

YELLOWSTONE CONSERVATION DISTRICT

*PO Box 80888, Billings MT 59108 1670 48th St. W Suite 2, Billings, MT 59106
Phone: 406.690.9326 email: lvie@mt.gov*

YELLOWSTONE CONSERVATION DISTRICT

Board Meeting Minutes

October 21, 2025

1670 48th St. West Suite #2, Billings MT 59106

11:30 a.m.

BOARD MEMBERS PRESENT: Chad Sedgwick – Chair, Brad Kraft – Vice-Chair, Bryan Mothershead, Stacey Robinson

BOARD MEMBERS ABSENT: Leroy Gabel, Jackie Haaland

NON-BOARD PRESENT: LaVerne Ivie – YCD; Steve Williams – Yellowstone Co. Attorney;
Chris White – Yellowstone Co. Commissioner; Michelle Yeager – DNRC;
Monica Plecker & Ronni Tallerico – Yellowstone Co. Public Works
310 applicants/agents: Greg Jones, Conner Brooks-WWC; James Forsyth, Joe Lierow- PAR Montana
Zoom: Cole Peebles, WGM Group; Mary Hendricks, Veronica Grigaltchik – DNRC

Chair Sedgwick called the meeting to order at 11:40 a.m. and immediately convened a closed session to discuss legal strategy with Steve Williams, Yellowstone Co. Attorney.

Chair Sedgwick opened the meeting to the public at 12:05 pm

Roll Call – After the introductions, Chair Sedgwick informed attendees: All issues will be addressed to the Chair; public comments are always welcome but wait until the issue is addressed on the agenda, ask to be recognized by the chair and then limit comments to 3 minutes; no action will be taken on any item not on the agenda.

Agenda Changes: None

Minutes: Kraft made a motion to approve August 19, 2025, Minutes as written and reviewed, second by Mothershead, motion passed.

Board member absences: Mothershead made a motion to approve Leroy Gabel and Jackie Haaland's absence from today's meeting, second by Robinson, motion passed.

BUSINESS MEETING

- **Old Business**
 - **Tim Goodridge, METRA Assistant Manager** – scheduled presentation cancelled until the November YCD meeting.
- **New Business** – none
- **T-Report**
 - **August & September T-Reports:** Kraft made a motion to accept the August & September 2025 Treasurers Reports as written and reviewed, second by Robinson, motion passed.
 - **Dues & Donations requests:** none received
 - **Travel & Meetings:** none presented
 - **Office Expenses** – New blinds installation discussion was tabled until the next board meeting.

310's

- **Applications, Emergencies, Complaints & Violations:**
 - **YE-01-26 – Bob Castleberry, Yellowstone River:** Supervisor Decision form 273 has not been returned from applicant indicated whether he agrees or disagrees with the board denying his application. Ivie will follow-up.
 - **YE-03-25 BBWA, Yellowstone River** new intake structure – Engineers Jones and Brooks provided an update on the FEMA grant that will provide funding for the project – the grant was signed by Krisi Noem which allowed for BBWA to order the construction materials. The proposed plan involves redesigning the structure and site to accommodate the new automated gates. Power from Northwestern Energy will be brought to the site. A coffer

dam will be constructed in front of the headgate structure to provide dewatering for construction. The existing 20' tall gate wells will be replaced with new cast-in-place concrete tied into the existing structure. The new automated gates will be installed into the gate wells with all associated metalwork. The existing embankment dimensions will be re-established and the cofferdam removed.

Inspection date and team: Oct. 7th; Mothershead, Ivie, Blackburn, Greg Reid & Brooks - WWC, Gary Davis, BBWA. Mothershead read the team member report and the recommendation for approval as proposed but with consideration given to the Ling spawning season.

Board decision: Kraft made a motion to approve the BBWA project as proposed and issue a 310 permit for YE-03-26; second by Mothershead, motion passed.

