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MEMORANDUM

TO: Members of the UCFRB Remediation and Restoration Advisory Council

FROM: Carol Fox, NRDP *CAF*

DATE: May 10, 2012

SUBJECT: May 16, 2012 Council Meeting

The Advisory Council will meet **Wednesday, May 16, 2012** at the Elk's Club in Deer Lodge, starting at 1:00 p.m. Attached is the agenda and backup meeting materials. The major agenda item will be updates and additional information related to the *Upper Clark Fork River Basin Interim Restoration Process Plan (Process Plan)*. The Advisory Council considered a draft version of the *Process Plan* and public comment at its April 4, 2012 meeting (see attached meeting summary). The Trustee Restoration Council (TRC) considered public comment and Advisory Council input on the draft document at its April 10, 2012 meeting. The TRC recommended approval of the *Process Plan*, with the proposed redline changes that were indicated in the TRC mailing materials provided to you on April 6, 2012. Following is a summary of the TRC's additional recommendations related to outreach and schedules specific to the aquatic and terrestrial restoration planning process.<sup>1</sup>

- Development of a summary of *Process Plan*, to be used in the solicitation of concept proposal abstracts.
- Public submittal of concept proposal abstracts by June 15, 2012.
- Review of abstracts at a public forum to be held by the Advisory Council in July.
- Completion of draft restoration plans by late-September, with 30 day public comment period to follow.
- Advisory Council and Trustee Restoration Council consideration of public comment and recommendations on restoration plans to occur in early to mid-November, respectively.
- Approval of final restoration plans in late-November or December.

At your May 16, 2012 meeting, Bill Rossbach will further brief members about the deliberations and decisions of the TRC. I will follow with summary of and related handouts about the proposed changes to the draft and outreach efforts for the planned solicitation of aquatic and terrestrial restoration concept proposals. The rest of the meeting will be devoted to answering questions from the Council and public on these topics. Please feel free to offer any questions you have on these matters to me in advance of the meeting.

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<sup>1</sup> An audio recording of the TRC meeting is available from the NRDP's website (<https://doj.mt.gov/lands>)

**UPPER CLARK FORK RIVER BASIN  
REMEDICATION AND RESTORATION  
ADVISORY COUNCIL**

**Wednesday, May 16, 2012  
at the Elk's Club in Deer Lodge  
230 Main Street (corner of Main & Cottonwood Ave.)**

Bill Rossbach, Chair  
Missoula

Maureen Connor  
Philipsburg

Kay Eccleston  
Anaconda

Roy O'Connor  
Missoula

Jim Kambich  
Butte

Jon Krutar  
Ovando

Mike McLean  
Anaconda

Mick Ringsak  
Butte

Richard Opper, Director  
Dept. of Environmental Quality

Joe Maurier, Director  
Dept. of Fish, Wildlife and Parks

Mary Sexton, Director Dept. of  
Natural Resources and  
Conservation

Joe Durglo, Chairman  
Confederated Salish & Kootenai  
Tribes

Laura Rotegard  
U.S. Dept of Interior

**AGENDA**

- |             |   |
|-------------|---|
| 1:00 – 1:15 | Introductions and Administrative Items  |
|             | <ul style="list-style-type: none"><li>• Draft 2/29/12 meeting summary minutes – Action Item</li><li>• Draft 4/4/12 meeting summary minutes – Action Item</li></ul>  |
| 1:15 – 2:45 | UCFRB Interim Restoration Process Plan – Information Item   |
|             | <ul style="list-style-type: none"><li>• Summary of TRC meeting – Bill Rossbach</li><li>• Review of Proposed Changes to Draft Plan – Carol Fox</li><li>• Outreach efforts on solicitation process for aquatic and terrestrial restoration concept proposals – Carol Fox</li><li>• Questions from Council members and public</li><li>• Public Comment</li></ul> |
| 2:45 – 3:00 | Update on April 2012 Riparian Restoration Symposium   |
|             | Planning for next meeting   |
|             | Additional Public Comment/Announcements   |

## **April 4, 2012 Advisory Council DRAFT Summary Meeting Minutes**

Location/Time: Elk's Club in Deer Lodge; 1:00 to 3:30 p.m.

Council members present: Maureen Connor, Kay Eccelston, Jon Krutar, Mike McLean, Eric Mason, Sandi Olsen, Mick Ringsak, Laura Rotegard, Bill Rossbach, Trevor Selch, Laurence Siroky

Council members absent: Jim Kambich, Roy O'Connor, Mary Price

### **Updates and Administrative Items:**

Members elected Maureen Connor as alternate chair.

The attached redline version of the draft February 29, 2012 summary show corrections offered at the April 4, 2012 meeting. Kay Eccleston made a motion to accept the revised notes as final, subject to review of the pending language in new bullet #3. Mick Ringsak seconded. The motion passed unanimously.

