

COMMISSIONERS APPROVAL

CHILCOTT   
STOLTZ   
IMAN   
FOSS 

BURROWS 

Members Present.....Commissioner Greg Chilcott, Commissioner Ron Stoltz,  
Commissioner J.R. Iman, Commissioner Suzy Foss and Commissioner Jeff Burrows

Date.....May 1, 2014

► Minutes: Glenda Wiles

► The Board met at 9:00 a.m. for a discussion and possible decision on reclamation issues for the Else Pit. Present was Road Administrator John Horat, Road Supervisor Dusty McKern, Weed Supervisor Kelliann Morris and Deputy County Attorney Howard Recht. Also present was Steve Wheeler, the real estate agent representing Mr. Robinson who is the owner of property which is affected by the Else Pit. (See attached).

John gave background on pit reclamation which included an onsite visit with Steve Wheeler. Discussion included slope reclamation, access and DEQ requirements. Steve addressed the south and west adjoining properties as well as Mr. Robinson’s property. Steve stated Mr. Robinson would like a defined proposal from the county in order to have his attorney and engineering firm review the proposal. Mr. Robinson feels the county’s proposal will damage his other parcel by removal of trees, materials and the utilization of his materials. Other issues are the loss of past documentation on the pit and proposed reclamation issues.

Attorney Recht stated appraisal of the land is not the issue. It is the county’s responsibility to reclaim the pit with DEQ approval. If the property owner does not agree with the requirements of DEQ, then there is no reason to obtain an engineer for the project. John stated if they don’t have a preliminary plan, which could cost \$10,000, DEQ has nothing to review. John also noted the pit has encroached to the west on another parcel and the county will need to seek an amended permit. John addressed the Lidar and GIS map noting he thinks the county can work within the confines of the pit. Dusty felt most of the reclamation will come from the parcel of the pit, which will take a little more time. Commissioner Stoltz stated when this pit was open the requirements were 1 to 1 slopes, not 3 to 1 slopes. Dusty addressed the open-cut mining inspection report which was provided to Mr. Robinson. Currently the county is waiting for Mr. Robinson’s comments. Steve stated he will visit with Mr. Robinson about this report and the engineer he has retained. Commissioner Iman stated it is important for Mr. Robinson to know that he bought the property as is and the county is only responsible to reclaim the pit according to

DEQ standards. Commissioner Chilcott agreed and stated the county should not pay for reclamation according to Mr. Robinson's wishes, but rather to DEQ standards.

Kelliann stated Else Pit has Blue Weed and they have been treating this weed with federal grant dollars for the past 8 years. She would like to be notified when the county equipment exits the pit so they can wash the equipment, as the equipment transports the Blue Weed seeds to other locations. The Board concurred.

► The Board met at 9:50 a.m. with Road Supervisor Dusty McKern and Road Administrator John Horat to discuss and make a decision on the Groff Lane Bridge replacement, including TSEP application with signature; a Resolution to accept environmental documents and a Resolution to authorize the submission of the TSEP application to the state for funding. Present was PCI Engineer Mike Whelehon. PCI is nearing the completion of the bridge study which includes Groff Lane and the time line requires the submission of the application and supporting documents. The next cycle of funding is two years out. John addressed the project costs at \$730,000 with a \$106,000 match of which \$70,000 of the match dollars are in labor and materials. (See attached). Discussion included the monies spent thus far on the bridge study and the SRS monies that are to come to the county.

**Commissioner Iman made a motion to approve Resolution No. 3177 which is the authorization to submit the TSEP application, Resolution No. 3178 which is the Acceptance of Environmental Determination as well as the Uniform Application Form for Montana Public Facility Projects. Submittal of these documents will require approximately \$100,000 in a cash match and other labor match from the county for the Groff Lane Bridge Replacement. Commissioner Foss seconded the motion.**

Public Comment: Chris Hockman asked about hourly rates for matching labor.

**All voted "aye". (5-0)**

The Board also discussed the application of magnesium chloride on roadways for dust control, roads that need reconstruction due to the flooding, mitigation for future issues, use of private contractors for certain services, and the approval of overtime monies at the road department. It was agreed to place this discussion and discussion on the calendar, May 6<sup>th</sup> at 8:30 a.m. in order to provide public notice.

► Public Comment: Chris Hockman indicated the state website reports they have dispersed over one million dollars in SRS monies to the county on April 10<sup>th</sup>. The Board noted they have not received those dollars.

- Else Pit -

OPENCUT MINING INSPECTION REPORT

Date: 2-20-2013 Time: 1 pm Scientist: Kenley Stone Report sent to Operator via: Us Mail Email Date: 2-27-2013

Operator: Ravalli County Road and Bridge Department Site Name: Else Pit County: Ravalli

Pre-App New Application Amendment Routine Release Request Compliance Other Pre-app to discuss how to reclaim the site so it can be released

Opencut # 96 Amend # \_\_\_\_\_ Sec: 3 & 4 TWP: 4N RNG: 21W Mineral(s) Mined: Gravel

Decimal Degree: Latitude: 46.13789 Longitude: -114.20121 Contacts: Dustv McKern (Ravalli County Rd. Dept.), Terry Nelson (county surveyor)