- **PAR Montana - Railyard construction** - James Forsyth and Joe Lierow representing PAR Montana, provided an overview of a new rail yard that will be built on the east side of the refinery for the purpose of storing rail cars and merging charges to improve economics. Forsyth reviewed the project's location, wetland surveys, and environmental considerations, including the need to replace an old culvert with a stronger concrete structure. Mention was made of potential stormwater retention areas and the presence of an underground irrigation ditch that will be covered, filled in, or install a new larger culvert. The discussion concluded with the board encouraging PAR MT to send a joint application once completed and the board will reach a decision at that time.
- **Complaint: YE-01-26-C - Henry Pike property** - DEQ submitted a complaint for what a neighbor perceived as a drainage line installed from the shop to Canyon Creek. **Inspection date and team:** September 19th, Sedgwick, Robinson, Ruggles, Masin, Ivie, Pike. **Team report:** Robinson provided a complete description of the pipe being an irrigation 'blow-out' pipe for Pike's irrigation system. Very minimal impact to the resource and the team observed the project was completely restored to pre-project parameters, except for a small cut on the top of a currently dry channel of Canyon Creek which will be stabilized with a few medium sized rocks. **Board decision:** Robinson made a motion to declare YE-01-26-C not a violation as defined by district rules, second by Mothershead, motion passed.
- **Complaint: YE-02-26-C - Activity on Larry Grayson property** - Complaint submitted by neighbor Chylo Laszloffy identifying ATV activity in the floodplain of the Clark's Fork River and installation of a culvert on a natural spring. Grayson maintains a culvert was not installed but he did place a cattle guard over a wet area for vehicle crossings for the purpose of accessing all his property. Board reviewed the drone footage and arial photos Laszloffy provided. **Board decision:** Kraft made a motion to declare YE-02-26-C not a violation as defined by district rules, second by Robinson, motion passed.

Other 310 Issues & Projects

- **Yellowstone River CD Council** - Gabel unable to attend today's meeting.

Standing Committee Reports

- **Westend Reservoirs** - On October 15th YCD members, the project engineer and others toured the Water Treatment Plant grounds, and the pedestrian tunnel linking the two reservoirs under Hesper Road as well as the over-all current parameters of the reservoir's shapes. Construction is moving fast and now is the time for FWP to work with the City, YCD and the engineering firm to shape the bottom of the reservoirs to create a fish friendly environment.
Oct. 16th - YCD rep met with the Billings Parks & Rec temporary Director and the lead engineer on the Water Treatment plant project to brainstorm what the reservoir could be. All agreed the update to the Master Plan YCD developed for the Amenities and Recreation side is a great addition to the over-all plans for the area and all agreed YCD could be a very important partner in the overall planning effort.
- **Fly Creek** - NRCS is furloughed so an update could not be provided today.
- **Pollinator Fair grant applications** - even though Crystal White could not be in attendance today, she provided a draft plan for the 2026 fair for board review. Kraft made a motion to approve the draft and begin the process to apply for a Friends of NACD districts grant and a DNRC conservation education grant up to \$2500, second by Robinson, motion passed. Haaland is the YCD supervisor providing oversight and assistance.

- **PF/YCD partner coop position** - An amendment to the coop position was presented to extend the partnership through FY26. Kraft made a motion to sign the amendment to continue YCD's partnership, second by Mothershead, motion passed.

FY26 YCD/PF workplan - Mothershead made a motion to approve and sign the workplan as drafted during the Aug. 19, 2025 board meeting, second by Kraft, motion passed.

- **Yellowstone River CD Water Reservations application:**

- **Double L Ranch, LLC** - Cole Peebles, with WGM Group was contracted by the Conservation Districts Bureau, to provide a technical review of the Double L Ranch irrigation project for agricultural purposes. He explained the project's details, including the pumping plant, piping network, and center pivot installations, as well as the floating screen diversion system. He discussed a property ownership review under Pivot 10, noting that a permanent land exchange had occurred, and emphasized the importance of providing written documentation of the exchange before applying water under the 10th pivot. He reviewed various aspects of the project, finding them reasonable and appropriate. Cole presented data on water availability, showing that the reach between Billings and Miles City is gaining, and concluded that there are no immediate concerns about water availability at the site.

Legal Notice: the following legal notice was placed in the Yellowstone County News legal section for 3 weeks: This application proposes utilizing a portion of the water reserved by the Yellowstone Conservation District. If issued, the Authorization will be subject to prior existing water rights.

NAME: DOUBLE L RANCH, LLC

APPLICATION NO: YE-01-25

ENFORCEABLE PRIORITY DATE: DECEMBER 15, 1978

INTERNAL PRIORITY DATE: MARCH 5, 2025

WATER SOURCE: YELLOWSTONE RIVER

TOTAL AMOUNT: 4,800 G.P.M. UP TO 1,686 ACRE-FEET PER ANNUM

PERIOD OF APPROPRIATION: APRIL 1 TO NOVEMBER 1

DIVERSION POINT: SW ¼, SE¼, LOT 18, SECTION 04, TOWNSHIP 3N, RANGE 31E

USE: IRRIGATION

PLACE OF USE: COUNTY: YELLOWSTONE

Board decision: Recognizing YCD did not receive any objections to issuance of the authorization and the project meets criteria for agricultural development utilizing YCD's Yellowstone River water reservation, Robinson made a motion for YCD to accept and sign the authorization, second by Kraft, motion passed.

