

**CITY OF HAMILTON
COMMITTEE MINUTES**

DATE: November 24, 2020

NAME OF COMMITTEE: Committee of the Whole

MEMBERS PRESENT: Council President Kemp, Councilors West, Bielski, Pruitt, Mitchell and Pogachar

MEMBERS ABSENT: None

NOTE TAKER: Cynthia Fleming, Deputy Clerk

STAFF MEMBERS PRESENT: Donny Ramer, Public Works Director, Dominic Farrenkopf, Mayor

Public Comment

None.

Approval of Minutes from November 10, 2020

Councilor Pogachar moved to approve the minutes. Councilor West seconded. The minutes were approved unanimously.

Skalkaho Bend Revegetation Plan Memorandum of Understanding

Council President Kemp let the Committee members know that a considerable amount of public comment was received via email for this agenda item. Many requested that their comments be read aloud during the meeting and she will accommodate those requests. She said that the Committee had also received other numerous emails in support of the project and she asked that for the sake of time and with the Committee's approval she will not read all of them. She asked for a show of hands. The Committee was in agreement with her proposal. She also stated that for the sake of the discussion, she would read the public comment first.

Public Comment

Gary Liss, Hamilton - I would like to show my support for the proposed Skalkaho Bend revegetation and restoration project. When you compare the pros and cons of this professionally planned project, there are not too many negatives, but many positives:

Financial: the project is paid for through Bitter Root Water Forum, not the taxpayers of Hamilton.

Environmental: this project is environmentally sound, taking into account the river's migration, future soil and riverbank erosion, and the health of local wildlife.

Community: this park benefits everyone in the community. Valuable public land and open space will be properly conserved for future public use and outdoor passive recreation.

Hopefully, the final details of the project will be worked out to everyone's benefit, including those residents neighboring the park. Generally speaking, owning property that adjoins natural public open space can increase property value.

And I'd like to think that having property adjoining Skalkaho Bend will be an attraction and benefit to local property owners as long as they are able to participate in the planning process.

Ben Morse, 608 N 3rd Street, Hamilton

I am writing in support of the Bitterroot Water Forum's effort to combat erosion at Skalkaho Bend Park. After learning about the issue and reading the proposed plan, it is clear to me that the project is a logical, natural and pro-active solution that will benefit all future users of the park. As a regular visitor (at least once a week) of the park and permanent Hamilton resident, I value the park and also recognize its appeal to the community and visitors alike. I feel that the park strikes a nice balance of providing an accessible window into nature and showcasing the beauty of the place we call home, while not diminishing it in any way with over-development. The Water Forum's Roots Against Erosion plan will help to naturally preserve this experience for ourselves and future users for years to come. Please read this into the public record.

Daneel Kuzaro – no address given

I love to volunteer with the water forum. Many great projects are scheduled for planting and maintaining our river banks—especially along the Bitterroot River. The plantings take hold and their roots help to keep the banks from washing away. The water forum is essential for identifying and then getting volunteers to plant shrubs and trees in these endangered area. Please include my comments in your Chamber meeting.

Scott Ziegenfuss, Hamilton

Dear Hamilton City Councilors, I'm writing to voice my support for the Skalkaho Bend Revegetation project proposed by the Bitter Root Water Forum. River channel migration projections indicate that erosion control measures are needed to prevent significant loss of park acreage in the future.

Of the options evaluated, I believe that the proposed vegetative swale is the most cost-effective, environmentally-acceptable alternative. I urge the City Councilors to approve the project soon so that the plant root systems are provided with the longest possible period of time to become established.

Thank you for your consideration of this project. I request that this email be read during the City Council meeting on Nov 24 and be appended to the meeting minutes.

Ed Snook, Vice President of the Bitter Root Water Forum Board - I am writing in support of the Bitter Root Water Forum (BRWF) Skalkaho Bend Park Project. Please read out this support letter at the meeting and include it in the meeting minutes.

I am currently Vice President of the BRWF, and have been on the board and projects committee for over a decade. My input to the board (and to this project) is heavily influenced by my 23 years' experience as a surface-water hydrologist for the US Forest Service, with 18 years of that spent here on the Bitterroot National Forest, often working with streams and river reaches similar to that within the project area. My education includes a Master's degree in water resources through the University of Wyoming Geography Department, which included both classes and field projects in geomorphology, the study of landforms and erosion. My experience includes channel stability, riparian and fish habitat, flood analyses and sediment transport studies. I have been involved in this project since its inception, along with others noted below.

