

Wetlands Council Meeting Summary September 28, 2005

Welcome and Introductions

Lynda Saul, Wetland Program Manager, Montana Department of Environmental Quality. Opened the Wetland council meeting and invited self-introductions from all present, please see the attached sign-in sheet.

Wetland Council Report – Lynda Saul MDEQ Wetland Coordinator Past Council meeting follow-up.

Thanked everyone for the great attendance and participation at the May Wetland Stewardship Award ceremony and meeting. Thirty-three acres of wetland restoration on the Granger Ranches (private award winner) has been accomplished since the ceremony and phase 2 will be completed this fall. Montana Wetlands Legacy Coordinator Tom Hinz (public award winner) reported that there's been an increased interest in the Legacy since the award ceremony by Governor Schweitzer and Director Opper.

February 2005 Council meeting focused on wetland mapping. As a result of that meeting, Saul was invited to present wetland mapping needs to the Governor's Montana Geographic Information Council (MGIC). In June, MGIC unanimously approved designating wetlands as an official Montana Priority Data Layer in the Montana Spatial Data Infrastructure. This designation should generate additional involvement, recognition, and technical and financial support for wetland mapping in Montana. Another outcome from the Council meeting is the funding partnership for statewide 1-meter color infrared orthophotography processing from the summer 2005 NAIP flights. Saul and Greg Kudray, MTNHP are working with the State Dept of Administration and the NAIP contractor on securing a CIR contract. Public domain CIR product should be available summer 2006 over NRIS.

Current and new wetland grants.

EPA wetland grants fund 75% of DEQ wetland program and Council projects to implement priorities from the Wetland Conservation Strategy. Saul currently administers 4 grants with 14 active projects. Last year EPA added a new implementation grant program. Montana was 1 of 8 states to receive a non-regulatory grant to quantify no net loss and net gain of wetlands. DEQ will hire a new staff to help implement this grant. EPA should release the RFP for wetland development grants in early November and expects reduced funding to be available.

Louisiana Wetlands – Lessons Learned.

Provided history of Louisiana coastal land loss, 1900 square miles since 1930's mostly wetlands, largely due to levees, navigation projects, channels and dams which starved coastal wetlands of sediment and fresh water. Katrina's impacts were exacerbated due to the loss of wetlands and the protection they provide from storm surges. Pre-Katrina restoration plans and actions were ongoing, but small in comparison to need and projected cost to infrastructure of inaction. Discussed mid-west floods of 1993 to historic wetland loss in prairie pothole region. Lessons for Montana: critical to protect existing natural wetlands and be aggressive about restoration of wetlands and natural hydrologic processes. Constanza von der Pahlen wrote an op-ed article for the Daily Inter Lake which does an excellent job of identifying local lessons from Katrina.

Small NAWCA and Intermountain West Joint Venture Cost-Share Funding Opportunities for Wetland Conservation. Dan Casey, Northern Rockies BCR Coordinator, American Bird Conservancy.

Discussed two under-utilized funding opportunities to achieve wetlands and associated uplands conservation in Montana. A good wetland project should be funded as it will also provide good avian benefits. Small North American Wetland Conservation Act (NAWCA) grants have 2 million available annually; maximum grant award is \$50,000. These partnership-driven projects can lead to million dollar standard grants. All information is on the web (www.fws.gov/birdhabitat/NAWCA/USsmallgrants), but counseled that interested applicants should talk to Tom Hinz of Montana Wetlands Legacy and the appropriate Joint Venture coordinator at the earliest time. Note the December 5 application deadline. Montana is divided into three Joint Ventures: PPJV, IWJV, and NGPJV. Priority is given to new applicants (no previous NAWCA grants) and can be used for wetland acquisition, establishment, enhancement and restoration.

The Intermountain West Joint Venture Cost-share uses \$300,000 of discretionary funds for grant projects up to \$100,000 that meet the appropriate criteria and fosters the protection, restoration, and enhancement of wetlands, riparian habitats and other priorities. IWJV envisions this funding source to grow to \$2 million annually. There are 22 Bird Habitat Conservation Areas (BHCA) in Montana, priority habitat with high value, high threat and high opportunity (see attached pdf). Projects need to fall in the BHCA polygons to score well and try for 5 partner organizations/agencies. Wetland inventory information is needed to help direct priority actions. June 1 applications are due to Dan Casey, State Chair. Montana has never submitted a proposal and advises potential applicants to contact Casey as soon as possible to discuss project ideas. www.iwju.org, Dan Casey; American Bird Conservancy 756-2681 dcasey@abcbirds.org

State Wildlife Grants Program and Wetlands. Heidi Youmans, Non-game Bureau Chief, MT Dept Fish, Wildlife and Parks.

