

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
FISHERIES DIVISION
JOB PROGRESS REPORT

STATE: MONTANA

PROJECT NUMBER: F-46-R-3
JOB NUMBER: VI D

PROJECT TITLE: STATEWIDE FISHERIES INVESTIGATIONS
STATE TITLE: STATEWIDE SURVEY AND INVENTORIES
JOB TITLE: STREAMBANK PERMITTING AND SURVEYS
PERIOD COVERED: JULY 1, 1989 TO JUNE 30, 1990

ABSTRACT

Five contractors were hired to represent the Department on field inspections for streambank permitting activities. The contractors inspected 103 projects and attended 17 conservation district meetings. Funding was provided to 7 projects involving development of educational materials, planning, engineering and surveys relating to stream corridors and habitat improvement. Conservation District's sponsored 4 of these projects.

OBJECTIVES AND DEGREE OF ATTAINMENT

1. To assist Regions 1-5 with contracts for streambank permitting activities. Five contracts were established in Regions 1-5.
2. To provide assistance to conservation districts for streambank inventories and stream corridor management. Funding for program assistance was provided to four conservation districts. State funding was used for printing costs for educational materials and handbooks.

PROCEDURES

County conservation districts administer the Natural Streambed and Land Preservation Act (310). The Act requires private individuals, corporations, firms, associations and companies to obtain a permit before commencing with a project to alter or modify the bed or banks of a stream. The Department of Fish, Wildlife and Parks (DFWP) administers the Stream Protection Act (SPA) which requires all governmental entities to give notice and obtain a permit before commencing with projects that shall alter or modify the bed or banks of fishing streams. Fisheries personnel participate in the review and recommendation process of both Acts in order to protect fish habitat. Each year, about 500 projects are reviewed under 310 and about 200 projects are reviewed and processed under SPA.

The Attorney General's opinion in 1986 stated a permit was required by irrigators for maintenance or improvement of earthen diversion dams. Following this opinion, the 1987 legislature amended the 310 Act to provide a process whereby irrigators may avoid the annual burden of applying for a permit if they filed for and received an approved plan of annual operation. This plan may be operational for up to ten years providing no changes are made in the maintenance procedure. Fisheries personnel must approve operational plans before they are issued. Maintenance and repair plans that will significantly alter or modify a stream will still require an annual 310 permit.

Decentralization of SPA administration placed more control of permit issuance on regional fisheries personnel. Field personnel now permit projects proposed by counties, cities, and other subdivisions of state government. Only Highway Department and DFWP projects are permitted by the Helena staff. The added workload created by irrigation diversions under 310 and decentralization of SPA warranted added support to field personnel.

Contractors were employed to assist Regions with field reviews, recommendations and attendance at conservation district monthly meetings. Personal Services Contracts were negotiated with firms and individuals qualified to represent DFWP with 310 and SPA matters in Regions 1 through 5. Each contract was limited to \$5,000. The mechanics of the contracts named the Regional Fishery Manager as a liaison with the contractor. The fishery manager receives notification of proposed projects from conservation districts and assigns which projects shall be handled by the contractor. Time and place of field reviews are scheduled by the conservation district. After reviewing the proposed projects, the contractor makes written recommendations to the fishery manager or an assigned fisheries biologist. Fisheries personnel may accept or modify the recommendations before submitting them to the conservation district. Contractors also attend conservation district meetings as requested by either the district or the fishery manager. Contractor involvement with SPA projects are similar except the fishery manager assigns field reviews directly to the contractor.

Conservation Districts lack funding to do inventories, surveys or management planning relating to stream corridors. Studies and conservation programs sponsored by districts are usually funded by grants. Districts were solicited to determine programs they wished to develop involving stream corridor surveys, inventories, planning projects or educational materials. Proposed programs were submitted to DFWP for priority review and recommended funding. Regional fishery personnel were asked to review and comment on projects prior to funding. Contracts were prepared for those projects selected to assist with habitat preservation and enhancement of aquatic resources.

FINDINGS

During this report period, 5 contractors inspected 103 projects and attended 17 conservation district meetings. Only 5 of the projects involved SPA. The total cost was \$8,183.78, or an average of about \$79 per project. The contractors traveled 5,173 miles and expended 300 hours inspecting projects, attending meetings and traveling. The mileage and hours are similar to what DFWP personnel would have consumed to fulfil the duties mandated by 310 and SPA.

Only one of the five contractors were employed the entire fiscal year. Regional personnel had some difficulty finding qualified contractors to do the inspection work. Two contractors were hired with only two months left in the fiscal year, while two others were hired near the middle of the year. Therefore, only about one third of the funds budgeted for the contractor work was spent. All contractors have intended to renew their contracts for FY 1991.

The following table summarizes stream permitting activities by individual contractors and costs associated with those activities.

