

The Gallatin Conservation District Board of Supervisors met on September 20, 2018 at 4:00 pm. Acting Chairman John Schutter called the 310 meeting to order at 4:10 pm. Supervisors present: Sherwin Leep, Mike Hansen, and Jason Camp. Absent: Loren Blanksma, Bob Logar, Doug Espelien, and John Venhuizen. Staff present: Mary Hendrix and Nathanael Johns.

Those present: Buddy Drake-MT FWP, Mike Rotar-RESPEC, Scott Gillilan-Gillilan Associates, David Lown, Gary Tauber, Joe Miller, Benny Mortenson-SS HOA, and Christopher Mahony-NRCS.

Public Comments on District 310 Permitting Business: None

310 Inspection Reports Decision

<u>Application Number: GD48-18</u>	Inspection Date: 9/12/2018
Applicant:	Vernon Svensrud
Landowner:	Vernon Svensrud
Contractor/Agent:	Clayton Haugland Construction
Perennial Stream:	Buster Gulch
Type of Projects:	Bridge/Culvert/Ford Removal; Flood Protection
Purpose:	Because of spring flooding, it would be best to remove a 20' x 4' culvert. Project will remove culvert and currently used driveway and restore back to the natural habitat.
Proposed Construction Date:	Start date: 9/1/2018 Finish date: 11/30/2018
Inspection Recommendation:	Approval as proposed
Inspection Comments:	Good project. Removal of extra crossing is good for the resource. Use silt fence, hay bales, or sod mats to keep dirt from entering water.

Discussion:

B Drake: I wonder why it's not just a ditch?

M Rotar: The applicant lives on the north side of Buster Ditch. The plan is to take out an old driveway. It's a good project and the contractor is recommended to use BMPs to keep dirt out of the water.

M Hansen made the motion to approve as proposed + 15-day waiting period waiver, *S Leep* seconds, motion carries

Board Decision: Approval as proposed + 15-day waiting period waiver

<u>Application Number: GD 50-18</u>	Inspection Date: 9/11/2018
Applicant:	Boulder Creek Subdivision, Rosa Johnson Development
Landowners:	Boulder Creek Subdivision, Rosa Johnson Development
Contractor/Agent:	Barbara Vaughn, Vaughn Environmental Services
Perennial Stream:	Baxter Creek
Type of Projects:	Bridge/Culvert/Ford Construction; Bridge/Culvert/Ford Removal; Road Construction/Maintenance; Placement of Fill
Purpose:	The culvert across Baxter Creek for the construction of Sherwood Way was not installed before the 310 permit expiration date.
Proposed Construction Date:	Start date: 9/30/2018 Finish date: 6/8/2019
Inspection Recommendation:	Approval as proposed
Inspection Comments:	Make sure that culvert is countersunk into channel by 6 inches.

J Camp made a motion to approve as proposed, *S Leep* seconds, motion carries

Approval as proposed

None provided

M Hansen made the motion to approve the project as proposed + 15-day waiting period waiver, *J Camp* seconds, motion carries

Approval as proposed + 15-day waiting period waiver

Project should significantly improve water quality and aesthetics in the ponds.

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S Leep made the motion to approve as proposed; *J Camp* seconds, motion carries

Approval as proposed

#1: 24" squash pipe recommended; good spot for bridge
#2: 24" squash pipe recommended; however, existing bridge at location is preferred
#3: 24" squash pipe recommended, minimum length of 20'; good site for bridge, too
#4: 24" squash pipe recommended, minimum length of 20'; a bridge would also work well here
#5: 24" squash pipe recommended, minimum length of 20'; a corduroy timber ford could also be used

M Hansen made the motion to approve with modifications to include culvert upsize + bridges; *S Leep* seconds, motion carries

Approval with modifications + inspection comments

Application Number: GD 54-18 Inspection Date: 9/11/2018
 Applicant: Scott Schmidt
 Landowner: Crosscut Mountain Sports Center
 Contractor/Agent: Not provided
 Perennial Stream: Bridger Creek
 Type of Project: Bridge/Culvert/Ford Construction
 Purpose: To provide a stream crossing for snowcat grooming of Nordic trail system. Install a 24" x 30' culvert in Bridger Creek.
 Proposed Construction Date: Start date: 10/1/2018 Finish date: 10/30/2018
 Inspection Recommendation: Approval with modifications
 Inspection Comments: Recommend that culvert be upsized to 36" squash pipe (42" x 30").
 A bridge would be preferable but not necessary.
 NOTE: A second site was visited about 100 yards downstream for a crossing. At this location, a 48" culvert is recommended but again, a bridge might work better and be preferable.

