

**January 19, 2023 • 310 Meeting**

**Call to Order:** The Gallatin Conservation District Board of Supervisors met on January 19, 2023. Chairman Sherwin Leep called the 310 meeting to order at 9:03am.

**Supervisors Present:** Sherwin, Leep, Loren Blanksma, Mike Hansen, Briana Schultz, Jason Camp, Tammy Swinney, and Bob Logar. Associate Supervisor- John Schutter

**Supervisors Absent:**

**Staff present:** Becky Clements, Elizabeth Emeline, Leia Miller

**Guests Present:** Mike Rotar (RESPEC), Buddy Drake (FWP), Mike Duncan (FWP), Jim Lovell (Confluence), Kris Gandrud (Confluence), Chris Mahony (NRCS), Ashlee Barker (NRCS), Derek Dennehy (WGM Group), Mike Sanctuary (Confluence), Mike Ellig (GD 87-22), Matthew Kamp (Valley Ditch Company)

**Zoom attendees:** Taylor Winkel (RESPEC)

## 1. 310 Applications

### a. Application Number: GD 80-22

Inspection Date: December 7, 2022

Applicant: SBC, Inc.- Jamie Bottcher  
Landowner: 5H Ranch Trust  
Contractor/Agent: WGM Group, Inc.  
Perennial Stream: Hyalite Creek  
Type of Project: Bridge replacement, bank alteration.  
Purpose: The purpose of this project is to construct a new bridge to replace an existing bridge crossing over Hyalite Creek. The crossing consists of one approximately 40' span consisting of a repurposed railcar frame. The project is necessary due to the poor and deterioration condition of the existing structure. The existing abutments are partially exposed and have been subject to erosion. The bank below the abutments has also experienced substantial erosion and scouring causing a significant loss of material below the abutments. Currently the abutments have no protection from erosion and scouring caused by hydraulic forces. This erosion and scouring could potentially result in settlement of the structures, or even total failure of the structure. The existing substructure, which consists of two concrete abutments, will be removed, and replaced with concrete sills. Replacing the existing bridge and supporting superstructure is necessary to ensure the bridge can adequately support expected traffic loading. These upgrades will help to protect public safety as well as protecting the integrity of the stream by preventing erosion of the concrete abutments and native material near the bridge.

Proposed Construction Date:

Start date: 3/6/2023

Finish date: 5/19/2023

Inspection Recommendation:

On Hold

Inspection Comments (Dec. 2022):

Pending additional plans for abutment modifications.

Discussion (Dec. 2022):

Straightforward, but not. Easy bridge to replace. Modifications were suggested in the field and applicants requested to put on hold to get better

	plans submitted. Discussion in the field to change plans for their abutments. Riprap armoring was originally proposed. But will have negative impacts to the resource. Scour analysis would be appropriate to be considered in this instance.
Decision (Dec. 2022):	Tammy Swinney motioned to place on hold until January board meeting. Brianna Schultz supported. All in favor, motion carried.
Update:	Plans for 2 different options have been submitted and approval is requested for either option.
Discussion:	2 different options were submitted for the new plans as discussed on site with the inspection team. Existing abutments are currently failing, and this will provide quite an upgrade. Abutments set back away from the bank is preferred. Recommend some riprap right at the toe to prevent the footings from migration. Option 2 is preferred.
Decision:	Bob Logar motioned to approve with the option 2, extra rip rap at the base of the footings to prevent lateral migration. Jason Camp supported. All in favor, motion carries.

b. Application Number: GD 83-22

Applicant:	Inspection Date: December 5, 2022
Landowner:	Warm Springs LLC (Marc Pierce)
Contractor/Agent:	same
Perennial Stream:	Confluence Consulting, Inc.
Type of Project:	Warm Springs
Purpose:	Channel Alteration
Proposed Construction Date:	The purpose of the project is to improve instream habitat for fish. Habitat was improved in spring 2022 under 310 application GD 22-21 and that work was largely successful. However, some of the shallower constructed pools are underperforming and would benefit from minor adjustments, primarily deepening. The adjustments will advance the original project goals of restoring functional, deep pool habitat, improving spawning habitat, and reducing channel widths to improve sediment transport.
Inspection Recommendation:	Start date: 1/16/2023
Inspection Comments:	Finish date: 3/31/2023
Discussion (December 2022):	Plans look good, but board needs to discuss project's effectiveness. 15 day waiver recommended.
	Previously approved project at this location last year. Same location as a project that was completed approximately 20 years ago as well. Buddy states there are fish everywhere in the stream- so clearly a functioning stream. Last year's project was maintenance of the site. This application is to fine tune the project. Buddy is not in favor, as it is a functioning stream. Does not think this

Decision (December 2022):

is appropriate response to protecting the resource. Project is for personal benefit, not resource benefit. This will kick up temporary impacts in terms of sedimentation. This could have negative impacts to the fish population as well. Bob Logar motioned to deny as not unnecessary and detrimental to the resource/fish population. Support by Brianna Schultz. All in favor, motion carried.

UPDATE (January 2023)

Applicant requests application to be re-considered and will be present at board meeting for project clarification discussion.

Discussion:

Project makes modifications to project that was permitted last year. Jim (Confluence) doesn't think it's maintenance. He's tweaking the design to make it perform better. A couple of areas aren't working as they should. Complex designs and systems. Don't always get it right the first time. Not modifications. A couple spots will need adjustments. Short term project. The couple of impacts will be temporary and will be minimized by the improvements. Buddy states it's a functioning stream at the end of the day. Presence of fish- strong and healthy. Buddy isn't sure the benefits of the project will outweigh the negative impacts. Jim states the improvements will further enhance the fishery and provide even more benefits to the resource. Habitat restoration project. Not a bridge or culvert, which doesn't have resource benefit and routinely permitted by the board. Flushing flow will improve the habitat. Mike D wonders if we are attracting fish by improving water quality/quantity. Stress to juvenile fish. Double edge sword. Creating more fish or attracting more fish. He thinks this project is the later. Mike R agrees it is hard to get projects right the first time. Spring creeks don't have the flushing flows. Project is only 1 year out. So still adjusting. If this is approved, maybe monitor from here and see how it responds. To keep going in to "tweak" things is a philosophical question. Tammy wonders if there is something that can be done upstream to address the excessive sediment loading. Jim agrees that sediment from upstream operations is likely, but also large population of waterfowl is a large contributor. Tammy wonders if the landowner would be agreeable to holding off for a couple years to see how last year's improvements pan out as they are still adjusting. Jim states he would prefer that, but also thinks it would be good to go in now, while it's still adjusting, and then leave alone after this. Buddy thinks these minor modifications won't have that much influence on fisheries. He also is in favor they should wait for a couple years to see what happens. Briana worries this sets precedence, Mike agrees. Modification of constructed systems. Mike states the board needs to be clear that these projects need to be spelled out that re-tweaking is not the norm and not always allowable to the board. Mike

