

## Montana Wetlands Council Meeting Summary February 10, 2005

**Lynda Saul**, [lsaul@mt.gov](mailto:lsaul@mt.gov) Wetland Program Manager for the Montana Department of Environmental Quality opened the Wetland Council meeting with a welcome and invited self-introductions from everyone present (see attached sign-in sheet).

**Richard Opper**, [ropper@mt.gov](mailto:ropper@mt.gov) new Director of Montana Department of Environmental Quality welcomed the Council. He provided his background and support for DEQ Wetland Program. For 15 years, Opper headed the Missouri River Association, a group that serves the Governors and Tribes of an eight state region along the Missouri River. Talked about the operating plan for the river, balancing upstream fishing and recreation interests with downstream commercial barge traffic. Opper has a M.S. degree in soil science from Montana State University. Discussed DEQ as a regulatory agency with controversial issues. Opper complemented the work of the Wetland Council and expressed his support for wetland mapping in Montana.

**Lynda Saul** [lsaul@mt.gov](mailto:lsaul@mt.gov) summarized the history of the Wetland Council and 1997 Wetland Conservation Strategy as background for future direction. Strategy goals include no net loss and net gain of wetlands. Strategy priorities include 1) completing the National Wetland Inventory or other mapping, 2) protecting wetlands through voluntary partnerships and 3) education and outreach programs including technical and financial assistance. The Council's work has been funded by annual competitive EPA wetland "development" grants. EPA recently created a new pilot "implementation" wetland grant program. DEQ worked with other Council participants to submit a 3-year proposal for wetland program implementation. The Montana implantation project would focus on wetland mapping, no net loss tracking, restoration partnerships, monitoring and assessment for wetland condition and education and outreach focusing on the Gallatin Valley first and then the Bitterroot and Flathead Valleys. EPA will make funding decisions by July. Montana also submitted 7 proposals for development grants. Similar restrictions apply to both grant programs, i.e. wetland restoration planning is allowed but not actual restoration work. The work plan for the implementation grant is very general, requested input from Council members. DEQ intends to assess wetland conservation and management in the State and revise the Strategy with the Council by 2007.

Saul also identified some key legislation with wetland and riparian implications, 41 bills have been introduced thus far dealing with water, another 33 water bills are in the tracking system. SB173 streamside set back, HB22 funding for water adjudication, HB178 revise the water use act. HB308 water leasing including provisions that MDT can still convert water rights for wetland mitigation purposes. Bill tracking on the web is available at [http://laws.leg.state.mt.us/pls/laws05/law0203w\\$.startup](http://laws.leg.state.mt.us/pls/laws05/law0203w$.startup).

**Tom Hinz**, [thin@montana.edu](mailto:thin@montana.edu) Montana Wetlands Legacy Coordinator, presented an update on the statewide wetland mapping initiative and reviewed the reasons and benefits of having a current wetland inventory for Montana. Provided information about the need for completing the National Wetland Inventory as a national baseline and need for a more

current inventory similar to the approach completed in Iowa. In October 2003, Iowa DNR wetland mapping project manager, Todd Bishop, discussed their program with the Montana Wetland Council. Hinz showed overlay examples of NWI and Iowa mapping project describing the value of having both levels of information. The Council agreed in October 2003 to pursue this approach and DEQ/EPA awarded a contract to NRIS to pursue championing aerial imagery acquisition in Montana. Since then, the NRIS staff has left State government and the FSA National Agriculture Imagery Project (NAIP) of digital orthophotography has become an alternative. Discussion included comments that aerial photos need interpretation for wetlands and that due to Montana's short season it's not realistic to acquire statewide photography during the leaf off period.

