

SUMMARY – MONTANA WETLANDS COUNCIL MEETING

June 3, 1999

9:00 a.m. – 3:00 p.m.

Metcalf Building – 1520 East Sixth Avenue, Helena, MT

Note: The next Wetland Council Meeting is scheduled for October 21, 1999

- I. **Welcome** – **Department of Environmental Quality (DEQ) Wetlands Coordinator**, Lynda Saul, welcomed everyone to the Montana Wetland Council meeting and asked for introductions from those in attendance (see attached sign-in sheet). The summary from the February 24, 1999, Wetland Council Meeting, was approved with the following correction: WRP was for permanent easements, not 30-year.

- II. **Wetland Updates and Coordination Reports**
 - Department of Environmental Quality (DEQ)**. Lynda Saul reported that the new FFY 1999 wetland grants have been contracted and most projects have begun. The request for proposals (RFP's) for next years grants will be issued early August and proposals will be due end of September, everyone on the Wetland Council mailing list will receive the RFP notice. Lynda's proposal to jointly announce the wetland RFP's with the non-point RFP's will not be pursued this year due to timing difference between the different grant programs.

DEQ continues to search for creative funding for National Wetland Inventory mapping for Montana. Lynda is looking into an idea to request in-lieu funds from MDT in place of mitigating non-jurisdictional wetlands. Average MDT wetland mitigation costs run \$10-13,000 per acre.

Lynda has facilitated several meetings between state agencies (MDT, DNRC and DFWP) to allow and encourage MDT mitigation to take place on state-owned lands. The rationale is that public dollars should be spent enhancing public (versus private) resources and since the state manages over 5 million acres state wide, mitigation sites should be available on state owned lands. The state agencies and COE are working together to determine a pilot site fairly close to Helena.

Lynda gave a brief summary of the Federal Land & Water Conservation Fund and legislation introduced to increase funding authority. The LWCF was created by Congress in 1965 for two purposes, one for federal land acquisition, and two as block grants to states for recreational land uses. Funds are generated mainly from offshore oil and gas leasing programs. The LWCF has never fully functioned as intended; a majority of the fund's revenue has been used to balance the federal budget. Currently specific appropriations must be made for each project. Bills have been introduced by the house, senate, and both parties to rectify the situation and allow full spending of the revenue for the original purpose. This could have positive implications for wetland, open space and other habitat protection.

DEQ staff recently attended the EPA State and Tribal National Symposium in Boulder, CO. The Montana EPA project office, Montana Watercourse staff and representatives from 6 of Montana's Indian Tribes also attended. Lynda offered for Montana to host a regional (arid western states) conference in the near future. She reported that North Dakota and Colorado both operate their wetland protection programs with large wetland trusts in addition to the federal EPA grant program and it would be instructional to learn more about activities in other states.
 - Natural Resource Information System (NRIS)**, **Duane Anderson**, reported that the Wetlands Clearinghouse contract with DEQ will be completed by the end of June. Velda Walsh continues to add information to, and update the Wetlands Clearinghouse page. Velda has also created map applications for viewing National Wetland Inventory (NWI) data. Ninety-five maps have been downloaded, and 550 maps are now complete and available for use. The intent of NRIS is to provide interactive mapping and links to make the system more user friendly.

Department of Natural Resources & Conservation (DNRC), Jesse Aber, reported that 10 Mile Creek Watershed Community Day will be held on June 13, in Rimini. The community will be planting 3000 plants and restoring riparian vegetation. Jesse invited all to participate.

Department of Military Affairs, Heather Johnston, reported that she is working with the Environmental Program on wetlands and water. The Department of Military Affairs has delineated wetlands. The report may be obtained by contacting Heather. She added that there are 2.3 acres of potential wetlands in the Fort Harrison area and 4.3 acres in the Limestone Hills area in Townsend.

Environmental Protection Agency (EPA), Steve Potts, distributed: 1) the EPA National Website which provides additional information and wetland activities that are available; 2) the Compendium of Biological Assessments of Wetlands, for review; and 3) the EPA Wetland Hotline Publication list.

