

Gallatin Conservation District Meeting Minutes

September 21, 2017

The Gallatin Conservation District Board of Supervisors met on September 21, 2017 at 4:00 pm. Jason Camp called the 310 meeting to order at 4:12 pm. Supervisors present: Bill Wright, Sherwin Leep, Mike Hansen, and Loren Blanksma. Staff: Mary Hendrix Excused absence: John Venhuizen, John Schutter, and Bob Logar

Those present: Barb Vaughn, Vaughn Environmental Services, Keri Bilbo-NRCS, Chris Mahony-NRCS, Justin Meissner-NRCS, Dave Moser-MT FWP, and Mike Rotar-RESPEC

Public Comments on District 310 Permitting Business: None

310 Inspection Reports: Decision

Inspection Date: 9/13/2017	Application Number: GD 35-17
Applicant:	Cory Vellinga
Landowner:	Cory Vellinga
Perennial Stream:	Hyalite Creek
Type of Project:	Bridge/Culvert/Ford Construction
Purpose:	The landowner proposes to construct a road and bridge to access a single home site. The bridge is a 16' by 55' HS20-44 Pre-engineered modular steel bridge.
Inspection Recommendations:	Approval as proposed
Inspection Comments:	<ol style="list-style-type: none">1. Riprap to be placed against abutments should be sloped at 2:1 and set directly against abutment.2. On east side of bridge, leave existing vegetation that is present on top of cobble in place to extent possible.3. Mimic existing bank line profile on west side of bridge to finish. Cover riprap with natural cobble material at 2:1 slope.
Comments:	
M Rotar:	Bridge length appropriate to span Hyalite Creek
B Vaughn:	Bridge is high enough not to impact sedge
D Moser:	I like bridges and this one is 55'. The contractor was there and took care.
M Hansen:	Should the proposed construction finish date be 6/30/18 instead of 6/30/17?
B Vaughn:	Yes
S Leep:	made a motion to approve with recommendation comments + 15-day waiver, M Hansen seconds, and motion carries
Board Decision:	Approved with recommendation comments + 15-day waiver

Inspection Date: 9/13/2017	Application Number: GD 36-17
Applicant:	Walter Manley
Landowner:	Walter Manley
Perennial Stream:	Little Ross Creek
Type of Project:	Bridge/Culvert/Ford Construction
Purpose:	A walk bridge approximately 25 feet long and 7 feet wide made of wood with concrete (pre-cast) pier footing. To provide access by foot to a memorial (World War II) park for the memory of four family members who fought (2 died) in WWII
Inspection Recommendations:	Approval as proposed
Inspection Comments:	Good project – will have very little impact on stream
Comments:	
M Rotar:	Straightforward project; small footbridge to access memorial site; abutments are quite a ways from the stream.
M Hansen:	made a motion to approve as proposed, B Wright seconds, and motion carries
Board Decision:	Approved as proposed

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Inspection Date: 9/12/2017 Application Number: GD 37-16
Applicant: Jim Jupka
Landowner: Jim Jupka
Perennial Stream: Elk Grove Slough
Type of Project: Bridge/Culvert/Ford Construction
Purpose: To install a 20' long by 12' wide bridge spanning the slough for private access to garage and office.
Inspection Recommendations: Approval as proposed
Inspection Comments: A bridge is a good option at this location. During construction, keep abutment area dewatered when pouring concrete.

Comments:
M Rotar: Very little issue with this project; 20' span proposed is adequate
M Hansen made a motion to approve as proposed with comments + 15-day waiver; S Leep seconds, and motion carries

Board Decision: Approved with recommendation comments + 15-day waiver

Inspection Date: 9/13/2017 Application Number: GD 38-17
Applicant: Brent Rehm
Landowner: Brent Rehm
Perennial Stream: Gallatin River
Type of Project: Debris Removal
Purpose: Removal of two tree snags that are hindering normal river flow
Inspection Recommendations: On hold
Inspection Comments: Not enough information submitted

Comments:
M Rotar: To place the 310 permit on hold as not enough information was submitted for consideration. There appears to be insufficient data to support the effectiveness of restoring normal river flow with the removal of the two tree snags at this location as proposed. It might be helpful to have the plan assessed by a stream restoration company / engineer, but it is not required.