**Stewart Kirkpatrick**, [skirkpatrick@mt.gov](mailto:skirkpatrick@mt.gov) Montana State GIS Coordinator, Department of Administration. Presented information on the Montana Spatial Data Infrastructure (MSDI) and implication for wetland data creation, maintenance and wetland applications. The MSDI coordinates and promotes and spatial data infrastructure for Montana. The data for individual themes may be collected, maintained and integrated by various federal, state local, tribal, and private partners. Primary access or linkage to MSDI data is provided through the Montana Geospatial Clearinghouse at the Montana State Library. It includes national, state and local -based "framework" layers such as geology, landcover, landownership, transportation and soils. Kirkpatrick and Saul earlier discussed the possibility of wetlands becoming a state "framework" layer. Saul will discuss this with the Montana Geographic Information Committee on March 3. Kirkpatrick also informed the Council of the potential for NAIP (<http://www.apfo.usda.gov/NAIP.html>) coverage of Montana as background imagery for GIS applications and a host of other uses. Montana is scheduled for 2005 coverage, yet there are still unmet funding needs. Handout titled "Montana Digital Ortho Imagery Partnership Project" (attached) FSA and Federal agencies plan to contribute about 1/3 each with State, Tribal, local government, and private contributors making up approximately the final 1/3. An October meeting was held with 40 attendees to discuss funding needs for NAIP. Thirteen entities have indicated commitments including the Wetland grant program. Additional funding is optimal to ensure 1-meter NAIP coverage for Montana in 2005. Acquisition of Color Inferred (CIR) (which is an additional product available associated with the NAIP data) was discussed regarding the importance for wetland identification in Montana. Although opinions varied about CIR, there was consensus that CIR is not necessary for NAIP to be a valuable product for wetland mapping and that the Council supported NAIP acquisition. Time is of the essence to contribute to the Montana Ortho-imagery product, contact Stu Kirkpatrick at 444-9013 or [skirkpatrick@mt.gov](mailto:skirkpatrick@mt.gov)

**Tom Hughes**, [thughes@mt.gov](mailto:thughes@mt.gov) DNRC and Kirkpatrick discussed a pilot project that DNRC state trust lands section collaborated on with the Department of Administration GIS program. This involved using digital information from the SURGO soils data to map hydric soils (and thereby infer wetlands) and overlay state ownership for potential wetland mitigation sites for Montana Department of Transportation on state owned lands. Hughes field checked pilot areas revealing strong correlations with wetlands including

wetlands with restoration potential. Kirpatrick noted that the wetland identification project was a “poster child application” of GIS. Saul and Hughes agreed to follow up and convene a working group to explore expanding the pilot project for statewide application.

**John LaFave**, [jlafave@mtech.edu](mailto:jlafave@mtech.edu) Associate Research Hydrogeologist, Montana Bureau of Mines and Geology website: <http://www.mbm.mtech.edu/> presented information on the groundwater assessment program and ground water information center (GWIC) [www.mbm.gwic.mtech.edu](http://www.mbm.gwic.mtech.edu) and related the application of this information to help locate and map wetlands. GWIC database shows well logs with a link to map location among other useful information. From a hydrogeologist perspective, “your wetland is just a little exposure of my groundwater” sums up the connection between these two components of the hydrologic cycle. LaFave’s primer on groundwater hydrology included discussions on confined (artesian) and unconfined aquifers and unconsolidated and bedrock aquifers and the relationship of aquifer type to wetlands. A change in water depth is generally related to climatic changes (drought) and pumping amounts/rates. The influence of changing land use on wetlands and groundwater (such as conversion of irrigated land to housing development) was discussed. Studies in the Bitterroot will investigate this link and the role of irrigation canals on groundwater and wetland recharge. Groundwater assessment characterization maps have been developed for specific regions in Montana and may be useful to help locate wetlands. Wetland and groundwater relationships and information exchange is an area that the Council would like further collaboration.

**Allan Steinle**, [allan.e.steinle@usace.army.mil](mailto:allan.e.steinle@usace.army.mil) State Program Manager, U.S. Army Corps of Engineers presented information on the In Lieu Fee (ILF) program, when a 404 applicant has a wetland mitigation obligation, the COE can approve mitigation by a fee instead of on-the-ground mitigation. This takes place at the time of permitting and is based on the ability to come to an agreement on the dollar amount. Based on the ILF agreement, the fee goes to the ILF Administrator (Montana Wetlands Legacy) who takes over actual mitigation responsibility to the COE. The first ILF check was recently deposited. The ILF option will be available to everyone seeking a permit and was mainly brought about by stream mitigation needs. 80% of 404 permits occur on streams. COE is working on a Stream Mitigation Program. (SMP). After reviewing programs in other states, Montana COE based their SMP on South Carolina’s. The program for stream mitigation will be out for limited review at the end of February (let Steinle know if you are interested in reviewing the stream mitigation), with plans for statewide review after that. Public hearings may be held depending upon comments received and COE would appreciate hearing from both supports and those with concerns. COE is looking for readily available (web based information) that indicates stream status and information that indicates stream importance for use in the stream mitigation program.