Bill Rossbach chaired the rest of the meeting.

### **Draft Process Plan:**

Staff Briefing: Carol Fox summarized the five public comment letters received on the *2012 Draft Upper Clark Fork River Basin Interim Restoration Process Plan (Draft Process Plan)* and the staff's responses to those comments. Following is a summary of most of the questions/responses (indicated with an "R") covered during the question and answer session on Carol's presentation. Some questions/responses on similar topics are grouped.

- Several questions were asked about the status of the staff's response document and its availability to the Advisory Council (AC) and public. R: A draft document is under internal legal review. It should be ready for the TRC meeting mailing, which will go to AC members and interested public. I will review the staff's recommended changes today, but do not have them in writing. Q: So, is the AC expected to vote on the substantive changes without having them in writing? R: Yes, or the AC can just offer its input on the *Draft Process Plan*.
- Explain the implementation plans and the Clark Fork Coalition's comments about them (Category 3 comments). R: When projects are conceptual and will occur over several years, we believe implementation plans will be needed that over the status/steps of project development and implementation. We propose clarifying text on conditions that would trigger the need for implementation plans and what they would cover. In response to a follow up question about this from Bill Rossbach, Andy Fisher of the Clark Fork Coalition indicated this response addressed their comment.

- Explain why staff does not concur with Clark Fork Coalition’s recommendation to designate the projects that are eligible for excess Silver Bow Creek (SBC) remediation funds (Category 7). R: The 2012 restoration plans are for the UCFRB Restoration Fund, and we do not want to pre-judge any later restoration plan decision for excess SBC remediation funds, if there are any. The eligibility for excess funds is easily discernible based on project location above/below Deer Lodge. Bill Rossbach noted a concern that the different planning timeframe for these two fund sources could negatively impact funding of downstream projects. Kay Eccleston noted this is an issue either way. Maureen Connor indicated agreement with the staff position on this issue.
- Maureen Connor commented that it was unclear how the concern raised in John Hollenback’s letter about how non-state entities can participate in the process would be addressed later in the process. Bill Rossbach noted the difficulty in understanding how things will work without the final plans in place. Maureen indicated that this difficulty is reflected in the public comments and suggested that, at a minimum, the AC express to the TRC that the Council is unclear about how the final plan will be implemented.

#### Public Comment and Additional Council Questions/Discussion

Bill Rossbach asked for public comments from the Anaconda and Butte representatives.

- Alden Beard of BETA, consultant for Anaconda-Deer Lodge City-County, indicated the County is fully supportive of the groundwater provisions and of getting the “show on the road.” They are ready to get their water system planning and projects started once the plan is approved.
- Jon Sesso, Planning Director for Butte-Silver Bow City/County (B-SB), indicated B-SB’s comments pertain to the sections about the aquatic/terrestrial planning process and the Greenway. He expressed concern that \$8 million Greenway set-aside would come from the whole fund, but only be reimbursed to the aquatic and terrestrial account and, thus, unfairly reduce the 36% groundwater allocation. He indicated agreement with John Hollenbeck’s letter. He expressed concerns that there would be no more grants program, that there would be no opportunity to fund ideas beyond those submitted in June 2012, that the new program would be entirely executed by staff, and that no projects are likely to meet the exigency requirements for early restoration proposals. He asked to be corrected if his interpretations were not accurate. He indicated that B-SB is updating its master plan for water system projects for the groundwater fund pot and that their Water Division has also unveiled proposals for the other fund pots.

Council members asked Carol questions in follow-up to Jon Sesso’s comments.

- How are outside entities going to get ideas considered after the June deadline? R: There will be solicitation for new project ideas associated with the plan revision in two years and other subsequent revisions.

- What about ideas that are submitted this year that are not approved in the first plan? R: They can be resubmitted via a future solicitation process. Changes can also occur between the draft and final stages of the restoration plans via input from the public, AC, and TRC.
- Will outside entities get funds to implement projects? R: Yes, but not in the same way as the past grants process. We left the details about the who, how, and when of implementation to be specified in the restoration plans. We have moved away from the grants program to better meet the legal restoration planning requirements that entail considering restoration alternatives and specifying how natural resource damage (NRD) settlement funds will be spent. This is similar to what was done for Milltown and the 2008 Consent Decree sites, such as Butte Area One. We have set our goals through prioritization documents and are going from there.

Jon Sesso commented that the staff recommendations are powerful and he is concerned communities ideas won't fit in the staff's view of the plan. He indicated that this is a significant change from the past grants program, which he thought worked well for communities, and that he fears that communities won't be involved.