Discussion:

M Rotar: This project is on Bridger Creeks. We recommended they use a larger pipe (36" squash). It's a better option. We viewed a second site not listed on the application and recommended another 310 application be submitted for that project.

M Hansen made the motion to approve with modifications + bridge comment, *J Camp* seconds, motion carries

Board Decision: Approval with modifications + bridge comment

Application Number: GD 55-18 Inspection Date: 9/12/2018
 Applicant: Patrick Byorth, Montana Trout Unlimited
 Landowner: Lonny Walker
 Contractor/Agent: Scott Gillilan, Gillilan Associates
 Perennial Stream: Dry Creek
 Type of Project: Fish Habitat; Riparian restoration
 Purpose: Installation of 5 cottonwood woody debris structures paired within an extensive riparian planting effort on the upper banks to provide future shade and cover along the Dry Creek channel.
 Proposed Construction Date: Start date: 10/1/2018 Finish date: 4/1/2019
 Inspection Recommendation: Approval as proposed
 Inspection Comments: Real benefit.

Discussion:

B Drake: Mike and I see no problem with this project, it should accomplish what it's supposed to do. It's a real benefit to Dry Creek. Seeking to put in a bridge in a

S Leep: What is a woody debris structure?

S Gillilan: it's down-dead cottonwood embed into the channel further downstream.

M Hansen made the motion to approve as proposed, *J Camp* seconds, motion carries

Board Decision: Approval as proposed

Application Number: GD 56-18 Inspection Date: 9/12/2018
Applicant: Dry Creek Conservation Partners, LLC
Landowner: Dry Creek Conservation Partners, LLC
Contractor/Agent: Scott Gillilan, Gillilan Associates
Perennial Stream: Dry Creek
Other: Stream restoration
Purpose: Project part funded by a MT DEQ 319 to address impairments identified in the 303d listing including sediment and temperature.

Proposed Construction Date: Start date: 9/20/2018 Finish date: 6/1/2019
Inspection Recommendation: Approval as proposed
Inspection Comments: Good project as an attempt to reduce fine sediment input.

Discussion:

B Drake: It's on the impairment list. The owner is doing a lot of work. This will help water quality, sediment transport and fish habitat.

S Leep made a motion to approve as proposed + 15-day waiting period waiver, *M Hansen* seconds, motion carries

Board Decision: Approval as proposed + 15-day waiting period waiver

Application Number: GD 57-18 Inspection Date: 9/11/2018
Applicant: Gallatin Valley Botanical Inc.
Landowner: Gallatin Valley Botanical Inc.
Contractor/Agent: Scott Gillilan, Gillilan Associates
Perennial Stream: Rocky Creek
Other: Restoration
Purpose: To restore natural channel and floodplain processes inclusive of expanding the density of woody riparian vegetation on the floodplain and channel banks. Improving the connectivity of the floodplain during peak flow events (occurring approximately 4-7 years).

Proposed Construction Date: Start date: 10/1/2018 Finish date: 4/1/2019
Inspection Recommendation: Approval as proposed
Inspection Comments: Methods proposed and flexibility of design concepts to facilitate geomorphic process should allow riparian habitat and channel function to reach greater potential.

Discussion:

B Drake: The raw bank needed to be addressed on both sides at the site and further downstream.

M Hansen made a motion to approve as proposed, *S Leep* seconds, motion carries

Board Decision: Approval as proposed

Application Number: GD 58-18 Inspection Date: 9/12/2018
Applicant: Codytank Holdings, LLC
Landowner: Codytank Holdings, LLC
Contractor/Agent: Scott Gillilan, Gillilan Associates
Perennial Stream: Bull Run Creek
Other: Restoration
Purpose: To create a natural channel planform in historically straightened channel segments and to create in-channel habitat in over-wide segments of Bull Run Creek.