Provided an overview of the State Wildlife Grants (SWG) program and distributed a handout detailing the specifics and history of this program in Montana. SWG is a year-to-year Congressional appropriation/funding source. The purpose of SWG is to meet the expanding conservation needs of all wildlife species and their habitats and be used to broaden existing fish and wildlife management program to embrace all species. Usually smallest amount of funding is \$25,000, average is \$50-60,000.

As a condition for accepting SWG funds, Congress required each state to submit a Comprehensive Fish and Wildlife Conservation Strategy (Comprehensive Strategy) to the USFWS by October 1, 2005. Rather than manage SWG as a small grants program, FWP expects to direct these funds according to the Comprehensive Strategy, to collaborative conservation endeavors identified 2-5 years in advance with the help of conservation partners. Requirements of SWG funds are to address the state's "greatest conservation needs" that are also "unmet". Several individuals in the room provided written comment to FWP on the draft Comprehensive Strategy and noted that while wetland and riparian communities make up less than 4% of the landmass of Montana, 60% of the species identified in greatest conservation need occur in wetland and riparian community types in Montana. FWP will distribute information about the SWG grant program this fall.

<http://www.fwp.mt.gov>

Natural Resource Damage Program – Focus on Wetlands.

Carol Fox, Restoration Program Chief, Natural Resource Damage Program.

Greg Mullen, Environmental Specialist, Natural Resource Damage Program.

Provided an overview of Montana's natural resource damage litigation program. Montana sued ARCO in 1983 for 9 injured geographic areas encompassing three natural resource categories: ground water, aquatic life and terrestrial environments for lost services of drinking water, recreational and other uses. Six of the nine areas were settled, the remaining three are still pending. Explained the difference between remediation and restoration: remediation – cleanup of hazardous substances to protective levels against further harm, and restoration – picks up where remediation leaves off and returns injured resources to their uncontaminated or "baseline" condition. Detailed what has been funded during the first 5 years of the grant program using \$6-8 million per year, which is less than the interest earned on the settlement accounts. Part of the settlement includes wetland consent decree for 400 acres of wetland restoration, which will likely be met by acquisition, permanent protection and restoration in the Upper Clark Fork basin. Annual grant program and opportunities for wetland projects in the settlement areas were discussed. Year long application process begins w/ applications due in March each year. Small grants for less than \$25,000 are accepted year round.

Link to the NRDP website; <http://www.doj.state.mt.us/lands/naturalresource.asp>

Link to the "NRD basics" fact sheet:

<http://www.doj.state.mt.us/lands/naturalresource/resources/ucfrb/nrdpfactsheet.pdf>

Link to Silver Bow Creek Greenway project fact sheet:

<http://www.doj.state.mt.us/lands/naturalresource/resources/projects/silverbowcreek/factsheet.pdf>

Mullen provided an overview of the state's remediation and restoration efforts along 22 miles of Silver Bow Creek near Butte. 500 square miles, 61 priority needs, waste materials include 4.5 millions yards of tailing in Silver Bow Creek. 1981 flooding brought the tailing into Silver Bow Creek. Opportunity Ponds is a logical place to put the tailings which began receiving them in 1999. Focused on the wetland and riparian restoration aspects, what's been done, costs, successes, challenges, future plans, and water rights for wetland mitigation. FWP has been working a large wetland acquisition project, Dutchman Creek, using natural resource damage settlement funds. CD's available on the history of Silver Bow Creek.

Case Study of Meadowlark Park Wetland Project in Billings.