Bill Rossbach responded that the AC is committed to a science-based program in which the public will still be involved and that the AC will listen to and address community concerns. The AC can recommend something different than staff. This is a different process, but all the rights are there as before.

Jon Sesso suggested that organizations be allowed to present their abstracts before the staff develops the draft plans to allow for greater knowledge about the abstracts.

Maureen Conner expressed concerns that smaller communities would not be able to meet the June deadline, noting they do not have the financial resources to develop projects. If they don't make that deadline, do they have to wait two years before the next chance? Carol's response: Yes, two years would be the next solicitation. But the solicitation is for project ideas, not fully developed projects, with only general information needed. The *Draft Process Plan* provides for projects of various levels of development, including projects of a conceptual nature that would be further developed if included in the final restoration plans.

Jon Krutar asked for John Hollenback and Jon Sesso to identify the parts of the process plan that they have a problem with and for staff to respond to this input.

- John Hollenback responded that the WRC is working on 14 project ideas in varying stages of development and that they don't want important work to not get funded, due to the lack of information and the quick timeframes. FWP has too much input into the plan. Fish are important, but landowners are concerned about instream flow projects that may take water off the land and adversely affect aquifer conditions. The NRCS has quit funding such projects. This is a once in a lifetime opportunity that involves future generations. We need to be cautious about purchasing easements and water rights; they may not be the answer.

- Jon Sesso responded that the language in sections 5.3.2 and 5.3.3 is problematic. Section 5.3.2 indicates the State will consider proposals. We would like a public airing of the proposals in which those who submit abstracts get to present them. The conditional language in Section 5.3.3 about partnering appears to indicate there will be no more grants to be implemented by others under state oversight. The grant process was not broken; it worked well.

Following is a summary of the Carol's response to these comments:

- Re: Change from grants process: We are proposing a different process than that of the previous grant program. The State would do some projects and partner with other entities to do some projects. The details of how this partnering process would work are left to be fleshed out in the restoration plans. Unlike the grants process, we are also not asking folks to have fully developed projects; we are asking for ideas. Funds can be used to develop the ideas considered worth pursuing. We have moved away from the grants program for legal and other reasons. This approach is less of a piecemeal approach than the grant process, and allows us to better collectively achieve goals. For example, we may gain more benefit from funding four projects in one priority area than funding one project each in four different areas. Greater state involvement up-front helps reduce false expectations, such as purchase price, and the "all or nothing" situations that occurred in some grant projects involving multiple components.
- Re: presentations on abstracts: The Advisory Council could choose to hear presentations from those submitting abstracts, similar to what was done with grant proposals.
- Re: FWP Input: FWP's input on encouraged activities in the *Draft Process Plan* provides guidance based on science about what types of activities in priority areas are most likely to accomplish goals. This guidance does not mean FWP would implement all the projects.

In follow up, Laurence Siroky characterized the new process as: the State seeking to have a plan that matches project ideas to solutions/measurable results based on the goals determined in the prioritization efforts. Carol agreed with this summary.

Bill Rossbach asked Carol to address Jon Sesso's comments about the Greenway loan payback. R: The \$8 million earmark is considered as a past approved amount, with 60% deducted from the aquatic pot and 40% from the terrestrial pot. All past approved amounts are considered by resource category in determining future appropriations for each resource pot. There is no negative effect on the groundwater funding with this approach. Tom Mostad's detailed spreadsheet showing these calculations is available upon request.

Maureen Conner verified with Carol that the five public comments received, the staff's responses, and the Advisory Council's input would be provided to TRC for their meeting.

There was no additional public comment.

### Advisory Council Action

Bill Rossbach offered some initial language for members to build on about the need for more clarity about and certainty of the role of non-State entities in the future program. Maureen Conner proposed the following motion language for further elaboration by Bill Rossbach to the TRC: “That the Advisory Council requests more clarity and specificity on how non-state entities ideas, concepts, or projects get incorporated via the interim process plan into the final restoration plan.” Jon Krutar seconded the motion. The motion passed unanimously.

Following is the completed final motion language Bill Rossbach provided to the Trustee Restoration Council for consideration at their April 10, 2012 meeting:

“It is the position of the Advisory Council that the Interim Restoration Process Plan must provide more clear and specific guidance on how ideas, plans, conceptual programs, or projects from non-state governmental entities and private non-governmental entities will be considered and incorporated into the final restoration plan, particularly with the time frame now proposed, and how future ideas, plans, programs, and projects can be considered and incorporated into periodic future restoration plan revisions or updates.

It is the consensus of the Advisory Council that the Process Plan must be clear that future project proposals, development, and funding will not be limited to state agency developed projects.”