Proposed Construction Date: Start date: 10/1/2018 Finish date: 4/1/2019
Inspection Recommendation: Approval as proposed
Inspection Comments: Good project. Downstream reach that was restored in 2016, looks good.

Discussion:

B Drake: This is on Bull Run in an area that was straightened and widened. This is a good project.
J Camp made the motion to approve as proposed, *M Hansen* seconds, motion carries

Board Decision: Approval as proposed

Application Number: GD 59-18 Inspection Date: 9/12/2018
Applicant: Jeff and Beth Moos
Landowner: Jeff and Beth Moos
Contractor/Agent: Christine Percy, Morrison-Maierle, Inc.
Perennial Stream: East Gallatin River
Type of Project: Bank Stabilization/Alteration
Purpose: To stabilize two sections of vulnerable streambank along the East Gallatin River.

Proposed Construction Date: Start date: 10/15/2018 Finish date: 11/30/2018
Inspection Recommendation: Approval with modifications
Inspection Comments: 1: For transitional area at upstream end of project, specify that riprap only extend to similar height as existing riprap upstream. Above riprap, top of bank should be left as natural as possible using soil and vegetation.
2: At downstream end of project, there is a segment of eroded bank that should be addressed, if possible. This bank is not on the applicant's property. Trout Unlimited and Greater Gallatin Watershed Council have been contacted regarding this area.

Discussion:

M Rotar: This project is on Nelson Road, right on the corner. There are a couple of sections of streambank that is eroding. They would like to extend riprap then transition to a softer treatment. The river takes a sharp turn north of the project. There is an area about 75' outside of the applicant's property. Others are working to find a solution for that segment.
M Hansen made the motion to approve with modifications, *J Camp* seconds, motion carries

Board Decision: Approval with modifications

Application Number: GD 60-18 Inspection Date: 9/12/2018
 Applicant: Barbara Campbell, Elk Creek Livestock LLC
 Landowner: Barbara Campbell, Elk Creek Livestock LLC
 Contractor/Agent: James Connolly, Hyalite Engineers
 Perennial Stream: Elk Creek
 Type of Project: Bridge/Culvert/Ford Construction; Debris Removal
 Purpose: To replace an undersized and poorly positioned culvert on Elk Creek.
 Proposed Construction Date: Start date: 10/1/2018 Finish date: 3/31/2019
 Inspection Recommendation: Approval as proposed
 Inspection Comments: Countersink culvert bottom 6 inches into substrate.

Discussion:

M Rotar: This is out by Norris Road. There is a barely function culvert that is choked out downstream. They are looking to replace that with a 6' x 6' box culvert. This will increase the flow area by 2.5 times. *S Leep* made the motion to approve as proposed + inspection comments, *M Hansen* seconds, motion carries

Board Decision: Approval as proposed + 15-day waiting period waiver

Application Number: GD 61-18 Inspection Date: 9/12/2018
 Applicant: Eugene Cole
 Landowner: Baker Creek Irrigator's Association
 Contractor/Agent: Buddy Drake, Drake & Associates
 Perennial Stream: Gallatin River/Baker Creek
 Type of Project: Irrigation Structure
 Purpose: To replace the Baker Creek head gate originally constructed in 1957. The wooden structure is in imminent danger of failing and will not survive another high water event.
 Proposed Construction Date: Start date: 9/30/2018 Finish date: 10/21/2018
 Inspection Recommendation: Approval as proposed
 Inspection Comments: None provided

Discussion:

B Drake: This head gate will not make another run-off. We will divert 50 yards upstream to a channel about 100 yards. Will use a coffer dam to work on the ditch. It will be a permanent concrete structure with a concrete floor and that would be easier to maintain.

M Hansen: It's a short window to complete this project.