PREMINE & AMENDMENT INSPECTION ITEMS

- 1) Topography: Steep forested slopes
- 2) Geology: Escarpments with 15 to 35% slopes.
- 3) Soil/OB Thickness: The Department observed what appeared to be 12 inches of soil along the top of the highwall.  
 Department will require the Operator to strip, stockpile and save \_\_\_\_\_ inches of soil and \_\_\_\_\_ inches of overburden for reclamation.  
 Operator agreed to bond, strip, salvage and replace above specified depths  Operator was not onsite during inspection  
or  
 The entire site could not be adequately observed and cannot be amended until adequate soil information is obtained. Operator would need to provide clear photos of soil profiles with a visible measuring scale. A minimum of three feet of soil profile must be shown in the photos. Photos taken along the highwall that show the soil profile are acceptable.
- 4) Access Road required:  Yes:  New road will be built  Landowner wants existing road included in the permit  
 No:  Access is adjacent to public road  Landowner does not want existing road included in the permit  
 Unsure: \_\_\_\_\_

BOND RELEASE/RECLAMATION INSPECTION ITEMS

- 5)  Full Release Request  Partial Release Request County is seeking input as to how to proceed with reclamation of this site.
- 6) Soil/Growth Media Replaced?  Yes  No - Thickness: \_\_\_\_\_
- 7) Compacted Areas Ripped?  Unsure  Yes  No \_\_\_\_\_
- 8) Site Graded/Backfilled & Slopes Correct?  Yes  No \_\_\_\_\_
- 9) Site Seeded?  Unsure  Yes  No \_\_\_\_\_
- 10) Landowner Consent Says Mineral Stockpile/Road to Remain  Yes  No NA-Application is from 1973
- 11) Access Road Reclaimed?  Yes  No NA
- 12) Mineral Stockpile(s) Remain?  Yes  No \_\_\_\_\_  
a. Soil Stockpile Near Mineral Stockpile  Yes  No \_\_\_\_\_
- 13) Adequate Vegetation?  No  Yes Well established Ponderosa Pine stands along portions of the highwall. Remainder of the site needs soil and seeding.
- 14) Postmining Land Use Consistent with Plan of Operation?  No  Yes Application states 'grazing & wildlife habitat'
- 15) Pond/Wetland Meet Plan of Op Requirements?  NA  Yes  No \_\_\_\_\_
- 16) Scientist Recommends:  Full Release  Partial Release  Denied Site was inspection to determine a path forward with reclamation. The County is not requesting liability release at this time.

- 17) Site Marked:  Yes  No \_\_\_\_\_
- 18) Mining/Disturbances:  None  Off site/adjacent  
 On site:  Permitted  Historic  Landowner Pit  Opencut Activities without a permit  
Violations observed:  Yes  No **Opencut activities have gone outside the permitted boundary.**
- 19) Existing Land Use:  
 Opencut Operation  Cropland/Hayland  Pasture/Rangeland  Industrial/Commercial  Residential  Forest/Timberland  
 Other: \_\_\_\_\_
- 20) Surface Water within 1,000ft:  None  Pond/Lake  River  Stream/Creek  Ditch  Wetland  Other **A riparian area and a ditch is located just east of the site. Camas Creek is located east and north of the site.**
- 21) Structures/Facilities near or within proposed permit boundary:  None  Opencut Operation  Farming  Industrial/Commercial  
 Residential  Construction Project  Roads  Power Lines or Facilities  Oil & Gas Structures  
 Other: \_\_\_\_\_
- 22) Wells within 1,000' of Permit BNDRY:  Yes  No  None Identified \_\_\_\_\_
- 23) Vegetation Type:  Crop  Bluebunch Wheatgrass  Western Wheatgrass  Green Needlegrass  Blue Grama  Smooth Brome  
 Canada Wildrye  Slender Wheatgrass  Intermediate/Thickspike Wheatgrass  Kentucky Bluegrass  Crested Wheatgrass  
 Cheatgrass  Sagebrush  Rubber Rabbit Brush  Creeping Juniper  Juniper  Conifer  Cottonwood  Willow  Winterfat  
 Other: **Ponderosa Pine, woolly mullein**  
Average % cover:  <50%  50%-60%  60%-70%  70%-80%  80%-90%  >90 Comments **Site was too snow covered to see other vegetation and percent cover.**
- 24) Noxious Weeds Onsite:  None Identified  Spotted Knapweed  Russian Knapweed  Leafy Spurge  Tansy Ragwort  
 Canada Thistle  Dalmatian Toadflax  Houndstongue  Whitetop  Field Bindweed  Other: \_\_\_\_\_
- 25) Wildlife Occurring in Area:  Raptors  Rodents  Song Birds  Upland Birds  Waterfowl  Deer  Antelope  Elk  Moose  
 Wolves  Black Bear  Grizzly Bear  Other: \_\_\_\_\_
- 26) Soil/OB Salvage/Storage OK?  NA  Yes  No **One small soil stockpile observed on the north end of the site. The operator estimated it contained approximately 100 cubic yards of soil. Other areas may have had soil but it was too difficult to tell through the snow. The county may need to haul in soil and/or other material for backfill.**
- 27) Soil Stockpiles Seeded:  NA  Yes  No  Weedy \_\_\_\_\_
- 28) Soil/Sight/Sound Barriers OK?  NA  Yes  No \_\_\_\_\_
- 29) 10' Buffer between Mining & Soil?  NA  Yes  No **Soil is visible along the highwall and had not been stripped.**
- 30) Fuel Tanks have Secondary Containment?  NA  Yes  No \_\_\_\_\_
- 31) Dust Management OK?  NA  Yes  No \_\_\_\_\_
- 32) Pit Depth/Highwall Height:  NA  <5'  ~10'  ~15'  ~20'  ~25'  ~30'  ~35'  ~40'  Other **Estimated to be ~70 feet high at the tallest point.**
- 33) Erosion/Stability Problems:  None Identified  Yes **Slopes of highwall range from vertical to ~2:1.**
- 34) Garbage onsite?  None Identified  Yes **Some debris was observed, though the snow may have been covering more. The county surveyor stated the area was formerly used as a dump.**
- 35) Cultural Resources Present?  None Identified  Rings  Cairns  Tools/Chips  Historic Buildings  Other \_\_\_\_\_
- 36) Potential Impacts on Humans?  None Identified  Visual  Noise  Other **Erosion**
- 37) Surface Water Feature OK?  NA  Yes  No \_\_\_\_\_
- 38) Drainages/Streams Protected?  NA  Yes  No **There is a ditch along the road but a treed buffer exists between the site and the ditch.**