B Wright made a motion to put the project on hold, M Hansen seconds, and motion carries

Board Decision: Project on hold

Inspection Date: 9/13/2017 Application Number: GD 39-17
Applicant: Betty Stroock
Landowner: Betty Stroock
Perennial Stream: Bridger Creek
Type of Project: Debris Removal
Purpose: To remove dead trees, branches and other debris in the creek in order to minimize / prevent stream bank erosion and to improve the view shed.
Inspection Recommendations: Approval as proposed
Inspection Comments: Use of hand tools and means only for removal of tree down in creek and other misc. branches within high water mark.

Comments:
M Rotar: There is minimal work here, maybe a 310 permit is not necessary.
M Hansen: We should issue a 310 permit since she applied for one, but this doesn't qualify for an annual maintenance permit. Those permits are issued for irrigation ditch maintenance.

M Hansen made a motion to approve as proposed + comments, S Leep seconds, and motion carries

Board Decision: Approved as proposed + comments

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Inspection Date: 9/13/2017	Application Number: GD 40-17
Applicant:	John Rosa, Rosa Johnson Development
Landowner:	Boulder Creek Subdivision
Perennial Stream:	Baxter Creek
Type of Project:	Bridge/Culvert/Ford Construction
Type of Project:	Bridge/Culvert/Ford Removal
Type of Project:	Road Construction/Maintenance
Type of Project:	Placement of Fill
Purpose:	Permit GD 14-16 was approved for the installation of four culverts on March 29, 2016 and extended until March 24, 2017. This culvert across Baxter Creek on Oak Street was not installed before the 310 permit expired. This 310 application is for the a culvert installation on Baxter Creek to allow for the completion of West Oak Street.
Inspection Recommendations:	Approval with modifications
Inspection Comments:	Proposed design is okay regarding size and length of culvert. The design as proposed lacks sufficient detail regarding how the culvert would tie-in grading-wise to upstream and downstream banks, including contours, bank treatments and types of erosion control and BMPs. Applicant is to provide this information prior to meeting on 9/21/17.
Comments:	M Rotar: Application has been renewed over the last couple of years. Additional information requested and provided earlier this week, info is sufficient. Recommend with modifications. B Wright: Put pipeline in then put in culvert? S Leep: What is the construction timeline? When is the waterline installation? M Rotar: Under construction right now. Temporary culvert will be in place for one month. S Leep moved to place application on hold pending more information. Request applicant to talk to the city and engineers for final changes/end product, will review again in October board meeting. M Hansen seconds, and motion carries
Board Decision:	Project on hold

Inspection Date: 9/13/2017	Application Number: GD 41-17
Applicant:	Morgan Remus, Yellowstone Pipe Line Co
Landowner:	John Robert Sierra Senior 2011 Irrevocable Trust
Perennial Stream:	Temporary Construction Access
Purpose:	To establish a temporary crossing for heavy equipment that is needed to access an area where a section of pipeline will be replaced. The bridge will be 16' wide and 35' long.
Inspection Recommendations:	Approval as proposed
Inspection Comments:	None
Comments:	M Rotar: This location is on Bozeman Pass at the head of Kelly Creek. They are looking to replace a pipe due to a landslide. Their instruments are showing earth movement. They will be in for one month, will need to cross 2 or 3 times. Impacts are virtually none. B Wright moved to approve the project as proposed, S Leep seconds, and motion carries
Board Decision:	Approval as proposed

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Inspection Date: 9/13/2017	Application Number: GD 42-17
Applicant:	Jon Blanchard
Landowner:	Jon Blanchard
Perennial Stream:	Camp Creek
Type of Project:	Irrigation Structure
Type of Project:	Diversion Dam
Purpose:	The purpose of the new point of diversion is two-fold: 1. To bring the diversion dam closer to three-phase power and more practical to change from flood to sprinkler irrigation; and 2. To update existing diversion, which is falling apart and difficult to use.
Inspection Recommendations:	Approval as proposed
Inspection Comments:	Project will reduce overall water usage, which will be beneficial to resource
Comments:	
M Rotar: This is along Camp Creek by Amsterdam, changing to pivot, this should be a good savings of water pulled out of Camp Creek.	
D Moser: This is a reasonable project.	
Discussion: Is that Camp Creek or a ditch (photo)	
C Mahony: Yes, it's Camp Creek. The ditch has flooded houses in the past, but with the diversion it might help with flood issues in the future.	
M Hansen moved to approve the project as proposed + 15-day waiver, S Leep seconds, and motion carries	
Board Decision:	Approval as proposed + 15-day waiver