states he reluctantly thinks this one should be allowable, but strongly stated this is not going to be allowable again.

Decision: Bob Logar motioned to approve as presented with a note to keep in mind this won't be allowable again going forward. Jason Camp supported. 15 day waiver also approved. Briana and Tammy oppose. Motion carries.

c. Application Number: GD 84-22

Applicant: Mike Tracy  
Landowner: same  
Contractor/Agent: Confluence Consulting, Inc.  
Perennial Stream: W. Gallatin River  
Type of Project: Channel/Bank Stabilization/Alteration.  
Purpose: This reach of the Gallatin River has been identified as highly prone to avulsions due to the perched elevation of the West Gallatin as compared to the adjacent E. Gallatin River immediately upstream of their confluence. Continued migration of the river northward within the Tracy Ranch threatens to steer the main stem of the river down a large swale that eventually connects to the E. Gallatin River. An avulsion through this area would sever the Tracy Ranch, creating a very challenging and potentially dangerous scenario for the applicant. The goal is to prevent continued lateral erosion of the Gallatin River northward, thereby reducing the avulsion risk of the W. Gallatin River and the potential of the river to run directly through the Tracy Ranch.  
Proposed Construction Date: Start date: 2/1/2023 Finish date: 3/18/2023  
Inspection Recommendation: Board Discussion  
Inspection Comments: Board needs to discuss the importance of private vs. public erosion costs/priorities. No problems with proposed treatment.  
Discussion: Bank reinforcement project. Mike S (Confluence) presents the channel migration study. Avulsion hazard areas shown. W. Gallatin elevation is 12' above E. Gallatin- high potential for avulsion in these areas where elevation is in question. If avulsion happens, as Mike S thinks is likely, it will go right through applicant's ranch. Project will make the avulsion less likely to happen. Project will install woody debris, willow stems, soil lift, rock. Last spring's high flows caused the migration of the north bank approximately 165' to further reiterate the necessity of the project. Neighboring property is state lands. Buddy worries if they approve the project to save the ranch- it will have negative impacts on the state land. Maybe a question for legal team. This is fighting against what nature wants to do. Likely that the river is going to avulse into the Gallatin with that elevation, which is significant. Mike R thinks this a question of where and how much stabilization - confluence point is

likely to keep moving upstream. Very dynamic area. It is hard to predict what this system will do and the effects this project will have on the system. Mike S states he doesn't think the state is really losing anything if it does cut through the state land. There will still be public access. Mike D wonders if there is a structure, home, or road involved? Or just protecting the land? Still a factor, but if there's a home, that changes things. No improvements or stock on the private land. Mike S reports there currently is a maintenance facility (no utilities), fencing, roads, storage facility, small off grid cabin, and pond on the private land. They are well off the bank as it is today, but is considered highly likely to be threatened if/when the avulsion happens. Landowner states he values the land more than the structures and would like to work to prevent the northerly migration of the river channel. Mike H expresses frustration of people living in these systems who expect stability, as that is not the reality. Tammy thinks that even though the state land is undeveloped, it is still pushing the problem downstream. Mike S thinks the threat is already present downstream- these areas are all already prone to avulsion. Applicant would prefer that it not happen on his property and is the point of this application. Mike H thinks this issue is not preventable. There is a chance it might protect, but also a chance that it won't. Wonders how the board needs to be involved in this. Bob empathizes with the landowner, especially since the state land is not highly utilized. Mike S states he still needs to go through the USACE. Possibly could check with our legal team to see what the possible ramifications to the board if they knowingly approve a project that will impact the state land. Not sure it's a great idea to stabilize the bank in a high risk avulsion zone. Listed start date is going to be modified anyway, due to floodplain and USACE permitting requirements that will need to be acquired. Mike S disagrees with needing to check with our legal team, as projects are approved all the time that affect downstream landowners without checking with legal, and thinks a legal review is not necessary.

Decision:

Briana Schultz motioned to put application on hold pending discussion with Jason Garber. Tammy Swinney seconded. Tammy Swinney, Mike Hansen, Briana Schultz support. Bob Logar, Jason Camp, Sherwin Leep, Loren Blanksma oppose. Motion fails.

Bob Logar motioned to approve as proposed. No 15 day waiver. Jason Camp seconded. Bob Logar, Jason Camp, Sherwin Leep support. Briana Schultz, Tammy Swinney, Mike Hansen, and Loren Blanksma oppose. Motion fails.

Application – not approved. Supervisors can't agree. No decision has been made. Mike S is happy to resubmit, if they have clear guidance of what changes they'd like to see.