22) Offsite Impacts? None Identified Unpermitted Operations Erosion Other The pit has encroached onto at least 2 other landowners' properties.

39) Opencut activities occurring within Permit Boundaries? NA Yes No \_\_\_\_\_

40) Has Reclamation Date Expired NA Yes No The permit does not specify a reclamation date and therefore has expired.

41) Describe significant features (terrain, water, drainages, buildings, etc.) located within 500 feet of the proposed site?  
The pit is surrounded by steep forested slopes to the west and a flat valley floor to the east. Various residences surround the site. A road is located just east of the site.

### SITE SPECIFIC SUMMARY & NOTES

Ravalli County (Operator) requested a Pre-Application meeting with the DEQ to discuss options on how to get the site reclaimed and released. Opencut operations have extended to the west and south outside the permitted boundary and onto other landowners' properties. Steep slopes and some vertical highwalls are still present. The landowner of the property containing the original permit boundary would like to build a residence in the pit floor. In order to do so, the site must be released from the DEQ. It was also stated during the inspection that the landowner to the west of the site would like to sell material to the County for reclamation.

This site was originally permitted in 1973. Acreages and other aspects of the permit are not clear from these very old forms. It does not appear that the site has been worked in at least 25 years given the size of the ponderosa pines growing on the highwall slopes. The highwall slopes range from vertical to approximately 2:1. The natural slopes of the area above the highwall appear to be approximately 3.5:1. A portion of the highwall on the north end of the site has been graded to 3:1, perhaps in the last 5 or 6 years, and many small ponderosa pine seedlings are becoming established across the slope. Although the majority of the slopes are not 3:1 or flatter, they appear to be somewhat stabilized by the vegetation that has become established on them. If the County were to grade the slopes to 3:1 or flatter, the amount of disturbance on the neighbor's property to the west would be extensive, and it is likely that hundreds of trees would need to be taken down in the process, thus somewhat defeating the purpose of reclaiming the site.

Other potential reclamation options include 1) hauling in backfill and soil to create 3:1 slopes, or 2) leaving the site with some slopes steeper than 3:1. The operator would still need to smooth the top portion of the highwall to blend with the existing slopes, and various erosion control methods would need to be implemented to stabilize the slopes. These could include but are not limited to: erosion control blankets, hydroseeding, check dams, wattles, etc. A diversion ditch could be constructed above the highwall to keep storm water and sediment from running over the face of the slope. If water was to be diverted directly into the existing ditch, the DNRC, the US Army Corps of Engineers, the DEQ, and/or other agencies would likely need to be contacted to determine any other permits that may be required. An engineer or other qualified professional would need to sign off on any of these proposed stabilization methods if slopes would be left steeper than 3:1.

A small soil stockpile was present on the north end of the property. The operator estimated it contained approximately 100 cubic yards of soil. It appeared that other soil may have been spread across some portions of the site. However, due to the snow cover it was not possible to determine where exactly these areas were.

The county will need to submit an amendment to include all areas currently disturbed by Opencut activities, as well as the additional areas needed to reclaim the site. The current disturbance extends into Section 4 and onto two other landowners' properties. The county will need to obtain Landowner Consultation forms from all landowners who would be or already have been impacted by the proposed amendment boundary. The amendment application will need to thoroughly explain how the site will be reclaimed. If the postmining land use of the site will be a residence or other building, it would not be necessary to haul in soil to reclaim the areas where the building would be. The county or the landowner would need to obtain a plat or an official document stating that the area will be a building site in order for it to be a viable postmining land use.