**Karen Filipovich**, [kfilipovich@montana.edu](mailto:kfilipovich@montana.edu) Director, Montana Watercourse presented information and requested involvement from the Council on numerous education and outreach projects. The editor’s proof of the new guidebook for Montana Ponds was shown with a call for final edits. Announced the Arid Western States Wetland

conference October 24 thru 26<sup>th</sup> in Denver. Watercourse received a grant from EPA to host a conference and develop a collaborative approach to common wetland challenges and wetland management and protection success within the 17-state region (identified as areas receiving less than 20 inches of precipitation). The purpose is to learn from each other in the region and collectively advance wetland protection and management for the entire region. Watercourse is looking for steering committee members and issues for this conference. Montana's 2005 Wetland Stewardship Awards ceremony will be held in May recognizing public and private sector wetland stewards. This awards ceremony, held at the Capitol, is a festive celebratory event in the morning with Council business in the afternoon.

**Brian Ferrasci-O'Malley**, [brian\\_ferrasic\\_omalley@yahoo.com](mailto:brian_ferrasic_omalley@yahoo.com), University of Montana Masters Student discussed a Blackfoot Challenge project identifying possible sites for the reintroduction of trumpeter swans in the Blackfoot valley. Over 70 wetlands across the valley were surveyed and analyzed for traits indicative of suitable sites for reintroduction and nesting. A sufficient availability of food, submergent aquatic vegetation with wetland depths of less than 3 feet, was the number one indicator of prime reintroduction sites and included a core group of 10-20 wetlands. Permits have been secured from the USFWS to release 10 swans from Wyoming for reintroduce in the Blackfoot this year. This study is a prime example of the use of wetland mapping for wetland management.

**Lynda Saul** [lsaul@mt.gov](mailto:lsaul@mt.gov) led a discussion on wetland mapping related to NAIP and financial resource needs. After extensive discussion, Council members present agreed to support 1 meter NAIP this year, preferably digital acquisition and with possible CIR addition depending upon fundraising and timing of photography. Council encourages other State, Tribal, Local governments and NGO to support this important data layer for Montana. Due to Duane Anderson's departure from State Government, Council is looking for aquatic resource/wetland mapping champion. Saul will follow up and relay Council support for NAIP.

#### **Updates and Reports from Other Council Participants**

**Steve Laufenberg** [slaufenberg@m-m.net](mailto:slaufenberg@m-m.net) and Sarah Rothschiller, Morrison Maierle, Inc. Informed group of wetland mitigation projects working on including City of Bozeman road reconstruction mitigation, burrow ditches 0.17 acre impacted negotiating ILF arrangement. Reviewing MDT feasibility project for Martinsdale and potential mitigation sites.

**Tom Hinz**, [thin@montana.edu](mailto:thin@montana.edu) Montana Wetlands Legacy. Received first fee that went into In Lieu of Fee account for wetland mitigation. Is currently negotiating fees with 6 other entities. Indicated possibility to collect over \$500,000 this year. Information on the In Lieu Fee Aquatic Resource Mitigation Program is available through the Montana Wetlands Legacy website at <http://www.wetlandslegacy.org/home.htm>. The Legacy is currently preparing their third edition of the Montana Wetlands Legacy brochure, assembling information on some current and new projects from the partners.

**Anna Noson**, [anna.nosson@mso.umt.edu](mailto:anna.nosson@mso.umt.edu) Avian Science Center University of Montana. Working on DEQ wetland contract for monitoring and assessment program. Currently analyzing data collected in the Red Rocks watershed.

**Dan Casey**, [dcasey@abcbirds.org](mailto:dcasey@abcbirds.org) American Bird Conservancy. Works on bird conservation partnerships and GIS work for Intermountain West Joint Venture. Have prioritized 25 Bird Conservation Habitat areas in Montana.

