

Park Conservation District

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

September 3, 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, Judy O’Hair, DeWitt Dominick, Martin Davis

NON-BOARD MEMBERS: Kelly Arterburn, PCD Administrator; Nate Brown, NRCS; Ted Nelson, NRCS; Scott Opitz, FWP; Kyle Wonders, National Wildlife Federation

ZOOM: Ryder Bechtold, DMS Natural Resources, LLC; Jessica Allewalt, Westech Environmental Services

CALL: Tom Coleman, Restoration Engineering

I. 11:03 am - Call the Regular Park CD Board Meeting to Order – Ned Zimmerman, Chairman

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

- A. PA 2301, West Creek Ranch, LLC. – Pre-application meeting scheduled for September 17, 2024.
- B. PA-8301, RGK Ranch. Request to terminate and requested \$600 refund of Change / Transfer Use of Water Reservation (Form 504) submitted February 2024.
***Dave made a motion to terminate PA-8301 and refund the \$600 fee submitted with Form 504, Martin 2nd. Motion carried (5-2).**
- C. ***Ned made a motion that the Park CD will accept Water Reservation Applications (Form 101) between September 1st and March 31st, Dave 2nd. Motion carried (5-2).**
- D. Proceed with pending Water Reservation application from Rocky Ford Holdings, LLC, letter of intent received June 5, 2024.

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

- A. **PK-40-24 Shields, CJA Properties, LLC, 1184 Shields River Rd, Wilsall.** Tom Coleman. Bridge replacement on Hill Road. Inspection Team: new bridge is needed, will have higher clearance.
***Ned made a motion to approve, Dave 2nd. Motion carried (5-2).**
- B. **PK-41-24 Shields, CJA Properties, LLC, 1184 Shields River Rd, Wilsall.** Tom Coleman. Bank stabilization below cabin on upper terrace bank. Inspection Team: this site was inspected last Fall, note – the cabin was moved to the location on a high terrace bank above the stream recently. Historic levee starts just shortly downstream of left bank. Will building out compromise the flood capacity of the bridge? Tom – maximum 4’ to 5’ out from natural bank for fill. Note: follow up with research and need for PCD to develop policy regarding construction of houses on stream banks.
***Ned made a motion to approve with modifications, 1) required to submit post-construction photos, and 2) Park Conservation District Inspection Team will inspect the**

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project post construction and again one year after construction and runoff. July 2nd. Motion carried (5-2).

C. **PK-42-24**

Trib. to Yellowstone River, Hwy 89S, Livingston. Kyle Wonders.

Beaver dam - exclusion fencing up and downstream of culvert. Inspection Team – significant dam, is equipment needed to remove? Kyle – program can cost-share for a backhoe. FWP – excavated material must be removed out of the floodplain.

***Dave made a motion to approve with the modification that excavated material must be removed outside of the floodplain and waive the 15-day waiting period, Martin 2nd. Motion carried (5-2).**

D. **PK-43-24**

Ferry Creek, Bosch, Old Clyde Park Rd, Livingston. Jessica Allewalt, Megan Bosch. Install riprap to stabilize two meanders to prevent further erosion and pipeline exposure. Inspection Team – preventative work to prevent bank erosion and exposure of buried pipeline, will have very little impact in the stream, recommend excavating toe below bed grade. PCD – request

***Dave made a motion to table application until cross-section plan(s), landowner information, and easement documentation are received by PCD, Martin 2nd. Motion carried (5-2).**

IV. **Public Comment** – none.

V. **Treasurer's Report and Financial Items**

A. Approval of Checks, Financial Reports, Balance sheet, P&L

***Dave made a motion to approve the checks and treasurer's report, July 2nd. Motion carried (4-3).**

B. FY25 Budget Resolution – review and adopt

***Dave made a motion to approve the FY25 Budget, Martin 2nd. Motion carried (4-3).**

VI. **Minutes** – August 6, 2024 Minutes

***Ned made a motion to approve with submitted edits, July 2nd. Motion carried (4-3).**

Note – PCD Board would like to establish generic language for future riprap permitting.

VII. **New Business**

A. MACD Area 6 Meeting – Tuesday, September 24, Lewis & Clark County Fairgrounds. To be attended by Nate Brown, NRCS.

VIII. **Old Business**

A. **PK-01-23**

Soda Butte Creek, 279 Bannock Trail, Cooke City, Michael & Michelle Rosengren. No updates received.

B. **PK-38-24**

Pine Creek, 212 Pine Creek Rd, Livingston, Brad Greenwood. Bank stabilization to protect bridge. Application put on hold August 6, 2024. FWP & PCD agreed to do an additional site inspection, inform applicant of need to inquire with USACE and floodplain for permitting.

IX. **Planning & Development Board Update**– no report.

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X. NRCS Update – Board review of drought report, Farmer’s Almanac prediction for cold and dry.

XI. Watershed Business

Upper Yellowstone Watershed Group

- Upcoming Events: Summer BBQ, September 12th 5-7pm at St. John’s Church in Emigrant

XII. Conservation District Updates

- Grant updates – 310 Database, extension request approved until December 31, 2025.
- MSU Extension – seedling order forms. Spring 2024 order opening date delayed until January 20, 2025, delivery to Fairground early May 2025.
- Residency ordinance discussion – requested DA to ask other CD’s what they have in place.

XIII. Adjourn – 1:57pm

NEXT MEETING: October 1, 2024 at 11:00am - USDA Conference Room, in Livingston, Montana.


Minutes approved by _____ Date 10-1-24


Minutes prepared by _____ Date 10-1-2024