

**EXHIBIT 2-K**  
**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI/RROF)**

July 9, 2012

County of Custer  
1010 Main St.  
Miles City, Montana 59301  
406-874-3350

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

On or before July 17, 2012, the above-named County will request the Montana Department of Commerce to release funds under Title I of the Housing and Community Development Act of 1974, as amended, (PL93-383) for the following project:

PROJECT, TITLE OR NAME: Custer County RID#1 Sewer Repair/Replacement  
PURPOSE OR NATURE OF PROJECT: Replace/repair sewer in the RID#1 as identified by a map located in the office of the Custer County Commissioners at 1010 Main St., Miles City, MT 59301  
LOCATION (CITY, COUNTY, STATE): Miles City, Custer County, Montana  
ESTIMATED COST OF PROJECT: \$1,990,000

An Environmental Review Record documenting review of all project activities in respect to impacts on the environment has been made by the above-named County. This Environmental Review Record is on file at the above address and is available for public examination or copying, upon request.

The County of Custer will undertake the project described above with Community Development Block Grant funds provided by the Montana Department of Commerce, under Title I of the Housing and Community Development Act of 1974, as amended. The County of Custer is certifying to the Department of Commerce that the County of Custer and Commissioner Chairman, Keith Holmlund, in his official capacity as Chairman of the County Commission, consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect on the certification is that upon its approval, the County may use the CDBG funds, and the Department of Commerce will have satisfied its responsibilities under the National Environmental Policy Act of 1969 as delegated to the State of Montana through the 1981 Amendments to the Housing and Community Development Act.

The Department of Commerce will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

(a) that the certification was not in fact executed by the chief executive officer or other officer approved by the Department of Commerce;

(b) that the applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process;

(c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by DOC; or

(d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental design.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and may be addressed to the CDBG Program, Department of Commerce, Community Development Division, P.O. Box 200523, 301 S. Park Avenue, Helena, Montana 59620.

Objections to the release of funds on bases other than those stated above will not be considered by the Department of Commerce. No objection received after August 4, 2012 will be considered by the Department of Commerce.



Keith Holmlund  
Custer County Courthouse  
Miles City, Montana 59301



**Custer County Commission**  
**County of Custer**

1010 Main • MILES CITY, MONTANA 59301

**EXHIBIT 2-J**  
**FINDING OF CATEGORICAL EXCLUSION**

7/3/2012

Andrew Chanania  
Montana Department of Commerce  
Community Development Division  
301 S. Park  
P.O. Box 200523  
Helena, MT 59620-0523

Dear Mr. Chanania:

It is the finding of the County of Custer, Montana, that the following activities approved for funding under the Montana CDBG program are defined as categorically excluded under 24 Part 58.35 of the Environmental Review Procedures for Title I Community Development Block Grant Programs, and that these activities are in compliance with the environmental requirements of related federal authorities. The activities and the statutory authority for exclusion are listed below:

List applicable activities, descriptions, and authority.

1. *Replacement and/or repair of the sewer line in the Rural Improvement District #1 (RID#1).*
2. *Payment of assessments for LMI persons in the RID#1*
3. *Payment for cost of hookups to sewer line for LMI persons in RID#1.*

Compliance with the environmental requirements of other federal authorities is indicated on the attached Statutory Checklist.

Sincerely,

Keith Holmlund  
Chairman  
Custer County Commission

## EXHIBIT 2-C

### Statutory Checklist

Checklist of Applicable Statutes and Regulations

**Project Local Government and Contract Number:** Custer County - RID Sewer Project

**Are all activities of this project exempt from NEPA procedures?** Yes X No      
(If yes, this Statutory Checklist need not be filled out.)

**Are activities of this project categorically excluded from NEPA procedures?** Yes X No      
(If yes, this Statutory Checklist and all required actions must be completed.)

Precise citations for the applicable statutes and regulations in the 13 areas below are printed on pages 2-C.2 and following. See Pages 2-19 and following of Chapter 2 for additional explanation of the Statutory Checklist.

Area Of Statutory-Regulatory Compliance <i>Column Codes are explained on page 2-C-2.</i>	NA	CR	RR (* )	PR (* )	DOC/ APO	CMA R(* )	(*) = Attach evidence that required actions have been taken.
							Note Compliance Documentation
<b>1. Historic Properties</b>		x					Contacted SHPO-project cleared
<b>2. Floodplain Management</b>		x		x			See attached documentation
<b>3. Wetlands Protection</b>		x					
<b>4. Noise</b>		x					
<b>5. Air Quality</b>		x					
<b>6. Man-made Hazards</b>							
<b>Lead-based Paint</b>		x					
<b>Asbestos</b>		x					
<b>Thermal/Explosive Hazards</b>		x					
<b>Airport Clear Zones</b>		x					
<b>7. Water Quality</b>							
<b>Surface Water/Water Quality</b>		x					
<b>Groundwater &amp; Aquifers<sup>1</sup></b>		x					
<b>8. Solid Waste Disposal</b>		x					
<b>9. Farmlands Protection</b>		x					
<b>10. Wild &amp; Scenic Rivers</b>		x					
<b>11. Endangered Species, Fish &amp; Wildlife</b>		x					
<b>12. Environmental Justice (E.O. 12898)</b>		x					
<b>13. State or Local Statutes</b>		x					

<sup>1</sup>Including the Missoula Sole Source Aquifer; contact DOC for further information regarding Missoula area projects.

First-time Home Buyer Projects will need to complete the site specific environmental review checklist found on pages 6 and 7 of this Exhibit prior to providing funding to assist in each home purchase.

**Codes used in the columns in the Statutory Checklist on page 2-C-1:**

**NA:** Not applicable to this project.

**CR:** Consultation required.

**RR (\*):** Review required.

**PR:** Permits required.

**DOC/APO:** Determination of consistency. Approvals, permits obtained.

**CMAR (\*):** Conditions and/or mitigation actions required.

***(\*)Attach evidence that required actions have been taken.***

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**INDEX OF APPLICABLE FEDERAL STATUTES AND REGULATIONS INCLUDED IN THE  
HUD STATUTORY CHECKLIST AND COMPLIANCE CERTIFICATION**

**1. Historic Properties**

- a. National Historic Preservation Act of 1966 as amended (16 U.S.C. 470 et seq.) particularly sections 106 and 100 (216 U.S.C. 470 and 470h-2).
- b. Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921), 3 CFR 1971-1975 Comp.
- c. Federal historic preservation regulations:
  - (1) 36 CFR part 800 with respect to HUD programs other than Urban Development Action Grants (UDAG); and
  - (2) 36 CFR part 801 with respect to UDAG
- d. The Reservoir Salvage Act of 1960 as amended by the Archeological and Historic Preservation Act of 1974 (16 U.S.C. et seq.)