Inspection Date: 9/13/2017	Application Number: GD 43-17
Applicant:	Ryan Blanchette
Landowner:	Ryan Blanchette
Perennial Stream:	South Cottonwood Creek
Type of Project:	Bridge/Culvert/Ford Construction
Purpose:	Install a 50' long steel bridge across South Cottonwood Creek to provide landowner access to the south portion of the property
Inspection Recommendations:	Approval as proposed
Inspection Comments:	Proposed 50' bridge length will adequately span the active channel and immediate floodplain. Recommend a 60" culvert (round or squashed) for the side channel located on the approach to bridge.
Comments:	
M Rotar: Another good project – access across South Cottonwood Creek, will use bridge to span channel. Recommended moving bridge 100' downstream from location to a single thread of S Cottonwood Creek. Side channel may have impacts.	
M Hansen: What is the diameter of the culvert?	
M Rotar: 60" culvert, not very long	
Modifications: 1) Recommend 100' downstream from current location to a single thread of the South Cottonwood Creek, 2) Recommend a 60" culvert (round or squashed) for the side channel located on the approach to the bridge using best management practices for culvert installation matching the grade of channel and providing proper bedding material (like gravel).	
M Hansen moved to approve as modified with recommendations, B Wright seconds, and motion carries	
Board Decision:	Approval with modifications

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310 Violation Complaints:

1. 310 Violation Complaint #1: Michael Alexander Sirr and Elizabeth Sirr

Inspection Date: 9/8/2017	Complaint Number: GD 2C-17
Alleged Violator:	Michael Alexander Sirr and Elizabeth Sirr
Perennial Stream:	Bridger Creek
Natural of Complaint:	The Sirrs have been depositing and piling up dead trees, logs, branches, metal rebar, metal wires, chicken wire, plastic mesh netting, and other debris on the south bank of Bridger Creek across from my property. The purpose of such activity is presumably to “armor” their land, deflecting the flow of Bridger Creek northward, away from their property and toward my own, thus causing preferential erosion on my land and preferential expansion of theirs.
Inspection Comments:	It appears to be unsightly, but it is not a 310 violation.
Discussion:	
B Wright:	After viewing photos, it appears that this may not affect the function of the stream.
M Rotar:	Not a 310 violation
S Leep:	moved that this is a non-violation, M Hansen seconds, and motion carries
Board Decision:	This may not affect the function of the stream and therefore, this is not a 310 violation.

2. 310 Violation Complaint #2: MT DNRC & Robert and Lyndsey Kaufmann

Inspection Date: 9/15/2017	Complaint Number: GD 3C-17
Alleged Violator:	Robert & Lyndsey Kaufmann + MT DNRC
Perennial Stream:	Bear Creek
Natural of Complaint:	A new bridge was constructed over Bear Creek on an access road just east of Bear Canyon Road. The property is Montana Trust Land and the Kaufmann’s hold a lease for a cabin site. The Kaufmann’s confirmed the bridge construction to county officials during a visit relating to concerns of Floodplain Regulation violations.
Inspection Comments:	It appears that they put down a new deck and railing on an old existing bridge. The banks look fine, don’t need any mitigation. Will need an after-the-fact 310 permit.
Discussion:	
S Leep:	If they are using old abutments, would they need a 310?
M Hansen:	Looks like a nice bridge.
M Hansen:	Need to send a violation letter and Kaufmann’s will need to submit an after-the-fact 310 application
M Hansen:	Will need to copy MT DNRC too
M Hansen:	moved (below), S Leep seconds, and motion carries
Board Decision:	Acknowledge complaint filed. Activity has been performed on a jurisdictional stream for the purposes of 310 permitting. No remedial action necessary for the work performed. Require Mr. and Mrs. Kaufmann to file an after-the-fact 310 application for the work performed. Encourage Mr. and Mrs. Kaufmann to first file a 310 application for future work proposed in Bear Creek.

