

**February 23, 2023**  
**9:00am**

## **GALLATIN CONSERVATION DISTRICT**

Topic: GCD January Board Meeting  
Time: February 23, 2023 • 9:00am Mountain Time (US and Canada)

**Meeting Location: GCD Conference Room- 120 S. 5<sup>th</sup> Street, Suite B102- Manhattan, MT**

### **Zoom Details**

#### **[February Zoom Link](https://us02web.zoom.us/j/85444161804?pwd=OHZ5NUZws2NMY1VJSXJibDlneFptdz09)**

<https://us02web.zoom.us/j/85444161804?pwd=OHZ5NUZws2NMY1VJSXJibDlneFptdz09>

Meeting ID: 854 4416 1804

Passcode: 339856

#### **Call in**

+1 253 215 8782 US (Tacoma)

### **310MEETING AGENDA**

- 1. Meeting Called to Order**
- 2. Public Meeting regarding changes to model rules.**
  - a. Read summary of changes**
  - b. Public Comments**
  - c. Decision**
- 3. 310 Inspection Reports: Ready for Discussion and Board Decision**

#### **a. Application Number: GD 84-22**

Inspection Date: January 10, 2023

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

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## **GALLATIN CONSERVATION DISTRICT**

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 (Jan. 2023):

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 (Jan. 2023):

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

Discussion:

b. Application Number: GD 06-23

Inspection Date: January 10, 2023

Applicant:

Casey Trippens, Bozeman Trax Partners, LLC

Landowner:

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.

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## GALLATIN CONSERVATION DISTRICT

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. ½ 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.

UPDATE (Feb. 2023):

Updated plans submitted.

Discussion:

### c. Application Number: GD 07-23

Applicant:

Inspection Date: February 8, 2023

Highline Canal Co.

Landowner:

Turner Corp.

Contractor/Agent:

Van Dyken Trucking

Perennial Stream:

Gallatin River

Type of Project:

Agriculture and Irrigation

Purpose:

The old Highline Canal headgate which was placed in 1997 was adjacent to the replacing headgate. In June of 2022, it was damaged by high water and will need to be replaced with either

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Proposed Construction Date:

concrete or riprap to protect the river bank from erosion. This will be done as soon as weather permits.

Start date: 3/1/2023    Finish date: 3/15/2023

Inspection Recommendation:

Approval with Modifications

Inspection Comments:

Old wingwall has collapsed but has not totally failed. Team is most comfortable leaving structure in place with rock placed in front of wall. Rebar MUST be cut off if using wall face. If structure continues to fail an engineered plan will be necessary. 15 day waiver recommended. 318 waiver issued.

Discussion:

Decision:

c. Application Number: GD 09-23

Inspection Date:

Applicant:

Jeff Pfeil

Landowner:

Pfeil Acquisitions

Contractor/Agent:

Sime Construction

Perennial Stream:

Unnamed Tributary

Type of Project:

Agriculture and Irrigation, Other- excavating existing pond to increase the depth thereby improving water quality for grazing livestock, installing flow control structure to reduce outlet water temperature, install fire hydrant to serve as emergency fill location for Gateway Fire Department, and installed pump vault for future stream circulation pump.

Purpose:

As built application. The purpose was to address: inadequate pond depth for clean water for stock watering, aquatic habitat, and recreation; replace rock dam with surface type spillway with a flow control structure that pulls the water from 6' below the surface to reduce water temperature flowing out of the pond; install draft fire hydrant for emergency water source for Gateway Fire Department and install a pump vault for future stream circulation pump.

Proposed Construction Date:

Start date: 6/1/2019    Finish date: 10/1/2019

Inspection Recommendation:

Inspection Comments:

Discussion:

As built application to address complaint #GD 06C-19.

Decision:

4. Complaints:

5. Emergency Applications: None

6. Other 310 Business:

- a. Deeter's (GD 13C-21)- March 1<sup>st</sup> deadline to remove the rest of the rock to close out this complaint. Extension requested.

b. Jurisdictional Determination- none

7. 310 Old Business:

a. Application Number: GD 48-21

Inspection Date: August 10, 2021

Applicant:

Dennis Davaz

Landowner:

Woosley Land & Livestock LLC, c/o Lyle Woosley

Contractor/Agent:

Dennis Davaz

Perennial Stream:

UN trib Middle Fork, Muddy Creek

Type of Project:

Culvert Construction

Purpose:

To install culvert to access timber.

Proposed Construction Date:

Start date: 8/23/2021 Finish date: 8/23/2031

Inspection Recommendation:

Approval with modifications.

Inspection Comments:

Upgrade pipe to 24". Otherwise, recommend approval as proposed with a 15 day waiver. 318 waiver issued.

Discussion:

Logging being done. Road crossings need to be installed. Marshy system with barely a channel. Recommended a larger culvert size due to larger culverts upstream. Inspection team notes that logging company designed the permits. Excellent job and attention to details. They're doing work that doesn't necessarily need to be done but benefits the resource. Acknowledge the good work of the applicant.

Decision (August 2021):

Sherwin Leep motioned to grant approval with inspection comments/modifications. 15 day waiver. Jason Camp seconded. All in favor. Motion carries.

