

DRAFT MINUTES
Flathead Basin Commission
Bigfork, Montana
December 10, 2008

The meeting was called to order by Vice Chair Ed Heger at 10:08 a.m.

Present: Heger, Cathy Barbouletos, Joe Brenneman, Rich Moy, Susan Brueggeman, Dan Bangeman, Jim Simpson, Mark Reller, Ron Steg (for Julie DalSoglio), Jan Metzmaker, Steve Frye (for Bob Sandman), Luis Saldamando (for Denis Philmon), John Fraley (for Jim Satterfield), Thompson Smith, Art Compton, Chas Cartwright, Margaret Sogard, Caryn Miske

Absent: Clinton Whitney, James Steele, Don Loranger, Jon Jourdonnais, Mike Volesky, Kathy Eichenberger

Also present: Erin Sexton (FLBS), Mark Lorang and Robin Stein Kraus (Flathead Lakers), representative of Congressman Denny Rehberg, George Matheius (MDEQ), Kate Hunt, Patti Mason (FCD), Sue Shannon (Lake Co. Planning Department), Dave Hadden (Flathead Coalition), Bill Baum, Steve Smith (Woods Bay Sewer District), Joni Emerick (Kalispell WWTP Operator)

ACTION ITEM:

Metzmaker moved, Brueggeman seconded, that the minutes of the last meeting be approved. Passed unanimously.

It was agreed that a quorum was present.

Heger commented that during the difficult financial situation, and the frozen state government budget, FBC citizen members have an important role to play.

Executive Director Report:

Miske gave updates on status of grants. She said that she is working on an ED work plan for 2009. She discussed the job classification of the Public Information Officer/Volunteer Coordinator and the Webmaster. She reported that there was ongoing work with DNRC over future administrative relationship with the agency.

She commented on the recent Volunteer Monitor meeting for volunteers, and Brueggeman report on attending the meeting and meeting the participants.

Miske further discussed meeting with area legislators, which had been coordinated by the Flathead Lakers. She said that the proposed invasive species legislation had been discussed.

Miske addressed the phosphate ban legislation and jurisdictions that may not be covered under the current legislation. She said that she had reviewed Flathead County's regulation regarding the sale of phosphate-containing household cleaning products and asked the group whether the FBC be interested in supporting legislation for a statewide phosphate ban.

It was the consensus of the members present that Miske should continue to research the issue and provide updates as necessary.

Update on Biennial Report:

Mark Holston reported on the Biennial Report project, providing handouts of new content and asking for any comments in a timely manner so the report could be finished and printed.

North Lake County Zoning:

Pat Smith commented that there is nothing to ask the FBC for at this time, although the Woods Bay Sewer District might ask for support of a project at a future meeting.

Heger said that he wants to put on the FBC agenda for the next meeting a discussion of what the FBC's role should be in issues related to land use planning.

Sue Shannon provided a brief report that updated Lake County's planning regulations. Regulations have changed substantially, she said, citing expanded buffer zone language to include wetlands areas and setbacks on streams.

Legislation Updates:

Fraley commented on HB 25, Stream Access at Bridges, which would try to establish a compromise between landowners and sportspersons; a proposed "Ranching for Wildlife Bill"; SB 31, designed to revise qualifications for Fish & Game commissioners; and proposed bills to lessen the requirements for hunter education and to make mandatory a trapper education program.

Moy said that three bills were being considered that would create a permanent water policy group. Another bill would provide the Bureau of Mines and Geology funding to study river systems and interconnections between surface and ground water while another bill, HB 26, would address adjudicated claims.

Moy discussed another bill suggested by former State Senator George Darrow that is being carried by Senator Dave Wanzenried that will organize the state into three large basins to study future water supplies and other issues, and the process would be repeated every 20 years.

Compton commented on a bill on numeric standards, and that legislative support for the

bill was being sought.

Miske reported on a FWP proposal to acquire land -- 235 acres -- at the confluence of the Flathead and Stillwater rivers.

Frye commented on The Montana Legacy Project, saying that 312,500 acres in the Swan Valley would go to three entities: DNRC, Forest Service, and local and philanthropic groups. He said that an additional 13,000 plus acres are being looked at in Lincoln County, and that funds will be derived from the Farm Bill.

Flathead County Update:

Brenneman said that the county had adopted subdivision regulations this week, and that a committee will be appointed to review the regulations for their functionality.

Regarding setbacks, he said that given the way the text was drafted, the proposed regulations would only affect property that was going to be subdivided. He added that the setbacks regulations that were ultimately adopted would come into play if land is going to be developed adjacent to a waterway, and in such cases, the property owner will be required to document the measures that will be taken to ensure that such developments will prevent water quality degradation. He further commented that the timber industry has done a good job through voluntary BMPs and added that the same approach could be used with the agriculture community. Brenneman discussed the possibility of using an incentive of some kind if farmers would undergo and pass an environmental assessment of their land using BMPs.

Trans-boundary Report:

Rich Moy cited British Columbia premier Bill Bennett's statement that there will not be mining in the Flathead. He added that Cline Mining has not done any work in the Flathead for some time. In the Dominion Coal Block, he commented, there is strong interest on the part of bp and Rio Tinto and that there is a potential for gold mining in the Howell Cr. Drainage, and exploratory efforts are ongoing.

Non-profit Status Update:

The issue of establishing 501 (c)(3) for the FBC was discussed. The recommendation of the committee is that the FBC move ahead with the non-profit status, and it will be voted on at the next regular meeting.

TMDL report:

Ron Steg, US EPA, and George Mathieus, Montana DEQ, were present to update the group on current TMDL initiatives. Steg said that technical advisory committee and stakeholder groups for the Flathead had been organized and should start meeting soon. He added that there should be just one technical advisory committee, but that attendance

could be based on what the technical issues are. Storm water and roads will be first issues, he commented, and said that work on dams and septic systems would follow, with agriculture and irrigation, atmospheric deposition, and groundwater being among the other issues to be addressed.

Mathieus added that this project would be tackled differently than others and that a TMDL web page would be created just for the Flathead.

Committee Reports:

There were no additional comments by the Executive Committee. The E&O Committee did not have a report. The Monitoring Committee reported on their fall meeting, along with progress made on finalizing the surface water quality monitoring plan.

The PPOA Committee reported that it had put together a first cut on "aligned" groups -- about 40 -- in the Flathead with whom the FBC is aligned in regards to goals and objectives. The Swift Creek Coalition was added to the list, and Metzmaker said that she will assist with that group. Patti Mason said that she would assist with the Haskill Basin and Clark Fork Trust organizations.

Other Business:

Reller said that he has a speaker who could give a briefing on the Columbia River treaty at the next FBC meeting.

The group decided on these dates for upcoming meetings:

February 18, 2009

April 8, 2009

June 17, 2009

The meeting was adjourned at 3 p.m.