

RCD Land Use Ordinance FAQs

Why is this needed? Aren't there enough laws already?

The ordinance is needed to ensure that water and soil are protected as methane development happens in Rosebud County and that the land is reclaimed after development is over. Current laws do not address the impacts of methane impoundment ponds to the water and soil, and do not ensure that there is proper reclamation bonding in the event that a company goes bankrupt, or fails to do the cleanup. The laws on the books do not appropriate enough money to the districts to address the financial costs associated with methane impacts to water and soil resources. The ordinance addresses the potential cleanup costs by requiring a conservation plan and two bids for the cost of cleanup.

Do conservation districts have the authority to do this?

Yes. The Attorney General issued an opinion saying the conservation districts do have the authority to regulate methane development to protect the water and soil, and prevent erosion and saline seep.

Does the ordinance stop methane development?

No, the ordinance does not stop development. It requires reclamation bonding, and puts stipulations on coal bed methane impoundment ponds.

Can landowners use methane water if they want to?

Yes, landowners can use coal bed methane water for legitimate beneficial uses. Methane companies must obtain a landowner's permission in order to use the water for stock watering or irrigation, and get a beneficial use permit to use the water.

Have other conservation districts in Montana done this?

No, Rosebud Conservation District will be the first district in the state to propose a land use ordinance to regulate coal bed methane development.