

Park Conservation District

5242 Highway 89 South Livingston, MT 59047
Office: (406) 946-3007 Cell: (406) 223-1048

November 5, 2024 – 11:00am REGULAR BOARD MEETING MINUTES

USDA Conference Room
5242 US Hwy 89 S
Livingston, MT 59047

BOARD MEMBERS PRESENT: Ned Zimmerman, Dave Haug, Dustin Homan. **Zoom:** Judy O'Hair
NON-BOARD MEMBERS: Kelly Arterburn, PCD Administrator; Nate Brown, NRCS; Ted Nelson, NRCS;
Scott Opitz, FWP; Rich Chandler, Lone Mountain Land/CMR; Ashton Bunce, MT Freshwater Partners.

I. 11:11 am - Call the Regular Park CD Board Meeting to Order – Ned Zimmerman, Chair

II. 310 Applications: Inspection Reports, Discussion and Board Decision:

A. PK-38-24

Pine Creek, 212 Pine Creek Rd, Livingston, Brad Greenwood. FWP – project should not constrict stream flow or extend into stream beyond existing toe. Will need to excavate bank to install rock.

***Judy made a motion to approve with the modifications on the September 25, 2024 team member report : 1) the bank must be excavated, and placement of larger rock shall not extend beyond the existing bank toe, and 2) rock shall be placed at a minimum slope of 2:1, Dave 2nd. Motion carried (4-3).**

B. PK-51-24

Cottonwood Creek, 658 Lower Cottonwood Rd., Clyde Park, Dennis Miller. Rip rap bank repair and rock replacement.

***Tabled, incomplete application.**

C. PK-50-24-E

Rock Creek, 42 Aspen Lane, Clyde Park, David Vater. Removal of log jam perpendicular to stream flow caused by overnight flooding.

***Dustin made a motion to approve emergency work done with no further action needed, Judy 2nd. Motion carried (4-3).**

D. PK-49-24-C (1) & PK-49-24-C (2)

Rock Lake, 515 Rock Creek Rd, Livingston, CMR Ranch Owner. Non-permitted work done inside high water shoreline on headwaters of Rock Creek. Chair – PCD has history of requesting permit applications for irrigation maintenance, have issued permits in the past on Rock Lake. FWP – reached out to Water Resources Division about Rock Lake flow, clearly flow prior to tunnel installation, spring / headwaters of Rock Creek, it should be jurisdictional. Rich – maintenance of existing irrigation structure, trying to improve water measuring acuity, Rock Creek flows from tunnel after July, no overflow over weir from that point on, project done well in remote setting, low to no impact.

***Dustin made a motion that the work done was in a jurisdictional body of water to the Park CD, but no further action needs to be taken – based on submission and acceptance of engineered plans and project photos, Dave 2nd. Motion carried (4-3).**

***Dustin made a motion that no fine would be associated with the violation, Dave 2nd. Motion carried (4-3).**

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III. Reserved Water Applications – Reports, Discussion and Board Decision:

- A. **PA 2301**, West Creek Ranch, LLC. – undergoing legal review, then will be review by DNRC Director, 606CD Preapplication meeting completed, and paperwork submitted.
- B. Yellowstone River Basin – Park CD Volume Allocated 1.69%, Annual Reports due to District November 15th.

IV. Public Comment - *none*

V. Treasurer’s Report and Financial Items

- A. Approval of Checks, Financial Reports, P&L, Balance Sheet, Timesheets.
 - B. Supervisor reimbursement forms
 - C. Set up autopay for Verizon, Direct Pay for DNRC grant payments – sign paperwork.
 - D. Young Ag Couples Conference nomination: Jaydin and Brooke O’Hair, \$100 Registration Fee.
 - E. UYWG – Vendor payment
- *Dave made a motion to approve the financials, Dustin 2nd. Motion carried (4-3).**

VI. Minutes – October 1, 2024 Minutes.

***Judy made a motion to approve the minutes, Dustin 2nd. Motion carried (4-3).**

VII. New Business

- A. Surety bond is required – RMIS recommends removing crime coverage and purchasing the bond. Surety Bond – quote: \$315 annually to cover Supervisors and Staff. Crime coverage would be removed and prorated back from the \$79.00 annually.
***Ned made a motion to purchase the surety bond and terminate crime coverage, Dustin 2nd. Motion carried (4-3).**
- B. November site inspections – to be conducted Wednesday November 20th.
- C. December 310 permitting cycle - site inspections on December 18th.
- D. MACD Annual Convention – Ned to attend on Thursday.
- E. MACD Resolutions: PCD to vote in favor of all.
 - 24-01: Support Reducing the Use of Neonicotinoids in Montana
 - 24-02: NACD encourages NRCS to return some hiring responsibilities back to individual states
 - 24-03: MTDOT/BNSF Invasive Species Cooperation
 - 24-04: Managed Aquifer Recharge Potential in Montana

VIII. Old Business

- A. **PK-01-23**
Soda Butte Creek, 279 Bannock Trail, Cooke City, Michael & Michelle Rosengren.
Jeremy May – PE. EPA is the lead agency for Clean Water Act Section 404 enforcement.

IX. Planning & Development Board Update– *Dustin Homan*

No subdivision review for one owner properties in Park County, they must clear DEQ. Short term rental properties do not require a subdivision review. No funding in Park County to update the growth policy, need to pursue funding. Reminder that the growth policy is a non-regulatory document.

X. NRCS Update – *Ted Nelson/Nate Brown*

MACD hiring Resolution 24-02, good for Montana offices.

XI. Watershed Business:

UYWG General Meeting – November 14th, 5-7pm, St. Johns Church, Emigrant.

SVWG - Landowner conversations around conservation easement and estate planning options.

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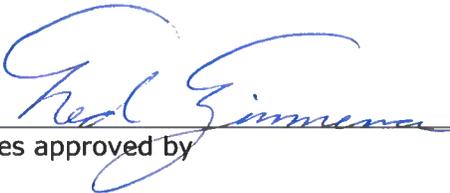
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XII. Conservation District Updates

- MACD – Area meeting (pins)
- Drafting DNRC Education Mini-Grant – to design and distribute stream permitting postcard and rack card.
- New Admin Email address: parkcd@usda.gov, to be used on all print materials.
- CD Staff fielding many water quality, water rights, and permitting calls regarding CMR.

XIII. Adjourned 1:35 pm.

NEXT MEETING: December 3, 2024 at 11:00am - USDA Conference Room, in Livingston, Montana.


Minutes approved by _____ Date 12/3/24


Minutes prepared by _____ Date 12/3/24