### Announcements:

Mike Ringsak mentioned an April 1, 2012 article about funding proposals for \$80 M of NRD funding from Butte-Silver Bow’s Public Works Department that Rick Larson presented to the County Commissioners. He indicated that neither he nor Jim Kambich were informed about/involved with this proposal, which would be subject of action at the Commission’s April 4, 2012 meeting. He asked Jon Sesso to provide more background. Jon summarized the proposals and potential funding sources and answered questions about them. Mick asked members if they wanted to offer input; Bill Rossbach responded that it was premature for the AC to collectively offer input on this matter at this time.

Carol indicated that the NRDP-sponsored symposium on riparian restoration to be held in Deer Lodge on April 18 – 20, 2012 was full, but that interested folks could contact Kathy Coleman to get on the waiting list.

Laura Rotegard commented about the importance of researching the relationship between groundwater and surface water and reiterated John Hollenback’s input about this.

Next Meeting: Will be on Wednesday, May 16, 2012, starting at 1:00 p.m.

## February 29, 2012 Advisory Council Meeting Draft Summary Minutes

Location/Time: St. Mary's Church in Bonner; 1 to 4 p.m.

Council members present: Maureen Connor, Kay Eccelston, Jim Kambich, Jon Krutar, Eric Mason, Sandi Olsen, Bill Rossbach, Mary Price, Trevor Selch, Laurence Siroky.

Council members absent: Mike McLean, Roy O'Connor, Mick Ringsak

**Optional AM Milltown Tour:** ~~Some members of the~~ Council members Jon Krutar, Eric Mason, Maureen Connor, Mary Price and Trevor Selch, along with FWP and NRDP staff, viewed the Milltown site before the meeting, from the bluff overlook and Confluence areas.

**Administrative Items:** Members approved the draft 7-20-11 and 1-25-12 meeting summaries.

### **2009 Milltown State Park Amendment Proposal** – Action Item

**FWP Update:** Mike Kustudia, Lee Bastian, and Tom Reilly of FWP summarized the different phases of the planning process for this project from 2007 to date, the main reasons that triggered the latest revisions, and the main issues that remain to be resolved and answered Council questions. Following is a summary of the topics/responses (indicated with an “R”) covered during the question and answer session.

- Provide more details on how the budget will work, particularly with the \$1 million shortfall. What will be funded and what will not? R: FWP staff provided a recap of the revised project funding and explained how the HUD grant and EPA funds will take care of the shortfall.
- Are there any permanent structures/staff offices, such as the Pavilion? R: The pavilions at the Gateway and Confluence will not be constructed at this time. An existing shop building will be used as a temporary home for staff.
- What about the boat ramp? R: FWP staff explained the location and rationale for the walk-in only boat ramp, including the high flow concern issue.
- What are the plans for the Gateway area in the long-term? R: FWP views the Gateway as more of a trailhead area; the parking lot and group use shelter are better located at the Confluence. FWP will continue to negotiate easement/acquisition options associated with the Cooney parcel. As noted in the amendment summary, FWP does intend to pursue future funding for additional park features not covered in this project.
- What about follow-up with the railroad about fencing? R: FWP has not consulted with the railroad on cost share yet but intends to do so. Mary Price suggested that FWP not only look into cost share, but also look into assuring that FWP is not assuming liability that properly belongs with the railroad. Maureen Connor indicated her agreement with Mary's input.
- Bill Rossbach indicated his agreement with the shift in focus from the Gateway to the Confluence and his concerns about dangerous safety issues associated with the I-90 bridge

piers. What efforts are being done to mitigate/eliminate this problem? Did they do an environmental assessment or impact statement? R: Doug Martin of NRDP indicated that EPA is responsible for the bridge piers, with MDOT to take over in 10 years and that while efforts are being made to mitigate this problem, no resolution has occurred to date. The Superfund process is considered as the functional equivalent to the NEPA process. Mike Kustudia noted the bridge issue contributed to changes in the Park design. Mary Price commented that a concerted multi-agency effort was made to get EPA to change plans about the I-90 piers, but it failed and that this was an unfortunate outcome of an otherwise successful project.

- What about the schedule for this summer? R: FWP is proceeding as if construction of the proposed park features will occur this summer, but the timing of resolution of the International Paper access, I-90 trail underpass access, and floodplain designation issues could change that schedule. [The river closure of the Confluence area will continue through fall of 2013.](#)

NRDP Input: Doug Martin provided background on the substantive change of scope process and public comment process and explained the NRDP's support of the proposed amendment, subject to the following recommended function condition: "That FWP obtain permanent access for the State and the public to use the access road to the Confluence area that is currently on property owned by International Paper, either through a permanent access easement or fee title acquisition, which is approved by NRDP legal counsel, prior to initiating construction work on the project, including award of related construction and materials supply contracts."