**2. Floodplain**

- a. Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951), 3 CFR, 1977 Comp, as interpreted in HUD regulations at (24 CFR Part 55.
- b. Executive Order 11990 Protection of Wetlands, May 24, 1977 (42 FR 26961), 3 CFR, 1977 Comp., and Applicable State Legislation or Regulations.

**3. Coastal Zone Management**

The Coastal Zone Management Act of 1972

**4. Noise**

HUD Regulations 24 CFR Part 51, Subpart B, (7/12/79).

5. **Air Quality**

Clean Air Act of 1970 as Amended (42 U.S.C. 7401-7642), EPA Regulation 40 CFR Part 50, and Partially 40 CFR Part 51, 52, 61.

6. **Man-made Hazards**

- a. HUD Regulation 24 CFR Part 51, Subpart C, (2/10/84) Hazardous Facilities.
- b. Also 24 CFR Part 51, Subpart D, (1/6/84) Airport Runway Clear Zones.

7. **Water Quality**

- a. Federal Water Pollution Control Act, as Amended (33 U.S.C. 1251-1376).
- b. Safe Drinking Water Act of 1974 (42 U.S.C. 300f-300j-10), as Amended.
- c. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 100-149.
- d. Missoula, Montana Sole Source Aquifer, in accordance with Section 1424 (e) of the Safe Drinking Water Act, 42 U.S.C.A. Section 300h-3 (1982).

8. **Solid Waste Disposal**

- a. Solid Waste Disposal Act as Amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6987).
- b. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 240-265.

9. **Farmlands**

- a. Farmland Protection Policy Act of 1981 (U.S.C. 4201 et. seq).
- b. U.S. Department of Agriculture implementing regulations (7 CFR Part 658).

10. **Wild and Scenic Rivers Act of 1968**

16 U.S.C. 1271 et. seq., as amended: particularly sections 7(b) and 7(c), and 16 U.S.C. 1278 (b) and (c).

**Note:** In Montana, this act applies to the North Fork of the Flathead River from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir; and, the Missouri River consisting of the segment from Fort Benton, one hundred and forty-nine miles downstream to Fred Robinson Bridge.

**11. Endangered Species, Fish and Wildlife**

- a. Endangered Species Act of 1973 as Amended (**16 U.S.C. 1531-1543**).
- b. Fish and Wildlife Coordination Act (16 U.S.C. 661-666c).

**12. Environmental Justice**

Executive Order 12898 -- Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. P. 859. (24 CFR Part 58.5, April 30, 1996)

**13. Lead-based Paint**

HUD Lead-based Paint Standards (24 CFR Part 35) and Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act that appear within Title X of the Housing and Community Development Act of 1992.

**14. Asbestos**

OSHA's asbestos standard (29 CFR 1926.1101) and EPA asbestos sections of NESHAP (National Emission Standard for Hazardous Air Pollutants), administered by Montana Department of Environmental Quality's Asbestos Control Program

**CERTIFICATION**

I certify that the findings on the preceding Community Development Block Grant Statutory Checklist accurately reflect the status of compliance with applicable laws and regulations for the proposed CDBG project.

*Keith Holabird Co. Commission Chair*

\_\_\_\_\_  
Type Name and Title of  
Environmental Certifying Officer

*Keith Holabird*

\_\_\_\_\_  
Signature

*7-3-12*

\_\_\_\_\_  
Date

## **Statutory Environmental Checklist Exhibit 2-C**

### **Custer County RID Sewer Project March 2012**

The following are additional comments to supplement information contained in Exhibit 2-C of the CDBG Administration Manual in regards to the statutory environmental checklist for this project. Environmental information was also contained in the May 2010 Preliminary Engineering Report (PER) for this project. This summary was prepared by the Project Engineer, Dayton Alsaker, PE of DOWL HKM.

The following agencies or websites were contacted or used in regards to environmental information for this project. This work also included field reconnaissance on many of these topics by Dayton Alsaker, PE, the project engineer.

- Websites on HUD's Guide to Environmental Compliance
- Natural Resource Information System (NRIS)
- Montana Department of Environmental Quality
- Montana Department of Fish, Wildlife and Parks
- Montana Department of Natural Resources and Conservation
- US Fish and Wildlife Service
- US Army Corps of Engineers
- Montana Historical Society
- USDA NRCS office
- Miles City Utility Operations
- Miles City Community Services & Planning office
- Custer County Commissioners
- Custer County Planner & Floodplain Administrator
- Custer County Water and Sewer District
- City of Miles City

Also refer to the attachments to this document.

#### Area of Statutory Regulatory Compliance on Exhibit 2-C

1. Historic properties. SHPO was contacted and the project was cleared by them. This project involves the construction of an underground sewer system. No buildings will be impacted or altered.
2. Floodplain Management. This project is within the FEMA Floodplain but not within the Floodway. Resources used included: Bill Ellis, Custer County Floodplain Coordinator and Sam Johnson of the MT Dept of Natural Resources & Conservation, Floodplain Management Program. Bill Ellis issues permits for construction in the Floodplain, and the requirements have been discussed. Bill will provide a permit once the design is completed that addresses the

requirements. The sewage pumping stations will be protected from damage in a 100-year flood and remain operational in a 25-year flood.

3. Wetlands Protection. Resources consulted include National Wetlands Inventory maps on the Fish & Wildlife Service website, and wetlands maps on the Natural Resources System (NRIS) website. Also a field inventory was conducted. There are no wetlands within the project area.
4. Noise. As the project design engineer, this is underground sewer system that will not produce noise once the project is completed. The pumps used are below grade submersible pumps so they too will not result in objectionable noise. Noise will take place during the 3-month (approximate) construction time period from the construction equipment. The contractor will not be allowed to work after 7:00 p.m. or before 7:00 a.m. so this noise is not overly disruptive.
5. Air Quality. According to EPA, this is not in a non-attainment or maintenance area for air quality concerns. Once constructed, this underground sewer system will not impact air quality. During construction the Contract Documents will require the Contractor to control dust when he has road surfaces disturbed, or if dust is produced in any way from his construction operations. Dust control will be done with regular watering.
6. Man made Hazards.  
Lead Based Paint & Asbestos – As the Project Engineer, we will not include any lead based paint or asbestos in the materials included in the new sewer facilities, and we will not be disturbing any existing materials that may contain lead based paint or asbestos.