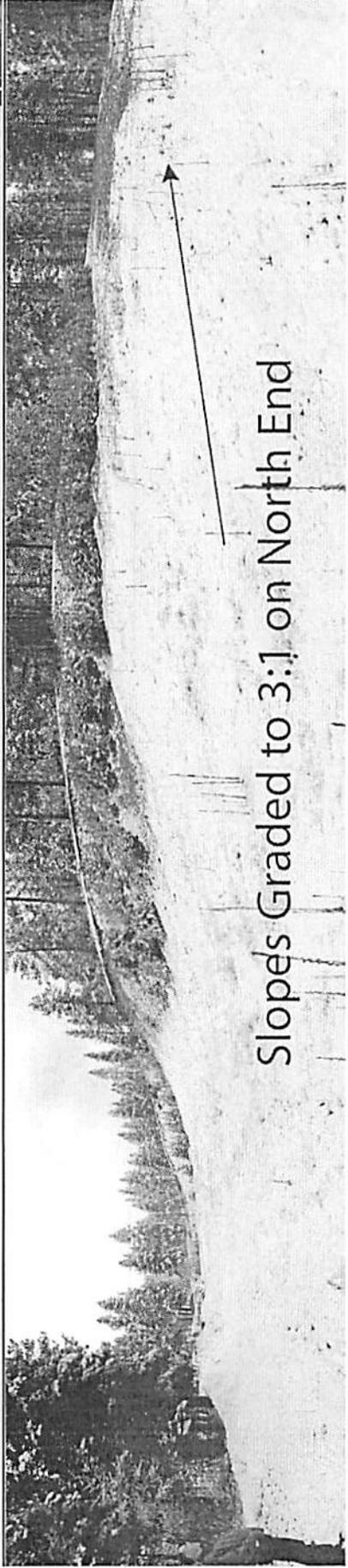
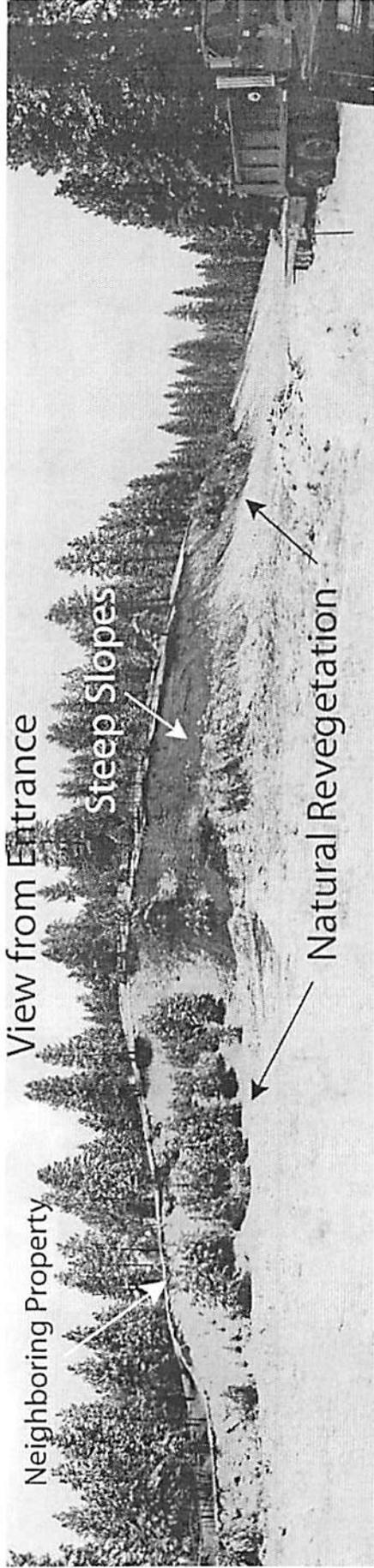
The county will need to discuss their options with the present landowners to see how they would want the site reclaimed. The final slopes and soil quantities needed would depend on what the post mining land use(s) will be.

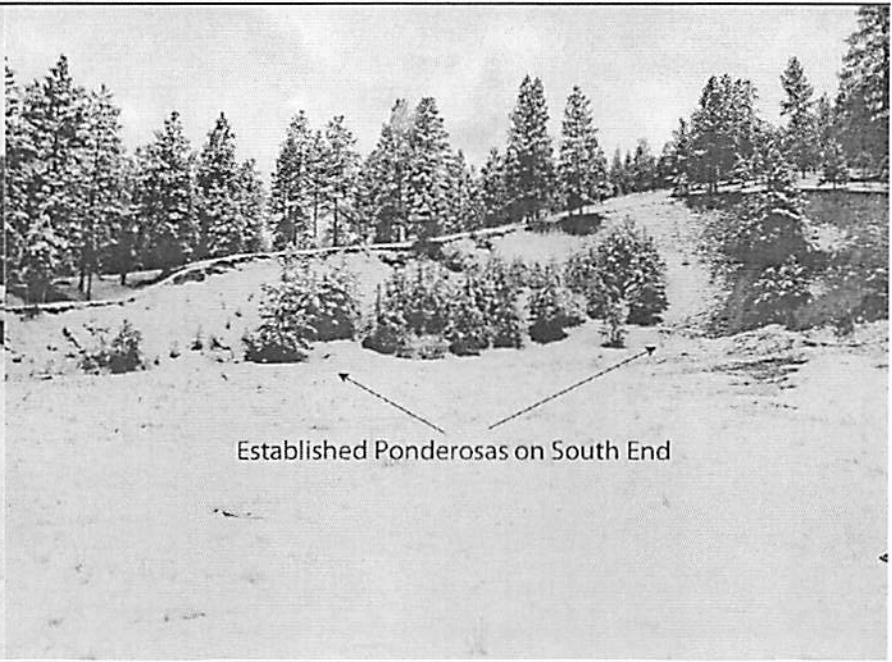
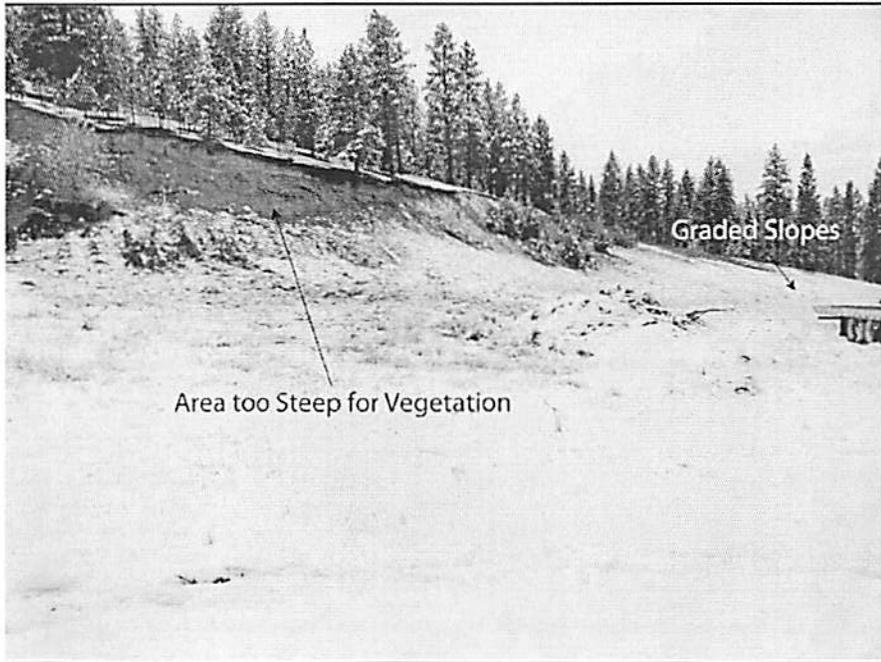
#### Actions Required by the Operator based on the Field Inspection:

