

# Park Conservation District

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

## BOARD MEETING: MINUTES

January 6, 2026 – 11:00 am

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

**BOARD MEMBERS PRESENT:** Dustin Homan, Dave Haug, Martin Davis, and Judy O'Hair. Ned Zimmerman present via Zoom.

**NON-BOARD MEMBERS:** Melissa Nicolli, PCD Administrator; Danielle Proctor, Watershed Coordinator; Ashley Lowrey, PCD Finance Direct; Scott Opitz, FWP; Nate Brown, NRCS; Justin Houser, Contract Engineer, Houser Engineering; Christine Pearay, Environmental Consultant Morrison Maierle; Gene Carter, landowner; Karl Knuchel, lawyer representing landowner; Daryl Smith, landowner, Park Branch Canal; Jerry O'Hair, landowner, Park Branch Canal; Ben Davis, Environmental Consultant, Downstream Research.

**ZOOM:** Montana Caise, member of public

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

1. **11:00 am - Call the Regular Park CD Board Meeting to Order – Dustin Homan, Chair**  
**\*Dave made a motion to excuse the not present Supervisors that were unable to attend, Dustin 2nd• (Motion carried 5-2).**
2. **310 Applications: Inspection Reports, Discussion and Board Decision:**  
**\*Dave made motion to accept applications, Judy 2<sup>nd</sup>. (Motion carries 5-2).**
  - A. **PK-71-25-C**  
**Elbow Creek, 12 Allen Lane, Livingston.** Complaint against NR Pioneer Ranch for unauthorized stream work.  
  
**\* Judy made motion to find in violation, no fine issued. Board recommends any future work, including gravel removal, will require a 310 permit application, Martin 2<sup>nd</sup>. (Motion carried 5-2).**
  - B. **PK-70-25-C**  
**Hunter Creek 1081 Convict Grade Rd Springdale** Complaint against Hunters Hotsprings for unauthorized stream work and remediation without 310.  
  
**\* Dave made motion to find in violation, Judy 2<sup>nd</sup>. (Motion carried 5-2).**  
  
**\* Dustin made motion to fine both Brad Keltner and John Burlingame for this violation. Each will be fined a minimum of \$500 contingent upon the Park CD receiving a completed 310 application by February 15<sup>th</sup>, 2026. As well as any additional remediation deemed necessary. Fines will be adjusted if deadline is not met, Judy 2<sup>nd</sup>. (Motion carried 5-2).**
  - C. **PK-72-25**  
**Yellowstone River, Park Branch Water Users.** Headgate repair work.  
  
**\* Martin made motion to approve application as proposed, Dave 2<sup>nd</sup>. (Motion carried 5-2).**

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### 3. Public Comment

### 4. Water Reservations:

- A. Point of Rocks Ranch- working with consultant on application
- B. Fred Paoili interested in water reservation- parcel near loch leven, would require boundary remapping, awaiting application

#### **\*Melissa to ask Mary Hendrix if she would like to speak on Water Reservations at upcoming meetings.**

- C. Water Reservation Questionnaire from MT DNRC due January 15<sup>th</sup> 2026 (Melissa to work with Ashley for completion)
- D. 2025 Annual report submitted to DNRC on 12/29

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

- A. Timesheets, Checks, Financial Reports, P&L, Balance Sheet, Supervisor reimbursement forms, claimforms.
- B. Checks: CEM Bookkeeping

#### **\* Dave made motion to approve Treasure's Report, July 2<sup>nd</sup>. (Motion carried 5-2).**

### 6. Minutes – December 4, 2025 Minutes

#### **\* Martin made motion to approve December minutes, Dustin 2<sup>nd</sup>. (Motion carried 5-2).**

### 7. New Business

- A. **Dustin Homan** renew 4 year term

#### **\* Ned made motion to elect Dustin to a new 4 year term, Dave 2<sup>nd</sup>. (Motion carried 4-2, 1 abstaining).**

- B. Determine new treasurer, etc.

#### **\* Martin made motion to keep Dustin as Board Chair, Judy as Vice Chair, and Dave as Treasurer, Ned 2<sup>nd</sup>. (Motion carries 5-2).**

### 8. Old Business

- A. **PK-50-25-C**

**George Creek, 45.46848, -110.57354, Pray.** Donna & Billy Scott.

Request DNRC technical review. WET contractor bid over what DNRC will cover. We need to decide how we want to proceed.

#### **\* Dustin made motion to determine that this complaint is non-jurisdictional to the Park Conservation District and does not require a 310 Permit. This decision was made based on historical evidence indicating that George Creek becomes a ditch at the bottom side of the 90-degree turn, located upstream from the diversion structure listed in the complaint, Dave 2<sup>nd</sup>. (Motion carried 5-2).**

- B. **PK-54-25-C 237 Pine Creek Rd**, Livingston. Gene Carter. Follow up from October 2025. Awaiting FERC documentation from Gene.

#### **\* Martin made motion to table complaint until FERC permit is available for review, Dave 2<sup>nd</sup>. (Motion carried 5-2).**

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- C. **PK-53-24** Requesting extension of permit for Terry and Peggy Brack. Nothing about the project has changed from the originally issued permit.

**\* Dave made motion to approve extension of permit PK-53-24, Martin 2<sup>nd</sup>. (Motion carried 5-2).**

**9. Planning & Development Board Update– Dustin Homan. No updates were made.**

**10. NRCS Update**

Nate informed board of new Regenerative Ag Program that NRCS is piloting. County producers are encouraged to apply.

**11. Watershed Business:**

**UYWG –**

- Upcoming Paradise Valley Working Lands Meeting - DNRC Water Balance Study Results

**SVWG –**

- February 2nd, 2026 11:30-1:30pm Estate Planning Workshop at Shields Valley Community Center

**12. Conservation District Updates**

DNRC Seedling Nursery Sale begins January 21, 2026 at 8:00am.

**13. Adjourn**

**\*Meeting Adjourned at 2:30 pm**

**Board and Advisors – discussion**

**\* Dave made motion to approve sending signed Letters of Support to Montana Freshwater Partners on two letters that were presented at the December meeting, Dustin 2<sup>nd</sup>. (Motion carried 5-2).**

**NEXT MEETING: February 3 , 2026 – 11am Site visits 1/28/2026.**

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Approved by

2/3/2026  
Date

  
Prepared by

2/3/2026  
Date