**Debbie Zarnt**, [dzarnt@montana.edu](mailto:dzarnt@montana.edu) Montana Watercourse. Newly hired to work on educational programs for wetlands and watershed.

**Karen Filipovich**, [kfilipovich@montana.edu](mailto:kfilipovich@montana.edu) Montana Watercourse. Working on update to 1993 Flood Plain Managers Guide.

**Tammy Crone**, [tcrone@co.gallatin.mt.us](mailto:tcrone@co.gallatin.mt.us) Gallatin Water Quality District. Wetland monitoring pilot project in the Gallatin Valley, will help DEQ find sites and secure site access especially with private landowners.

**Tom Hughes**, [thughes@mtogov](mailto:thughes@mtogov) DNRC. Helping with wetland identification on State lands in the Big Hole for a MDT wetland mitigation site, approximately 15 acres. DNRC is in litigation with a private party that created a wetland without ensuring they had water right, it severely impacted upstream wetland on state lands. Lesson learned is to get a water right prior to wetland restoration.

**Greg Kudray**, [gakudray@mt.gov](mailto:gakudray@mt.gov) Montana Natural Heritage Program. Marc Jones is working on a Floristic Quality Assessment Index for Western Montana. Working on a vegetation matrix and human disturbance gradient. Working on the DEQ/EPA project in the Gallatin valley.

**Rob Hazelwood**, [rob\\_hazlewood@fsw.org](mailto:rob_hazlewood@fsw.org) U.S. Fish & Wildlife Service. BOR on water contracts, water rights issues and more demand on water and closed basins. Proposed a very large study on the Missouri River dealing with riparian flow issues for Pallid Sturgeon and riparian habitat. Compiling data that will apply to restoration efforts. CREP restoration in the Madison Valley involves 10,000 acres in long-term conservation. Avian Science Center project on wind power impacts to birds. Over 1200 wind farms now in the western U.S. Wind companies can directly avoid impacts to wetlands by proper turbine placement. However, they could still impact the overall function and value of the area because of the fragmentation issues. Thus in some cases mitigation is appropriate.

**Dennis Longknife**, [dlongknife@hotmail.com](mailto:dlongknife@hotmail.com) Fort Belknap Tribes. Amphibian surveys at 40 sites collected 50 samples. Will do wetland education for grades 7 through 12 so that they can help with wetland studies. Plant references collection has grown to 140 species. Ongoing contract with U.S. FWS for digital NWI data from BOR funding. Need to hire GIS staff. FEMA contract to revise floodplain ordinance. Longknife received an EPA award for the Tribes aquatic ordinance.

**Mike Durglo**, [miked@cskt.org](mailto:miked@cskt.org) Confederated Salish and Kootenai Tribes. New position as regulatory specialist for the Tribe working on 404 permits, but hiring freeze has prevented filling his old wetland position. Plant vegetation survey in the Mission watershed completed. FWS contract to complete new NWI, taking data from historic NWI to compare to current data, 15 year spread. Can e-mail Durglo to receive a copy of this report.

**Kristine Knutson**, [Knutson.Kristine@epa.gov](mailto:Knutson.Kristine@epa.gov) U.S. Environmental Protection Agency. Reviewing and ranking wetland grant, working on enforcement cases and 401 certification for Tribes without own 401 certification program.

**Rich McElowney**, [richare.r.mceldowney@saic.com](mailto:richare.r.mceldowney@saic.com) Consultant. – Working mainly on wetland projects in Colorado, Wyoming and Blackhills. Greater Gallatin watershed festival as a kick off of the new watershed group collaborative. March 2 from 6:30-9:00 pm at Gallatin Gateway community center. Reported on MT Natural Resource Professionals presentation on MSU research about constructed wetlands in Montana using native plants (beaked sedge and soft stem bullrush) to help aerate soil in winter months which offsets slow down due to cold soil temperatures.

**Randy Apfelbeck**, [rapfelbeck@mt.gov](mailto:rapfelbeck@mt.gov) DEQ. Developing a co-ordination plan for Gallatin wetland monitoring project. Developing a rapid assessment tool. Will revise rapid assessment form and put into a PDF format. Assess wetland in Gallatin valley to start. Will do a baseline wetland assessment using a random sampling strategy.