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Other Violation Complaints:

Inspection Date: 9/13/2017	Complaint Number: GD 4C-17	Application: GD 10-16
Alleged Violator:	Dan Sampson, Bozeman 6 LLC	
Perennial Stream:	East Catron Creek	
Natural of Complaint:	Culvert constructed on Catron Creek is not adequate for fish passage and could fail due to head cutting.	
	<ul style="list-style-type: none">• Culvert is not inset/embedded• Culvert is not at grade• There was no attempt to include aquatic organism passage (AOP)• A significant amount of rip-rap has been placed at outlet in stream channel-this has produced a complete fish barrier• This is fish bearing stream, aquatic fish passage is required, and this was relayed during permitting.	

M Rotar: Dave was tipped off about an alleged violation on Catron Creek. The three-arched culvert was changed to a box culvert. There is 2' feet riprap, in essence a fish barrier with a drop to the channel.

D Moser: Something got lost in the translation. This should have been a natural channel design plus box culvert. The original three-arched culvert wasn't good for fish. There are three species of trout in Catron Creek.

M Rotar: This is a violation.

B Vaughn: Will find the drawing submitted. What are the options? Step pool construction, pull the culvert?

D Moser: Can create a drop structure at a minimum to pass fish

K Bilbo: It's difficult to create.

S Leep: Can they dig down?

M Rotar/D Moser: It's a box culvert

D Moser: AOP culvert-needs more education on what to do to pass fish

J Meissner: Fisheries are becoming more and more of an issue with urban sprawl. Box culvert is a cheaper option than the free span bridge, which can be cost prohibitive, but if there's any other issue, perhaps go back to asking for more free span bridges.

C Mahony: Is there any interest in doing an education series?

B Wright: Should the permittee be responsible?

M Hansen: Two avenues of resolution: modify outlet as per approved plan (new 310 application) or remove it since it is not what was permitted in GD 10-16.

M Hansen move to declare this complaint as a 310 violation and require a new 310 application requiring methods of resolution, B Wright seconds, and motion carries

Board decision:	Acknowledge complaint filed. Activity has been performed on a jurisdictional stream for the purposes of 310 permitting. Remedial action necessary for the work performed. Require Dan Sampson to submit a new 310 application modifying outlet as per approved plan
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310 Old Business:

Modification/Amendment:	Application Number: GD 22-17
Applicant:	The Trust for Public Land (Maddy Pope)
Landowner:	City of Bozeman (Carolyn Poissant)
Perennial Stream:	East Gallatin River
Type of Amendment:	Allow crossings of stream with an excavator to 1) demolish two dilapidated buildings located on the west side of the East Gallatin River on the Triangle Parcel, and 2) construct the temporary access bridge
Comments:	M Rotar: This is to demolish the rendering buildings using an East Gallatin River crossing to remove building materials. M Hansen moved to approve the amendment to the project as proposed, S Leep seconds, and motion carries.
Board Decision:	Approve to amendment to the project as proposed

RESPEC contract:

New RESPEC contract signed. The term of the agreement is from October 1, 2017 to December 31, 2020.

Site Inspections:

GCD will conduct spot site inspections for the following 310 permits issued in 2016:

- GD-09-16: Longmire Holdings (Bridger Creek)
- GD-11-16: Steve Speth (W Gallatin River)
- GD-15-16: Tench Coxes Americus LLC (Ben Hart Creek)
- GD-36-16: Codytanks Holdings (Bull Run Creek)

310 New Business: None

Adjournment of Meeting:

The 310 meeting adjourned at 6:48 pm.