Thermal/Explosive Hazards – According to the NRIS web site, there are no hazards in this area that fit this category. Refer to the attachments.

Airport Clear Zones – This project is >12,000 feet from the local civil airport, therefore this project does not impact the airport clear zone. Refer to the attached map.

7. Water Quality  
Surface Water/Water Quality – Per a field inventory and the use of aerial mapping, there are no surface waters within or adjacent to the project area. The Contract Documents will require the Contractor to obtain any Discharge Permits that he may need for discharging construction water, from DEQ.

Groundwater & Aquifers – According the NRIS website, there are no sole source aquifers within Custer County. The maximum depth of constructions under this project is 20 feet, which is above the shallowest aquifer that is used for drinking water in this area. This sewer system is replacing an old existing system that is in poor condition and is leaking into the soils. Some of this

leakage could be reaching the shallowest groundwater. Therefore the local groundwater will benefit from this project.

8. Solid Waste Disposal. Being an underground sewer system, this project does not involve or affect solid waste management. The Contract Documents will require the Contractor to dispose of any solid waste he produces at a licensed landfill.
9. Farmlands Protection. According to NRCS the soil in this area are suitable for agriculture, but this area has been developed for many years and they state that "installing a sewer should not have a negative impact on those soils" and "these lands are considered to be already converted to non-agricultural uses."
10. Wild & Scenic Rivers. According to US Fish & Wildlife Service and the National Park Service web site, there are no wild & Scenic Rivers in or adjacent to the project area.
11. Endangered Species, Fish & Wildlife. According to US Fish & Wildlife Service, there are no endangered species or habitat for endangered species in or adjacent to the project area.
12. Environmental Justice. According to EPA's assessment tool there are no EJ issues with this project. This project actually enhances this neighborhood by constructing a new sewer system to replace the existing failing one.
13. State or Local Statutes. After contracting all the state and local agencies listed above, only one permit was identified as required. This was a permit (approval) from DEQ to construction the sewer improvements. Their review of the design will take place once the design drawings and specifications are completed. Their approval will be obtained prior to construction.



# MONTANA HISTORICAL SOCIETY

225 North Roberts \* P.O. Box 201201 \* Helena, MT 59620-1201  
\* (406) 444-2694 \* FAX (406) 444-2696 \* [www.montanahistoricalsociety.org](http://www.montanahistoricalsociety.org) \*

February 7, 2006

Jeff Maki  
HKM Engineering  
713 Pleasant  
PO Box 1518  
Miles City MT 59301

RE: EA FOR SEWER REPLACEMENT PROJECT, MILES CITY SHPO Project #:  
2006020714

Dear Mr. Maki:

I have conducted a cultural resource file search for the above-cited project located in Section 27, T8N R47E. According to our records there have been a few previously recorded sites within the designated search locales. In addition to the sites there have been a few previously conducted cultural resource inventories done in the areas. If you would like any further information regarding these sites or reports you may contact me at the number listed below.

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated. Thank you for consulting with us.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at [dmurdo@mt.gov](mailto:dmurdo@mt.gov).

Sincerely,

Damon Murdo  
Cultural Records Manager

File: MISC/CONSULTANTS/2006

STATE HISTORIC PRESERVATION OFFICE \* 1410 8<sup>th</sup> Ave \* P.O. Box 201202 \* Helena, MT 59620-1202  
\* (406) 444-7715 \* FAX (406) 444-6575



**DOWL HKM**

March 2, 2012

Bill Ellis  
Custer County  
1010 Main Street  
Miles City, MT 59301

Re: Proposed RID Sewer System

Dear Bill:

As we discussed recently, we are working on the design of a new sewer system to replace the existing sewer system in the area along North Sewell. This area is shown on the attached map. As you know, this is an existing residential neighborhood and it has an existing sewer system, so we are not installing a sewer system in a new area.

I understand this area is within the floodplain as it was redefined a couple years ago. I have reviewed Chapter 7 – Flood Proofing Requirements, and DEQ Circular #2 that states "Sewage pumping station structures and electrical and mechanical equipment must be protected from physical damage by the 100-year flood. Wastewater pumping stations should remain fully operational and accessible during the 25-year flood." I also discussed this project with Sam Johnson of DNRC. He said we would need to obtain a permit from you (if one is required) and DEQ approval of the project.

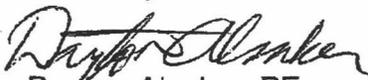
We are proposing a conventional gravity sewer collection system, however we need two lift stations where we cannot get gravity flow into the connecting sewers. The locations of these stations are shown with an X on the attached map. We will use submersible pumps that will not be damaged by flooding and install the electrical panels, controls and disconnects above the flood elevation.

In order to satisfy the environmental clearance requirements of a funding agency for this project, I would like a letter from you that states whether a Floodplain Permit is required for this project, and that if one is, that we should be able to obtain a permit to construct this system within the area shown.