Mike Hansen motioned to put on hold pending discussion with Jason Garber. Tammy Swinney supported. This time- all in favor, and motion carries.

d. Application Number: GD 87-22

Applicant:	Inspection Date: December 5, 2022
Landowner:	Hammer Ranch, LLC
Contractor/Agent:	same
Perennial Stream:	Confluence Consulting, Inc.
Type of Project:	Lewis Ditch- tributary to Camp Creek
Purpose:	Channel/Bank Project
	The project is necessary to restore Lewis Ditch to a condition which supports sediment transport so that the fishery can be fully functional and self-sustaining. Currently, the channel dimensions are too wide, and the associated gradient is insufficient to maintain proper sediment transport. As a result, the bed gravel has become smothered with sediment, reducing fish spawning opportunities and impacting aquatic insect development. Sedimentation throughout the proposed project reach has also limited functional deep pool habitat and its associated thermal refuge for fish. The purpose of this project is to restore these key limiting functions to improve instream habitat for fish and aquatic life. This will be accomplished by restoring functional deep pool habitat, improving spawning and aquatic insect habitat, and reducing channel width to improve sediment transport.
Proposed Construction Date:	Start date: 2/1/2023 Finish date: 3/17/2023
Inspection Recommendation:	
Inspection Comments:	Work on this ranch was done approximately 20 years ago. Sediment transport is a problem, but fisheries is functioning. Board discussion is required.
Discussion (December 2022):	Work proposed is on the Lewis Ditch. Headgate is closed but ditch is full. Want to narrow and work the ditch so that it passes the sediment that it has retained. But also wants to install a sediment pond above, which doesn't make sense and will require maintenance in the future. Fish population is handling current conditions just fine. So not sure if this is necessary from a resource standpoint. Brianna questions that this project will not be a narrowing project at all. If they clean out 66 pools, this will be a sediment trap. So won't narrow or help with transport at all. The last time this was completed was 20 years ago. Buddy doesn't think this will really gain anything with the project. Concern about water rights/conveyance issue. Applying under false pretense. Verbiage up front doesn't fit the data/application plans submitted. Sherwin

wonders about the riffles and other things that might affect water conveyance to effectively get water to the irrigators. Engineer states water in will equal water out. Will be better at capturing sediment and improve water quality downstream and benefit fisheries downstream. Jim (engineer) will get a letter out to all the water users on the ditch to let them know of the project. 66 pools into a system that has sediment issues to begin with is just going to fill in. Rootwads and boulders into system is not natural. Brianna doesn't agree with those additions as they are not natural. Engineer states the work done 20 years ago was not done very well and proposed work will improve upon this. Sediment trap on the other end will hopefully alleviate the pools filling in as quickly and help with that high sediment load. Jim states boulders are already there from prior work. Having wood in the system is not necessarily a bad thing. Fish like it as it provides cover for the fish. Buddy wonders how the land management will change. There will be no grazing, more vegetation along some of the stretches. Loren suggests putting on hold for a month so to verify water right users have been notified and give them a chance to respond. Jim will send letter and responses to the board.

Decision (Dec. 2022): Bob Logar motioned to put on hold upon notification of the water users. Will revisit in January. Tammy Swinney supported. All in favor, motions carries.

UPDATE (January 2023): Notification has been sent to downstream landowners.

Discussion: Landowners and water right holders were contacted. Feedback from only one person was provided. No opposition. Downstream landowner presented that he wonders who's responsibility it is to notify downstream landowners. This project will impact his property. Potential adverse effects of this project. DNRC was consulted for list of water right users. Landowner is frustrated he was not on that list. He thinks projects needs to be considered for the long term. Large holes are guaranteed to fill in. Currently functional habitat. Mike D reiterates to make sure it's done as wanted this time, as it shouldn't be approved again in the future. Sediment trap should be required at the bottom-per Mike E (neighboring landowner), so sediment isn't just getting flushed downstream. Jim (Confluence) says he has no problem doing that.

Decision: Loren Blanksma motioned to approve with 15 day waiver and modification of sediment retention structure at the bottom, to be removed at end of construction. Bob Logar supported. Digging out 66 pools in a system that's functioning- Briana has a problem with this notion. Tammy Swinney and Briana Schultz opposed. Motion carries.

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e. Application Number: GD 01-23

Inspection Date: January 10, 2023

Applicant:

Stephen and Michele Antinelli

Landowner:

Contractor/Agent:

Kingfisher Consulting, Inc.

Perennial Stream:

Wright Ditch + UT of Braker Creek

Type of Project:

Culvert removal + installation

Purpose:

To increase the capacity of the culvert and reduce the risk of flooding at the access road crossing over the Wright Ditch/Unnamed Tributary of Baker Creek. The existing 24" corrugated metal pipe will be removed and replaced with a 36" corrugated metal pipe.

Proposed Construction Date:

Start date: 2/1/2023

Finish date: 4/30/2023

Inspection Recommendation:

Approval with modifications.

Inspection Comments:

New culvert doubles capacity of present pipe. Crossing is 20' in width and to avoid pit run placement spilling into creek, recommend reducing road template to 8' wide and using rock presently there as edging, to hold pit run in place. This road accesses shed. 318 waiver issued.

Discussion:

Water backed up during flooding. Realized they need culvert. Decorative rock will be reutilized and will hide the pit run and make sure it doesn't migrate into the creek.

Decision:

Tammy Swinney motioned to approve with modifications and 15 day waiver. Briana Schultz supported. All in favor, motion carried.

f. Application Number: GD 02-23

Inspection Date: January 10, 2023

Applicant:

Battle Ridge Builders- Dakota Ham

Landowner:

Four Bar Ranches, LLC- Karl Williams

Contractor/Agent:

WGM Group, Inc.

Perennial Stream:

Limestone Creek

Type of Project:

Bridge Construction

Purpose:

The purpose of this project is to construct a new bridge over Limestone Creek to allow vehicular traffic to cross the waterway without directly impacting the creek. The bridge will be located on private property and will primarily be utilized by the landowner. Construction of the bridge will protect the integrity of the stream and prevent traffic from driving through the creek bottom.

Proposed Construction Date:

Start date: 3/6/2023      Finish date: 5/19/2023

Inspection Recommendation:

Approval with modifications.

Inspection Comments:

Home builder illegally placed pre-cut logs in creek to facilitate crossing during construction. Logs must be removed prior to bridge construction. Place wattle logs or silt fencing at stream bank/water interface to reduce erosion. Seed all disturbed areas with native grasses. 318 waiver issued.