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The Business Meeting convened at 7:25 pm. Supervisors present: Jason Camp, Bill Wright, Sherwin Leep, Mike Hansen, Loren Blanksma Staff present: Mary Hendrix and Leia Miller

Those present: Keri Bilbo-NRCS, Chris Mahony-NRCS, Justin Meissner-NRCS, and Holly Hill-GGWC

Public Comments on District Business: None

Consensus Agenda

- a. August meeting minutes
- b. Staff Reports

M Hansen moved to approve the consensus agenda; S Leep seconds, and motion carries

NRCS Reports

K Bilbo, ASTC-FO Bozeman Area said that NRCS is always available. Thank you to the local conservation district for their support for the National Water Quality Incentive (NWQI), using local resources such as Jim Beck for monitoring and for supporting the HB223 grant for Camp Creek Water Quality Improvement and Monitoring.

Due to the hiring freeze, NRCS were not able to fill the open positions in Montana. Overall, the budget does not look bad, but there are talks of cuts and NRCS is under reorganization at the National level.

Lisa Coverdale, State Conservationist, will retire at the end of October. Her last day is October 10th.

C Mahony: 9/21/2017 District Report

- Water year to Date Precipitation; % of Normal (as of 9/14/2017)
 - Gallatin; 105%
 - Madison; 112%
 - Jefferson; 100%
 - Yellowstone; 115%
- Programs
 - EQIP
 - EQIP; Special initiatives
 - National Water Quality; postcard mailing
 - Headwaters drought
 - EQIP; Wildfire Assistance
 - CSP; 2018 Renewals
- Ongoing
 - EQIP; Planning on 2017 applications
 - EQIP; Design, certification and payment of installed contracted practices
 - CSP; certification of 2017 enhancements

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- Upcoming
Camp/Godfrey water sampling; final (sept 18-19)
Bozeman area training; Bozeman (Sept 25-26)
Area 6 meeting; Butte (Sept 27)

There will be a range/pasture workshop at the Three Forks Rodeo grounds sometime in March or April 2018. NRCS is working with Stacy Barta with DNRC.

The last samples were taken on Camp and Godfrey Creeks. We will be removing the monitors for the season.

RCPD EQIP program is done. The Gallatin Valley Land Trust still has funds available for easements.

Greater Gallatin Watershed Council Report

H Hill updated the board on GGWC's activities.

- There will be a river clean up on Cameron and Axtell Bridges on October 14th from 9:00 am – 12:00 pm.
- Madison Boone has held several community forums on drought resiliency.
- They are working on a dog waste campaign as a joint project with the City of Bozeman.
- Kyle Noonan and Peter Brown are co-chairs for GGWC.
- She is collaborating with Project Wet on water conservation program for 5th & 6th graders.
- There will be a Water Management Grant that will be opening again later this fall that will look favorably on proposals that include partnerships with local non-profits and CDs.
- She mentioned interest in meeting with supervisors to learn more about the CD's watershed projects and potential areas for collaboration.

CD Reports: Planning Boards

L Blanksma mentioned that the County Planning Board met on June 27th to discuss a project on Story Mill Road. The proposal was for approval of four lots in a 43-acre parcel. Each lot is six acres with a buffer. There will be an open space area of 17 ½ acres.

He also reported that there wasn't anything else of interest except for the discussion on the landfill. There are no leakage problems going uphill from the landfill.

On July 28th, the Ft. Ellis Leisure Community was discussed. This proposal was for 17 single home sites in a 29-acre parcel with an open space area of 10-acres. Each lot will be 1 to 1 ½ acres. This is near the Bozeman Trail. They will also have an underground 30,000-gallon tank for fire retention.

Old Business:

Area Meeting: Who is planning to attend the Area 6 meeting to be held in Butte on September 27th? Registration and fee due by September 22nd. M Hendrix and L Miller will attend.

New Business: None

New Grants/Agreements/Contract Report: None

Well-Testing Cost Share Program: None

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CD Seminars/Workshops Ideas: None

Other Events: None

Correspondence and Handouts: None

Accounting

Financial reports, invoices, deposit, and the credit card statements were reviewed. S Leep Hansen made the motion to pay invoices and approve financials; M Hansen seconds, and motion carries

Adjournment of Meeting

J Camp made the motion to adjourn the meeting and everybody seconded the motion. The meeting adjourned at 8:45 pm. The next scheduled board meeting will be Thursday, October 19, 2017 at 4:00 pm.

Minutes approved by Jason Camp, Chairman

Date