; Mike Penfold, Our Montana; Tanya Lester, Stillwater CD Administrator; Roger Muggli, former RAC; Phil Krezelek, private citizen; Don Rostad, Coordinator, and Carol Watts, Custer CD.

Chairman Don Youngbauer called the meeting to order at 10:00 am on April 29, 2016. Introductions were made and conservation updates were given.

Chairman's Report: Don Youngbauer said he was excited to start forming the working groups.

Vice-Chairman's Report: Bob Hector reported that Jerry Williams will be his replacement on the Council as the Yellowstone CD's representative. Bob will continue to serve as an alternate. Jerry was ill and not able to attend the meeting. Bob encouraged the Council members to make him welcome at a future meeting.

Bob Hector also expressed concern about invasive mussels, he passed out samples of the zebra and –mussels that he had obtained from FWP. He urged everyone to become more aware of them.

Business meeting: The minutes of the last meeting January 20, 2017 were approved with two minor corrections made. John Moorhouse made the motion to accept, Shawn Conradsen made the second and the motion carried by voice vote. Carol Watts handed out the financial reports. The first report shows all the activities in the account. The second is a grant statement that shows where we are with each grant. Carol stated that the columns on total funds received to date and total funds expended go back to the beginning of the study and are incorrect and misleading and should probably be dropped. The current funding is correct. The Council will not require Carol to go back through the grants to rectify the old grants. Carol did inform the board that the remaining funds in the 2015-16 pass through grant that Laurie Zeller had approved to be used for MRRIC travel, Montana State Library, and Warren Kellogg contracts are now going to be paid by the current grant instead in order to reserve those funds. Carol has made the changes. This also reflects in the budget which Carol talked about next. More funds are needed for Dan's travel and wages. Those will be taken out the outreach and education and also the cost share line. There will be enough funding for the Council to schedule meetings one or two more times this year. Walter Rolf made a motion to accept the financial reports, John Moorhouse seconded and the motion carried by voice vote.

Coordinator's Report: Dan Rostad reported on the MRRIC meeting he attended in Kansas City, he said the whole process with MMRIC is winding down, the document is out for public comment through April. The recovery plan came up with six alternatives. The third one is the recommended one and concerns the endangered species, pallid sturgeon, piping plover, and the leaser tern and features habitat construction. The annual cost would be \$103,152,000.00 so it is very unlikely to be funded. Laurie Zeller, DNRC thinks the Council should maintain their place at the table for the next year. Three meetings a year should be attended. An alternate is needed and Burt Williams was suggested fill that role.

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Don Youngbauer and Dan Rostad were invited to have lunch with Montana DNRC Director John Tubbs and Deputy-Director Ray Beck. Activities of the Council were discussed. Don and Dan received encouragement and felt that the visit was very fruitful.

Don Youngbauer and Dan Rostad attended the house joint committee budget hearing at legislature in Helena. Don Youngbauer said it was amazing to watch the legislature and he thought the YRCDC got a lot of support.

Dan Rostad said he was invited to attend an informational meeting concerning invasive mussels where Steve Tyrrel and others expressed concern that check stations, funding and other assets not being allocated to Eastern Montana. The state of Montana has an agreement with the Columbia River Basin Partners and other states which is why this got kicked in so quickly. 11 million dollars is the suggested amount to be appropriated for funding control of mussels. They want letters of support from the Missouri River Council and the Yellowstone River Conservation District. Dan had a copy of the letter he wrote which is available for review. Ken Fraser, FWP stated they were pushing hard for a check station in S.E. MT because of boats coming in from the Big Horn which are owed by non-residents. None of those have to be inspected.