Lou Hanebury, Fish and Wildlife Biologist, US Fish and Wildlife Service

Jenny Erickson, Montana Bureau of Mines and Geology

Gave the 20-year history of a 100-acre urban wetland rich area that has suffered due to illegal wetland fill, unclear jurisdiction and apathetic enforcement. Meadowlark Park in Billings, Montana was brought to the attention of the US Fish and Wildlife Service and US Army Corps of Engineers in 1993 as an illegal wetland fill. Although, it was never processed as a violation, the Billings Parks and Recreation Department, City of Billings, EPA, Bureau of Reclamation, the Heights Task Force, and other partners are proceeding with a wetland restoration plan for Meadowlark Park, which due to surrounding development is now a 20 acre site. The group needs funding and champions to see the restoration of this area to completion and solicited for current or new ways to fund the completion of this project.

Erickson presented information on the ongoing hydrologic study at Meadowlark Park. showing that a significant portion of the water feeding the wetland drains from the adjacent canal and to a lesser extent the upstream State Park. Private land development in the area is now using continuous drainage to keep the area from being waterlogged. The monitoring wells showing fluctuating water levels was funded with a BOR grant. Individuals with ideas for completion of this wetland restoration project should contact Hanebury.

Wetland Updates and Coordination Reports

Tom Hinz, Montana Wetlands Legacy. Discussed 9/29/05 Missoulian article on the Blackfoot swan reintroduction as example of good public relations about wetland habitat restoration needs. New Montana Wetlands Legacy Brochure has been printed and is available. Hinz said "The outcome of the Wetland Stewardship Award has generated a lot more work." May 2005, partners completed first 5-year Legacy goal and more and more partners and supports are working within the Legacy.

Susan Key, Bitterroot Water Forum. Mapping wetlands in 100 square mile area with EPA/DEQ pilot grant in Ravalli County. Including a wetland layer to be used when approving subdivisions.

Tom Parker, Geum Consulting in Hamilton. Bitterroot wetlands mapping project, helping the CSKT Tribes with the Jocko River restoration and stream restoration in the Little Bitterroot Valley. Also working on grazing management.

Constanza von der Pahlen, Flathead Lakers. Working with partners to identifying lands that are critical to water quality and are worth protection. Helping protect large chunks of land along the Flathead. Putting in for small and large NAWCA. Looking at the long term and strategic planning. Outreach and education, bring folks together for training and education.

Anna Noson, Univ of Montana Avian Science Center. Finishing up grant and research with birds as wetland monitoring and assessment indicators.

Deb Fassnacht, Watershed Education Network. Teaching workshops, offer wetland community tours. Missoula has a beautiful series of wetlands. Video available on: urban wetlands. Working on wetland guidebook for teachers to use.

Paula Webster, Water Quality Program, CSKT Tribes. Enhance the water quality standards components. Hosted water quality academy program for Tribes.

Sue Ball, Wetlands Conservation Program, CSKT. Digitizing wetlands data. Inventoried some of the Flathead and west of the reservation and 100 percent of the reservation has been digitized. Mitigation guidelines. Inventorying the Little Bitterroot Watershed. Working on wetland assessment and monitoring by watershed. Developing teaching materials including culturally sensitive material for wetlands and aquatics. Aquatic plant invasion document for reservation.

Janet Ellis, Montana Audubon. The culmination of an EPA/ DEQ grant is the new publication "Impacts of 404 Permits on Wetlands and Waterways in Montana and Recommendations for Program Improvements". Includes tables on a county by county basis of stream and wetlands issued different COE permits. Contact MT Audubon 443-3949 for copies. Land use planning guides, provides information and example of how to protect wetlands and riparian areas and will be updated based on 2005 legislature. Bill was introduced requiring setback regulations for building on rivers. Will be refined and reintroduced next session. Prohibit mute swans from being imported to Montana. Mute swan out compete native Trumpeter swans in the same habitat.

Pete Husby, NRCS. Expressed concerned about what NRCS Farm Bill conservation programs will continue in 2007 in the wake of hurricane Katrina.

Bryce Maxell, MT Natural Heritage Program. Amphibian inventory project surveyed 8500 wetlands this field season. Expect another 4 years to finish the state. Mineral county line first recorded sighting of Idaho Giant Salamander in Montana. New DVD titled "Life In Peril: Montana's Amphibians and Reptiles" available, contact Saul. Aquatic mollusk inventory, finding species outside their known range. Bats are expanding and inventories shows that they are dependant on wetlands. Floodplain

dynamics, some drainages will not have any cottonwoods left in 10 years. Tamarisk and Russian olive are spreading in eastern Montana. Updating amphibian plan for the state.