- Obtain an amendment to incorporate all disturbed areas into the permit prior to commencing any activities outside the permitted boundary

---

GPS Mapped? No Yes-# Satellites \_\_\_\_\_ Accuracy (PDOP) \_\_\_\_\_ Pictures Yes No Weather ~40°F





**Topics & Guidance (checked boxes indicate items specifically discussed during site inspection, but all are applicable):**

- Opencut Operation/Activity** [MCA 82-4-403(7) & ARM 17.24.202(7)]: Any ground-disturbing activity including, but not limited to, driving, parking, excavating, soil stripping, stockpiling, BMP installation and maintenance, reclamation, etc.
- Soil/Growth Media** [MCA 82-4-403(14)]: "Soil" means the dark or root-bearing surface material, which is typically the O, A, E, and B horizons in soil profile descriptions. All soil/growth media must be stripped and stockpiled for reclamation before any Opencut activities occur in a given area. Soil and overburden must be handled separately and stockpiled separately (i.e. no mixing of the two). Stockpiles must be kept out of drainages and off slopes steeper than 3:1. Soil stockpiles must be seeded as soon as possible.
- Mine-Level and Facility-Level** [ARM 17.24.202(3)&(5)]: **Mine-Level Area:** All soil/growth media and overburden (up to 18 inches for rangeland & 36 inches for cropland) must be stripped and stockpiled for reclamation from Mine-Level Area before any other Opencut Activity occurs [ARM 17.24.219(1)(b)]. **Facility-Level Area:** Only soil/growth media must be stripped and stockpiled for reclamation from Facility-Level Area (up to 18 inches for rangeland & 36 inches for cropland [ARM 17.24.219(1)(b)]). No mineral extraction can ever take place in Facility-Level areas (without amendment to the permit). Facilities can be sited in Mine-Level Area (i.e. on a pit floor). Opencut permits commonly contain only Mine-Level area, with no Facility-Level area.
- Slope Requirements** [ARM 17.24.219(1)(c)(i)]: 5:1 or flatter for Cropland/Hayland, pond ingress/egress, 4:1 or flatter in sandy soils, 3:1 or flatter for all other uses. Operator must ensure an adequate distance is left for equipment to work in order to adequately reclaim the highwall using the cut/fill method. If proposing backfill, describe the source and methods explicitly and bond for it appropriately.
- Public Notice** [MCA 82-4-432]: Operator is required to populate the Department's *Surface Landowners List* with the surface owners located within ½ mile of the boundary of the proposed Opencut permit area using the most current known owners of record as shown in the records of the clerk and recorders in the county where the proposed Opencut operation is to occur [MCA 82-4-432(2)(c)]. Official public notice is completed by the Operator only after the Department deems your application complete and on the Department's provided forms. Parcels may have multiple surface owners.
- Boundary Markers** [ARM 17.24.218(1)(a)]: Must be durable (i.e. T-post, etc.), highly visible, placed in line-of-sight. Markers must be placed at every bend or turn in the permit boundary, at every bend or turn in the boundary between bonded and non-bonded areas, and at every bend or turn along a proposed access road. Every coordinate on the Boundary Coordinate Table should be represented by a boundary marker.
- Access Roads versus Internal Roads** [ARM 17.24.202(1)]: "Access Roads" are roads that connect a public road with the permit boundary. Access roads do not extend into the main permit boundary. If new road(s) will be constructed to obtain access to Opencut materials, they are considered "affected land" and must be included in the permit.. Existing roads that connect a public access to the permit boundary only need to be included in the permit if requested by the Landowner [MCA 82-4-403(1)]. "Internal Roads" are roads contained within the permit boundary. Internal roads are not permitted as an access road, but are permitted as either Mine-Level or Facility-Level area. Roads are left in-place or reclaimed in accordance with the postmining land use chosen by the Operator in section E2.
- Contract between Landowner and Operator:** The Department is bounded by the permit and can only enforce those items contained within the approved permit. Any special agreements – if not in the permit – are between the Operator and the Landowner only. Therefore, the Department suggests that the Operator and Landowner have a good written contract that defines any agreements they may have.
- Landowner Consultation:** The Operator should keep the Landowner updated on any changes made to the application throughout the permitting process (i.e. deficiencies, etc.) as those changes may conflict with prior commitments and agreements.
- Permit Boundary Size:** Create a permit boundary that is large enough to contain all proposed and future Opencut operations and activities to avoid unnecessary amendments. Whenever possible, avoid boundaries that conflict with actual site topography, terminate at the immediate edge of the resource, toe of slope, mid-slope, or that follow edge of a ridge, etc. Allow ample room to provide for complete reclamation of the site and to avoid conducting Opencut activities outside of the permitted or bonded boundary.
- Bonded and Non-Bonded Area** [MCA 82-4-433(1)]: Operator has the option to bond a portion of their permitted boundary with the remainder being designated as Non-bonded area. Non-bonded area must remain undisturbed by any Opencut operation or activity. The boundary between the Bonded and Non-bonded areas must be clearly marked in the field and portrayed on the site map in the application. All features and mining methods of any area to be designated as Non-bonded must still be adequately and clearly described in the application (specifically section D3-4). Opencut operations/activities occurring outside of the permit boundary or bonded boundary would likely result in a violation and enforcement action. Non-Bonded area becomes bonded area by submitting a *Request to Commence* form, with updated *Reclamation Bond Spreadsheet*, Map and Bond, Department does not have a statutory timeframe for the review but tries to complete the review within two weeks.
- Reclamation Bond Spreadsheet and Bond** [MCA 82-4-433(1)]: The act requires the Operator to secure a bond that provides enough money to adequately reclaim the site for what it would cost the Department to reclaim, assuming the worst case scenario (i.e. all bonded area disturbed, etc.). Ensure the *Reclamation Bond Spreadsheet* is consistent with the application (i.e. acreages, slopes, highwall length & height, mine depth, asphalt, etc.) and ensure the Bond amount matches or exceeds the dollar amount shown on the *Reclamation Bond Spreadsheet*.