Additional match: Maureen asked about how match had increased since the match recognized in original project approval. R: The additional HUD (\$730,500) and EPA (\$200,000) funds came after approval of the 2009 grant, which had a 1% in-kind match. Maureen Connor requested that the additional match that was not reflected in the original grant application be recognized for the record.

Council Motion: Bill Rossbach entertained a motion. Maureen Connor made a motion to recommend approval of FWP's proposed amendment, subject to the NRDP's recommended funding condition. Jon Krutar seconded the motion.

Public Comment: Peter Nielsen of Missoula County noted the County is a co-applicant for this project, is supportive of the proposed changes, as indicated in their written comments, and considers the proposed pedestrian bridge across the Clark Fork River as an important future park feature. He noted that County engineers did not prevail in their suggested changes to EPA's design for the I-90 bridge piers. Bill Rossbach asked whether the County's design changes could alleviate dangerous conditions at high water; Peter responded that it is too late to implement those changes. Peter added that the County also contributed open space funds that were not confirmed at the time of the original application.

Council Action: The motion passed unanimously.

## **Briefing on Draft Process Plan – Informational Item**

Carol Fox summarized the February 2012 *Draft UCFRB Interim Restoration Process Plan*. Following is a summary of the topics/responses (indicated with an “R”) covered during the question and answer session.

Council questions/comment:

- Are any major projects anticipated? R: Butte-Silver Bow representatives briefed the Butte Natural Resource Damage Restoration Council (BNRC) at their February meeting about potential projects for Butte drinking water system improvements, including improvements to Silver Lake waterline.
- How are the Butte ideas being submitted and what would be the funding sources for these projects? R: Butte-Silver Bow representatives provided these ideas at the request of the BNRC, which is conducting a scoping process for restoration ideas for the settlement funds dedicated to the Butte Area One site. They indicated various NRD fund sources might be sought for these projects, both BAO funds as well as resource priority funds (groundwater, aquatic and terrestrial).
- Can private or non-governmental entities submit ideas? R. Yes. Any interested individual or entity can submit ideas through the public solicitation process described in section 5.3.1; the process is not exclusive to state entities.
- Are there contingencies for work done on private lands when the landownership changes? R: This is something to be addressed at the implementation phase. On past grant projects, this type of assurance was handled through landowner agreements that required subsequent landowners to maintain projects for a certain time frame.
- Will NRDP and FWP be proposing ideas? R: The process plan allows for State entities to offer restoration ideas. For example, the State might propose an idea of a priority 1 stream, if the idea is not covered with other submittals.
- How can we be more proactive in suggesting ideas for desired work? R: The process plan accomplishes this with the additional guidance from FWP biologists on encouraged activities in priority areas.
- Will there be a ranking of projects/ideas? R: We will not be doing a similar ranking as was done in the annual grants process. We will use the NRD criteria to decide on what are the best prospects to include in the restoration plans.
- Will implementation plans be done annually? R: The *Draft Process Plan* indicates this possibility, but this will depend on the set of projects included in the restoration plans. Some projects may drop out as they are further developed because of price or other issues. Some projects may require subsequent approvals; others may not. Implementation plans could be annual but will depend on project status.

- Will DOI or the Tribes be looking at what they can do to integrate projects? R: Mary Price responded she did not know and that the Tribes are focusing their funds on the Jocko River restoration, but that they may work with others on ideas. Eric Mason stated that DOI has ideas for the portion of Cottonwood Creek on the Grant Kohrs Ranch, plus possibly other ideas. Carol noted that ideas can come from any entity and that the how and who of implementation comes later.

Public questions/comment:

- What about the level of detail required for the concept proposals? R: We anticipate a varying level of detail, with some projects well-developed and other projects at the conceptual stage with rough cost estimates. Future approvals may be necessary after some projects are further developed.
- Are we approving dollars for all ideas in Restoration Plans? R: No, we may need to develop projects in the future and also have additional approval steps. Costs to develop the ideas included in the plan would be covered by the priority funds.
- Darryl Barton of the Clark Fork River Technical Assistance Committee indicated they would be submitting comments and thanked staff for the work to produce the *Draft Process Plan*.
- What about funding project development efforts? How will the Restoration Plans address monitoring for accomplishing goals? The plans need to have some flexibility. R: Development of project ideas included in the plans would be funded. The additional guidance on aquatic and terrestrial restoration in the process plans addresses needed monitoring.
- Will there be future updates to the Process Plan? R: The process plan will be replaced by the resource restoration plans. It indicates the likelihood of needed updates/revisions to the restoration plans.
- Please review the upcoming timeframes for the public comment period, AC and TRC meetings, and subsequent plan. R: Carol reviewed these dates. Bill Rossbach requested that this be provided in subsequent mailing to AC.
- When will SBC remediation be done, 2014? Will there be a waiting period after SBC remediation before the Greenway is reimbursed from any excess remediation funds to assure adequate funding for remediation needs that arise after major construction is completed? R: Major remediation is expected to be complete by 2014. Sandi Olsen indicated DEQ will first determine and reserve its long-term operation and maintenance needs prior to the determination of the excess funds. Carol indicated the Greenway reimbursement would occur before other allocations of excess SBC remediation funds.