I believe this project is a great idea, for the following reasons:

It responds to current issues. The DEQ has determined that many segments of the Bitterroot River are suffering from a lack of woody riparian species (due to human influence), which has led to increased sediment and nutrients. Planting riparian vegetation along this reach would help slow bank erosion along the channel, addressing the sediment and nutrient issues.

It responds to probable future issues, related to processes that are easily confirmed today. Walking the bank of the river throughout the park, it is easy to see how rapidly the banks are being undermined and calving off into the river. This is causing a yearly loss of park area, and is unlikely to stop anytime soon as there are no deep-rooted plant species, or bedrock controls to slow its movement. Also, looking at the river using Google Earth, it is easy to see the river has migrated extensively in this area over time.

It is what is known as a "freestone" river - there are no bedrock controls on its movements, and the gravels that comprise its channel are easily moved during annual flood events. Deep-rooted riparian vegetation (e.g., cottonwoods, willows, dogwoods) is the sole natural control on the river's movement. Increasing the density of these species would slow the river's movement and therefore help maintain the current connection of the parcel through a narrow stretch along private property. It also addresses the issues mentioned in #1, over time.

It improves riparian habitat. Brushy riparian habitat is famous for its role in supporting wildlife, including birds, small mammals and game animals. Breaks in the fencing could provide access through the project plantings, but at this time the design has little effect on the trail system. The current vegetation varies, but is generally limited to grasses along much of the project area, and will not the bank erosion discussed in number 2 (above), or provide wildlife cover and food value that riparian brush and trees do.

It has been designed by a professional consulting firm with a long history of similar projects in our area and has a dedicated restoration coordinator to oversee implementation. An independent erosion study was contracted and its recommendations followed. It has been reviewed at several different levels (BRWF Project Committee, BRWF Board of Directors, MT DEQ, GEUM professional consulting firm) prior to being presented to the town. This multi-layered process improves the project's chances of success.

It greatly reduces the probability that the area will need to be rip-rapped in the future to save park access and the irrigation ditch. Rip-rap is expensive, un-natural on this type of river and not conducive to the overall setting desirable in a town park.

It has minimal adverse consequences. Using mainly shrubs, it will preserve the open feeling and views currently making this park so popular. There would be no rip-rap scattered around the channel and damaging boat hulls; no temptation for children to climb out on rocks projecting into the river.

Overall, I feel this is a project that fits the site well and will provide long-lasting benefits to the river and public. The proactive nature of the project is needed for it to work, as the shrubs and trees need time to establish their root systems - waiting for the river to move before starting the project would greatly reduce the chances of success. Thanks for the opportunity to comment and also for the foresight evident in considering this project.

Chris Clancy, Hamilton - I would like to comment on the Skalkaho Bend “Roots against Erosion” project that the City Council has under consideration.

The Council can be assured that the science contributing to this plan is the best available. I am very familiar with the professionals that contributed to this plan. In particular, Applied Geomorphology (Karin Boyd), who put together the channel migration zone study and Geum Environmental Consulting who put together the vegetation design are very experienced in their areas of expertise. The City of Hamilton and the Bitterroot Water Forum are lucky to have the input of these thoughtful consultants. Karin Boyd has been working on Channel Migration Zones throughout Montana for many years. She is the “go to” person for this type of work. She was the main author of a significant study of the channel migration near bridges on the Bitterroot River. For that study, she floated and measured several aspects of the river. I used her report numerous times to help me provide valuable data for commenting on various projects. I cannot think of a better person to do the channel migration work for the Skalkaho Bend project.

Likewise, we are lucky to have Geum Environmental Consulting putting together the vegetation plan for this project. It is almost unheard of for a city as small as Hamilton to have a well-respected and talented company like Geum in our own backyard. I have known the owner, Tom Parker, and a couple of the employees for many years. This company has worked on many very large restoration projects both within Montana and nearby states. Several times, when I was working for MFWP, I would drop by and ask their advice on projects that I was working on. They were always willing to help and are a real credit to the community.