The acreage shown on the Bond, submitted to the Department, must exactly match the Bonded acreage shown on the *Reclamation Bond Spreadsheet*.

**Erosion Control and Best Management Practices (BMPs)** [MCA 82-4-434(3)(b) & ARM 17.24.218(1)(e)(ii) & 17.24.219(1)(b)(i)]: Address site-specific erosion control issues in the Application and on the Site Map. Sediment must be contained within the permit boundary and must be kept out of drainages, streams and other state waters. The Department recommends designing and maintaining self-contained mines whenever and wherever possible.

**10,000 Cubic Yard Exemption** [82-4-431(1)]: This exemption **does not** apply to your proposed operation. The Act requires permits if Opencut operations will result in the removal of an aggregate total of 10,000 cubic yards or more of material. This 10,000 cubic yard threshold encompasses the sum of all soil, overburden, and mine materials that are stripped or excavated, regardless of location. As a result, permits are required for:

1. Each Operator that strips or excavates an aggregate total of 10,000 cubic yards of material. That is, a cumulative lifetime total applies, so once an Operator removes more than 10,000 cubic yards of soil, overburden, and mine material at any site or combination of sites, a permit is required for any further Opencut operations regardless of size or location.
2. Each Opencut site at which an aggregate total of 10,000 cubic yards of material are stripped or excavated. That is, a cumulative site total applies, so once more than 10,000 cubic yards of soil, overburden, and mine material have been removed from a site, a permit is required for any further Opencut operations at that site regardless of the Operator, or the size of the operation, or whether the site was previously reclaimed.

An operator that has had or does have a permit, is no longer eligible to use the "10,000 cubic yard exemption."

\*Note: If an Operator intends to remove more than 10,000 cubic yard of material, a permit is required before any Opencut operations begin. The Act does not allow an Operator to begin mining toward the 10,000 cubic yard threshold and apply for a permit as that quantity is being exceeded.

**Streams, Ephemeral Drainages & Other State Waters** [MCA 82-4-434(3)(l) & ARM 17.24.218(1)(e)(i)&(ii)]: A minimum of a 50-foot setback from the edge of the channel (i.e. ordinary high water mark/bank-full level) is required or additional hydrologic study will be required. The buffer must be shown on the site map and explained thoroughly in the application.

**Water Management and Use** [ARM 17.24.218(1)(e)(ii)]: If the water to be used is acquired from a source onsite or within 1,000 feet of the site, the Operator will need to include a detailed summary or a copy of the correspondence with the DNRC about the source's water rights [ARM 17.24.218(1)(e)(i)]. The source must also be identified on the site map.

**Water table** [MCA 82-4-434(3)(l) & ARM 17.24.217(1)(c) & 17.24.219(1)(c)(i): Maintain a minimum of three feet of undisturbed ground or fill above the seasonal high water table or include a wetland and/or pond/seasonal pond as a part of post-mining land use. Pond creation requires additional input to the application. See application "Section E3. Ponds" and refer to the Pond Guideline.