B Drake: Yes

M Hansen made the motion to approve as proposed + 15-day waiting period waiver, *S Leep* seconds, motion carries

Board Decision: Approval as proposed + 15-day waiting period waiver

4. 310 Emergency Applications: None

5. 310 Old Business:

310 Violation GD 2C-18 Nesbitt Letter

Supervisors discussed the most recent letter from Mr. Nesbitt. They concluded that the situation concerning Canyon Adventures' crossing at Beaver Creek in Big Sky was unique in that the immediate banks of Beaver Creek were snow packed at the time of the alleged violation. Therefore, the supervisors voted to rescind the Notice of Violation issued. *M Hendrix* to work with *Don MacIntyre, Esq.* and draft a letter notifying that the Notice of Violation had been rescinded.

6. 310 New Business: (2) Complaint Forms

Application Number: GD 5C-18

Inspection Date: September 18, 2018

Alleged Violator:

James Houdashelt

Perennial Stream:

Middle Fork of Hyalite Creek

Natural of Complaint:

James Houdashelt hired a dump truck and backhoe and razed a 118 year old house structure on his property at 1750 East Baseline Road. He then used this equipment to transfer the materials to the south end of his property which shares the property line with ours at 1780 East Baseline east of the creek. Multiple trips were taken across Middle Creek with the heavy machinery filled with debris over the course of at least 3 days. The structure materials were dumped in piles two deep in some places up the fence line adjacent to our property. At least some of the dump site is in the flood plain. On-going investigation, will schedule site visit in October

Inspection Comments:

Application Number: GD 6C-18

Inspection Date: September 18, 2018

Alleged Violator:

Viking 1 Investors LLC (one principal is Hjalmar Syverson)

Perennial Stream:

Gallatin River

Natural of Complaint:

It appears that the landowner has used heavy equipment to clear land directly adjacent to the main channel of the river and has pushed the trees, brush etc. into the river and damaged the integrity of the river bank. Raw, fresh dirt is plainly visible. They have also installed a "zip line" across the channel of the river to the "island" on the other side, which island and river channels are lands owned by the State of Montana. The zip line impedes the ability of fisherman to cast their lines in that stretch of the river.

Inspection Comments:

On-going investigation, will schedule site visit in October

6. 310 New Business: None

7. Adjournment of 310 Meeting @ 5:45 pm

BUSINESS MEETING

Public Comments on District Business: None

Consensus Agenda: August minutes. *M Hansen* moved to approve the consensus agenda, *S Leep* seconds, motion carries

Accounting: (Deposit, Credit Card, Invoices) + P&L and Balance Sheet. *M Hansen* made the motion to approve the financials + pay invoices; *J Camp* seconds, motion carries

NRCS (9/20/2018) District Report – Christopher Mahony

Water year (Oct) to date precipitation % of Normal

- | | |
|-----------------------------|-----------------|
| • Gallatin; August; 116% | September; 114% |
| • Madison; August; 107% | September; 102% |
| • Jefferson; August; 110% | September; 110% |
| • Yellowstone; August; 122% | September; 118% |

Programs

EQIP:

- Certifying practices
- Planning new applications

CSP 2018:

- 1 application approved

Events:

Past:

- Conservation Delivery to Women producers
- All Employee meeting
- Organic training

Future:

- MACD Area 6 meeting Park County 9/26

Clarkston Fire; site visit planned for Friday

Local Working Group (Natural Resource priorities):

- Current; water quality in Camp and Godfrey creek drainages (NWQI)
- Future; extend NWQI
- Targeted resource concerns

Executive Session for contract reviews: Meeting closed 6:50 pm; Meeting resumed 7:15 pm

County Planning Board: None

Manhattan Planning Board: None

New Business: None

New Grants/Agreements/Contract Report:

M Hendrix discussed a DEQ 319 mini grant to purchase (2) colorimeter for the Belgrade High School AP Biology class.

Well-Testing Cost-share Program: None

Cost-share Program: None

CD Seminars/Workshops: None

Correspondence and Handouts:

- Staff reports

Old Business: Executive Session for Natural Resource Specialist applicants review. Meeting closed 7:50 pm; Meeting resumed 8:10 pm.

Adjournment of Meeting

J Schutter made the motion to adjourn the meeting. The meeting adjourned at 8:15 pm. The next scheduled board meeting will be Thursday, October 18, 2018 at 4:00 pm.

Minutes approved by John Schutter, Vice Chairman

Date