Partner Reports: Jordan Tollefson, DEQ said the Water Quality Division at Montana DEQ is conducting an assessment of water quality on the Yellowstone River this year. The purpose is to determine the overall health of the river. If pollutant impairments are identified Total maximum Daily Loads (TMDLs) assessments will be developed to address the pollutants. The river has been divided into eleven water quality assessment units from Wyoming to North Dakota. These stream segments represent differing stream conditions and characteristics. They will be assessed independently based on the water quality data collected for each segment. The plan is to conduct three sampling events collecting water quality data at three sites per stream segment for a total of about 99 unique water quality data points (three samples will be taken from each section). Jordan said the work of the YRCDC is in their database and will be taken in to account. If you have recommendations for easily accessible locations in your district (example: bridge crossings) that can be used as potential sampling sites, contact Jordan Tollefson at Montana DEQ at 406-444-6652.

Ken Frazer, FWP reported on a meeting held yesterday that Mike Ruggles, FWP organized which was the result of a 310 permit application to do about 1800 feet of rip rap on the lower Big Horn River to protect a private bridge. They wanted to riprap a riparian bottom that had a channel that flowed through it and under the bridge. Down from there was a dam that was a fish barrier on the river. There was a possibility of constructing a fish passage around the dam and bank stabilization would still protect the bank. Landowners were in agreement as this would work as mitigation credits for the Corps of Engineers. The permit is tabled for now until mitigation credits can be worked out. Warren Kellogg felt that there might be a role for the YRCDC to play in this effort.

Sara Meloy, DNRC, commented that the state is currently revising its Drought Management Plan. It will now be a two-year process with year one focusing on improving drought response and communication at the federal, state, county, and local levels and year two focusing on developing long-term mitigation strategies to enhance statewide drought resilience. The process will also focus on updating the definition of drought and conducting a statewide drought vulnerability assessment.

Ken Frazer commented that the Big Horn has record snow pack and very little storage, the river is at 8500 cfs which mirrors snowpack levels in 96-97.

Gerald Benock, spoke about the Intake project saying several people in leadership would be headed to the courts hoping to get their request for an injunction heard. April deadline date is considered vital because of COE funding. They have received a revision on the lawsuit which will be in front of the courts as well.

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The Big Horn Issues group is meeting soon, there will be a detailed fisheries report for Wyoming and Montana, as well as what is typically covered for operations and other issues. There will also be an update from the Acting Superintendent of the Park Service at Big Horn plus an update on Rosebud. Gerald also spoke about the Milk and Missouri watersheds.

Gerald said that grants for water marketing were still open but other funding is closed until next year.

Old Business: Standing rules revision involved adding to at large members to the Council. Bob Hector felt having at large members had merit, he made a motion to add John Moorhouse, Billings to represent the upper Yellowstone and Craig Wagner, Glendive to represent the lower part. These representatives will be qualified to receive reimbursement for travel expenses. Phil Fox seconded the motion and it passed by voice vote.

Grant proposal for long term strategies involving working groups irrigation water management is one of the primary working groups. NRCS can use the results to help them define policy. Infrastructure; Gerald Benock grants irrigation districts water efficiency grants under water smart. Big money out there for improving water management.

Update on CEA approval: Dan Rostad reported that the ACOE still has not approved the CEA. Dan tracked the progress of the document stating that the document is now in Washington DC where it is waiting to be approved. The Council approved posting the report on the website earlier and it is available for viewing now. Laurie Zeller, DNRC told Dan that the Council has met more than their fair share of the cost share agreement and we will not be sending any more information.

Efforts to secure WRDA Sec. 3110 funding: Dan Rostad was told at the MRRIC meeting by Corps staff members, that the recently approved 2016 WRDA included instructions to the Corps that they are to remove any previously authorized WRDA projects that have not been funded or are currently being considered for appropriation. It will be necessary for the Council to work with the two Senators to help us hold the funds authorized in Section 3110 and seek their assistance to insure those funds will be available for future restoration projects outlined in the CEA. Future appropriations authorized by Section 3110 could fund project recommendations outlined by the working groups.

