

**March 17, 2022,
9:00am**

GALLATIN CONSERVATION DISTRICT

Topic: GCD February Board Meeting
Time: March 17, 2022 • 09:00 AM Mountain Time (US and Canada)

Meeting Location: GCD Conference Room- 120 S. 5th Street, B102- Manhattan, MT

Zoom Details

March Zoom Link

<https://us02web.zoom.us/j/88944657989?pwd=SjRMbFBpWFRabjQyTTdMdzJlWFZZdz09>

Meeting ID: 889 4465 7989

Passcode: 288114

Call in

+1 253 215 8782 US (Tacoma)

Meeting ID: 889 4465 7989

Passcode: 288114

310MEETING AGENDA

1. Meeting Called to Order

2. 310 Inspection Reports: Ready for Discussion and Board Decision

a. Application Number: GD 05-22

Inspection Date: March 15, 2022

Applicant:

Jon Grzyb, 1280 Baxter JV, LLC

Landowner:

MVGR LAND, LLC

Contractor/Agent:

Perennial Stream:

Beck Border Ditch + Unnamed Tributary

Type of Project:

Crossing- road + placement of fill

Purpose:

The proposed project is HUD supported housing development that would provide affordable homes for low to mid income families in the Gallatin Valley while working to protect wetland resources to the fullest extent possible. The County has specific standards or requirements for subdivisions including an emergency access road and connections to other developments. The County is requiring a connecting road to the proposed development to the west and a connection to an existing road (Tillyfour Road) within the Black Bull development to the south.

Proposed Construction Date:

Start date: 5/1/2022 Finish date: 2/1/2023

Inspection Recommendation:

Inspection Comments:

Discussion:

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b. Application Number: GD 06-22

Inspection Date: March 15, 2022

Applicant:

Brian Jacobsen

Landowner:

Brian and Jennifer Jacobsen

Contractor/Agent:

Confluence Consulting, Inc.

Perennial Stream:

Unnamed Tributary

Type of Project:

Channel Alteration, pond

Purpose:

The goals of this project include restoring a segment of an unnamed spring creek that has been converted into an inline pond, and constructing a new, groundwater-fed pond that is isolated from the spring creek.

Proposed Construction Date:

Start date: 4/15/2022 Finish date: 6/1/2022

Inspection Recommendation:

Inspection Comments:

Discussion:

c. Application Number: GD 07-22

Inspection Date: March 15, 2022

Applicant:

Highline Canal Co.

Landowner:

Turner Corporation

Contractor/Agent:

Perennial Stream:

Gallatin River

Type of Project:

Agricultural, channel alteration, Maintenance

Purpose:

Maintaining headgate and nearby area.

Proposed Construction Date:

Start date: 2022 Finish date: 2032

Inspection Recommendation:

Inspection Comments:

Discussion:

d. Application Number: GD 08-22

Inspection Date: March 7, 2022

Applicant:

Kingfisher Consulting Inc.

Landowner:

Wild Patterson, LLC

Contractor/Agent:

Kingfisher Consulting Inc.

Perennial Stream:

Bozeman Creek

Type of Project:

Bridge/Temporary Access

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Purpose: To install and then remove a temporary bridge across Bozeman Creek. The temporary bridge is proposed so there is a method to haul material across Bozeman Creek without having any short or long term impacts on the creek bed, banks, floodplain, or water quality. Material hauled will be used to fill and reclaim two existing ponds.

Proposed Construction Date: Start date: 4/21/2022 Finish date: 5/6/2022

Inspection Recommendation: Approval as proposed

Inspection Comments: Temporary bridge will be in place for approximately two weeks. Seed any disturbed areas once bridge is removed.

Discussion:

e. Application Number: GD 09-22

Inspection Date: March 15, 2022

Applicant: Climbing Arrow Ranch, LLC

Landowner:

Contractor/Agent: WGM Group, Inc.

Perennial Stream: Sixteenmile Creek

Type of Project: Agriculture/Irrigation Projects

Purpose: Project is necessary as new headgate structures are needed- based on the condition of the existing structures. The goal is to construct new headgate structures that better allow the operator to control irrigation flows into the existing irrigation ditches. The existing headgates are hard to operation and have resulted in structures that cannot be relied on to convey the appropriate flows to the irrigated areas.

Proposed Construction Date: Start date: 5/1/2022 Finish date: 8/1/2022

Inspection Recommendation:

Inspection Comments:

Discussion:

f. Application Number: GD 10-22

Inspection Date: Waived

Applicant: Rebecca Carroll

Landowner:

Contractor/Agent:

Perennial Stream: Gallatin River

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Type of Project: Agriculture/Irrigation Project, Vegetation + Tree Removal, Debris Removal, Culverts

Purpose: To clear out dead trees and debris from floodplain, clean out ditch, replace existing culvert and bridge. This project will make land usable for grazing horses and cows. It is fire prevention as the trees, deadfall, and other debris have not been taken care of in years. Cottonwood trees break and fall throughout the property, being left to rot is a fire hazard. Cleaning up the field, making it usable for pasture, preventing fire and general cleanliness/safety for animals and people. *Some of this work already completed*

