

**THE UN-STREAMING OF MITCHELL SLOUGH; HOW LANDOWNERS
ALONG A SPRING CREEK WILL NOT BE
REQUIRED TO OBTAIN 310 PERMITS^{AFS}**

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“It looks like a stream. The fish think it’s a stream. So it must be a ditch,” is how one individual described a recent decision by the Bitterroot Conservation District (BCD). In the 4-1 vote the BCD ruled that Mitchell Slough is not a natural perennial flowing stream and therefore stream alteration work will not require 310 permits. Mitchell Slough is a 10-mile long body of water that evidence indicates was once historic sloughs and channels of the Bitterroot River. Agricultural modifications over the years have changed the flow and geomorphic patterns of Mitchell Slough. It is fed by Bitterroot River water diverted at a headgate, yet it gains considerable amounts of groundwater, and conductivity is significantly higher where it re-enters the Bitterroot River. Historically, it supported a diverse fishery, including a moderate population of trout. Recent work by some landowners has likely increased the trout population and it appears to be a significant spawning area for Bitterroot River rainbow and brown trout. Yet, at this time, stream alteration work will not require 310 permits. The BCD reached its decision largely based on data provided by consultants. Public agencies were not allowed access to key properties.