## **Update on the Status of Grant Projects – Informational Item**

Carol Fox reviewed and answered questions on the quarterly updates tables on grant projects and UCFRB Restoration Fund Balance provided in the mailing [\(copy attached\)](#). [This table is updated quarterly and posted on the NRDP website.](#)

### **Next Meeting Planning:**

After considering options tied to the end of public comment period and potential TRC meeting dates, members elected the April 4<sup>th</sup> meeting date.

## NRDP PROJECTS FUNDED THROUGH 7/1/11 (Includes 2010 grants approved by the Gov. in June 2011)

Project	Year Funded	Amount Approved	Amount Expended	Amount to be spent	Type	Status
<b>Anaconda Deer Lodge County</b>						
Anaconda Water Studies	2007	\$107,771.00	\$92,758.95	\$0.00	water supply	completed
Anaconda Water Line	2002-2010	\$13,598,044.00	\$8,777,402.44	\$2,529,974.50	water supply	Years 1-8 complete; Year 9 on-going
Blue Eyed Nellie Moore Acquisition	2009	\$142,500.00	\$142,001.86	\$498.14	acquisition	acquisition complete; 5 year O&M on going
Developing Acid/Heavy Metal Tolerant Releases	2000, 2004, 2010	\$672,644.00	\$416,649.87	\$256,938.91	research	2000 grant completed; 2004 grant extended to 6/11; 2010 grant ongoing
Dry Cottonwood Creek Ranch PDG	2009	\$23,150.00	\$23,150.00	\$0.00	flow assessment	completed
Hefner Dam PDG	2010	\$24,750.00	\$24,750.00	\$0.00	recreation	completed
Instream Flow Protection PDG	2009	\$25,000.00	\$20,887.79	\$0.00	flow assessment	completed
Lost Creek Watershed	2000	\$518,382.00	\$518,382.00	\$0.00	stream restoration	completed
Meyers Dam PDG	2002	\$11,710.00	\$11,709.85	\$0.00	fish passage	completed
Opportunity Groundwater Injury Assesment PDG	2001	\$309,268.00	\$77,273.39	\$0.00	water supply	completed
Stuart Mill Bay Acquisition	2002	\$2,000,000.00	\$1,998,838.88	\$0.00	acquisition	completed
Stucky Ridge / Jamison	2008	\$265,335.00	\$265,300.00	\$0.00	acquisition	completed
Twin Lakes Diversion PDG	2002	\$11,056.00	\$11,056.61	\$0.00	fish passage	completed
Warm Springs Pond Improvements	2008, 2009	\$97,577.00	\$74,452.40	\$22,594.79	recreation	2008 grant completed; 2009 grant active
Washoe Park PDG	2010	\$25,000.00	\$24,977.50	\$0.00	recreation	completed
Watershed Land Acquisition	2000, 2001	\$5,831,904.00	\$5,831,597.91	\$0.00	acquisition	completed
West Side Ditch and Flow Study	2008, 2010	\$50,000.00	\$46,660.34	\$3,339.66	flow assessment	work and final report completed; final payment pending on flow study
<b>Totals</b>		<b>\$23,714,091.00</b>	<b>\$18,357,849.79</b>	<b>\$2,813,346.00</b>		
<b>Granite County</b>						
Antelope Creek	2001	\$10,000.00	\$8,675.65	\$0.00	stream restoration	completed
Douglas Creek PDG	2001, 2004	\$35,000.00	\$16,135.95	\$0.00	recreation	completed
Flint Creek	2006	\$7,000.00	\$7,000.00	\$0.00	flow assessment	completed
Limestone Ridge PDG	2009	\$22,589.00	\$13,939.00	\$0.00	acquisition	completed
Peterson Ranch Conservation Easement	2009	\$334,125.00	\$294,000.00	\$0.00	acquisition	acquisition completed; final report and trail work pending
Restoring Fish in East Fork Rock Creek	2009	\$370,000.00	\$122,198.01	\$247,801.99	fish passage	ongoing
State of Georgetown Lake	2007, 2008	\$114,985.00	\$63,323.30	\$51,661.70	assessment	PDG complete: assessment on-going
Upper Willow Creek Restoration	2002, 2003	\$307,758.00	\$301,610.00	\$0.00	stream restoration	completed
Z-4 Easement	2000	\$10,000.00	\$10,295.60	\$0.00	acquisition	completed
<b>Totals</b>		<b>\$1,211,457.00</b>	<b>\$837,177.51</b>	<b>\$299,463.69</b>		
<b>Missoula County</b>						
Bird Banding Education	2006, 2009	\$124,995.00	\$124,948.99	\$0.00	education	completed
Bonner Pedestrian Bridge	2006	\$975,652.00	\$975,652.00	\$0.00	recreation	completed
Madsen Easement PDG	2006	\$25,000.00	\$25,000.00	\$0.00	acquisition	completed
Milltown Bridge Pier and Log Removal	2009	\$262,177.00	\$108,853.51	\$153,323.49	stream restoration	on going
Milltown Education PDG	2006	\$23,914.00	\$23,914.00	\$0.00	education	completed
Milltown Land Acquisition	2006, 2008	\$595,628.00	\$586,200.00	\$0.00	acquisition	completed
Milltown Sediment Removal	2006, 2007	\$2,819,072.00	\$2,818,531.93	\$0.00	stream restoration	completed
Milltown/Two Rivers Recreational Facilities and Access	2009	\$2,663,749.00	\$791,637.66	\$1,872,111.34	recreation	3 of 4 parcels acquired; park development ongoing
Osprey PDG	2008	\$25,000.00	\$24,998.83	\$0.00	research	completed
U of M Database	2000	\$9,550.00	\$4,357.52	\$0.00	research	completed
<b>Total</b>		<b>\$7,524,737.00</b>	<b>\$5,484,094.44</b>	<b>\$2,025,434.83</b>		