Matt Gates, Zoologist. Amphibian program, collected wetland monitoring and assessment data for DEQ using the rapid assessment forms. Visited 1300 wetlands in 2005. Due to more rain than usual this spring, were able to collect more observation records for two species of toads they have been collected in the last 20 years.

Ron LeCain, Confluence Consulting, Wetland Specialist. Performs wetland delineations and restoring and monitoring, TMDL development.

Tom Hughes, DNRC Trust Lands. Native cottonwood seedling collections for restoration/mitigation. GIS wetland mapping, working MDT on finding wetland mitigation sites on state owned lands. Putting together a list of drained wetlands that could be restored. Also working with the federal transportation (FHWA) grant to generate new riparian wetlands.

Dennis Longknife, Fort Belknap Wetlands Coordinator. Revise QAPP to include new plans. Wetland program received full funding again through EPA. Revised aquatic wetland ordinance to include isolated wetlands – it's before Tribal Council for decision. Testing of amphibians from Bryce Maxell's program testing to see if they have fungus that has been killing off populations of frogs. Too late to do some areas as they are hibernating. 230 plants (140 species) in herbarium. University will review to see the plants have been identified correctly and they will be added to collection. Talked about species of frogs and water snakes and other amphibians and reptiles.

Bonnie Lovelace, Permitting Bureau Chief, DEQ. Writing a set of rules on when suction dredging would be approved. DEQ will not permit suction dredging if DFWP has closed basin for fisheries, information on DEQ permitting on website by county and stream if ok or not to dredge. The rules were done with permitting so rule making was not necessary. Working on a 318 agreement with FWP, turbidity standards, must get a permit from DEQ, both agencies can sign off on permitting. Environmental assessment process will be coming out this winter and will be looking for comments, the FWP can permit with the 310 and the FWP can approve the 318 also. Also announced the first ever stream mitigation bank in Montana in Upper Clark Fork, still in signature routing, DEQ has signed. CAFO's or concentrated animals feeding operations was next topic. NRCS is getting these operations off the drainages. Legislature gave DEQ authority to look for operations that need a permit or eliminate them from the requirement and get control of the discharges. Wants input/ideas on how to locate these operations. Geologic mapping is being upgraded, FEMA grant to find geologic fault. Moved siting of power plant 2.5 miles with the information on this fault.

Sunni Knapton, Confluence Consulting. Grad student from Montana State.

Diane Boyd, Prickly Pear Land Trust. Mountain Helena park, second largest in nation. Lake Helena project involving the Winterburn ranch, updating the Helena valley

wetlands brochure, expanding the conservation easement program. PPLT has 3 county service area: Lewis and Clark, Jefferson, Broadwater. Contracted a GIS expert and hope to have a mapping project completed in two or three weeks and hope to identify land in need of protection.

Debbie Zarnt, Montana Watercourse. Doing presentations using Land Use Planning Guide book to local governments. Working on western wetland conference, October 24 thru 26 in Denver Colorado. EPA is putting on a wetland assessment workshop after the conference.

Jon Reiter, Montana Bureau of Mines and Geology. Discussed Billings projects, water quality issues in Halestone Lake, prairie pothole areas, water resources, FWP and local conservation districts. Impact of oil field brines on water quality and shallow ground water resources.

Justin Kucera, US Bureau of Reclamation. Working on Lower Yellowstone to allow fish passage, renewing contracts with irrigators, modifications on Sherburn dam for Bull Trout.

Lou Hanebury, US Fish & Wildlife Service. Review 404 permits, meeting with BN railroad about riprapping streams, potential projects for payment in-lieu fee program, fish passage on the Tongue River.

Lynda Saul, MDEQ. Working w/ authors to revise and reprint Montana wetland plant guide. Request for Proposals for new EPA grants are supposed to be issued in November, expect smaller pool of funds this year and expect to be prioritized toward local government, education and non-profit organizations. Kris Knutson, has changed positions within EPA and will be working on the Clark Fork river restoration rather than wetlands. EPA Montana Office expects to rehire that position. Requested input on next meeting ideas and help with developing Council agendas. Expect next Wetland Council meeting to be held end of January in Helena.

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