

ROSEBUD CONSERVATION DISTRICT

PO Box 1200
FORSYTH, MONTANA 59327
406-346-7479

MINUTES OF DECEMBER 8, 2004 MEETING

Members Present: Wendy Warren, Doug McRae, Steve Lackman, Jim Rogers, Dave Davenport

Others Present: Rocky Schwagler, Larry Fox, Laurie Kelley, Kendall Van Dyke, Mike Reisner, Scott Kaiser, Steve Schmitz, Larry Bloxsom

Dave Davenport called the meeting to order at 7:00 p.m. in the conservation office. Don Youngbauer was absent.

MINUTES: Jim Rogers made the motion to accept the October 27th regular meeting minutes. Doug McRae seconded the motion and it passed. Jim Rogers made the motion to accept the November 8th Special Meeting Minutes and Doug McRae seconded the motion. The motion passed.

TREASURER'S REPORT: The board discussed keeping the extra money from the coordinator salary in a separate account. It was decided to do so. Wendy Warren made the motion to accept the treasurer's report as amended, Jim Rogers seconded and the motion passed.

MEETING SCHEDULE: The next meeting will be held January 12, 2005.

ADMINISTRATOR'S REPORT: No questions were asked.

LOANS:

Greg Lackman: Still waiting on activity

310:

Harlan Steiger, 04-08, Yellowstone River: Waiting on final okay from Shannon Warner, DEQ. The board asked Laurie to write a letter to DEQ asking that they allow concrete as a means to stop severe erosion. The board will sign the letter and it will be sent to DEQ.

OLD BUSINESS:

LAND USE ORDINANCE: Jim Rogers moved that the board take its first vote to approve the land use ordinance and Doug McRae seconded. There was no public discussion on the vote. The motion carried. The final vote will be taken at the next regular board meeting which will be held on January 12, 2004. The board discussed the need to sit down with the Board of Oil and Gas and the Water Rights Bureau in order to assess bonding and beneficial use of water. Steve Schmitz, DNRC, congratulated the board on getting the ordinance passed. He stated that in the beginning, the department wasn't able to be supportive to the district, but with the change in administration, it looks like DNRC will be in a better position to assist the board. The board determined that it was very important to develop good links with the DNRC and DEQ and other agencies involved in the CBM process. Jim Rogers is going to work on developing ranch plans with Laurie's assistance.

ROSEBUD WATERSHED: The steering committee consisting of Jewel Davenport, Norma Bixby, Doug McRae and Watty Taylor is meeting in Lame Deer on December 13, 2004 at 6:30 pm. Laurie Kelley will also attend as coordinator. Bylaws will be discussed. The board discussed the TMDL status for Rosebud Creek and the

Tongue River. It was decided that the district needs to send DEQ a letter formally asking that a study be done on both so as to get a better understanding of the baseline water data. It is necessary in order to determine the impacts of Coal Bed Methane production and other discharges to the water. Laurie will get together background information and write a letter to DEQ requesting that actual, not modeled TMDL studies be done.

NRCS REPORT: Rocky Schwagler told the board that the local work group's recommendations had been sent in. Since they do not follow the recommended guidelines, he is not certain how well they will be received. He updated the board on progress he and Larry Fox have made on the Diamond Cross Ranch pipeline project. There are three pipelines in the project covering over 52 miles total. He said that Larry Fox, District Technician, is doing a fantastic job! Rocky said that over 30 people had already signed up for EQIP. Rocky also said that until now FSA had done the EQIP payments, but now NRCS is doing them. Eligibility is determined by FSA. Rocky said that he is going to put in for technical assistance to come up with construction standards for irrigation.

TECHNICIAN REPORT: Larry told the board about working on the Diamond Cross pipeline project and attending the weed spraying training in Melstone.

310 RULES: There was no public discussion on the new rules, so Steve Lackman made a motion to formally adopt the rules. Wendy Warren seconded the motion and it passed. The board asked Laurie to send a copy of the final 310 rules with the changes RCD made highlighted, to Laurie Zeller of DNRC for review.

NEW BUSINESS:

INTERN: The board discussed having Megan Sweedland do some work over her Christmas break. There is enough money in the Income Capacity grant fund to pay for around 20 hours of work. Jim moved to allow her to work and Doug seconded the motion. Motion was approved. Next, the board discussed putting in for another grant for next year. Rocky said that the NRCS grant is available for up to \$12,500 this year. The money is to be spent to help the NRCS implement the Farm Bill. Once it is submitted, it must be approved by Dave Pratt, NRCS, Miles City. The board discussed getting two interns for the summer months. Jim moved to apply for a grant for 2 interns, and Doug seconded the motion. Motion approved. Rocky will help Laurie with the application.

OTHER BUSINESS:

COAL BED METHANE PROTECTION ACT: Steve Schmitz reminded the board that June 30, 2005 is the first day that people can ask for emergency help for damages caused by coal bed methane development. He suggested that the districts that are likely to be effected need to get together to develop some rules for the act. He offered to organize a meeting between Powder River, Big Horn, Prairie, Custer and Rosebud Counties so that they can begin the rule making process. He offered to facilitate the meeting himself. The board agreed that it was a good idea and asked that Laurie send an email to those districts asking that they attend the meeting. The board agreed that a technical advisory committee should be convened beforehand to help determine what rules are necessary. The plan is to get together members from each district that wishes to be involved, agree to work on the regulations, develop a process to evaluate need, put together minimal rules and then put it to the district for a vote.

There being no further business, the meeting was adjourned at 9:38 p.m.

Dave Davenport, Chairman