Natural Resource Conservation Service (NRCS), Dave Heilig, reported that four people are being sent to the Reg 4 Wetland Delineation Program training. Two million dollars have been allocated to the Wetland Reserve Program for permanent easements in 1998/99. Six and one-half million dollars has been requested for wetland easements, which covers approximately 1200 acres. Wetland inventories, for flood plain easements, for Cascade and Park Counties on the Yellowstone River have been completed. In Cascade County, 200 acres of riparian vegetation has been restored. On the Yellowstone River, a dike is being removed and diversions taken out. On the Shields River, a dike is being removed and an irrigation system replaced.

U.S. Forest Service (USFS), Mary Manning, announced that Proper Functioning Condition (PFC) training sessions will be held in White Sulphur Springs on June 30-July 1, and in Butte on September 1-2, 1999. She noted that this training is geared towards private landowners, but encouraged everyone to attend. She added that USFS would like to coordinate with Dave Martin's (DNRC) training session in the Big Hole on wetlands/riparians. The USFS wetlands publication, which explains how to analyze wetlands, will be out soon. The hands-on MRWA workshop on riparian wetlands is scheduled for August 24-26.

U.S. Geologic Survey, Sean Lawlor, reported that they are in a cooperative program with the Montana Department of Transportation, assisting with the hydrology of wetlands on mitigation sites.

Montana Watercourse, Montana State University (MSU), Mary Ellen Wolfe, provided copies of the recently completed publication, *Landowner's Guide to Wetlands in Montana*. Copies have been sent to the Wetlands Council mailing list and those individuals involved in the publication. Copies will be distributed to NRCS, the Conservation Districts, and libraries (public, local, and school) and county planners. The publication will also be available at WET workshops. Mary Ellen explained that additional funding support from The Watercourse (via an EPA grant) provided for additional printing. The Montana Watercourse will be hiring a half-time wetlands coordinator. One of the duties will be to develop five wetland mini-courses on wetland stewardships, using the *Landowner's Guide to Wetlands* publication as a tool. The local Conservation Districts will assist in the coordination of these courses.

The Montana Watercourse has contracted with an advertising firm in developing public service announcements on an outstanding wetlands steward and possibly using the Flynn Ranch in Townsend.

Copies of activities for *Project WET* are now available for review.

The following up-coming events were reported:

- Montana Watercourse Summit at Yellow Bay (working with students and teachers)
- Clark Fork Water Festival
- Community Day in Bozeman
- Training Workshops for Water Facilitators
- Blackfoot Watershed Tour for Teachers – July 12-13 and August 16-18
- Gallatin Water Festival – August 26-27
- The Watershed Retreat has been rescheduled for September 12-14 at the Circle Bar Ranch in Lewistown.

If anyone is interested, contact Montana Watercourse 449-6671.

Flathead Lake Biostation, (Jack Greenlee reported for Brad Cook), the draft hydrogeomorphic (HGM) Guidebook for Intermontane Depressional Wetlands is available through the Biostation Website at: <http://www.umt.edu/biology/flbs/wetlands/front.htm>. A hard copy is now being developed. If questions, contact Brad Cook or Rick Hauer.

Montana Watershed Coordinating Council, Chairman, Alan Rollo, reported that the next Council meeting is July 6th, there will be an award program recognizing the Sun River and Big Hole watershed groups, plus updates on these two watersheds. He noted that more funding, for Conservation Districts and the DNRC, has been passed through the legislation, for watershed projects. The Water Center Website at MSU provides information on wetlands and watersheds.

Montana Fish, Wildlife & Parks, Jeff Herbert, noted that they are working with National Wetlands Inventory (NWI) on digital stations for some quads in Montana.

III. Montana Legislative Update on Wetland and Other Land Use Related Issues

Mary Vanderbosch, Environmental Quality Council (EQC) Staff, Legislative Environmental Policy Office, presented a brief summary of legislation relating to land use and wetlands, as approved by the 1999 Montana Legislature.