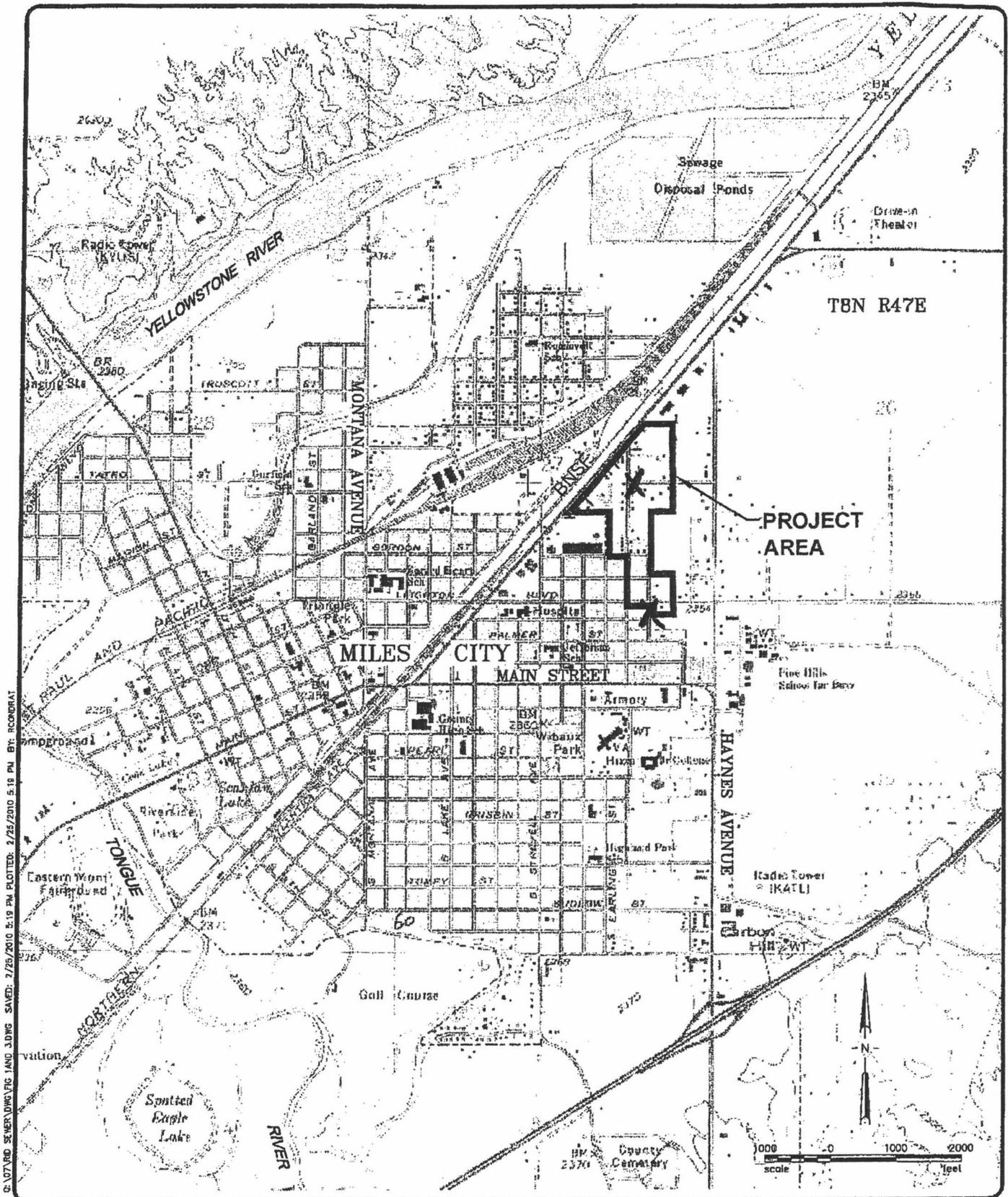
We are still working on the design and will provide you detailed design drawings and any application required, when the design is complete. We will also be submitting this design to DEQ for their review and approval.

Thank you. Contact me if you need any additional information at this time.

Sincerely,

  
Dayton Alsaker, PE  
Project Engineer

307-672-9006 ■ 307-672-5214 (fax) ■ 16 W. 8th Street ■ Sheridan, Wyoming 82801 ■ [www.dowlhkm.com](http://www.dowlhkm.com)



C:\07180 SEWER.DWG FIG 1 AND 3.DWG SAVED: 2/25/2010 5:19 PM PLOTTED: 2/25/2010 5:19 PM BY: RCONRAT

**PROPOSED RID SEWER SYSTEM  
 PROJECT AREA  
 CUSTER COUNTY, MONTANA**

**FIG 1**

**DOWL HKM**  
 07M385.105      FEB. 2010

CUSTER COUNTY PLANNING AND FLOOD PLAIN ADMINISTRATION

1010 MAIN STREET

MILES CITY, MONTANA 59301

BILL ELLIS 406-874-3424 office

406-874-3456 fax

406-853-3955 cell

DOWL HKM

March 5, 2010

Dayton Alsaker

16 w 8<sup>th</sup> Street

Sheridan WY 82801

Re: Proposed RID Sewer System

Dear Dayton:

Custer County will have to issue you a floodplain permit for the two lift stations that you are proposing to install in the RID sewer project.

The Flood Proofing Requirements for sewage pumping stations structures and, electrical and mechanical equipment must be protected from physical damage by the 100 year-flood as stated in Chapter 7 of the Custer County Floodplain Regulations and DEQ Circular #2.

I do not see any problems in issuing a floodplain permit as long as you follow all DEQ Circular # 2 Regulations and Custer County Floodplain Regulations.

Please fill out and return a Joint Application form 310 from DNRC, the fee of \$50.00 will be waived because it is a Custer County Sewer Project.

Thanks

Bill Ellis



Revised: 7/2/2008 (310 form 270)  
 Form may be downloaded from:  
[www.dnrc.mt.gov/permits/default.asp](http://www.dnrc.mt.gov/permits/default.asp)

**AGENCY USE ONLY:** Application # \_\_\_\_\_ Date Received \_\_\_\_\_  
 Date Accepted \_\_\_\_\_ / Initials \_\_\_\_\_ Date Forwarded to DFWP \_\_\_\_\_

## JOINT APPLICATION FOR PROPOSED WORK IN MONTANA'S STREAMS, WETLANDS, FLOODPLAINS, AND OTHER WATER BODIES

Use this form to apply for one or all local, state, or federal permits listed below. "Information for Applicant" includes agency contacts and instructions for completing this application. To avoid delays, submit all required information, including a project site map and drawings. Incomplete applications will result in the delay of the application process. Other laws may apply. It is the applicant's responsibility to obtain all permits and landowner permission, when applicable, before beginning work.

| ✓                        | <u>PERMIT</u>                                 | <u>AGENCY</u>                                                                        | <u>FEE</u>                                      |
|--------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> | 310 Permit                                    | Local Conservation District                                                          | No Fee                                          |
| <input type="checkbox"/> | SPA 124 Permit                                | Department of Fish, Wildlife and Parks                                               | No Fee                                          |
| <input type="checkbox"/> | Floodplain Permit                             | Local Floodplain Administrator                                                       | Varies by city/county<br>(\$25 - \$500+)        |
| <input type="checkbox"/> | Section 404 Permit, Section 10 Permit         | U. S. Army Corps of Engineers                                                        | Varies (\$0 - \$100)                            |
| <input type="checkbox"/> | 318 Authorization<br>401 Certification        | Department of Environmental Quality                                                  | \$150 (318);<br>\$300 - \$10,000 (401)          |
| <input type="checkbox"/> | Navigable Rivers Land Use License or Easement | Department of Natural Resources and<br>Conservation, Trust Lands Management Division | License \$25; Easement \$50,<br>plus annual fee |

### A. APPLICANT INFORMATION

NAME OF APPLICANT: \_\_\_\_\_

Has the landowner consented to this project?  Yes  No

Mailing Address: \_\_\_\_\_ Day Phone: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Evening phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ E-Mail: \_\_\_\_\_

NAME OF LANDOWNER (if different from applicant): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Day Phone: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ E-Mail: \_\_\_\_\_

NAME OF CONTRACTOR/AGENT (if one is used): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Day Phone: \_\_\_\_\_

Physical Address: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ E-Mail: \_\_\_\_\_

### B. PROJECT SITE INFORMATION

NAME OF STREAM or WATER BODY at project location: \_\_\_\_\_ Nearest Town \_\_\_\_\_

Address/Location: \_\_\_\_\_ Geocode (if available): \_\_\_\_\_

1/4 1/4 1/4, Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_ County \_\_\_\_\_

Longitude \_\_\_\_\_, Latitude \_\_\_\_\_

The state owns the beds of certain state navigable waterways. Is this a state navigable waterway? Yes or No.  
 If yes, send copy of this application to appropriate DNRC land office – see Information for Applicant.