Project	Year Funded	Amount Approved	Amount Expended	Amount to be spent	Type	Status
<b>Powell County</b>						
2008 Cottonwood Creek Flow Study PDG	2008	\$90,377.00	\$84,785.26	\$0.00	flow assessment	completed
2010 Cottonwood Creek	2010	\$289,647.00	\$166,098.44	\$123,548.56	flow augmentation watershed	on going
East Deer Lodge Valley	2001, 2003	\$544,751.00	\$424,013.11	\$0.00	improvements	completed
Garrison Trails PDG	2008	\$24,974.00	\$4,605.00	\$20,369.00	recreation	on going
Johnson / Cottonwood Creek Trail	2006, 2007	\$633,015.00	\$552,485.29	\$80,529.71	recreation	2006 PDG completed; 2007 grant on going
Little Blackfoot River	2002, 2003, 2006	\$266,044.00	\$231,254.18	\$34,539.82	stream restoration	on going
Little Blackfoot Flow Study (Middle)	2006	\$25,000.00	\$25,000.00	\$0.00	flow assessment	completed
Lower Little Blackfoot Flow Study	2007	\$25,000.00	\$24,102.22	\$0.00	flow assessment	completed
Manley Conservation Easement	2000	\$608,048.00	\$608,048.00	\$0.00	acquisition	completed
Otter Distribution	2009	\$26,456.58	\$22,404.04	\$4,052.54	research	on going
Paracini Pond	2008, 2009	\$1,201,905.00	\$1,166,172.71	\$35,732.29	acquisition	acquisition complete; O&M on going
Racetrack Creek Flow Restoration	2010	\$500,000.00	\$245,500.00	\$254,500.00	acquisition	acquisition completed; O&M on going
Spotted Dog	2010	\$16,574,009.00	\$15,333,899.89	\$1,240,109.11	acquisition	acquisition completed; O&M on going
Vanisko PDG	2007	\$20,140.00	\$18,140.00	\$0.00	acquisition	completed
<b>Totals</b>		<b>\$20,829,366.58</b>	<b>\$18,906,508.14</b>	<b>\$1,793,381.03</b>		
<b>Silver Bow County</b>						
Basin Dam Rehabilitation	2003	\$503,006.00	\$503,006.00	\$0.00	water supply	completed
Basin Wide Wetland Riparian Mapping	2006	\$71,400.00	\$71,395.67	\$0.00	assessment	completed
Big Butte Acquisition	2004, 2005	\$687,842.00	\$568,768.67	\$119,073.33	acquisition	majority of parcels acquired; other work on-going
Big Hole Diversion Dam Replacement	2008	\$3,714,833.00	\$3,553,575.94	\$0.00	water supply	completed
Big Hole River Pump Station Replacement	2010	\$3,500,000.00	\$0.00	\$3,500,000.00	water supply	on going
Big Hole Transmission Line	2007-2010	\$8,721,882.00	\$5,059,655.64	\$3,285,784.72	water supply	years 1- 3 completed; year 4 ongoing
Bighorn Reach A Reveg	2000	\$110,800.00	\$81,201.24	\$29,598.76	stream restoration	work completed; final report & invoice pending
Browns Gulch Education PDG	2007	\$17,602.00	\$15,260.50	\$0.00	education	completed
Browns Gulch Watershed Assessment	2004	\$143,404.00	\$142,492.50	\$0.00	assessment	completed
Butte Water Metering	2008	\$273,600.00	\$230,378.49	\$43,221.51	water supply	on going
Butte Water Master Plan	2005	\$174,634.00	\$170,285.00	\$0.00	water supply	completed
Butte Waterline	2001-2010	\$17,414,083.00	\$14,184,233.77	\$1,898,607.73	water supply	Years 1-9 completed and closed; Year 10 ongoing
Childrens Fishing Pond PDG/ Full Project	2008 /2010	\$1,225,000.00	\$37,483.20	\$1,187,516.80	recreation	2008 PDG work completed; 2010 project ongoing
Clark Fork Watershed Education	2003, 2005	\$721,051.68	\$721,051.68	\$0.00	education	grants completed; contracted service on-going
Duhamé Acquisition	2003, 2005	\$1,668,557.00	\$1,623,692.29	\$44,477.47	acquisition	acquisition completed; O&M on going
<b>Silver Bow County cont...</b>						
Project	Year Funded	Amount Approved	Amount Expended	Amount to be spent	Type	Status
German Gulch Watershed	2002, 2004, 2005	\$925,712.00	\$492,572.43	\$433,055.91	stream restoration & recreation & flow	2002 & 2004 grants completed; 2005 grant on-going
High Service Tank Replacement	2004	\$1,192,802.00	\$1,192,802.00	\$0.00	water supply	completed
Lower Browns Gulch Mang.	2009	\$25,000.00	\$25,000.00	\$0.00	flow	completed
Maud S Canyon Trail / Open Space	2010	\$62,040.00	\$0.00	\$62,040.00	recreation	on going
Ramsey School	2004	\$16,151.00	\$16,076.35	\$0.00	education	completed
Restoration Native Plant Diversity (MT Tech)	2008	\$628,175.00	\$404,294.90	\$223,880.10	research stream restoration &	on going
Silver Bow Creek Greenway	2000-02; 2005-09	\$15,564,924.00	\$9,888,092.14	\$5,696,667.65	recreation & flow	on going
Thompson Park Improvement	2007	\$988,402.00	\$565,939.23	\$422,462.77	recreation	on going
<b>Totals</b>		<b>\$58,350,900.68</b>	<b>\$39,547,257.64</b>	<b>\$16,946,386.75</b>		
<b>Grant Totals</b>		<b>\$111,630,552.26</b>	<b>\$83,132,887.52</b>	<b>\$23,878,012.30</b>		