She explained that Senate Bill (SB) 97 was a result of the EQC growth study summarized in "Planning for Growth in Montana: Final Report to the 56th Legislature". SB97 revises planning terms used by counties to "growth policy" and requires and allows elements to be addressed in growth policies. Counties deal with issues about wetlands, open space, and loss of agricultural land when subdivisions are being developed. The bill attempts to devise a way to get people more enthused about growth policies. This bill requires the local government to explain how they will deal with issues in the subdivision process, through their growth policies. The developers will then be able to recognize those areas that need to be protected. The legislature wants to give the community the incentive to address public interest criteria and zoning regulations. Gavin Anderson, Department of Commerce, has additional information and can be contacted at 444-4476. Mary added that the Department of Commerce also has some funding available, as well as information on potential funding.

The Montana Agricultural Heritage Program was created through SB342 which creates a 12 member Montana Agricultural Heritage Commission, to acquire agricultural conservation easements that are consistent with the Montana Agricultural Heritage Program core values. The Commission members are recommended to the Governor by the Department of Agriculture. To qualify as a member of this commission, one must: 1) operate a family farm or ranch; 2) own or manage forest land; 3) represent a state-wide real estate or building industry organization; 4) represent a conservation organization; 5) represent a regional or state-wide land trust; 6) be a county commissioner or conservation district supervisor; 7) represent a state-wide agricultural organization; 8) represent a state-wide travel or tourist organization; or 9) be appointed by the legislature. The Commission will approve the acquisition of agricultural easements from willing sellers and donors. The Department of Agriculture will send out letters to potential members by the end of June.

House Bill (HB) 300 allows the local governments more time for subdivision review.

HB 458 requires the EQC to serve as riparian area management by reviewing state and local programs and best management practices; while focusing on residential wetlands and riparian areas. Because funding is not provided by HB458 the EQC may be seeking grants or various groups willing to assist.

Senate Joint Resolution (SJR) 18 involves the study of the Montana Environmental Policy Act, which includes identifying wetlands that are being impacted. Wetland Council members were encouraged to get on the mailing list.

Steve Potts felt some type of growth management program was necessary. He learned, at the Boulder conference, that the amount of land use taken up in Colorado far exceeded the population growth. He sees the same problems developing in Montana. Mary Ellen Wolfe noted that maps, which show by 40-year increments, depict how our transportation is facilitating the change in population. Mary Manning cited Reserve Street in Missoula as the perfect example.

IV. **Wetland/Riparian Permit Data Base: Follow up from February Council Meeting.**

Lynda Saul, DEQ, began by reviewing that Dick Blodnick led a discussion on data base needs at the Council meeting in February. Because of the lack of tracking impacts related to permitted activities, the cumulative effects of those activities and the lack of locational accuracy the Council identified the need for a data base on permitted actions. A data-base work group was formed with the following agencies/interests represented:

EPA	regulatory and computer
NRCS	computer and data base mapping
NRIS	water information system
DEQ	wetlands coordinator, 401 certification
MT Audubon	program manager
MNHP	inventory and data base
Yellowstone CD	supervisor and administrator
DNRC	joint permit application
MDT	wetland mitigation
COE	project manager

Others are welcome to attend

The group has met three times, with the following results:

1) Exchanged information; 2) Reviewed Council needs; 3) Added additional information needs; 4) Identified 16 Yellowstone area CD's with 310 permits entered into data base; 5) Identified four Flathead area CD's with GIS of 310 permits; 6) Working towards a do-able project; 7) Identified potential funding; and 8) Draft potential project. The next meeting is scheduled for July 14 at 1:00 p.m. at the Department of Environmental Quality. Summaries of the previous meetings are available. Contact Lynda 444-6652 for more information.

Duane Anderson, Natural Resource Information System (NRIS), added that NRIS has drafted a proposal to develop a state-wide data base for permit activities based on the Corps of Engineers RAMS data base. The RAMS database has not been used for tracking impacts to wetlands and other waters within the U.S. Their primary goal is to provide access to 404 permit data and permit related aquatic impacts. NRIS plans to: 1) Update locational information, there are presently 5300 permit files with no locational information; 2) Update key data fields in the RAMS data base relating to impacts for size of permit activities; and 3) Build an interactive Internet application by taking information from the RAMS data base and putting into the NRIS Wetland Clearinghouse in a usable format.