**ATTACH A PROJECT SITE MAP OR A SKETCH** that includes: 1) the water body where the project will take place, roads, tributaries, landmarks; 2) a circled "X" representing the exact project location. **IF NOT CLEARLY STATED ON THE MAP OR SKETCH, PROVIDE WRITTEN DIRECTIONS TO THE SITE:**

*This space is for all Department of Transportation and SPA 124 permits (government projects).*

Project Name \_\_\_\_\_ Contract letting date \_\_\_\_\_  
 Control Number \_\_\_\_\_  
 MEPA/NEPA Compliance  Yes  No If yes, #13 of this application does not apply.

### C. PROJECT INFORMATION

1. **TYPE OF PROJECT** (check all that apply)

- |                                                           |                                                            |                                            |
|-----------------------------------------------------------|------------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Bridge/Culvert/Ford Construction | <input type="checkbox"/> Fish Habitat                      | <input type="checkbox"/> Mining            |
| <input type="checkbox"/> Bridge/Culvert/Ford Removal      | <input type="checkbox"/> Recreation (docks, marinas, etc.) | <input type="checkbox"/> Dredging          |
| <input type="checkbox"/> Road Construction/Maintenance    | <input type="checkbox"/> New Residential Structure         | <input type="checkbox"/> Core Drill        |
| <input type="checkbox"/> Bank Stabilization/Alteration    | <input type="checkbox"/> Manufactured Home                 | <input type="checkbox"/> Placement of Fill |
| <input type="checkbox"/> Flood Protection                 | <input type="checkbox"/> Improvement to Existing Structure | <input type="checkbox"/> Diversion Dam     |
| <input type="checkbox"/> Channel Alteration               | <input type="checkbox"/> Commercial Structure              | <input type="checkbox"/> Utilities         |
| <input type="checkbox"/> Irrigation Structure             | <input type="checkbox"/> Wetland Alteration                | <input type="checkbox"/> Pond              |
| <input type="checkbox"/> Water Well/Cistern               | <input type="checkbox"/> Temporary Construction Access     | <input type="checkbox"/> Debris Removal    |
| <input type="checkbox"/> Excavation/Pit                   | <input type="checkbox"/> Other _____                       |                                            |

2. **PLAN OR DRAWING** of the proposed project **MUST** be attached. This plan or drawing must include:

- a plan view (looking at the project from above)
- dimensions of the project (height, width, depth in feet)
- location of storage or stockpile materials
- drainage facilities
- an arrow indicating north
- a cross section or profile view
- an elevation view
- dimensions and location of fill or excavation sites
- location of existing or proposed structures, such as buildings, utilities, roads, or bridges

3. **IS THIS APPLICATION FOR** an annual maintenance permit?  Yes  No  
(If yes, an annual plan of operation must be attached to this application – see “Information for Applicant”)

4. **PROPOSED CONSTRUCTION DATE.** Include a project timeline. Start date  /  /   
Finish date  /  /  Is any portion of the work already completed?  Yes  No  
(If yes, describe the completed work.)

5. **WHAT IS THE PURPOSE** of the proposed project?

6. **WHAT IS THE CURRENT CONDITION** of the proposed project site? Include a description of the existing vegetation, bank condition, bank slope, and height. What other structures are nearby?

7. **PROVIDE A BRIEF DESCRIPTION** of the proposed project.

8. **PROJECT DIMENSIONS.** How many linear feet of bank will be impacted? How far will the proposed project encroach into and extend away from the water body?

9. **VEGETATION.** What type and how much vegetation will be removed or covered with fill material?

10. **MATERIALS.** Describe the materials to be used and how much.

Cubic yards/Linear feet

Size and Type

Source

| Cubic yards/Linear feet | Size and Type | Source |
|-------------------------|---------------|--------|
|                         |               |        |

11. **EQUIPMENT.** What equipment is proposed to be used for the work? Where and how will the equipment be used on the stream bank and/or the waterbody?

|  |
|--|
|  |
|--|

12. **CONSIDER THE IMPACTS OF THE PROPOSED PROJECT, EVEN IF TEMPORARY.** Describe planned efforts during and after construction to:

- Minimize erosion, sedimentation, or turbidity?  

|  |
|--|
|  |
|--|
- Minimize stream channel alterations?  

|  |
|--|
|  |
|--|
- Minimize effects to stream flow or water quality caused by materials used or removal of ground cover?  

|  |
|--|
|  |
|--|
- Minimize effects on fish and aquatic habitat?  

|  |
|--|
|  |
|--|
- Minimize risks of flooding or erosion problems upstream and downstream?  

|  |
|--|
|  |
|--|
- Revegetate/protect existing vegetation and control weeds?  

|  |
|--|
|  |
|--|

13. **WHAT ARE THE NATURAL RESOURCE BENEFITS** of the proposed project?

|  |
|--|
|  |
|--|

14. **LIST ALTERNATIVES** to the proposed project. Why was the proposed alternative selected?

|  |
|--|
|  |
|--|

**D. ADDITIONAL INFORMATION FOR SECTION 404, SECTION 10, AND FLOODPLAIN**

**PERMITS.** If applying for a Section 404 or Section 10 permit, fill out questions 1-3. If applying for a floodplain permit, fill out questions 3-6. (Additional information is required for floodplain permits – See "Information for Applicant.")

1. Will the project involve placement of fill material in a wetland? If yes, describe. How much wetland area will be filled? Calculate the area impacted by fill activity or other disturbance. Note: A delineation of the wetland may be required.

|  |
|--|
|  |
|--|

2. If there is a plan for compensatory mitigation, describe the location, type, and amount of proposed mitigation. Attach additional sheet if necessary.

