

## YELLOWSTONE CONSERVATION DISTRICT

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### YELLOWSTONE CONSERVATION DISTRICT

#### Board Meeting Minutes

January 15, 2026

1670 48<sup>th</sup> St. West Suite #2, Billings MT 59106

1:00 pm

**BOARD MEMBERS PRESENT:** Chad Sedgwick - Chair, Brad Kraft - Vice-Chair, Leroy Gabel, Jackie Haaland, Bryan Mothershead, Stacey Robinson

**BOARD MEMBERS ABSENT:** None

**NON- BOARD PRESENT:** LaVerne Ivie - YCD; Chris White - Yellowstone County Commissioner; Seanna Torske, Zoe Craft - NRCS; Shannon Blackburn - FWP; Yellowstone River CD Water Reservation applicants: Wade Keller & Brandon Keller Virtually: Crystal White - YCD/PF/NRCS; Anthony Sammantara - Extension Others: Jason Weinschmidt; Don Sasse

**Chair Sedgwick called the meeting to order at 1:00 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 November 18, 2025, Minutes as written and reviewed, second by Robinson, motion passed.

**Board member absences:** None

**2026 Election of Officers:** Mothershead made a motion to keep the current slate of officers in place, second by Robinson, motion passed.

#### 310's

- **Applications, Emergencies, Complaints & Violations:**

- **YE-05-26 - Par Montana, Dry Creek** - Supervisor Kraft provided an overview of the project as inspected by himself, Ivie, Par MT representatives and Ronni Tallerico on Jan. 14, 2026. The refinery is constructing a rail yard. The yard will be used for storage of loaded and unloaded rail cars of refinery products or crude respectively.

- The land on which the rail yard will be constructed will need to be leveled and compacted to meet rail construction standards. This will involve placing a substantial amount of fill to raise certain lower elevation areas and removing soil from certain higher elevation areas. The rail yard will cross Dry Creek and several small areas of "low quality" wetlands. The culvert containing Dry Creek is undersized and in poor shape, it will be replaced with new culverts that will support the full load of the rail lines and the rail cars and an open channel. The replacement culverts and open channel creek bed will be sized to ensure no rise, since Dry Creek is considered a floodway. The flow path of the existing culvert is unknown. **Board discussion and decision:** Robinson made a motion to declare YE-05-26 a 'Non-Project' because the water body is a drain ditch from an adjacent business and not a perennial flowing stream, nor does it drain into the Yellowstone River. Second to the motion by Kraft, motion passed.

- **Jason Kleinschmidt** - inquiry whether recreational gold prospecting on the Yellowstone River requires applicant to obtain a 310 permit. Jason explained his plans to use a small, portable sluice box operated from the

riverbank with a bilge pump powered by a lithium-ion battery. The activity would involve minimal water usage and no chemicals, with discharge directly back into the river. The board was assured that accessing the site will be through public access sites and will be below the high water mark with landowner permission obtained if needed. **Board decision:** Kraft made a motion for YCD to send a letter addressed to Mr. Kleinschmidt indicating the project does not meet the parameters of a 310 project and is for recreational purposes so therefore will not require a 310 permit, second by Mothershead, motion passed.

### **Other 310 Issues & Projects**

- **Yellowstone River CD Council** - Gabel did not have anything new to report from the Council. Ivie reported she is working with the planning group for a summer river tour.
- **310 Survey** - the Board collectively filled out the 310 survey noting they rarely issue penalties but agree a tiered fee structure with higher maximum amounts would be useful, particularly for repeat offenders.

### **BUSINESS MEETING**

- **Old Business**
  - **Yellowstone River CD Water Reservations 10 year review** - The edited report was finalized today with Kraft making a motion to submit to DNRC, second by Haaland, motion passed.
- **New Business**
  - **YCD Supervisor appointment to the Beartooth RC&D Board** - Robinson made a motion to install Bryan Mothershead as YCD's representative, second by Haaland, motion passed.
  - **Yellowstone River Water Reservation Applications submitted to YCD:**
    - **Brandon Keller – YE-01-26** – Application to pump 357.8 acre-ft from the Yellowstone River to sprinkler irrigate 178.9 acres. Brandon provided an overview of his proposed project. **Board decision:** Kraft made a motion to accept YE-01-26 and request assistance from DNRC to assign a water rights contractor to determine if some or all the project is outside of the original public notice area for Yellowstone Conservation District, second by Robinson, motion passed.
    - **Wade Keller – YE-02-26** - Application to pump 1063.8 acre-ft from the Yellowstone River to sprinkler irrigate 531.9 acres. Wade provided an overview of his proposed project. **Board decision:** Robinson made a motion to accept YE-02-26 and request assistance from DNRC to assign a water rights contractor to determine if some or all the project is outside of the original public notice area for Yellowstone Conservation District, second by Mothershead, motion passed.
- **T- Report**
  - **November & December T- Reports:** Kraft made a motion to accept November and December Treasurer's reports as submitted and reviewed, second by Mothershead, motion passed.
  - **GoDaddy subscription renewals** - Supervisors reviewed the GoDaddy invoices that were paid from Ivie's personal account. Robinson made a motion to approve reimbursement to Ivie for \$556.21, second by Mothershead, motion passed.
  - **Dues & Donations requests:**
    - **Yellowstone River Parks Association** - Gabel made a motion to donate \$500 to YRPA, second by Robinson, motion passed.
    - **Beartooth RC&D** - Gabel made a motion to pay \$275 to Beartooth RC&D for the 2026 membership dues, second by Mothershead, motion passed.

