

# Park Conservation District

5242 Highway 89 South Livingston, MT 59047  
O: (406) 946-3007 C: (406) 223-1048 E: parkcd@usda.gov

## BOARD MEETING: MINUTES

October 7, 2025 – 11:00 am

Livingston – Park County Library, Community Room, 228 W Callender St, Livingston, MT 59047

**BOARD MEMBERS PRESENT:** Dustin Homan, Dave Haug, Judy O’Hair, Jamie Lannen, Martin Davis.

**NON-BOARD MEMBERS:** Kelly Arterburn, PCD Administrator; Ashley Lowrey, PCD Operations Director; Danielle Proctor, Watershed Coordinator; Scott Opitz, FWP; Becky & Lee Stutterheim, Landowners.

**ZOOM:** Donna Scott, Landowner; Mary Hendrix, DNRC/CDB

***\*automatic no votes for Board members not present.***

1. **11:09 am - Call the Regular Park CD Board Meeting to Order – Dustin Homan, Chair**  
***\*Jamie made a motion to excuse the two Supervisors that were unable to attend, Dave 2<sup>nd</sup>. (Motion carried 4-3).***
  
2. **310 Applications: Inspection Reports, Discussion, and Board Decision:**  
***\*Judy made a motion to accept applications, Jamie 2<sup>nd</sup>. (Motion carried 5-2).***
  - A. **PK-49-25-C**  
**Deep Creek, 200 Deep Creek Rd, Livingston.** Deep Creek RR LLC.  
Complaint of unpermitted construction of two bridges.  
PCD – to inspect this month, all paperwork was not received before the deadline.
  - B. **PK-50-25-C**  
**George Creek, 45.46848, -110.57354, Pray.** Donna & Billy Scott.  
Diversion box location determination - on the historic ditch or on George Creek.  
Inspection team – no way to reference the historic points from 1954 Water Resource Survey maps onsite. No visible, clear, definitive place where creek flow turns to ditch. Could not determine if the activity was on the stream or ditch.  
PCD – technical review by DNRC consultant could be helpful to make a decision.  
Stutterheim – other landowner has no water rights; below the diversion there is a dam deflecting water.  
Scott – George Creek ran down to the North, North of the lane.  
***\*Dustin made a motion to request DNRC technical review, Jamie 2<sup>nd</sup>. Motion carried (5-2).***
  - C. **PK-51-25**  
**Brackett Creek, 337 Brackett Creek Rd, Clyde Park.** Daryl Shehan.  
Sediment removal, bank armor for pump site.  
***\*Jamie made a motion to approve and waive the 15-day waiting period, Martin 2<sup>nd</sup>. Motion carried (5-2).***
  - D. **PK-52-25**  
**Canyon Creek, 505 Ventures, 400 Canyon Creek Rd, Clyde Park.** Ashley Brubaker.  
Stream restoration: BDA's, PALS.  
FWP – have already made grazing changes that have helped improve the riparian area, beaver are in the stream now.  
***\*Jamie made a motion to approve, Dustin 2<sup>nd</sup>. Motion carried (5-2).***
  - E. **PK-53-25**  
**Rock Creek, 45.88066, -110.547952, Clyde Park.** Les Arthun.  
Headgate installation. PCD – pin and plank diversion on State land.  
***\*Dave made a motion to approve, waive the 15-day waiting period, and require applicant to call when the work is completed, Dustin 2<sup>nd</sup>. Motion carried (5-2).***