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Discussion:	Project for a new bridge on Limestone creek. Currently just a board. Bridge will provide access to a new house that's going in. Logs were placed illegally, but builder understands they need to be removed. Bridge is terrace to terrace- no problems with design. Sediment retention device could be considered for the removal of the logs.
Decision:	Jason Camp motioned for approval with modifications. Briana Schultz supported. All in favor, motion carried.

g. Application Number: GD 03-23

Applicant:	Mark Duffy
Landowner:	same
Contractor/Agent:	same
Perennial Stream:	Gallatin River
Type of Project:	Bank Stabilization/other
Purpose:	To reclaim eroded riverbank which washed out access road and power pole for powerline that supplies power to residence. Will replace gravel along river bank where road and power line were washed away during flooding.
Proposed Construction Date:	Start date: 7/31/2023   Finish date: 8/15/2023
Inspection Recommendation:	
Inspection Comments:	Board discussion- letter recommended.
Discussion:	Flooding impacted bank and power pole. Project as proposed was to put back all the bed load that moved during the flood. Highly dynamic area. Bedload to be pushed up against the bank to stabilize. It was suggested that he retain an engineer to get better plans. Applicant has equipment and rock already there. So even if the board denies, the inspection team thinks the work is just going to completed anyway. Inspection team suggests sending a letter to let applicant know the consequences of the this. Power pole has been removed, but power line is still there. Haven't heard from NorthWestern Energy that there is an issue. Continued migration is expected if they don't do something, but need a better plan than what the application has suggested. Applicant withdraws the application.
Decision:	Briana Schultz motions to acknowledge the withdrawal. Mike Hansen supported. Becky to send letter that unpermitted activity is subject to fines to landowner and contractor. All in favor, motion carried.

h. Application Number: GD 04-23

Applicant:	Battle Ridge Builders- Dakota Ham
Landowner:	Ken Powers
Contractor/Agent:	WGM Group, Inc.

Perennial Stream: Baker Creek  
Type of Project: Bridge Construction  
Purpose: To construct a new bridge over Baker Creek to allow vehicular traffic to cross the waterway without directly impacting the creek. The bridge will be located on private residential property and will be utilized by the landowner. Construction of the bridge will protect the integrity of the stream and allow the property owner to access their entire property.  
Proposed Construction Date: Start date: 3/6/2023 Finish date: 5/19/2023  
Inspection Recommendation: Approval as proposed.  
Inspection Comments: Good location with very adequate span. 318 waiver issued.  
Discussion: Adequate span, inspection team has no issues with project.  
Decision: Loren Blanksma motioned to approve as proposed. Tammy Swinney supported. All in favor, motion carries.

i. Application Number: GD 05-23

Applicant: Shawn Sime  
Landowner: same  
Contractor/Agent: Confluence Consulting, Inc.  
Perennial Stream: Thompson Creek  
Type of Project: Channel/Bank Project, Maintenance Permit  
Purpose: The goal of the project is to protect aquatic habitat in Thompson Creek and ultimately the E. Gallatin River from sediment impairment. The project involves excavation of accumulated sediment from a sediment trap that was constructed near the upper end of Thompson Creek to control sediment from upstream agricultural activities. The trap was constructed in September 2018 as part of a large project that restored 26,900 feet of Thompson Creek. The sediment trap reached its capacity in less than 4 years and needs to be dredged to maintain functionality. As such, the purpose of this project is to dredge approximately 1,250 cubic yards (the equivalent of 125 dump truck loads) of accumulated sediment from the trap, restoring its functional capacity, and maintaining downstream aquatic ecosystem health for both Thompson Creek and the E. Gallatin River. 10 year maintenance permit requested.  
Proposed Construction Date: Start date: 2/1/2023 Finish date: 3/31/2023  
Inspection Recommendation: Approval as proposed.  
Inspection Comments: Dredging of accumulated sediment is a good means of controlling adverse impacts downstream. Recommend a one-time permit authorization instead of requested 10-year maintenance permit.

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Discussion:	Cleaning out sediment trap that was set 4 years ago. Should have been cleaned out last year. Lots of sediment has accumulated. Trap is functioning very effectively. Clean out needs to happen so it can continue to function as designed. Going to work with neighboring landowner to better manage the sediment load and address that problem. Looking for maintenance permit so they don't have to keep coming back to the board for this routine maintenance of the trap. 4-5 miles of restoration has occurred on Thompson Creek downstream. Inspection team thinks a one-time permit is more appropriate. Issue of addressing the sediment load should be the focus in the future, rather than a maintenance permit. Landowner will divert the water around during the project, so to not send any of it downstream. Work will be not in the dry, as the groundwater is high, but will be pumped so no flow.
Decision:	Mike Hansen motioned to approve as proposed. Work to be completed by 4/1 for fish spawning purposes. 15 day waiver. Jason Camp supported. No maintenance permit. Sediment will go to some ag fields belonging to the landowner. All in favor, motion carries.

j. Application Number: GD 06-23

Applicant:	Inspection Date: January 10, 2023
Landowner:	Casey Trippens, Bozeman Trax Partners, LLC
Contractor/Agent:	
Perennial Stream:	Mandeville Creek
Type of Project:	Channel/Bank Project, Crossings/Roads
Purpose:	The activities associated with this joint application is for the North Park- West project on Bozeman Trax Partners, LLC and State of MT owned property that is located on the north end and center of the project area and will involve development of areas for industrial use with rail sidings, as well as areas for commercial development. As part of the future developments for the site, two new roads (Wheat Drive and Cultivar Street) and multi-use paths along each roadway are proposed to be constructed, which will have culver crossings over Mandeville Creek. The roads are for connecting the industrial and commercial areas in accordance with the Master Site Plan.
Proposed Construction Date:	Start date: 6/1/2023      Finish date: 8/31/2023
Inspection Recommendation:	Approval with modifications.
Inspection Comments:	Wheat crossing- original crossing is unacceptable. Recommend moving it downstream to between cement headgate and approximately 100' to fence posts. Banks for channel should be built inside pipe to consolidate water flow for stream hydraulics and fisheries. Applicant will provide updated drawing with new location. Cultivar crossing- Recommend approval with pipe criteria:

	i.e.- banks and flow- same as Wheat crossing. 318 waiver issued.
Discussion (Jan. 2023):	2 separate crossing locations. $\frac{1}{2}$ mile apart from each other. Upstream one is good project- Cultivar Road. Wheat Drive crossing- proposed wasn't a good location. Modifications in the field found a better location a little to the north. Existing diversion structure from years ago provides a better location for the culvert.
Decision (Jan. 2023):	Briana motions to place on hold, pending receipt of update location plans/drawings. Tammy supported. All in favor, motion carried.