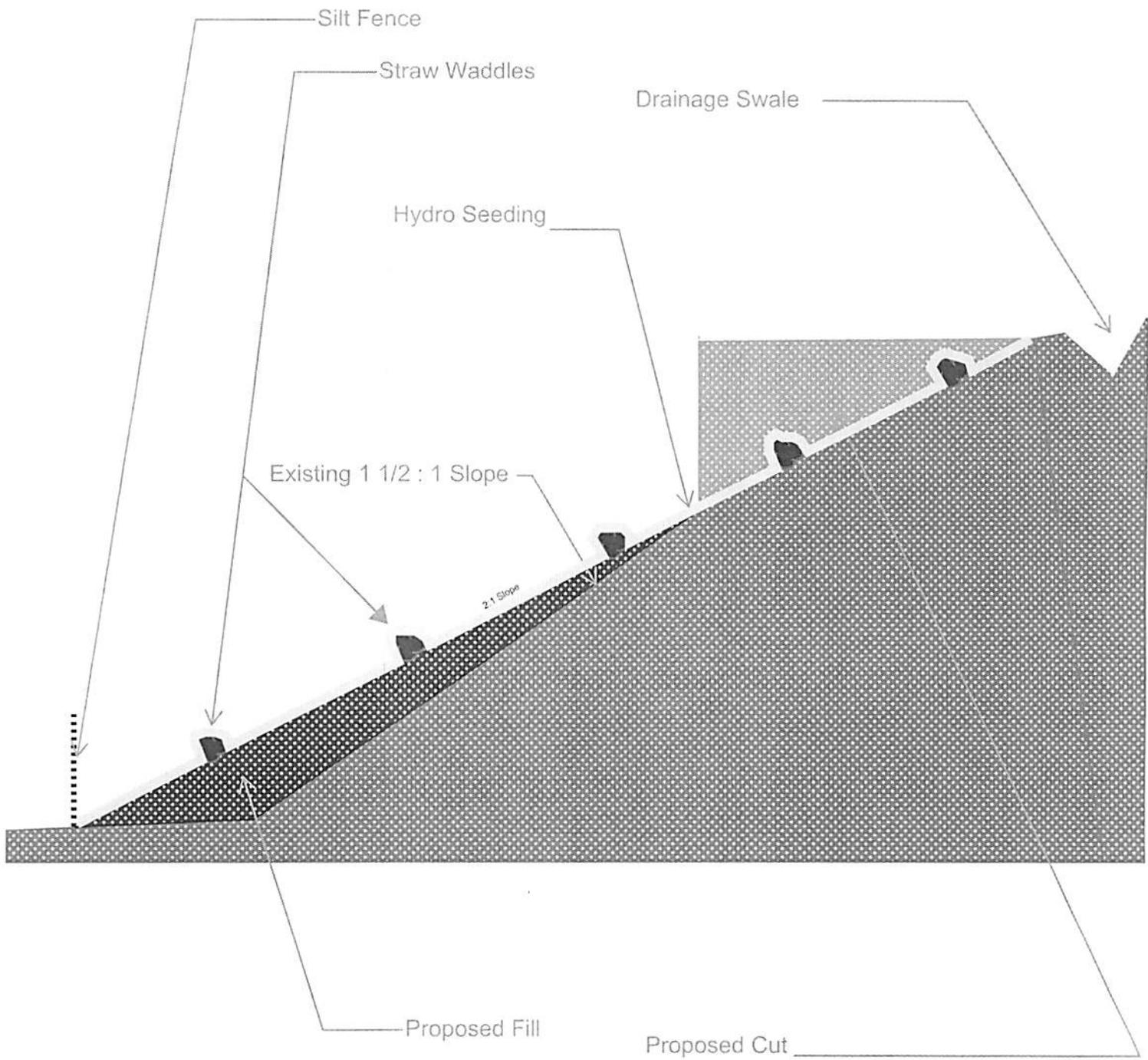
**Anticipated Processing Equipment and Facilities** [MCA 82-4-403(1)(b) & ARM 17.24.218(c): Consider permitting for all anticipated processing equipment and facilities that may be used at the site. Any additions or changes to equipment or facility area would require the Operator to go through the amendment process.

**Just Because you have an Opencut Permit Does Not Mean you can Legally Mine:** The operator is responsible to ensure that all necessary permits have been acquired before any Opencut operations or activities occur. Issuance of an Opencut permit does not guarantee that all permits necessary to commence mining operations have been obtained. Other permits that may be necessary include, but are not limited to road approach permits, Section 404 federal permits, 320 state permits, air permits, stormwater permits, etc.

**Mineral Rights:** Ensure that the surface Landowners own the rights to the earthen materials being sought. Operators can inquire with government agencies involved with land administration, such as the U.S. Department of the Interior, Bureau of Land Management, and the Montana Department of Natural Resources and Conservation (DNRC). Verifying the mineral estate may also require the services of a deed researcher, professional landman, or real estate attorney. If a split-estate is identified, enter into a separate agreement with the owner of the mineral estate before applying for a permit or amendment.