UPDATE (February 2023):

Drought conditions + scheduling difficulties prevented project. Extension requested.

Discussion:

b. Application Number: GD 49-21

Inspection Date: August 10, 2021

Applicant: Dennis Davaz  
Landowner: Woosley Land & Livestock LLC, c/o Lyle Woosley  
Contractor/Agent: Dennis Davaz  
Perennial Stream: UN trib, Middle Fork, Muddy Creek  
Type of Project: Improved Ford  
Purpose: To provide stable road surface on old established ford crossing in order to haul logs.  
Proposed Construction Date: Start date: 8/24/2021 Finish date: 8/24/2021  
Inspection Recommendation: Approval as proposed.  
Inspection Comments: Nice location for an exit ford. 15 day waiver recommended. 318 waiver issued.  
Discussion: Same situation as previous, but rather than a culvert, utilizing a pile of rocks. Smooth it out to be used to drive on rather than tearing up the mountainside during logging operations.  
Decision (August 2021): Bob Logar motioned to approve as proposed with 15 day waiver. Briana Schultz supported. All in favor, motion carries.  
**UPDATE (February 2023): Drought conditions + scheduling difficulties prevented project. Extension requested.**  
Discussion:

c. Application Number: GD 50-21

Inspection Date: August 10, 2021

Applicant: Dennis Davaz  
Landowner: Woosley Land & Livestock LLC, c/o Lyle Woosley  
Contractor/Agent: Dennis Davaz  
Perennial Stream: UN trib, Middle Fork, Muddy Creek  
Type of Project: Culvert Construction  
Purpose: To install culvert on existing route to haul logs.  
Proposed Construction Date: Start date: 8/23/2021 Finish date: 8/23/2021  
Inspection Recommendation: Approval with modifications.  
Inspection Comments: Change pipe to 24". Otherwise approve as proposed with 15 day waiver. 318 waiver issued.  
Discussion: Same story as GD 48-21. Upped size due to drainage as a modification.

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Decision (August 2021): Bob Logar motioned to approve as modified with 15 day waiver.  
Jason Camp supported. All in favor, motion carries.

**UPDATE (February 2023): Drought conditions + scheduling difficulties prevented project.**  
**Extension requested.**

Discussion:

**d. Application Number: GD 51-21**

Inspection Date: August 10, 2021

Applicant: Dennis Davaz

Landowner: Woosley Land & Livestock LLC, c/o Lyle Woosley

Contractor/Agent: Dennis Davaz

Perennial Stream: Middle Fork, Muddy Creek

Type of Project: Culvert Removal, Bank Stabilization

Purpose: To remove culvert, partially washed out in 100 year event. Do not  
anticipate needing as a crossing site in the foreseeable future.

Proposed Construction Date: Start date: 8/26/2021 Finish date: 8/26/2021

Inspection Recommendation: Approval as proposed.

Inspection Comments: Needs removing. Pipe failed years ago. Thank you, Ry! 15 day  
waiver recommended. 318 waiver issued.

Discussion: Large culvert, blown out by past gully washer. Road still intact.  
Going to remove the pipe, repair the road.

Decision (August 2021): Tammy Swinney motioned to approve as proposed with 15 day  
waiver. Loren Blanksma supported. All in favor, motion carries

**UPDATE (February 2023): Drought conditions + scheduling difficulties prevented project.**  
**Extension requested.**

Discussion:

**8. Public Comments on District 310 Permitting Business**

**9. Adjournment of 310 Meeting**



**BUSINESS MEETING AGENDA-**

1. Guests & Public Comments on District Business Meeting-
2. Grants/Agreements/Contract Report - See Spreadsheet
3. Cost-share Program:
  - a. Chris Derrick
4. Well-Testing Cost-share Program:
5. Consensus Agenda
  - a. January Meeting Minutes-
  - b. Excused Absence of board members
6. NRCS
  - a. Report
  - b. Civil Rights review- pend until March
7. Supervisor Report: Planning Boards
  - a. Planning board- Manhattan-
  - b. County Planning Board-
  - c. GLWQD-
  - d. MACD update-
  - e. Gallatin Watershed Collaborative-
  - f. DNRC Update- see report
  - g. MRCDC – see report
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- Bea

9. Old Business
  - a. Insurance Update
  - b. Pavers in greenhouse- project is finished.
  - c. Three Forks, West Yellowstone updates:
    - i. Three Forks Council Meetings- 2<sup>nd</sup> Tuesdays, 6pm. Zoom available.
      1. Next Meeting- 3/14/2023
    - ii. West Yellowstone Council Meetings- First Tuesdays. Work sessions at 6pm, meeting at 7pm. Zoom available.
      1. Next Meeting-3/7/2023
  - d. Other old business?
10. New Business
  - a. NACD Conference Recap
  - b. Conference room electrical update
  - c. American Legion- donation request
  - d. MFM Trivia Fund Raiser
  - e. Other new business?
11. CD Seminars/Workshops:
  - a. Rancher Roundtable workshops- March, April, May
12. Parking Lot
  - a. QB Budget
  - b. Audit
  - c. Soundproofing Office Space(s)
13. Accounting (Deposit, Credit Card, Invoices) + Updated P&L, Balance Sheet
14. Adjournment of Business Meeting