**2. Complaints: None**

**3. 310 Emergency Applications: None**

**4. Other 310 Business:**

**a. Jurisdictional Determination- none**

**5. 310 Old Business: None**

**a. Application Number: GD 56-22**

Inspection Date: August 9, 2022

Applicant:

Valley Ditch Company/Matthew Kemp

Landowner:

Riverbottom LLC- Kevin Cook

Contractor/Agent:

Mike Stenberg

Perennial Stream:

W. Gallatin River

Type of Project:

Channel/Bank Project

Purpose:

The purpose of this project is to remove concrete blocks from the bank edge, placed during emergency situation in 2021, and mitigate any more potential bank erosion.

Proposed Construction Date:

Start date: 11/1/2022 Finish date: 12/15/2022

Inspection Recommendation:

Approval with modifications

Inspection Comments:

Recommend using two cables per tree cluster dead maned behind bank (if needed) and buried, rather than overland to exiting trees. Recommend no river gravels or imported gravels used to bankfill/anchor, river will naturally infill if installed with abundant branches and roughness at bankline. 318 waiver issued.

Discussion:

Blocks were installed in an emergency situation a year ago. Was told by GCD Board they needed to remove them. Blocks were used as a dead man, but required to be removed. New trees will be brought in with lots of branches which will be double cabled. Blocks will be removed. Large tree will be used at the headgate. Some water will be able to get through the tree, but will act as a little bit of a dam. Less degrading of the channel- future 310 will be required for this part of the project. Project a little upstream using trees to

	protect the bank is working really well and this project will be fashioned the same way.
Decision:	Mike Hansen motioned to approve with modifications. Briana Schultz supported. All in favor, motion carried.
UPDATE (January 2023):	Extension requested- project was delayed due to early snow fall that backed up contractor timewise.
Discussion:	Project dates got pushed back. Going to start next week. Won't actually need extension, as permit is still valid.

b. Application Number: GD 70-22

Applicant:	Inspection Date: September 7, 2022
Landowner:	Valley Ditch Company
Contractor/Agent:	Riverbottom LLC
Perennial Stream:	Mike Stenberg
Type of Project:	Gallatin River
Purpose:	Agricultural/Irrigation
Proposed Construction Date:	The purpose of the project is to rearrange row of large rock dam in front of headgate. Goal is to bring them in tighter to headgate to get rid of gravel pile right in front of headgate. Also, we will be cabling a large tree on top of rocks to replace the original old one that rotted and broke away from rock row. The trees that settled in from flooding this spring will be replaced or added onto the cabled tree. *This project will be taking place at the same time as the bank edge stabilization just up the edge of the river from the headgate.
Inspection Recommendation:	Start date: 11/1/2022 Finish date: 12/15/2022
Inspection Comments:	Approval as proposed
Discussion:	Good project to help ensure flow at headgate. 318 waiver issued.
Decision:	Valley Ditch diversion. Rocks have toppled and big tree was lost that was holding things together. Proposal is a good approach. But inspection team suspects river will continue to bypass on the right, so might need some tinkering in the future. Headgate is probably 5-6 feet above the bed, so these things are necessary to get their water. Their plan is the best thing they can do.
UPDATE (January 2023):	Sherwin Leep motioned to grant approval as proposed. Briana Schultz supported. All in favor, motion carried.
Discussion:	Extension requested- project was delayed due to early snow fall that backed up contractor timewise.
	Project dates got pushed back. Going to start next week. Won't actually need extension, as permit is still valid.

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<u>c. Application Number: GD 81-22</u>	Inspection Date: October 11, 2022
Applicant:	Scotty and Deborah Smith
Landowner:	same
Contractor/Agent:	Precision Inc.
Perennial Stream:	Leverich Creek
Type of Project:	Bridge Construction (already completed)
Purpose:	The bridge is necessary to create a connection between the 2 sides of the property and to enable landscape machinery access to the eastern portion of the property for landscape construction/maintenance and/or other equipment required for future repairs to the aging septic field located in northeast quadrant of the property.
Proposed Construction Date:	Start date: /2022      Finish date: /2023
Inspection Recommendation:	
Inspection Comments:	
Discussion:	This application is in response to a complaint (GD 03C-22). Pillars were requested to be cut that are down in the active channel. This is not referenced in the application. Applicant, in attendance, states that she did remove the pillars. Drawings in the application still show the pillars. Pictures and/or drawings to verify they were removed are required. Applicants states they will still be able to walk across and take a lawnmower across. Concerned that they have an aging septic system for their house. Equipment won't be able to use that bridge in the future to fix that problem. Buddy advises they will be able to shore up the bridge temporarily with wood or pipes, should that occur, and they need to use it for heavy equipment to address the septic.
Decision (December 2022):	Mike Hansen motioned to approve with note to provide documentation the pillars have been removed. Jason Camp supported. All in favor, motion carried.
UPDATE (January 2023):	Applicants sent in photos to verify the pillars have been removed.

d. Misc Updates:

- i. GD 58-22- Deeter- likely will be requesting an extension for the rest of the rock removal.
- ii. GD 06C-19- Pfeil- application deadline approaching for as built 310. Anticipating will be on February agenda.
- iii. GD 19-22 - Carroll- project/violation- landowner is currently trying to sell the property. Requirements to address the violation still belong to the landowner even if they sell the property.

6. **Public Comments on District 310 Permitting Business:** None

7. **Adjournment of 310 Meeting: 10:55am**

January 19, 2023 • Business Meeting

**Call to Order:** The Gallatin Conservation District Board of Supervisors met on January 19, 2023. Chairman Sherwin Leep called the Business meeting to order at 11:12am.