<u>Contractor</u>	<u>Regions Served</u>	<u>Projects</u>	<u>Miles Traveled</u>	<u>Cost Per Project</u>
Ecological Resources	R-3,4	45	3,338	\$111
Dutton Resources	R-2	10	775	111
Inter-Fluve, Inc.	R-3	30	670	46
J. Haverkamp	R-5	13	322	41
H. Johnson	R-1	5	68	33
TOTAL		103	5,173	\bar{x} \$ 79

High project costs associated with Ecological Services and Dutton Resources resulted from the travel time involved with projects. Both these firms are servicing areas involving 4 or 5 conservation districts. These costs could be reduced if more contractors could be hired to present smaller areas. This possibility will be explored during the next fiscal year.

Funding was provided to four conservation district sponsored projects dealing with stream surveys, project planning and educational material. Missoula Conservation District produced a video program entitled "These Few Acres". The video targets best land management practices for small landowners, primarily those landowners with tracts of land in urban/rural subdivisions. It contains a strong message leading to the importance of stable stream channels and the benefits of a healthy riparian area adjacent to stream corridors. Several copies of the video were produced and sent to other conservation districts, county planning and land management agencies throughout the State.

Stillwater Conservation District sponsored a project involving an aquatic macro-invertebrate survey on Butcher Creek, a small tributary to Rosebud Creek, which in turn is a tributary to the Stillwater River. Butcher Creek is a major contributor of silt to downstream river systems. The invertebrate survey supplemented a physical features inventory of the creek that was funded by the Department of Health and Environmental Sciences, Water Quality Bureau. The Conservation District hopes to use the results of these studies to help fund a larger project to help producers with education, materials, irrigation and grazing systems to restore watershed-riparian balance.

The Mile-High Conservation District sponsored a project, together with a local Trout Unlimited Chapter, to enhance fish habitat on Blacktail Creek. This small stream flows through the City of Butte and has been manhandled by various land use activities. A biological consulting firm engineered plans to add structure to the stream to enhance trout habitat. Funding was provided to the conservation district to defray expenses for the design of the project. DFWP personnel also provided biological information by surveying fish populations in the stream segment targeted for habitat improvement.

The North Powell Conservation District sponsored a fish habitat improvement project on Rock Creek, a small spring fed tributary to the North Fork of the Blackfoot River. Funds were granted to develop plans and purchase materials for a bridge replacement project in conjunction with a local Trout Unlimited chapter. A culvert crossing on this stream blocked fish passage for many years. Cooperation by the local landowner, conservation district, Trout Unlimited Chapter and DFWP made this project a reality. DFWP will monitor this stream in the future to determine spawning use and recruitment to the Blackfoot River system.

Funding was approved for production of educational materials dealing with fish habitat enhancement, stream permitting and a landowner stream management guide. The Montana Association of Conservation Districts produced a pamphlet on a guide to stream permitting in Montana. Funding was primarily provided by the EPA while various agencies provided some funding to cover final costs. The pamphlets were distributed to conservation district offices and other resource offices around the State to make them readily available to landowners.

The second in a series of guides to acquaint landowners with the values and dividends from a well managed stream was developed. This brochure points out the values of a well maintained floodplain, some influencing factors and a message for management planning. The publication will be distributed to conservation district, SCS and DFWP offices through the State.

The Montana Land Reliance sponsored the writing and publication of a trout habitat handbook which will be out for distribution late in 1990. DFWP assisted by contributing \$2,000 to help compensate the author of the handbook. The handbook is intended to provide landowners with a basic appreciation of trout habitat requirements and to encourage trout habitat restoration while solving their own land management problems.

The following table lists programs funded under this project to aid with stream and associated land management practices in Montana:

<u>Sponsor</u>	<u>Project</u>	<u>Funding</u>	
		<u>Earmarked</u>	<u>Spent</u>
Missoula Con. Dist.	Video - "These Few Acres"	\$3,000	\$3,096
Mile High Con. Dist.	Blacktail Cr. Engineering	2,000	2,000
North Powell Con. Dist.	Planning & Materials, Rock Creek.	2,000	2,000
Stillwater Con. Dist.	Macro-invertebrate Survey	2,600	1,882
Fish, Wildlife & Parks	Landowner Guide	2,000	1,865
Montana Land Reliance	Trout Habitat Handbook	2,000	2,000
Montana Assn. Con. Dist.	Stream Permitting Handbook	<u>110</u>	<u>110</u>
TOTAL		\$13,710	\$12,953

RECOMMENDATIONS

It is recommended that this project be continued. Contracting stream permitting work to qualified independent contractors is anticipated to free up about 600 hours of fishery managers and biologists time. This time can be spent on other priority programs. Those managers and biologists that have greatly utilized the contractors have expressed satisfaction with the program. The contractors do not inspect all 310 projects and attend all the conservation district meetings. Several of the 310 projects and the conservation districts meetings are handled by DFWP personnel, so association is maintained with the agricultural community. Stream corridor projects dealing with educational materials, surveys, planning and inventories intended to assist landowners should continue. Programs aimed at preservation and enhancement of stream habitat will help DFWP fulfill its objectives of protecting habitat to maintain angler days for the recreating public.

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