If you have any reservations about the scientific background and skills of these consultants, just go to their websites and browse. I can assure you that they are the best people for this job.

I urge the Hamilton City Council to move forward with approving this project. There is considerable work required to prepare for a project such as this. The sooner the project can be completed, the sooner the valuable roots can begin to grow as a hedge against future loss of property.

Please move this project forward. Thank you.

Cheryl Watersworth – Hamilton- Do you remember ‘why’ you live here? The Skalkaho Bend Park is a perfect example. Science to support a human agenda does not stand up to millions of years of nature measured by a meandering river as powerful as the Bitterroot.

I came to Montana to be part of nature, not to control her. If we want to control the Bitterroot River, let’s just build a concrete channel, no erosion then!

You laugh, but what is being proposed is just as far-fetched. From the Bitter Root Water Forum’s (BRWF) map of the proposed project, the bank will have to erode anywhere from 50 feet to 100 plus feet to reach their “roots against erosion” (brwaterforum.org, Skalkaho Bend Park, October, 2020). Call this what it is, a huge revegetation project that will forever change the character and feel of this rare and beautiful open riparian park.

The maturing willows, aspens and cottonwood trees will not, as stated, offer “shading for the river”. (FAQ’s and Replies to Citizen Comments- BRWF, 2020) The only shade cast will be during morning hours, never during the heat of the day, unless you plan on changing the course of the sun. Also, if you measure the height of the volunteer willows on the sand bar across the river, how can you possibly guarantee, as stated, that the planted willows will “never grow over 10 feet tall”? (FAQ’s and Replies to Citizen Comments- BRWF, 2020)

More importantly, anyone limited to the American Disability Act trail will be greatly impacted. The trail from the parking lot to the bridge will not provide a panoramic view of the river once the proposed trees mature.

At this point, we lose the essence of ‘why’ we love Montana, not just this park.

To live in the embrace of nature and not destroy what we cannot control, is the essence and the attractiveness of this great place we all call home. We need to limit our footprint, not inject our will. For what is as close to Heaven on Earth, will be irrevocably lost!

Consider scaling back your proposed revegetation plan and focus on the more critical upstream corner. Review previous conversations and studies that have occurred, before making a final decision that could negatively impact future generations of park users.

I ask that you use some commonsense and just be honest with yourselves and the public.

Let us not lose the uniqueness of Skalkaho Bend Park to “good intentions”.

Charlie Larson, Hamilton -Hamilton City Councilors: I am writing to voice my enthusiastic support of the Bitter Root Water Forum (BRWF) Skalkaho Bend park project. I live in Hamilton and frequently visit Skalkaho Bend Park. I value having public river access immediately adjacent to our town. I am also the current president of the BRWF board and a member of the BRWF projects committee where I have provided input on the Skalkaho Bend park project.

I encourage Hamilton city councilors to support implementation of the Skalkaho Bend park project because of the clear benefits to our community and the Bitterroot River. The project has been carefully designed to establish native riparian vegetation within the park to buffer against the loss of park land due to erosion. The proposed strategy is both economical and habitat friendly, and it will ensure that Skalkaho bend remains an accessible outdoor space that is enjoyed by current and future generations. Thank you for your consideration.

Rob Harris, Hamilton - Good evening. My name is Rob Harris, and I'm a Bitterroot resident of 44 years, with the last ten of those being spent here in Hamilton. I am now retired after a thirty-five year career as a wildlife biologist, holding a degree in fisheries management as well. Over the latter half of those years, I worked for several state and federal agencies throughout Montana as an independent contracting biologist specializing in wetland and riparian ecosystems. And with full disclosure, I have also made recent comments regarding this project before the City on the night of October 27th, 2020 -wherein I discussed my professional concerns for the project's vegetative prescription and hydrological design, as currently proposed.

As for tonight's comments:

On October 27th, 2020, Charles Larsen, president of the Bitter Root Water Forum's Board of Directors submitted written comments to the City's 'Committee of the Whole' in which he stated "There has been no conspiracy to conceal or evade public scrutiny."

'Sorry, Charlie', but with your introduction of the word "conspiracy", it would have been good of you to 'flesh that out a bit' and acknowledge that not one of us project skeptics here has ever uttered, written, or even insinuated that word at any time throughout our comments.