**Supervisors Present:** Sherwin, Leep, Loren Blanksma, Mike Hansen, Briana Schultz, Jason Camp, Tammy Swinney, and Bob Logar. Associate Supervisor- John Schutter

**Supervisors Absent:**

**Staff present:** Becky Clements, Elizabeth Emeline, Leia Miller

**Guests Present:** Chris Mahony (NRCS), Ashlee Barker (NRCS)

**Zoom attendees:**

**BUSINESS MEETING AGENDA-**

1. Guests & Public Comments on District Business Meeting- None
2. Grants/Agreements/Contract Report - See Spreadsheet
  - a. NWQIS-02-21- Completed!
  - b. Watershed Management and Camp/Godfrey Creek are completed. Pollinator grant- everything is ordered. ARPA- contracts are going out to bid. Emergency breach contract is going to be processed soon.
3. Cost-share Program: None
4. Well-Testing Cost-share Program:
  - a. WTCS-12-23-Galindo
5. Consensus Agenda
  - a. December Meeting Minutes- Mike Hansen motions to approve minutes as presented. Briana Schultz supported. All in favor, motion carried.
  - b. Excused Absence of board members- all in attendance
6. NRCS
  - a. Report – water stable at around 100%. Civil rights review – will do next month. NRCS- all employee meeting next month.
    - i. Introduced Ashlee Barker- Chris's new supervisor. Working out of Townsend office.
7. Supervisor Report: Planning Boards
  - a. Planning board- Manhattan- December- 2 signs approved. January- Bob reports he was elected president for another year of the Manhattan Planning Board. Growth policy presented and accepting comments. Will be final approval in April.
  - b. County Planning Board- John Schutter reports they met Jan 10. Zone amendment. Rural residential and agricultural amendment. Northeast of Elkgrove. A couple of subdivisions coming up before the board.

- c. GLWQD- January meeting didn't happen.
- d. MACD update- Governance Calendar- list of things we need to do during the year. Consult this document at meetings. Staff to draft it. Review it during the March meeting. Budget deadline, annual meeting, reinspection tour, grant cycles.
  - i. Grant sponsorship policy. Administrative costs (formal policy of when we apply them and when they're waived), when will trigger audits. Gary Giem – accounting firm in Butte that he can recommend. Contact him for name.
  - ii. CD funding bill- other options being considered. Coal tax trust fund. Medical marijuana money is likely already allocated.
- e. Gallatin Watershed Collaborative- upcoming funding opportunities and discussion of where the funding could go to- Dry Creek, E. Gallatin, etc... Development of projects in those areas to try to get landowners on board.
- f. DNRC Update- see report

8. Staff Reports

- a. Administrator's Report- Becky
  - i. Becky find out about government id for government rates.
  - ii. Becky to provide commentary for January 25<sup>th</sup> public comments for CD funding.
  - iii. Financial separation from county. Start pursuing this.
- b. NRS Report- Elizabeth
  - i. Hebgen Lake monitoring 2023 is secured.
- c. Education and Outreach Director- Sydney
- d. Education Specialist Report- Leia

9. Old Business

- a. February board meeting change- 2/23, 9am
- a. Insurance Update
  - i. Chris Evans- EO president, reports that Payne West is putting together a package for CDs and other special districts. Will update when info is available. Speculation that it will be "very expensive."

- b. Adopted Rules Change(s)- review change(s) before formal public announcement.
  - i. First announcement needs to go in Belgrade News 1/26. Pg 6 edit- suggested by Jason Garber. Pg 9 edit- Becky's suggestions. We should start to include digital submissions in our instructions. Another suggestion- Rule 7- forms. In the process of redoing some of those. Maybe wait on that modification? Hate to go through this process again, but not quite 100% on those yet.
- c. Pavers in greenhouse- project has started.
- d. Three Forks, West Yellowstone updates:
  - i. Three Forks Council Meetings- 2<sup>nd</sup> Tuesdays, 6pm. Zoom available.
    - 1. Next Meeting- 2/14/2023
  - ii. West Yellowstone Council Meetings- First Tuesdays. Work sessions at 6pm, meeting at 7pm. Zoom available.
    - 1. Next Meeting-?
- e. Other old business?

10. New Business

- a. Stockman Bank CD Renewal- Mike Hansen motioned to renew at the 15 month renewal rate. Briana Schultz supported. All in favor, motion carries.
- b. Buddy's picture- send thank you note. Title: Lucky Shot.
- c. Other new business?

11. CD Seminars/Workshops:

12. Parking Lot

- a. QB Budget
- b. Audit
- c. Conference Room electrical upgrade – Loren's connection- will be in touch. Tentative- January 2023.
- d. Soundproofing Office Space(s) + pavers in greenhouse

13. Accounting (Deposit, Credit Card, Invoices) + Updated P&L, Balance Sheet - Mike motions to accept as presented.

Briana seconded. All in favor, motion carries.