Next step: Request a pre-application meeting as required in ARM 36.12.12302(2) for applicants electing to complete a preapplication meeting with DNRC prior to submitting an application for a beneficial water use permit or change in appropriation right. The group discussed the process for initiating a water rights change project, with Cole explaining that the initial paperwork is straightforward and typically results in a pre-application meeting within 30 days, followed by a 45-day response period. He and Hendricks estimated the entire process could take up to 6 months. Ivie will fill out the request form and submit it to DNRC.

Partner/Agency Reports

- **YCD Administrator Report** - was received prior to meeting. No questions or concerns raised by Supervisors.
- **Partner Biologist Report** - White is currently furloughed but emailed a report detailing the meeting she, Haaland and Ivie had with Zoo Montana. Also included in that report was estimated costs for holding the Pollinator Fair at Pioneer Park on June 27th.
- **Army Corps of Engineers** - furloughed
- **Beartooth RC&D** - no current report
- **DNRC** - did not have anything to add from State Lands. CDB report emailed to supervisors
- **Fish, Wildlife & Parks** - Demi Blythe sent this report:
 - YRPA check-in -- Met with Carolyn Sevier to discuss updates to Dover Park project and what is important to consider for pre- and post-monitoring.
 - Yellowstone River Sauger Monitoring - Completed our annual fall population monitoring of Sauger on a four-mile reach from Voyager's Reach Fishing Access Site to a mile downstream of the Yellowstone Wildlife Management Area. Captured a fish that was tagged back in 2015!

- SPA 124 - Issued the final SPA 124 permit for the Yellowstone County - Duck Creek Bridge Scour repairs.
- Shannon and I attended the Area 4 MACD meeting in Harlowton September 22nd
- Demi helped with Laurel Arbor Day - teaching 4th graders in Laurel about fish life cycle
- Shannon attended the BBWA 310 Site visit for the headgate upgrades.
- Lake Elmo: Water levels are low enough to assess erosion areas by the rock steps and headgate. Found purple loosestrife in the cattail areas. Working to remove the plants and monitor.
- Wildlife update: FWP has confirmed Epizootic Hemorrhagic Disease (EHD) and Blue Tongue Virus (BTV) along the Bighorn River (north and south of Hardin) and along the Yellowstone River (Billings area to Pompey's Pillar). Please contact FWP at 247-2940 to report sick and dying deer.
- Chronic wasting disease (CWD) sampling stations will operate on weekends in Columbus and Billings this season from 9:30 AM until sunset. The Billings CWD staff will be taking samples at the FWP Lake Elmo office M-F 8AM-5PM from Oct 27, 2025-January 2, 2026.

- **NRCS** - furloughed

- **Yellowstone County**

- **Yellowstone County Commissioner** - Chair Sedgwick welcomed Chris White to his first YCD board meeting as the newly appointed Commissioner. White thanked the board and indicated all this was new to him, so he is attending various board meetings to begin the process of learning what being a Commissioner encompasses.
- **Yellowstone Co. Extension** - Sammartano is in Bozeman at a conference so provided the following update for his office:
 - Participated in the NILE, taught over 1,000 kids about local ag.
 - Extension and the Weed District will be hosting a woody invasive species volunteer event at Two Moon Park on **Nov 1st, from 9am - 1pm**. Volunteers will be planting trees, and reseeding 4 acres cleared of Russian Olive and Common Buckthorn, please see attached flyer. All are invited to participate, and an educational booth space is available for any organization that would like to promote any conservation/invasive species/agricultural initiatives. If interested, please contact Anthony at anthony.sammartano@montana.edu
 - Nov 20th, 4:30pm - 7 pm, fundraising pint night for woody invasive species projects at 105 Brewery (815 Yellowstone River Rd). More details to be announced later.
- **Yellowstone Co. Floodplain** - Ronni Tallerico, Monca Plecker
 - Participated in the 310 discussions
 - Still working on the Hruschka violation
 - Plecker introduced herself as the new Public Works Director and as such oversees Floodplain, Roads, Bridges, etc. She reported that Andy Dean is the new Road and Bridge Superintendent because of another retirement. It was mentioned that the use of limestone has a positive impact on gravel road conditions in our rural communities. Sedgwick welcomed Plecker and expressed that YCD looks forward to the opportunity to have a great working relationship with her that YCD had with her predecessor, Tim Miller.
- **Yellowstone Co. Weed Department** - Joe Lockwood unable to attend meeting

- **Unscheduled Matters:** none

- **Public comments** - none

- **Next YCD Board Meeting** - The next YCD meeting is tentatively scheduled for November 18, 2025

- Mothershead motion to adjourn the meeting at 2:10 pm