But since you were the one to bring it up, maybe you or someone else within your organization could enlighten us about the following FAQ's and public comments which were recently addressed on your BRWF website....from which I quote only in part:

Question (see Pg. 1; para 3): "How might changing grassland habitat affect birds and wildlife?"

BRWF's answer (same para 3, bullet point No. 1): "Riparian habitats are vital, and habitat diversity is good for wildlife."

My response:

Habitat diversity is "good for wildlife", but it fails to be recognized by some here that the expanse of riparian grassland within the Park already affords a significant diversity of its own not found in the expansive cottonwood communities that already surround the park on three sides. I pointed that out in my remarks before the 'Committee of the Whole' on October 27th – when mentioning the various species that are attracted to these more open spaces....from sandhill cranes on occasion, to the ducks and geese that are year-round residents, as well as pheasant and valley quail, along with an assortment of grass and reed-nesting songbirds....and I haven't even gotten to the more open-foraging raptors such as the larger butte (hawks), harriers, ospreys, American kestrels, etcetera that one seldom sees, if at all, in the adjacent cottonwood groves. In short, open/expansive/non-agricultural grassland, such as this, is a very limited commodity along the Bitterroot River at the present time– thereby making for a very sound argument that its diminishment here would run counter to BRWF's contention that we're somehow improving

'habitat diversity' through its reduction. And while on the topic of avian and wildlife usage, we should all be recognizing at this point that with the increasing levels of varied park activities such as biking, jogging, off-trail hikers, dog-walkers, and even the occasional drone.... we can expect fewer wildlife viewing opportunities on the busiest of days.

BRWF's answer to (same Para. 3, bullet point No. 2): "The entire project footprint is 1.5 acres; only 2% of the 70-acre park will be modified."

My response:

Based on the most recent mapping we've been provided, I'm very puzzled as to how BRWF can suggest a mere 1.5 acre project 'footprint', given their five hundred yards of fenced-in plantings, the buried woody-debris treatment sites they propose, two foot-bridges, a small holding pond, and other possible construction-related disturbances. And regardless of whatever site map is next published by BRWF, a number of us will be much more interested in the actual acreage 'footprint' following their construction.

BRWF's answer to question No. 3 (same para 3, bullet point 3): "A limited number of cottonwood trees will be planted."

My response:

Yes, they apparently will, although this facet was never shared with me during either of my two face-to-face meets with BRWF personnel in early October. Those came about on Oct. 13th in comments made by program director Heather Barber before the 'Committee of the Whole', and still prior to any public announcement and again, in the Ravalli Republic article of Oct. 16th. Most recently, the Water Forum has publicly stated that these taller, 'non-willow' species would only comprise 5% of their total planting prescription, i.e. a mere 500 of the taller, canopy-forming types.

Upon hearing that, I found this 'apples-to-oranges' comparison of trees-to-shrubs disingenuous for its suggestion that these canopy-forming species would only amount to a pittance of actual cover when compared to the other 95% comprised of 10,000 willow (slip) plantings. So, accepting BRWF's latest premise of only 500 taller-growing tree species being planted, and then maturing on their previously projected footprint of just 1.5 acres, I have to ask..... 'Why' are we even still talking about these 10,000 willow starts that BRWF personnel have virtually guaranteed will "never grow over 10' tall". (see BRWF's : 'FAQ's and Replies to Citizen Comments' (last para. on Page 1).

Another BRWF FAQ's quote (Para. 3, BP 3): "Cottonwood trees offer more diversity of habitat for various wildlife species."

My response:

I would refer you back to my initial response on page 1 of my comments regarding the question: "How might changing grassland habitat affect birds and wildlife?"

And continuing on..... "If the river does move into the project area in the future, cottonwood trees offer shading for the river as well as potential important woody debris if they fall into the river."