14. Adjournment of Business Meeting 1226

Minutes approved by

2/23/23  
Date

Minutes prepared by

2/17/23  
Date

## Attachment A

Grant	Funding Provided For:	Partner?	Date Approved	Total Amount Requested	Total Amount Funded	Grant Progress (Funds used or committed)	Current Amount spent or reimbursed by	Final Amount Reimbursed to GCD	Final Report Submitted	Final Report Deadline
<b>DHRC 223 Grant (NRCS) 236-20-3681</b>	NRCS Camp/Godfrey Creek Rehabilitation	NRCS collaborative project with NRCS	6/15/2020	\$16,000.00	\$14,000.00	\$14,000.00	\$14,000.00		12/19/2022	12/31/2022
<b>DHRC 223 Grant (Invasive Species Edu Trailer)</b>	Educational Materials	GISA	12/16/2021	\$10,000.00	\$10,000.00		\$0.00			6/26/2023
<b>DHRC RFP Funding (Pallinators)</b>	Area 6 Pallinators Initiative seed, site prep, signs and promotional	Area 6	4/24/2022	\$37,427.79	\$37,500.00	\$10,076.14	\$10,076.14			4/29/2023
<b>Valley Ditch Breach Repair Emergency</b>	Valley Ditch Breach Repair	Valley Ditch	12/15/2023	\$2,815.00						
<b>ARPA - Dry Creek Irrigation Canal Improvement</b>	Water quality improvement, Lining	Dry Creek, Gallatin County	12/16/2021	\$195,462.00	\$195,462.00					
<b>ARPA - High Line Canal Improvement</b>	Water quality improvement, Repairs & additional lining	Highline Canal, Gallatin County	12/16/2021	\$205,274.32	\$205,274.32					
<b>ARPA - Godfrey Canyon Siphon and Bluffuff (AC-22-0185)</b>	Water quality improvement, Siphon & Bluffuff	Valley Ditch, Gallatin County	12/16/2021	\$340,372.00	\$340,372.00					
<b>ARPA - South Cuttauvud Headgate Rehabilitation</b>	Water quality improvement, Headgate rehab	Former Canal, Gallatin County	12/16/2021	\$184,000.00	\$184,000.00					

<b>Completed Grants</b>	<b>Completed Grants</b>
<b>Active Grants</b>	<b>Active Grants</b>
<b>Contract not yet finalized</b>	<b>Contract not yet finalized</b>

**Total**  
**Grant \$986,608.32**

## Attachment B

### Water Year to Date of 1/18/2022 (Water year begins October 1-September 30)

Gallatin:	Jan, 105%	Dec, 123%
Madison:	Jan, 124%	Dec, 142%
Jefferson:	Jan, 104%	Dec, 122%
Yellowstone:	Jan, 97%	Dec, 112%

Programs; for 2023 funding

EQIP: (signup deadline 10/28/2022)

Tip; Animal confinement

-1 application; (estimated financial assistance, \$440,000)

Tip; forestry/fuels reduction Bridgers; 2021-2023

Will run through Joint Chiefs funding; see below

High tunnel

-2 applications; (estimated financial assistance, \$14,000)

### Joint Chiefs 2023

-19 applications; (\$551,000 estimated financial assistance)

-progress fy2022

-NRCS; \$534,798 obligated

-most practices scheduled in future

-Forest Service; approx.. \$350,000 obligated

-406 acres of small diameter thinning

-protected 44 homes and structures via thinning

-burned 55 acres of slash piles, 18 landing slash piles

-invasive weeds treated along haul road

### NWQI; Camp and Godfrey creek; 2023

-2 applications to date; (\$300,000 estimated financial assistance)

-irrigation

-small acre grazing

### RCPP; 2023

-4 applications; (up to \$315,000, remaining in financial assistance, may cap to fund 2024 applications)

### CSP 2023 Renewal

-2 applications funded(\$189,000, financial assistance provided)

### CSP 2023 Classic

-3 applications

### Events

#### Past;

D.C. Meeting Helena 11/14-11/16

MACD meeting Helena 11/14-11/18

#### Future;

Soil Health symposium; Billings (Feb 8-9)

All NRCS employee meeting; Great Falls 2/21-2/23

### Misc

-Field office is still meeting with producers, planning, and certifying practices

-Hiring  
-administrative assistants

## Attachment C



### REPORT TO WESTERN CONSERVATION DISTRICTS JANUARY 2023

#### LEGISLATIVE SESSION

As we move into the legislative session this will be a very busy and very important time. CDB will be tracking bills that are important to both DNRC as an agency and to conservation districts. We recommend that you do to. The MACD puts out a great newsletter with legislative updates, or you can visit the Montana Legislature website at <https://leg.mt.gov/>.

#### CDB OFFICE HOURS

We will resume CDB office hours on the first and third Thursdays of every month at 2 PM. The first session will be January 5<sup>th</sup> on zoom. Please join us if you have any questions or projects you'd like to discuss. This is also a great chance to bring issues to our attention that we may not be aware of. The CDB office hours are informal with no planned agenda, unless something urgent comes up (which tends to happen during legislative session).

#### CDB GRANTS – FEEDBACK PLEASE!

We made it through one grant cycle of the newly renovated CDB grants program. There were a few small hiccups that we are aware of and plan to fix, but we would like to know if there is anything else that we need to amend before the next cycle (which opens on February 1). If you didn't apply, can you tell me why? Was there some barrier to your application that we can tackle? Or if you did apply, was there anything that seemed too onerous or complicated? While the legislative intent for the funding needs upheld, these are really your grants. Please help us make them work for you as best we can.

#### PAID HOLIDAYS IN JANUARY

Don't forget, January has two paid holidays – New Year's Day is observed on January 2<sup>nd</sup> and Presidents Day on January 16<sup>th</sup>.

#### UPCOMING CONFERENCES

A big shout out to the Conservation Districts helping to plan and host the Western Montana Grazing and Agriculture Conference as well as the Montana Soil Health Symposium. These are going to be great events and I look forward to seeing everyone there!

As always, please feel free to contact me directly if you have any questions, concerns, or ponderings.

-Hailey Graf



**Hailey Graf**

Conservation District Specialist  
Conservation Districts Bureau

Phone : (406) 437-4435

Email: [halley.graf@mt.gov](mailto:halley.graf@mt.gov)

## Attachment D



### Administrator's Report- January 19, 2023

#### 310 Administration

- (10) new 310 applications for review; () reinspection; () emergency applications; (0) Complaints; (7) site inspections (0) jurisdictional questions; (1) extension requests; () Stream Access Complaint

#### Accounting

- Paid bills and taxes, PERS and payroll

#### Media

- Updates to Facebook and website.

#### Board Meeting

- Information, planning, organization for the January meeting.