The website revision will be hosted by MACD and it was suggested that Tanya Lester, Stillwater CD Administrator be trained in order to post items to the site and keep it up to date. Laurie Zeller, DNRC is favor of the plan and the Council agreed by consensus. The Council will reimburse Stillwater CD for Tanya's time through an agreement with Custer CD.

Any potential legislation proposed by the Legislature that may affect the YR CDC or river corridor has been killed so there was nothing to report on legislative activities.

New Business: Dan Rostad talked about two issues, one falls under old business but it is reported here with new business, along with the other part. The grant proposal for long term strategies and YRRP implementation by establishing working groups is a grant amendment request that was submitted to Montana's DNRC to use remaining funds that task.

The main working group discussed before was the irrigation management group which first started in Miles City with a tour around Forsyth showcasing irrigation efficiency and cover crops. This working group has nothing to do with water rights. NRCS would like to use the irrigation water management recommended practice to form a working group and they would take the recommendations to develop their NRCS policies. Along with that the BOR might be interested in a canal lining project and other infrastructures.

Gerald Benock, BOR said there were many sources of funding available under their Water Smart program. Phase two of one of their watershed programs has funding for projects that involve fish ladders, water management, etc. The

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Water Conservation Service Program has planning, demonstration and opportunity grants still have funds for planning or designing for up to 100,000 dollars. Watch for notices that say the say these are available. All but water marketing are closed for this year but they will come up again this fall.

Working Groups: Warren Kellogg passed out draft outlines of the Irrigation Water Management and Woody Invasive Species Working Groups. The working group objectives are taken out of YRRPs. He gave examples of how working groups could operate. Don Youngbauer stated that he felt these working groups are critical and the Council needed to be a leader on pursuing issues identified in the cumulative effects study. Phil Fox wants the local districts to have a say in what working groups and projects would be chosen. Steve Story, Stillwater CD thought the working groups could become smaller for each project, meaning that the local members would be involved. Warren and Dan will send a list of potential working groups based upon the YRRP for YRCDC members to discuss with their respective conservation districts. In the meantime, the two working groups mentioned above will be organized.

The DNRC grant amendment: Dan Rostad said the proposal is an amendment to the existing RDGP grant. It would be used to create a working group format and a strategy. The original proposal was for three to eight working groups. The proposal was then refined to three working groups, irrigation water management, the woody invasive species, and the oil and gas pipeline. The framework needs to be developed for the working group to function. The proposal for DNRC to amend current RDGP grant in order to use the remaining funds for long range planning strategy and implementation of the YRRPs by establishing working groups is being formulated. Contracts should be amended soon.

Dan Rostad stated there was interest in Russian olive removal project in a tributary Park County. Warren said common buckthorn has been found in the river corridor and we may be able to work with local weed districts to find ways to fund removal of invasive species. These issues will be addressed during the formation of the woody plant invasive species working group.

Sara Meloy mentioned DNRC's planning grants that could help with YRCDC capacity and development of individual working group objectives.

Natural Resource Damage program (NRDP): Alicia Stickney said restoration projects would be tied to damages paid by Exxon from the 2011 oil spill. Twelve million dollars were awarded to the state of Montana following their lawsuit. Nine and a half million went to the state funds and two and a half went to federal. Purpose is to restore natural resources, such as side channel blockages and woody debris. NRDP will contract with CCCD for a broad language task. Alicia asked about an inventory of blockages on the river and to prioritize and rank those projects. Phil Fox felt that the Council need not be involved. Steve Story thought the Council should help for a chance to practice and learn. Walter Rolf asked if Dan had time. It was decided that Dan Rostad does not have time and Council is not interested in doing the inventory. Bob Hector made a motion for approval of a contract between NRDP and CCCD, Walter Rolf seconded and the motion carried. Future task orders will allow the Council to provide technical review services to the NRDP program.

Public Comment: There was no public comment.

The meeting adjourned at 2:25 pm. The next meeting will be May 19, 2017. Location to be announced.

Respectfully submitted,

Carol Watts

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Carol Watts, CCCD Administrator

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