[Empty box for compensatory mitigation details]

3. List the names and address of landowners adjacent to the project site. This includes properties adjacent to and across from the project site. (Some floodplain communities require certified adjoining landowner lists).

[Empty box for landowner names and addresses]

4. List all applicable local, state, and federal permits and indicate whether they were issued, waived, denied, or pending. Note: All required local, state, and federal permits, or proof of a waiver, must be issued prior to the issuance of a floodplain permit.

[Empty box for applicable permits]

5. Floodplain Map Number

6. Does this project comply with local planning or zoning regulations?  Yes  No

**E. SIGNATURES/AUTHORIZATIONS**

Each agency must have original signatures signed in blue ink.

After completing the form, make the required number of copies and then sign each copy. Send the copies with original signatures and additional information required directly to each applicable agency.

The statements contained in this application are true and correct. I possess the authority to undertake the work described herein or I am acting as the duly authorized agent of the landowner. I authorize inspection of the project site after notice by inspection authorities.

APPLICANT:  
Print Name: \_\_\_\_\_

LANDOWNER:  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant                      Date

\_\_\_\_\_  
Signature of Landowner                      Date

\*CONTRACTOR/AGENT:  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Signature of Contractor/Agent              Date

\*Contact agency to determine if contractor signature is required.



# National Wetlands Inventory

Branch of Resource and Mapping Support

## Geospatial Wetlands Data

- [Fact Sheets](#)
- [Wetlands Mapper](#)
- [Download Digital Data](#)
- [Web Map Services \(WMS\)](#)
- [View Wetlands w/Google Earth](#)
- [Product Summary and Metadata](#)
- [Wetland Codes](#)
- [Hard-copy maps](#)
- [Data Standards](#)



[Learn More ...](#)

NSDI Wetlands Layer  
 Status and Trends  
 Other Wetland Topics  
 Contacts & Other Info.

## Wetlands Mapper

The Wetlands Mapper integrates digital map data with other resource information to produce timely and relevant management and decision support tools. We recommend looking at the following prior to launching a map:

### Step 1:

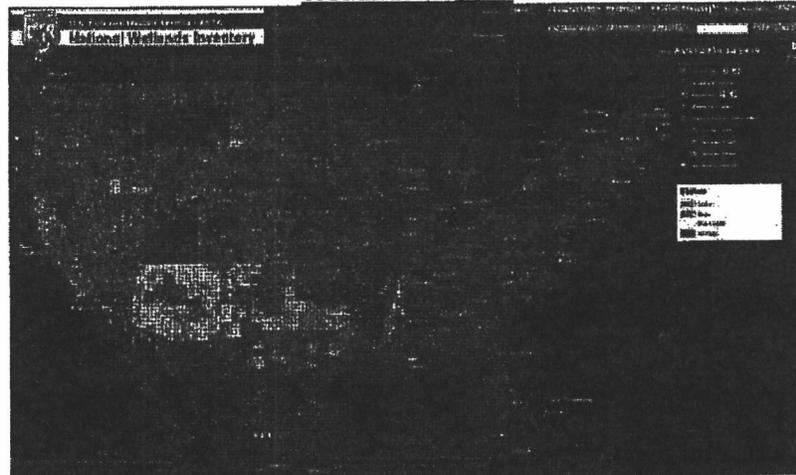
Please read the [Disclaimer](#), [Data Limitations and Uses](#), and the [Wetlands Geodatabase User Caution](#).

### Step 2:

Refer to the following links for documentation and answers to frequently asked questions:

- [Wetlands Mapper Documentation and Instructions Manual \(860KB PDF\)](#)
- [Frequently Asked Questions: Wetlands Mapper \(PDF\)](#)
- [Frequently Asked Questions web page](#)

[Click here to open the Wetlands Mapper](#)



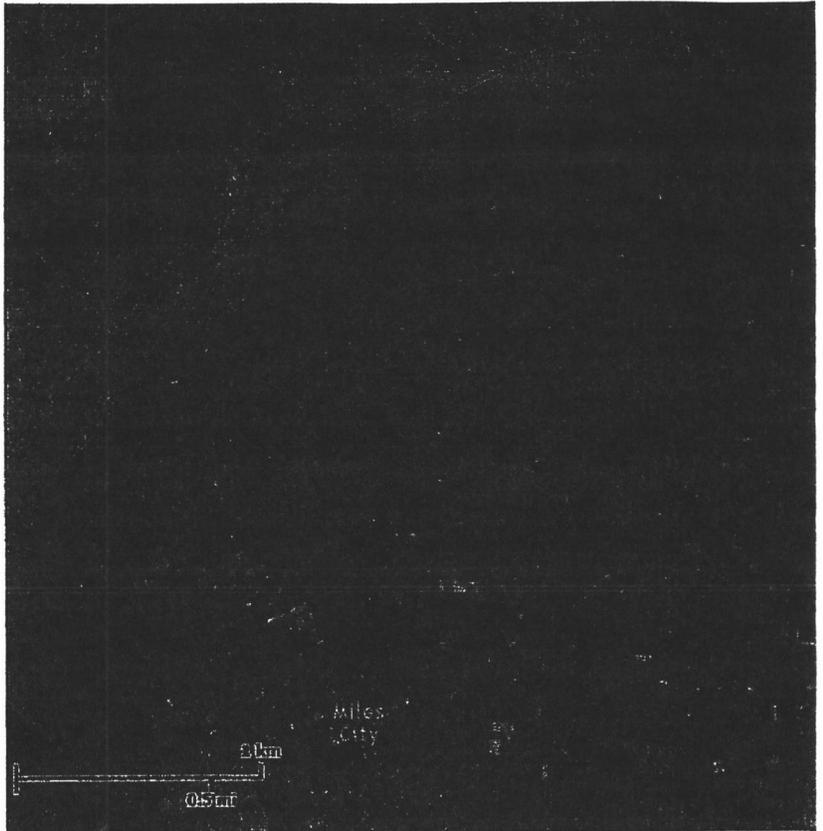
### Please note:

- When in the wetlands mapper, you can change regions/themes by using the "Zoom to: select" pull down menu located at the upper right side corner.
- Adobe Flash™ is required to access the Wetlands Mapper. Please visit the Adobe Flash Player website



U.S. Fish and Wildlife Service

# National Wetlands Inventory



This map  
responsibly  
wetlands  
the Wetland

**User Remarks:**



**Montana Natural Resource Information System**  
**Digital Atlas of Montana**

[Instructions](#) | [Feedback](#)

- [About this Application](#)
- [Guided Tour](#)
- [Suggest New Map Ideas Here](#)



[Click here for other interactive mapping and data query applications](#)



The Institute of Museum and Library Services, a Federal agency that fosters innovation, leadership and a lifetime of learning, supports the Natural Resource Information System.