<b>2nd Quarter FY12 UCFRB Restoration Fund Summary</b>			
<b>As of 12/31/11</b>			
		<b>Book Value</b>	<b>Market Value</b>
A	FYE11 Fund Balance	\$138,019,768.44	\$147,404,341.41
B	FY12 Interest (as of 12/31/11)	\$2,946,910.50	\$2,946,910.50
C	FY12 Expenses (as of 12/31/11)	(\$4,875,552.43)	(\$4,875,552.43)
D	FY12 Market Adjustment	Not Applicable	Done at Fiscal Year End
E	Fund Balance (A+B-C)	\$136,091,126.51	\$145,475,699.48
<b>Additional Fiscal Projections Based on Assumptions</b>			
	Major Encumbered Funds <sup>1</sup> Approved but not spent as of 12/31/11	Total (\$35,370,290.37)	Total (\$35,370,290.37)
	<ul style="list-style-type: none"> <li>• Grant Projects</li> <li>• DOI Wetlands</li> <li>• Milltown</li> </ul>	(\$23,878,012.30) (\$2,417,669.46) (\$1,074,608.61)	(\$23,878,012.30) (\$2,417,669.46) (\$1,074,608.61)
F	• Silver Bow Creek (12/19/11)	(\$8,000,000.00)	(\$8,000,000.00)
G	Estimated Fund Balance minus major encumbered funds (E-F)	\$100,720,836.14	\$110,105,409.11

<sup>1</sup> This estimate of encumbered funds for site-specific projects includes the remaining budget for approved grant projects, the amount remaining of the \$3.2M allocated for DOI wetland enhancement in the 1998 Consent Decree, remaining budget of the \$2M allocated in 2011 to complete the State's Milltown restoration project., and the \$8M allocated by the *Long Range Guidance Plan* to the Silver Bow Creek Greenway project. It does not include the remaining budget of non-grant, programmatic projects, such as the Clark Fork Watershed Education Program.