Proposed Construction Date: Start date: 3/1/2021 Finish date: 6/1/2022

Inspection Recommendation:

Inspection Comments:

Discussion:

g. Application Number: GD 11-22

Inspection Date: Waived

Applicant: Jason Howell

Landowner: Lyndy Caine

Contractor/Agent: Howell Septic & Excavating

Perennial Stream: Hebgen Lake

Type of Project: Channel Alteration, Marina, Debris Removal

Purpose: Recently with the low water in Hebgen Lake, the privately owned marina becomes unusable. By cleaning up the lakebed and cleaning out the marina, this will allow the continued use of the marina during low lake levels. All the materials cleaned out will be placed on the private land above and away from the lake.

Proposed Construction Date: Start date: 4/1/2022 Finish date: 5/31/2022

Inspection Recommendation:

Inspection Comments:

Discussion:

h. Application Number: GD 12-22

Inspection Date: March 15, 2022

Applicant: Kaiser Real Estate West, LLC

Landowner:

Contractor/Agent: Pond and Stream Consulting

Perennial Stream: Dita Ditch

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Type of Project: Ag/Irrigation Projects, Channel Alteration, Crossings/Roads, Construction of Engineered Wetlands (pending).

Purpose: The goal of this project is to restore wetlands, waterfowl, and trout habitat to the subject area that has been degraded by agricultural drainage ditches. Historic land use has deliberately altered the hydrological conditions and vegetation within the project area. Dewatering ditches have lowed groundwater in the subject area to allow for agricultural production. In addition, the railroad grade along the northern project area boundary has generally disconnected the project area from the Gallatin River Floodplain. A second, but significant goal, is to reduce nutrient loading to the Gallatin River as the Town of Manhattan's wastewater treatment plant discharges to Dita Ditch. The extent of planned nutrient reduction features is dependent on the Town of Manhattan receiving ARPA funds administered by DNRC.

Proposed Construction Date: Start date: 4/1/2022 Finish date: 3/31/2024 (4-5 months within this timeframe)

Inspection Recommendation:
Inspection Comments:
Discussion:

i. Application Number: GD 13-22

Inspection Date: March 7, 2022

Applicant: The Kelly Trust

Landowner: Joe Axtell

Contractor/Agent: AOK Site Works, Inc.

Perennial Stream: Gallatin River

Type of Project: Irrigation, Bank Stabilization and Restoration, Tree Removal.

Purpose: To dovetail with work being done by the Kughen Ditch Co. To protect the irrigation intake of the Gabriel Ditch which the river is undermining and circumventing the intake.

Proposed Construction Date: Start date: ASAP Finish date: 2 days later

Inspection Recommendation: Denial

Inspection Comments: Plan is somewhat amorphous, but placing rock and trees below intake (which is plugged with large rock) will not affect ditch.

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3. Complaints:

4. Other 310 Business:

- a. West Yellowstone applications**
- b. Pfeil Declaratory Ruling- Next steps**
- c. Jurisdictional Determination- None**

5. 310 Old Business:

a. Complaint Number: GD 13C-21 Inspection Date: August 10, 2021

Complainant: Ronald Spoon

Complaine/Landowner: Dixie Deeter

Contractor/Agent:

Perennial Stream: Jefferson River

Complaint: Extensive placement of rock rip-rap was observed from a boat on May 25, 2021. Previously, natural rock "barbs" were constructed in the vicinity and approved by Gallatin CD.

Inspection Recommendation: Activity has been initiated on a perennial flowing stream without a valid permit.

Inspection Comments:

- Discussion:

Decision (August 19, 2021): Bob Logar motioned to acknowledge complaint as a violation of 310 law. Plan will need to be submitted to address the work that has been done without the permit. Looking for 310 application to be submitted by the October meeting. Goal of having the riprap removal addressed appropriately by end of March. Part of the application should include the reutilization of riprap, as appropriate, to protect their property and home. Tammy Swinney seconded. All in favor, motion carries.

From October 2021 meeting: Draft mitigation plan submitted by Mike Sanctuary of Confluence to show commitment to address the violation, but requesting an extension. Mike S needs to assess the river under normal flow conditions, as he currently was only able to assess during extreme low flow. Therefore, requesting more time to inspect the site, to see where bank erosion might be likely to occur based on hydrologic analysis under normal flow conditions. Mike S. agreed to notify the USACOE, as the site is currently a violation with them

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as well, to get their input on how they would like this addressed going forward.

Decision (from October 19 meeting): Tammy Swinney motioned to table the issue, pending Confluence notifying USACOE and getting back to GCD on that by the December meeting. Sherwin Leep supported. All in favor, motion carries.

Update 12/2021: Mike Sanctuary notified USACOE on 10/26/21 and to date, other than the acknowledgement of receipt of his letter, has not had any communications from them.

From December 2021 board meeting: From December 2021 board meeting: Mike S really wants to visit with USACE onsite and is going to directly reach out to arrange this. Table to January meeting in hopes of USACE engagement by then.