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- F. **PK-54-25-C**  
**Pine Creek, 237 Pine Creek Rd, Livingston.** Gene Carter.  
Repaired bank without 310 Permit. Hydroelectric facility with FERC permit. PCD – no way to receive information on FERC permit during Federal shutdown.  
**\*Dave made a motion to table, Jamie 2<sup>nd</sup>. Motion carried (5-2).**
- G. **PK-55-25**  
**Shields River, CJA Properties, Shields Valley Ranch,** resubmit for bank stabilization completion. Originally permitted as PK-41-24.  
**\*Jamie made a motion to approve with modifications: 1) required to submit post-construction photos to the PCD, 2) the PCD Inspection Team will inspect the project post-construction and again the following year, post-runoff, and 3) the 15-day waiting period was waived. Dave 2<sup>nd</sup>. Motion carried (5-2).**
- H. **PK-14-25**  
**Smith Creek, CJA Properties, Headwaters Engineering.** Amendment to 310 Permit - underground power relocation in HDPE conduit trenched in during channel restoration. FWP – need to install below scour depth.  
**\*Jamie made a motion to accept the amendment with the modification the conduit be installed below scour depth, Dave 2<sup>nd</sup>. Motion carried (5-2).**
- I. **Shields River.** Irrigation diversion structure 300 yards downstream of Falls Creek confluence, maintenance permit inquiry.  
FWP – illegal diversion since 1996, causing downstream bank erosion.

### 3. Public Comment – none.

(Martin Davis departs)

### 4. Water Reservations:

- A. Water Use Fee for 2025: PCD discussion – potential for policy to be instated for the future, but current policy states the annual fee of \$200 is due.
- B. Annual Reports due to DNRC by December 15, 2025.
- C. PA-2301 – CD to work with authorization holder to complete project and file project completion notice by December 31, 2028.

### 5. Treasurer's Report and Financial Items:

- A. Timesheets, Checks, Financial Reports, P&L, Balance Sheet, Supervisor reimbursement forms, grant invoices.
  - B. Checks: CEM Bookkeeping, Glatfelter Insurance, MACD Dues - \$3,500, Yellowstone News Group - \$82.90
- \*Dave made a motion to approve the Financials, Jamie 2<sup>nd</sup>. Motion carried (4-3).**

### 6. Minutes – September 2, 2025 Minutes

**\*Jamie made a motion to approve, Dave 2<sup>nd</sup>. Motion carried (4-3).**

### 7. New Business:

- A. MACD Annual Convention – November 18- 20, Billings, DoubleTree by Hilton.
- B. Grant Business
- C. Park County Bridges - replacement update
- D. Interview dates

### 8. Old Business:

- A. **PK-01-23, Soda Butte Creek,** 279 Bannock Trail, Cooke City, Michael & Michelle Rosengren. EPA Clean Water Section 404 enforcement – site visit to be conducted in July. Reports posted at: <https://echo.epa.gov/detailed-facility-report?fid=110071813486>

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9. **Planning & Development Board Update–** *Dustin Homan*  
No meeting last month, conservation easement to review next month.
10. **NRCS Update** – on furlough due to Federal Shutdown.
11. **Watershed Business:**  
Brackett Creek Trout Unlimited restoration project – upcoming tour opportunity.  
**UYWG** – General Meeting Oct. 7<sup>th</sup>, 6:00 - 8:00pm, St. Johns Church, Emigrant.  
**SVWG** – NRCS Local Working Group meeting, Monday November 17<sup>th</sup>, 6:00pm, Wilsall Firehall.  
Alan Johnstone formally stepped down as Chair, Ned Zimmerman elected to Chair and Phil Johnstone elected to Vice Chair.
12. **Conservation District Updates:**  
DNRC Seedling Nursery Sale begins January 21, 2026 at 8:00am.  
O’Rea Creek notice to lessee – conservation practices letter from attorney.  
Pollinator Seed is available for Fall planting.  
DNRC Public Notice – replacement point of diversion for Milligan Ditch Headgate.  
Department of Livestock notice – administrative rules changes.  
USACE – request for comment, revegetation for disturbed areas requirement.  
Sustainable Ranching Workshop, Dillon, October 14, 2025.
13. **Adjourned at 2:30pm**

### Closed Session

**NEXT MEETING: November 4, 2025 at 12:00pm – City/County Complex Community Room.**



11/4/2025



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