**Travel & Meetings:** none presented

### **Standing Committee Reports**

- **Westend Reservoirs** - Robinson reported that the interim Parks and Director could not attend today's meeting but plans to attend in Feb. or March.
  - Robinson noted the grading package at the reservoirs has been approved to increase to 95%, coordination issues remain with the city, particularly regarding fish placement and water levels. Robinson discussed the need for FWP to be involved at this stage if there is to be a fisheries component. The group discussed challenges with the project's progress, including the departure of Deb, the former Public Works Director, and the need for better coordination between various stakeholders to move the project forward.
    - The most recent delineation for the reservoirs area will be included in YCD's quarterly report to DNRC.
    - White mentioned she updated the YCD website to include new information related to the reservoirs project under education.

- **Pollinator Fair grant applications** - Haaland and White reported the NACD grant is currently in a waiting period until February. As a backup, a DNRC grant is being developed. The pollinator fair team met in December to go over the budget and logistics for the event. White has updated the YCD website to include this year's event. YCD will need to increase the amount of liability insurance to comply with the City's requirements. Ivie is working with our insurance provider to add a larger amount. White discussed marketing plans, including newsletter blasts.

#### **Partner/Agency Reports**

- **YCD Administrator Report** - sent to Supervisors prior to the meeting.
- **Partner Biologist Report** - White participated throughout the meeting.
- **Army Corps of Engineers** - unable to attend meeting
- **Beartooth RC&D** - no current report
- **DNRC** - CDB report emailed to supervisors
- **Fish, Wildlife & Parks** - Blackburn reported on various projects FWP is working on.
- **NRCS** - Zoe Craft
  - Shared information on upcoming events including Ladies Ag Night and the Soil Health Symposium.
  - Gayle Berry is the new NRCS State Conservationist
  - CSP has gone away from enhancements, focused on practices for this signup
  - Regenerative Pilot Program - work with NRCS staff, partners or TSP to conduct a whole farm assessment.
  - The board will work with Zoe to schedule the Local Work Group meeting in Feb. or March
  - Seanna Torske - reported on personnel changes in the FSA office
- **Yellowstone County**
  - **Yellowstone County Commissioner** - Commissioner White provided an overview of where the county offices will be located: Courts and County attorney's offices will remain in the County Courthouse; with other administrative county offices the County Commissioners are moving to the new Ostlund Administration building. Elections will be relocated to the METRA grounds.
    - As we all know there is an immediate need for a larger jail in Yellowstone County. Currently there are 671 inmates in a jail that has a capacity of 434 inmates. The commissioners are currently working on running two levies. The short term facility works exactly for which it was designed but not to house long term criminals.
    - YCD was invited to tour the current facility to which they readily agreed.
  - **Yellowstone Co. Extension** - Sammartano reported that the office has been moved to 3<sup>rd</sup> Ave. N. with plenty of room for parking.
    - The Winter Ag series was held Jan. 13 with a very large crowd in attendance
    - Working with YCD on the Pollinator Fair
  - **Yellowstone Co. Floodplain** - Ronni Tallerico unable to attend meeting
  - **Yellowstone Co. Weed Department** - Joe Lockwood unable to attend meeting
- **Unscheduled Matters:**
  - The office received a **framed picture** of the magazine cover Leroy Gabel appeared on. It will be presented to Gabel when he is back in Montana.
  - **Proposed Data Center at Broadview** is a hot topic of discussion around Billings and the surrounding area. Commissioner White stated the County has no land use regulations so the county will not be involved. All agreed development of such a facility brings many challenges but on the positive side will increase taxes collected by the county and will employ dozens of people in an area that does not offer a lot of employment opportunities.
- **Public comments** - none
- **Next YCD Board Meeting** - Due to the YCD Administrator going in for surgery, the next board meeting might be held in February or delayed until March.
- Robinson motion to adjourn the meeting at 2:35 pm