#### Other: Miscellaneous

- Weekly staff meeting- Mondays
- Gilly- discussions with development team, assistance to applicants
- Manhattan After School Program
- Legislative committee meetings
- NACD research
- 2022 310 Annual report to Jason Garber.
- FY22 Annual Financial Report- completed + submitted
- Professional Development workshop coordination- hotel, catering, facilitator + event attendance.
- 2022 Supervisor mileage- prepped + checks
- 941- Q4- report prepped and mailed to IRS.
- Communications with Stockman Bank regarding CD maturity.
- 2022 records and files- move to storage for physical + digital records.
- Begin planning NACD presentation.
- Begin working on 2022 Payroll Report for MT State Fund
- Begin working on 2022 W2/W3
- Model rules review + begin planning for rule change announcement requirements.

#### Discussion Items:

- Professional Development Class- follow up
  - Training funds designated for each staff position.
  - Succession plan for all staff
  - Policy development for grant approval + associated costs for all parties.
  - Strategic Plan development, mission/vision statements.
  - YouTube video on 310s- what is a project, application requirements, etc...
  - Tax bills- highlight GCD funding and what we do.
  - Governance Calendar
- Legislative Updates
  - January 25<sup>th</sup>- public comments for CD funding
  - Updates from CD Roundtable- 1/18- Coal tax CD trust fund

#### Meetings in Conference Room (scheduled):

- AGAI meeting- 1/26, 11-1

#### Upcoming workshops/Meetings (attending):

- CD Roundtable/Area Representative Meeting- 1/18, 10:00-12:00.
- MACD Legislative Event + meet and greet- 1/24
- Partner Luncheon- 1/30
- NACD Annual Meeting- February 11-15.

## Attachment E

### NRS Staff Report | Gallatin Conservation District Board Meeting | January 19, 2023

#### **Grants: \*See Excel Sheet\***

- Watershed Management Grant with GWC: GWC has been reimbursed. Contract is completed.
- DNRC 223 Grant (Camp/Godfrey Creek Rehabilitation): Final Report was submitted before Christmas, DNRC is processing.
- DNRC 223 Grant (Invasive Species Edu Trailer): GISA is working through rebranding. Scheduled for the trailer design and wrap.
- DNRC RFP Funding (Pollinator Initiative Grant): Quarterly reports have been submitted, we received the yard signs, now I am working on bags and site prep materials.
- ARPA: All start up paperwork has been submitted to DNRC. No change since last meeting.
- Valley Ditch Company Breach Repair Grant: Application has been submitted, DNRC is processing.

#### **Cost Share Programs:**

- Conservation Cost Share: NA
- NWQIP (Camp/Godfrey Creek): Projects completed; final reports are in packets.
- Well Testing Cost Share: WTCS\_12\_23\_Galindo - \$50.75

#### **Outreach:**

Water Supply Report: Completed December 2022 report and it was sent out via email and are up on the website.

#### **Monitoring:**

Horseshoe Hills: Have begun discussing the plan for stream flow monitoring in the Horseshoe hills with NRCS.

Hebgen Lake: Sent NWE a budget proposal to get planning started for this season.

#### **Events/Meetings Attended:**

- EO Roundtable – 12/21
- MACD Leg Call – 1/3
- Manhattan Afterschool Prog – 1/5
- “Nature’s Best Hope” GVED – 1/6
- Staff/Supervisor training – 1/10

#### **Upcoming Events:**

- Rotunda Day in Helena – 1/24
- Montana Recovery Response Symposium – 1/25
- Partner Lunch – 1/30
- Manhattan Afterschool – 2/2

- NACD Convention – 2/11-15
- MWCC Resources webinar – 2/22

Respectfully submitted,  
Elizabeth Emeline | [elizabeth@gallatincd.org](mailto:elizabeth@gallatincd.org)

## Education and Outreach Staff Report

Sydney Lyons

January 2023

### Office & Garden

- Revised and sent the 2022 Annual Report
- Created work plan, planned training, and completed paperwork for Bea
- Trained Bea to familiarize her with GCD programs, mission, etc.
- *Shorter staff report this month as the top 3 projects took a majority of my time ^*
- Created lesson plans for educational programs (Manhattan, Science Center, etc.)
- Worked with Leia to brainstorm ideas for spring programs and new material
- Planned presentation for NACD convention alongside Becky and Elizabeth
- Remained point of contact for events and programs
- Began promoting the 2023 John Venhuizen scholarship
- Promoted opportunities through social media, newspapers, and website

### Education & Outreach

- Manhattan After-School program
- Supervisor training at Fairmont
- Tour of the area with Bea
- MCC Supervisor Training (three days)
- GVLT "Next-Gen" Board Meeting
- Gallatin Valley Earth Day speaker series, *Doug Tallamy*
- Gallatin Valley Earth Day meeting

### Upcoming

- Montana Science Center 'Recycling Education' lesson
- Rotunda day at the capitol with MACD
- Farm to School training with NCAT
- MT Resources Recovery Symposium
- GCD lesson at Bozeman Public Library
- Partner luncheon
- Visiting schools in Gallatin County to promote the 2023 Scholarship
- GVLT Next Gen Board Meeting
- NACD Convention (thank you again!)

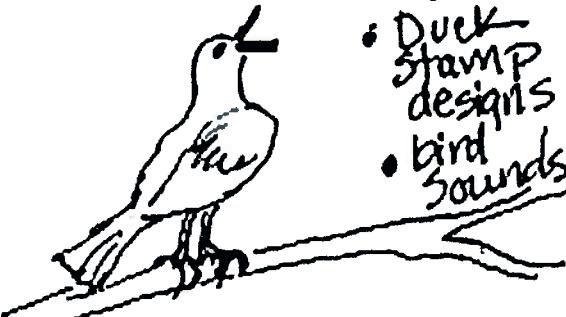
# JANUARY → WOW!

Each year, as far as weather is concerned, is so different! The garden still has lots of snow on it! The snow is staying!

## → Afterschool Program

↓  
It was National Bird Day so we focused on the birds →

- beaks as tools
- Duck stamp designs
- bird sounds



I have the opportunity to teach about fleece & fiber in the children's area. area. <sup>too!</sup> Sydney & I will be there Jan 27th representing GCD with a recycle, reuse, repurpose focus.

Thank You So Much for the workshop training at Fairmont! I enjoyed everything about it!



so grateful ~  
Leia