**STEP 1: Choose one of the following search options:**

- [County](#)
- [Highways](#)
- [Indian Reservation](#)
- [Legislative Districts](#)
- [National Forest or District](#)
- [Streams](#)
- [Lakes](#)
- [Towns](#)
- [Township and Range](#)
- [Geographic Names](#)
- [Geographic Coordinates](#)
- [Tax Parcel ID](#)
- [2000 Census Geography](#)
- [Watershed Boundaries](#)
  - [Subbasins \(USGS 4th Code\)](#)
  - [Watersheds \(NRCS 5th Code\)](#)
  - [Watershed Groups \(MT\)](#)
- [Build a Custom Study Area Query](#)
- [Use the Topofinder to define a study area, then use the "Click Here to view other map data for this area" link.](#)

[Online Services](#) [Montana State Library](#) [NRIS](#) [Privacy & Security](#) [Accessibility](#) [Contact Us](#)





## Montana Geographic Information Clearinghouse

Welcome to the most comprehensive collection of geospatial data for Montana. NRIS contributes data to national efforts such as GeoSpatial One Stop and the National Map. We actively support GIS coordination in our state and work hard to provide value-added products and services to a diverse community of users.

### Resource List

- [The Montana Place Names Companion](http://mtplacenames.org) (<http://mtplacenames.org>)
- [Montana GIS Portal](http://gisportal.mt.gov/) (<http://gisportal.mt.gov/>)
- [State of Montana GIS Coordination](http://giscoordination.mt.gov/) (<http://giscoordination.mt.gov/>)
- [Montana Land Information Advisory Council \(MLIAC\)](http://itsd.mt.gov/policy/councils/mliac/mliac.asp) (<http://itsd.mt.gov/policy/councils/mliac/mliac.asp>)
- [Montana Association of Geographic Information Professionals \(MAGIP\)](http://www.magip.org/) (<http://www.magip.org/>)
- [GeoSpatial One Stop](http://goss2.geodata.gov/wps/portal/goss) (<http://goss2.geodata.gov/wps/portal/goss>) ([GeoData.gov](http://GeoData.gov))
- [GIS Data Hotlist](#) ([other.asp](#))

### Downloadable GIS Data

- [Montana Framework \(MSDI\) Layers](#) ([/nsdi/](#))
- [Aerial Photographs](#) ([/nsdi/orthophotos](#))
- [Topographic Maps](#) ([/nsdi/drg.asp](#))
- [NRCS Soils Data](#) ([/nrsc/soils/index.asp](#))
- [NRCS REAP Data](#) ([/nrsc/reap/index.asp](#))
- [Digital Elevation Models](#) ([/nsdi/nris/el10/dems2.asp](#))
- [Cadastral data](#) ([/nsdi/cadastral/](#))
- [Land Ownership Maps](#) ([/gis/ownmaps.asp](#))
- [Satellite Imagery](#) ([http://montanaview.org/](#))

### GIS Data List ([/gis/gisdata/lib/gisDataList.aspx](#))

Our old list of data you may download from us. All this data and more is available through the [Montana GIS Portal](#) (<http://gisportal.mt.gov>)

### GIS Data Bundler ([/gis/bundler/](#))

Choose multiple layers and have them clipped to a geographic area or buffer.

### Web Services for GIS Applications

([http://nris.mt.gov/nsdi/orthophotos/raster\\_svc.asp](http://nris.mt.gov/nsdi/orthophotos/raster_svc.asp))



Request information or data from NRIS ([/reqaop/](#))

### [/gis/gisdata/lib/Montana Maps](#)

[/gis/gisdata/lib/mtmap](#)  
Downloadable statewide or regional map image:

### Applications

[Montana Digital](#)  
Make maps and individual data sets for

[Topofinder II](#) ([/topofinder2/d](#))  
Browse USGS topographic photos or zoom to any coordinate, or USGS m

[Topofinder I](#) (<http://maps2.nris.mt.name=LocMap&Cmd=?>)  
Browse USGS topographic photos or zoom to any coordinate, or USGS m

More interactive applications ([/interactive.asp](#))

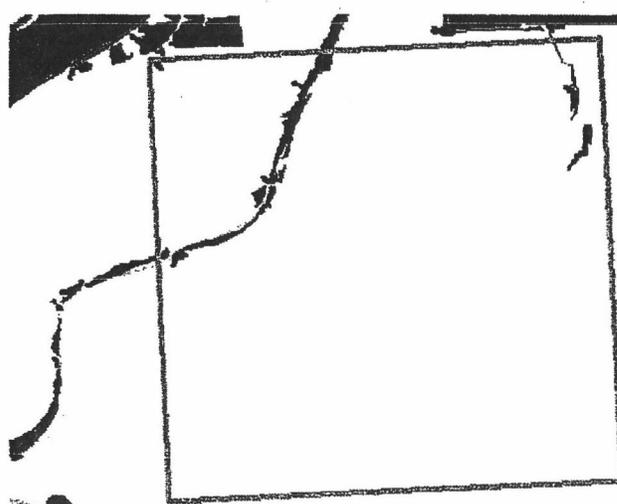


Find Facebook (<http://www.facebook.com/Montana-Natural-System-NRIS/>)

### NWI Wetland Data (Lines)

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan  Full Extent



This map is 1.66 miles wide.

Location Map



Data Reports

**NWI Line List**

Download Wetland Lines Shape File

Description

Click Here

| Identify                                           | Legend                                                                                | Metadata |
|----------------------------------------------------|---------------------------------------------------------------------------------------|----------|
| <input type="radio"/>                              | <b>Wetland Lines</b><br>Lacustrine<br>Riverine<br>Palustrine                          | Yes      |
| <input type="radio"/>                              | <b>Wetland Polygons</b><br>Lacustrine<br>Riverine<br>Palustrine<br>Riparian           | Yes      |
| <input type="radio"/>                              | Palustrine Wetlands                                                                   | Yes      |
| <input type="radio"/>                              | Hydrologic Unit                                                                       | Yes      |
| <input type="radio"/>                              | <b>Highways</b><br>Interstate Route<br>U.S. Route<br>Montana Route<br>Secondary Route | Yes      |
| <input type="radio"/>                              | <b>Town Population</b><br>0-100<br>101-1,000<br>1,001-5,000<br>Over 5,000             | Yes      |
| <input type="radio"/>                              | <b>Streams</b><br>Major river or stream<br>Other stream<br>Un-named stream            | Yes      |
| <input type="radio"/>                              | <b>Water Body</b><br>Lake/Pond<br>Swamp/Wetland<br>Glacier                            | Yes      |
| Select a Background Image:<br>None                 |                                                                                       |          |
| <a href="#">Click here for a printable version</a> |                                                                                       |          |
| <a href="#">HELP</a>                               |                                                                                       |          |

## Underground Tanks, Petroleum Releases, and Release Compensation Sites

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List    Zoom  IN  OUT    Zoom Factor 2    Pan     Full Extent

This map is 1.66 miles wide.