In a related and coordinated project, the MT Audubon will be identifying on a pilot case basis, all aquatic permit activities in Yellowstone County in coordination with the Conservation District. Information will be used as a test case and linked with the 404 program review. There are 58 unique Conservation Districts, and only one central location for the COE 404 Program. NRIS plans to build a cross-reference at the data base level, with information focusing at the same location; and they would like to build in a physical features inventory.

V. **Inventory of High Quality Wetlands of the Flathead Valley**

Jack Greenlee, wetlands ecologist for the Montana Natural Heritage Program, explained that his wetland project in the Flathead area was funded through an EPA grant administered by DEQ.

The project goal was to identify and inventory ecologically significant wetlands and prioritize them for conservation, mitigation and restoration applications. The Flathead area was chosen because it is the most significant area in the Rocky Mountains, as far as diverse resources, and because of the growth and development in the area.

They used the U .S. Geologic Survey (USGS) 4th unit HUC codes and designated Flathead Lake, Stillwater River, and Swan River as the watershed areas for this study. Knowledgeable local people and Conservation Districts were contacted to locate significant wetlands, aerial photos were studied, and wetland areas were prioritized according to ecological significance, using the following criteria: 1) size; 2) high quality conditions; 3) those with native wetland plant communities; and 4) concentration of rare plants and animals.

For this study, the following data was collected: 1) estimated size of the wetland; 2) wetland type; 3) HGM types at each site; 4) upland and wetland land uses at each site; 5) plant communities; 6) exotics; and 7) cursory rare plant survey. At the end of the field session, sites were ranked (prioritized) based on: 1) richness (habitat diversity); 2) rarity (number of different rare plants and animals); 3) assessed viability by size, condition and land use in uplands surrounding the site.

Jack gave a slide presentation, and showed examples of each of the following ecologically significant ratings:

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| * Outstanding Ecologically Significant Site: | Swan River Delta |
| * Very High Ecologically Significant Site: | Napa Creek Fen |
| * High Ecologically Significant Site: | Safe Harbor Marsh |
| * Moderate Ecologically Significant Site: | Stillwater River Drainage |

Sixty-three sites were visited with emphasis on high quality areas. Findings are documented in his report titled *Ecologically Significant Wetlands in the Flathead, Stillwater, and Swan River Valleys*. The ratio of private to public sites studied for this report was 1:3. This report provides information that will be beneficial to other agencies, in that: 1) a prioritized list of wetlands is provided (to continue stewardship); 2) irreplaceable wetlands are identified; 3) scientists and consultants can use as a tool to identify reference wetlands; 4) identifies areas that could serve as potential mitigation sites; 5) provides a broader context for wetland permit reviews; 6) can be used as a tool by county planners for land use decisions.

Information can be found on the Heritage web site: <http://nris.state.mt.us/mtnhp/>

Link via the Clearinghouse web site:

<http://nris.state.mt.us/wis/MWICedit.html>

For a hard copy of the report:

sandjack@mssl.uswest.net

Mark Holston, Flathead Basin Commission, questioned any observations regarding personal watercrafts, first hand impacts, and their threat to Swan Delta. Jack noted that the best aquatic communities did not show any impacts/threats. Rob Hazlewood added that the U.S. Fish & Wildlife Service is working with the Refuge Division on complaints with watercrafts at the Swan Delta.

VI. **Montana Wetlands Species of Special Concern and Shore Birds.**

Steve Martin, U.S. Fish & Wildlife Services, Benton Lake National Wetland Refuge, gave an interesting slide presentation on approximately 25 threatened or endangered birds and species that utilize the National Wetland Refuge at Benton Lake. Steve explained the eating and nesting habits, size of the colonies, and migration patterns of each bird. He noted that some of these birds come as far as Brazil, stop over at the refuge, then head to the Arctic to nest.