Update 1/2022: Mike has been in contact with Tim McNew from USACE and an onsite visit is in the process of being planned.

Update 2/2022: Mike S reports the site inspection with Tim McNew from USACE will take place 2/11/2022. Report submitted by Mr. McNew spelling out remediation requirements for USACE.

Update 3/3033: Preliminary Mitigation Plan submitted to satisfy USACE requirements.

b. Application Number: GD 22-21

Applicant:	Warm Springs, LLC (Marc Pierce)
Landowner:	same
Contractor/Agent:	Jim Lovell- Confluence
Perennial Stream:	Warm Springs
Type of Project:	Channel alteration, fish habitat, wetland alteration, habitat enhancement, placement of fill
Purpose:	To restore fish habitat that was previously improved but damaged by flooding in March 2014. Project goals are to restore functional deep pool habitat, improve spawning habitat, and reduce channel widths to improve sediment transport.
Proposed Construction Date:	Start date: 5/1/2021 Finish date: 9/30/2021
Inspection Recommendation:	Approval as proposed
Decision:	Bob Logar motioned to approve. Jason Camp supported. 15-day waiver. All in favor. Motion carries.

Update: Extension requested. Original date of expiry- 4/15/2022.

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c. Application Number: GD 65-21

Inspection Date: October 15, 2021

Applicant:

Allied Engineering Services, Inc

Landowner:

Ryan Smith

Contractor/Agent:

Perennial Stream:

Baker Creek

Type of Project:

Utilities

Purpose:

To construct a residential wastewater system consisting of two septic tanks, one dose tank, and a pressurized subsurface drain field.

Proposed Construction Date:

Start date: 12/1/2021

Finish date: 3/1/2022

Inspection Recommendation:

Approval with modifications

Inspection Comments:

Recommend crossing creek approximately 20' to south where channel is straighter and less vegetation (trees) along bank. 318 waiver issued.

Discussion:

Erect a force main across Baker Creek. Inspection team reports no real problems with what they are proposing to do. Recommended to move project to a better location on the creek. No recommended design changes otherwise. Possible Stream/ditch scenario. Less disturbance of vegetation at new proposed site location. Applicant agreeable to this modification.

Decision:

Sherwin Leep motioned to approve with modifications. Jason Camp supported. All in favor, motion carries.

Update:

Extension requested. Original date of expiry: 10/19/2022.

d. Complaint Number: GD 17C-21

Inspection Date: November 28, 2021

Complainee/Landowner:

Stone

Contractor/Agent:

Perennial Stream:

W. Gallatin River

Decision (December 2021):

Acknowledge as a viable complaint and waiting on a 310 to address this. 90 day deadline to get 310 in. Sherwin supported. All in favor, motion carries. March 16, 2022

Update:

6. Public Comments on District 310 Permitting Business

7. Adjournment of 310 Meeting

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BUSINESS MEETING AGENDA-

1. Guests & Public Comments on District Business Meeting-
 - a. Boardroom Bobcats- Heather Winslow
2. Grants/Agreements/Contract Report - See Spreadsheet
3. Cost-share Program:
4. Well-Testing Cost-share Program:
5. Consensus Agenda
 - a. February Meeting Minutes-
 - b. Excused Absence of board members
6. NRCS
 - a. Report
 - b. Civil Rights Training
 - c. Cooperative Working Agreement
7. Supervisor Report: Planning Boards
 - a. Planning board- Manhattan-
 - b. County Planning Board-
 - c. GLWQD-
 - d. MACD update-
 - e. DNRC Update-
8. Staff Reports
 - a. Administrator's Report- Becky
 - b. NRS Report- Elizabeth
 - c. Education and Outreach Director- Sydney
 - d. Education Specialist Report- Leia
 - e. BSWC Report- Gillian
9. Old Business
 - a. Supervisor elections

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- b. Professional Development Training through MSU Extension
 - c. MACD Resolutions
 - d. 2022 Convention
 - e. Audit
 - f. Other old business?
10. New Business
- a. Board Meeting time change- April- September- 4pm
 - b. Tammy contracting with FCCF for data entry on 310 permit project
 - c. MRCD Fort Peck Test Flow Resolution
 - d. Supervisor EOC maintenance day
 - e. Other new business?
11. CD Seminars/Workshops:
- a. GISA- Pasture Management Workshop Series- February-April 2022
 - b. Adult Workshop Series
 - i. April 20- Pollinators
 - ii. May 18- Food Waste
 - iii. June 15- Stream Ecology
 - c. Earth Day Celebration- April 18 in EOC, various county wide other events during the week of 4/18-4/22.
 - d. Pollinator Workshop by Gillian- 4/28
 - e. Realtor 310/Regulatory Workshop- May 24
12. Parking Lot
- a. Edging in the garden
 - b. Conference Room electrical upgrade
 - c. Soundproofing Office Space(s)
 - d. QuickBooks revamp- Dellinger will help us! End of April.
 - e. Property Management Company

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13. Accounting (Deposit, Credit Card, Invoices) + Updated P&L, Balance Sheet
14. Adjournment of Business Meeting