**Maintaining Control of Your Permitted Site:** The Operator will have the exclusive right to conduct Opencut operations in the permit area and the Operator must retain control over operations conducted by another party (even operations conducted by the Landowner). The Operator should make it their policy not to allow any other party to operate in the permit area without first informing the Landowner and ensuring the other party understands the conditions of the permit. The Operator (permittee) is responsible for any violations or enforcement actions (and resulting penalties) that occur within the permitted boundary, regardless of who violated the permit.

**Amendments:** Keep a digital copy of the current permit to use when applying for a future amendment. The Operator should be able to open up their existing permit, make the necessary "updates" for the amendment and resubmit it with the appropriate and applicable attachments.



Else Pit General Cross Section



UNIFORM APPLICATION FORM  
FOR MONTANA PUBLIC FACILITY PROJECTS

Groff Lane  
Bridge

(Please type or print legibly)

**SECTION A - CERTIFICATION**

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct.

Name (printed): Greg Chilcott

Title (printed): Chairman, Board of Commissioners  
Chief Elected Official or Authorized Representative

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SECTION B - SUMMARY INFORMATION**

1. NAME OF APPLICANT(S): Ravalli County

2. TYPE OF ENTITY: County

3. FEDERAL TAX ID NUMBER: 81-6001417

4. TYPE OF PROJECT: Bridge Replacement

5. SENATE AND HOUSE DISTRICTS: State Senate District 45, State House District 89

5.a NAMES OF SENATOR(S) AND REPRESENTATIVE(S): Senator: Fred Thomas (R), Representative: Nancy Ballance (R)

6. POPULATION SERVED BY PROJECT: 40,212 in Ravalli County (in 2010)

6.a NUMBER OF HOUSEHOLDS SERVED BY PROJECT: 16,933 Occupied Units in Ravalli County

7. DUNS Number (for CDBG applicants only): N/A

**8. CHIEF ELECTED OFFICIAL OR AUTHORIZED REPRESENTATIVE:**

Greg Chilcott  
(Name)  
Chairman, Board of Commissioners  
(Title)  
215 South 4<sup>th</sup> Street, Suite A  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 375-6500  
(Telephone) (FAX No)  
gchilcott@rc.mt.gov  
(E Mail address)

**10. PROJECT ENGINEER/ARCHITECT:**

Mike Whelehon, P.E., LEED AP  
(Name of Engineer)  
Professional Consultants Inc.  
(Name of Firm)  
170 South 2<sup>nd</sup> Street; Suite C  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 363-1201 (406) 728-0276  
(Telephone) (FAX No)  
mikew@pcimontana.com  
(E Mail address)

**12. LEGAL COUNSEL:**

Bill Fulbright  
(Name)  
County Attorney  
(Title)  
205 Bedford Street; Suite C  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 375-6750 (406) 375-6731  
(Telephone) (FAX No)  
  
(E Mail address)

**14. CLERK/CHIEF FINANCIAL OFFICER:**

Klarryse Murphy  
(Name)  
CFO  
(Title)  
215 South 4<sup>th</sup> Street, Suite B  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 375-6524  
(Telephone) (FAX No)  
kmurphy@rc.mt.gov  
(E Mail address)

**9. PRIMARY ENTITY CONTACT PERSON:**

John Horat  
(Name)  
Road Administrator  
(Title)  
244 Fairgrounds Road  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 363-2733  
(Telephone) (FAX No)  
jhorat@rc.mt.gov  
(E Mail address)

**11. GRANT/LOAN ADMINISTRATOR:**

Mike Whelehon, P.E., LEED AP  
(Name)  
Professional Consultants Inc.  
(Title)  
170 South 2<sup>nd</sup> Street; Suite C  
(Street/PO Box)  
Hamilton, MT 59840  
(City/State/Zip)  
(406) 363-1201 (406) 728-0276  
(Telephone) (FAX No)  
mikew@pcimontana.com  
(E Mail address)

**13. BOND COUNSEL:**

\_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Title)  
\_\_\_\_\_  
(Street/PO Box)  
\_\_\_\_\_  
(City/State/Zip)  
\_\_\_\_\_  
(Telephone) (FAX No)  
\_\_\_\_\_  
(E Mail address)

**15. ACCOUNTANT:**

\_\_\_\_\_  
(Name of Accountant)  
\_\_\_\_\_  
(Name of Firm)  
\_\_\_\_\_  
(Street/PO Box)  
\_\_\_\_\_  
(City/State/Zip)  
\_\_\_\_\_  
(Telephone) (FAX No)  
\_\_\_\_\_  
(E Mail address)

RESOLUTION NO. \_\_\_\_\_

**Authorize Submission of the TSEP Application**

WHEREAS, Ravalli County is applying to the Montana Department of Commerce for financial assistance from the Treasure State Endowment Program (TSEP) to replace bridge structures along Groff Lane at the Etna (west) & Union Irrigation Ditches;

WHEREAS, Ravalli County has the legal jurisdiction and authority to construct, finance, operate, and maintain the bridge structures along Groff Lane at the Etna (west) & Union Irrigation Ditches;

That Ravalli County agrees to comply with all State laws and regulations and the requirements described in the TSEP Application Guidelines and those that will be described in the TSEP Project Administration Manual;

That Ravalli County commits to provide the amount of matching funds as proposed in the TSEP application; and

That **Greg Chilcott, Chairman, Board of Commissioners**, is authorized to submit this application to the Montana Department of Commerce, on behalf of **Ravalli County**, to act on its behalf and to provide such additional information as may be required.

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Attested: \_\_\_\_\_