He explained how the wetlands are influenced by the activities in the uplands; i.e. agricultural practices on private lands and the use of chemicals for crops. Some chemicals can create toxic seeps (such as salinium) which can cause embryo deformity. There are 24 miles of landscape surrounding the refuge that impact the predators. The predators, in turn, disrupt the birds and ducks on the refuge. There are two marshes at Benton Lake controlled by water level management because of limited water availability and outbreaks of botulism. Future plans call for refuge boundary expansion depending upon willing landowners.

VII. **Up coming conferences, training, other announcements:**

- The Lewis and Clark County Wetland Partnership Project will be conducting training sessions for volunteers on June 15-16. A workday is planned for June 19 to field check the Helena area National Wetland Inventory maps.
- The National Association of Realtors is helping to develop voluntary wetland regulatory standards with the EPA and the US Army Corps of Engineers. For more information contact Russell Riggs 202-383-1259.
- Wetland Restoration Conference will be held this fall on Applying Restoration Science Oct. 27-28 in Maryland. Sponsored by the Sate Association of Wetland Managers and EPA;518-872-1804. Call for papers and innovative cooperative wetland and stream restoration projects are in progress.
- Wetland Plant Identification and Ecology Course will be offered By the Montana
- Wetlands Trust at Carroll College, August 17-20, and again on August 30-September 2 at the Salish and Kootenai tribal college. 406-442-3199.
- AWRA Annual Summer Symposium will be held June 30-July 2 in Bozeman. Water in the Public Realm and Wildland Hydrology.
- American Water Resources Association Montana Conference will be held October 4-6 in Great Falls. Call for Abstracts is in progress. 406-496-4152.

- Shoshone and Northern Arapaho Tribes of Wyoming will be holding a Wetlands Functional System Assessment June 21-24. 307-332-3164.
- The EPA and Water Experiment Station will be holding a Channelization and Channel Modification Workshop in Colorado for July 6-8. 601-634-6199.
- Deadline for articles for the Montana Riparian Update is June 18. The most recent National Wetlands Newsletter is available for those interested @ 406-243-2050.

The next Wetlands Council Meeting is scheduled for October 21, 1999.

Potential Agenda Items for next meeting:

- 1) Update on HGM/Biocriteria and assessments (Brad Cook and Randy Apfelbeck)
- 1) Update on National Memorandum of Agreement for delineating wetlands in Montana, Montana River Information System and TMDL
- 2) Invite tribes, learn their needs, challenges and what they are doing to protect the wetlands
- 3) Invite elected officials, developers and realtors for a local government panel discussion
- 4) Mitigation bank update (COE)

**MONTANA WETLAND COUNCIL MEETING
JUNE 3, 1999
SIGN-IN SHEET**

<u>NAME</u>	<u>AGENCY</u>
Mark Holston	Flathead Basin Commission, Kalispell
Chad Anderson	Montana Department of Agriculture
Duane Anderson	Natural Resource Information System
Alan Rollo	Montana Watershed Coordinating Council
Jesse Aber	Dept of Natural Resources & Conservation
Heather Johnston	Department of Military Affairs
Sean Lawlor	U.S. Geologic Survey
Lorna Karn	Montana Farm Bureau
Dave Heilig	Natural Resource Conservation Service
Jack Greenlee	Montana Natural Heritage Program
Christal Ness	Gough, Shanahan, Johnson & Waterman
Willie Fontenot	LA Atty. General's Office, Baton Rouge, LA
Mary Vandenbosch	Montana Legislative – EQC Staff
Mary Ellen Wolfe	Montana Watercourse, MSU
Mary Manning	U.S. Department of Agriculture – Forest Service
Jeff Herbert	Montana Fish, Wildlife, & Parks
Mike Murphy	Montana Water Resource Association
Bruce Waage	Western Energy Company
Steve Potts	U.S. Environmental Protection Agency
Steve Martin	U.S. Fish & Wildlife Services
Lynda Saul	Department of Environmental Quality