**Bryce Maxell**, [bmaxell@mt.gov](mailto:bmaxell@mt.gov) Montana Natural Heritage Program. A new guidebook is available for purchase Amphibians and Reptiles of Montana researched and written by Kirwin Werner, Bryce Maxell, Paul Hendricks and Dennis Flath. Copies can be purchased at a variety of bookstores or online from Mountain Press Publishing Company at <http://www.mtnpress.com/>. Maxell is involved in Montana wetland assessment program specifically for amphibians. This summer will sample in the Gallatin national forest and surveys for FWP Region 7 including coal bed methane area. Forest Service amphibian workshop in Ashland in late May or early June. Beaver created sites makes significant amphibian habitat, completing a bibliography on beaver and will be on the MNHP web.

**Todd Teegarden**, [tteegarden@mt.gov](mailto:tteegarden@mt.gov) DEQ. Works with State Revolving Fund (SRF) program and water pollution control with non-point source, nutrient limit at the end of the mixing zone. Reported that Ronan and Corvallis use constructed wetlands as tertiary treatment for nutrient sinks. Sees potential use of SRF loan program for conservation easements, other states have used this funding mechanism for wetland protection.

**Joe Meek**, [jmeek@mt.gov](mailto:jmeek@mt.gov) DEQ. Source Water Program, expressed appreciation for Lynda returning to DEQ after her year working for EPA Wetlands Program.

**Michele Lemieux**, [mlemieux@mt.gov](mailto:mlemieux@mt.gov) DNRC. (reported by L. Saul) New publication available called, Small Earthen Dam Construction: A Guidebook for Planning and Construction of Small Earthen Embankments. Look under dam safety, contractors guide <http://www.dnrc.state.mt.us/wrd/home.htm>.

**Lynda Saul** [lsaul@mt.gov](mailto:lsaul@mt.gov) DEQ. Announced other wetland related activities: Association of MT Floodplain Mangers 6<sup>th</sup> annual conference in Whitefish March 14-16. <http://www.mtfloods.org>. The agenda contains a lot of floodplain mapping talks. State Association of Wetland Managers (ASWM) meeting March 22-24 focusing on from net loss to net gain and wetland tracking. ASWM provides a twice-monthly briefing about news and events concerning wetlands. Contact Saul for free e-subscription information.

**Montana Wetland Council Meeting Participants  
February 10, 2005**

Greg Kudray, MT Natural Heritage Program  
Tom Hinz, MT Wetlands Legacy  
Todd Teegarden, DEQ, Technical and Financial Assistance Bureau  
Rich McEldowney, SAIC Consulting  
Bryce Maxell, MT Natural Heritage Program  
Jim Hill, Montana State Library  
Ron LeCain, Confluence Consulting  
Dennis Longknife, Fort Belknap Tribes  
Bonnie Lovelace, DEQ, Water Protection Bureau  
Pete Schendel, Corps of Engineers  
Tom Hughes, DNRC Trust Land  
Tom Patton, MT Bureau Mines and Geology  
Allan Steinle, Corps of Engineers  
Brian Ferrasci-O'Malley, University of Montana  
Daniel Casey, American Bird Conservancy  
Lynda Saul, DEQ Wetland Program  
Mark Sommer, American Public Land Exchange  
Stu Kirkpatrick, MT Department of Administration/ITSD-GIS  
Anna Noson, Avian Science Center, Univ of Montana  
Tammy Crone, Gallatin Local Water Quality District  
Debbie Zarnt, MT Watercourse  
John LaFave, MT Bureau Mines and Geology  
Rob Hazlewood, US Fish and Wildlife Service  
Bardell Mangum, FWP-D&C  
Kris Knutson, US Environmental Protection Agency  
Joe Meek, MT DEQ  
Jim Stimson, MT DEQ  
Randy Apfelbeck, MT DEQ  
Sarah Rothschiller, Morrison-Maierle Inc.  
Steve Laufenberg, Morrison-Maierle Inc.  
Mike Durglo, Confederated Salish and Kootenai Tribes  
Karen Filipovich, MT Watercourse  
Rick Walsh, Northwestern Energy  
Susan Wall-MacLane, Herrera Environmental