My response:

Anyone who understands that the sun still rises in the east, will realize that BRWF has not thought this one through. The river reach of most ‘erosion concern’ for them runs nearly north to south. Their proposed plantings would be implemented only along the east bank, where placed some 50’ to 200’ away from the high water mark. Recognizing that river flow temperatures in the month of June are still consistently chilly due to continuing snow melt in the Bitterroots, we can focus on the higher daytime temps in the months of July, August, and perhaps the front half of September as those being most critical for fish survival. During those three months, and being generous here in assuming BRWF’s planted cottonwoods reach full maturity, these trees will still not be casting any shade directly onto the river’s surface until approximately 11 AM, to possibly 12 PM. In other words, from late morning clear on through to late sunset - the sun will have its full influence upon daytime river tempsan inevitability due to the location in which the plantings occur. If summer river temperatures really were a driving concern for designers, they should have focused on skipping clear across the river and planting the far western shore.....for yet another unrealistic idea.

Still staying with..... “How might changing grassland habitat affect birds and wildlife?”
(Page 1, Para. 3, bullet point 4)...

“The Bitterroot Audubon supports this proposal: they have submitted a letter of support to the City Council.”

My response:

My only take on this can be that spokespeople for Audubon must prefer a shrubbier riparian mix for their bird-watching.....a commodity that is already present in the more southern reaches of Skalkaho Bend Park where willows already abound.

Question: (Page 1, para 4) “What was the process for developing this plan and sharing it with the community?”

BRWF answers (Page 1, para 4)

“The proposal was developed over two years of studying the area, weighing different alternatives, and creating an appropriate design.”

My response: ‘Why’ wasn’t this being shared with the public in ‘real time’? ‘Why’ were we, the interested public, being told back in a February 2018 Ravalli Republic article featuring Land Trust Director- Gavin Riklefs, that the Park would remain “natural” with “little development” other than a few walking trails and a much lesser 500 ft. expanse of shrub/tree vegetation designed to address erosion (current BRWF now estimates 1500 ft. plus).

“BRWF collaborated with the City Public Works Director from the beginning.”

My response: No comment....

“BRWF waited to address this project with the public until after the transfer from the Bitterroot River Land Trust to the City so as not to confuse or distract from that separate and distinct process.”

My response: Do you really think so little of us citizens that you’d resort to such words as “confuse or distract” in that explanation? Do we really appear that dumb to you? Trust me, we understand

this pretty much for what it 'was' and still 'is'.....your obfuscation of reality that..... would have perhaps had some of the public deeply concerned prior to the scheduled transfer in late July 2020.

“BRWF worked with the Ravalli Republic to publish an article about the proposal before the City would be asked to vote on the issue.”

My response: Not too 'accurate' an account, I'm afraid, in that the project's first public notification came with the Ravalli Republic's article of Friday Oct. 16th, 2020....while the City's first 'Committee of the Whole' meeting to address this Park issue - was held three days prior, on the night of Tuesday, Oct. 13th. It is likely that that it would possibly have received the Committee's approval that same night had it not been for a major power outage in the valley about twenty minutes into the City's Zoom meeting. But outage, or 'no', we did learn the following day that the council members did move toward the drafting of a 'Memorandum of Understanding' between the BRWF and the City. Enough said.....

Next item: (Page 1, Para. 4, bullet point 5)

“BRWF is providing a Zoom meeting for the public to learn more about the project, in addition to the multiple public presentations at the Committee of the Whole.”

My response: The 'only' reason these add-on Zoom presentations have come about is due to the combined mishandling of all public notifications just described in my last two responsesand which has resulted in a level of public mistrust. With the transfer from the Land Trust to the City successfully completed by August 01, 2020 was not the Water Forum in a favorable position earlier on to break news of their venture? Yet, for some reason, they decided to engage the Council a mere three days - before - releasing it to the general public. You will hear from them that the COVID-19 issues were to blame for their choppiness regarding public notification, but please consider BRWF's admission that they were involved in this as early as 2018: “The proposal was developed over two years of studying the area, weighing different alternatives, and creating an appropriate design.”

Question: (see Page 1, last sentence) “Will there be a view of the river while walking the ADA trail?”

BRWF's answer: “Over 95% of the plants are willows that never grow over 10 feet tall. This should not obstruct the view from the ADA trail.”

My response: Absolutely!without a doubt on that mystical 10 feet part, as willows do tend to grow appreciably taller at times. And an answer on their part that totally dismisses their plantings of cottonwoods and quaking aspens within those same areas destined for willows. Please see my earlier response to their answer regarding: “A limited number of cottonwood trees will be planted.”

BRWF Director Heather Barber later went on to state in the Council's Zoom audio recording of Oct. 27th(In minute '52')that should any cottonwood tree grow to obstruct the view from the ADA trail..... “We can chop part of that sucker down!”

So there you have it, and I could go on with more of the BRWF's frequently-asked-questions.....but won't, as this here is only addressing those responses reported on Page 1 of 2 Pages.

I recognize that a motion will likely be made before the 'Committee of the Whole' this evening, November the 24th, and passed along for the full Council's consideration next week. I'm resigned to it actually, because in my years of professional experience where two entities have collaborated together on a project, no matter how impractical or improbable it may be.....there is a good chance of that happening.

So with that said, we'll see where this all heads.....

It may be an appreciable amount of time past the actual construction period before we know if any of my professional concerns were valid.

Yet in any event, I remain content with my remarks made here this evening, and with those first spoken 'into the record' the evening of October 27th, 2020 before the 'Committee of the Whole'.

Sincerely, Rob Harris

End of Public Comment: These comments and all other written public comment is available on the City of Hamilton website.

With the end of the public comment, Public Works and Parks Director, Donny Ramer, re-stated that we have three options. He said that, most likely we are going to keep losing 5 to 10 feet off the edge of this bank each year. The land where Skalkaho Bend Park is was plowed into hayfields back in the 1940s. We can do a vegetative rehabilitation project adding willows and trees. We can do a hard water stabilization effort at about a half a million dollars. We can do nothing but at some point we may have still go to the hard armor option. He said that from public comment he understands that people just don't want the park to change. He believes the park will change whether we do this project or not and if the river starts encroaching on the C&C ditch or a neighbor's property we may be looking at bigger impacts on both the footprint of the park and how much it will cost to implement a solution. He feels something needs to be done to slow the river down from cutting the park in two. He feels that the MOU allows us to keep working on the design and work towards a final design that people would be happy with and gives the BRWF the go ahead to pursue the necessary permits with the Army Corps of Engineers.

Councilor Pogachar commented that he appreciated working with BRWF and that they have answered a lot of his questions. He thinks that it is important that everyone read the comments that they have received. He also wondered if the additional trees would mean more maintenance. Director Ramer responded that every wind storm we have trees go down in all of the river parks. We try to mitigate some of that by removing trouble trees. Having open space, also means maintaining it. This is one of the hazards of having so many wild parks.

Councilor West is curious about item #7 of the MOU that deals with the fence. She asked who is responsible for removing the fence. Director Ramer said that the City has agreed to take care of the fence. Many projects in our parks are completed with volunteer help from the community. He added that we have been discussing this for a couple of months. He feels that time is of the essence for BRWF.

Councilor West moved to send the MOU between the City and the BRWF to the Council for approval. Councilor Bielski seconded. The motion was unanimously approved.

Recommendation:

Send the MOU between the City of Hamilton and the BRWF to City Council for approval.

Non-Agenda Items

Councilor Pruitt reported that the Covid subcommittee has met a couple of times. We are moving ahead with a marketing plan to share positive messaging that is Hamilton centric. They have met with individuals from the school board, the hospital and an assisted living home. She feels the tone needs to be positive and a “Let’s band together Hamilton” message. She said that they will include the Council and the Mayor as they move forward. She feels that it is important to get feedback to help them get the tone right. Councilor Pruitt believes that as the pandemic goes on we will start seeing effects on the economy. As more people are out of work for 10 days it will have a big hit on our economy. City Planner, Matthew Rohrbach will put out an RFP for a marketing agency. Councilor Kemp is excited to see what the subcommittee comes up with. She reported that the Hamilton Downtown Association will do a virtual tree lighting on the day after Thanksgiving. The annual event normally draws some 500 people, however the streets will not be blocked off this year. We will do it on Facebook Live at 5:30pm.

Councilor Pogachar asked if at the next Committee of the Whole meeting we could have an update on the Fire Hall. Mayor Farrenkopf responded that we can put it on the agenda and added that he has both good news and head scratchers to report.

Adjourn

Councilor West moved to adjourn. Councilor Pogachar seconded. The meeting was adjourned at 7:44pm.