**Location Map**

**Data Reports**

|                                            |                            |
|--------------------------------------------|----------------------------|
| <b>Underground Storage Tank Facilities</b> | <a href="#">Click Here</a> |
| <b>Underground Tank Leaks</b>              | <a href="#">Click Here</a> |
| <b>Petroleum Compensation Sites</b>        | <a href="#">Click Here</a> |

[Download Underground Storage Tank Facilities Shape File](#)  
[Download Leaking Underground Tanks Shape File](#)  
[Download Petroleum Compensation Sites Shape File](#)

**Description**

[Click Here](#)

[Click Here](#)

[Click Here](#)

| Identify               | Legend                               | Metadata |
|------------------------|--------------------------------------|----------|
| <input type="radio"/>  | Underground Storage Tank             | Yes      |
| <input type="radio"/>  | Leaking Underground Tank             | Yes      |
| <input type="radio"/>  | Petroleum Release Compensation Sites | Yes      |
| <input type="radio"/>  | Owner Parcels                        | Yes      |
| <input type="radio"/>  | County                               | Yes      |
| <b>Highways</b>        |                                      |          |
| <input type="radio"/>  | Interstate Route                     | Yes      |
|                        | U.S. Route                           |          |
|                        | Montana Route                        |          |
|                        | Secondary Route                      |          |
| <b>Town Population</b> |                                      |          |
| <input type="radio"/>  | 0-100                                | Yes      |
|                        | 101-1,000                            |          |
|                        | 1,001-5,000                          |          |
|                        | Over 5,000                           |          |
| <b>Streams</b>         |                                      |          |
| <input type="radio"/>  | Major river or stream                | Yes      |
|                        | Other stream                         |          |
|                        | No-named stream                      |          |
| <b>Water Body</b>      |                                      |          |
| <input type="radio"/>  | Lake/Pond                            | Yes      |
|                        | Swamp/Marsh                          |          |
|                        | Glacier                              |          |

**Select a Background Image:**

None

[Click here for a printable version](#)

HELP

**MILES CITY ECONOMIC DEVELOPMENT COUNCIL**

1010 Main Street, Miles City, MT 59301  
Phone: 406-234-2705 Fax No: 406-234-5705

**FAX COPY**

**TO:** Andrew Chanania

**FAX NO:** <sup>SH</sup> 406-874-2771

**FROM:** Keith Homlund and Julie Korkow

**DATE:** 7/3/2012

**REGARDING:** \_\_\_\_\_

Fax of : Finding of Categorical Exclusion for CDBG Grant for  
Custer County RID1 Sewer Line Project. (2ND PART)

This document is being faxed on behalf of the Custer County Commissioners.

The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited.

## Mining Districts and Abandoned Mine Data

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2
Pan  Full Extent



This map is 1.66 miles wide.

**Location Map**



| Data Reports                           | Description                |
|----------------------------------------|----------------------------|
| <b>DEQ Abandoned Mines Inventory</b>   | <a href="#">Click Here</a> |
| <b>Priority Abandoned Mines Report</b> | <a href="#">Click Here</a> |
| <b>Mining Districts Report</b>         | <a href="#">Click Here</a> |

[Download Abandoned Mine Inventory Shape File](#)

[Download Priority Abandoned Mines Shape File](#)

[Download Priority Abandoned Mine Points Shape File](#)

[Download Mine Sediment Samples Shape File](#)

[Download Mine Water Samples Shape File](#)

[Download Mining Districts Shape File](#)

[Download Mine Site streams Shape File](#)

| Identify                                                                                                                                                          | Legend                                                                                      | Metadata |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------|
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> Abandoned Mine Site                                     | Yes      |
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> Priority Abandoned Mines                                | Yes      |
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> Priority Abandoned Mines (Points for better visibility) | Yes      |
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> Mine Sediment Samples                                   | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Owner Parcels                                                      | Yes      |
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> Mine Water Sample                                       | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Mining Districts                                                   | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Mine Hydras                                                        | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> County                                                             | Yes      |
| <b>Highways:</b>                                                                                                                                                  |                                                                                             |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Interstate Route                                                   |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> U.S. Route                                                         | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Montana Route                                                      |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Secondary Route                                                    |          |
| <b>Town Population</b>                                                                                                                                            |                                                                                             |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> 0-100                                                              |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> 101-1,000                                                          |          |
| <input type="radio"/>                                                                                                                                             | <input checked="" type="checkbox"/> 1,001-5,000                                             | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Over 5,000                                                         |          |
| <b>Streams</b>                                                                                                                                                    |                                                                                             |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Major river or stream                                              | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Other stream                                                       |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Un-named stream                                                    |          |
| <b>Water Body</b>                                                                                                                                                 |                                                                                             |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Lake/Pond                                                          | Yes      |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Swamp/Marsh                                                        |          |
| <input type="radio"/>                                                                                                                                             | <input type="checkbox"/> Glacier                                                            |          |
| <p>Select a Background Image:</p> <p>None</p> <p><a href="#">Click here for a printable version</a></p> <p style="text-align: center; margin-top: 10px;">HELP</p> |                                                                                             |          |

<http://maps2.nris.mt.gov/mapper/MapWindow.asp?Profile=2031448&Cmd=Build+Reports>

3/1/2012

### Remediation Response Sites

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan  Full Extent

This map is 1.66 miles wide.

Location Map

Data Reports

**Remediation Response Sites**

[Click Here](#)

Download Remediation Response Sites Shape File

Description

[Click Here](#)

| Identify                                           | Legend                                          | Metadata |
|----------------------------------------------------|-------------------------------------------------|----------|
| <b>Remediation Response Sites</b>                  |                                                 |          |
| <input type="radio"/>                              | State Superfund Program                         |          |
| <input type="radio"/>                              | Federal Superfund Program                       |          |
| <input type="radio"/>                              | Water Quality Act                               |          |
| <input type="radio"/>                              | Agricultural Chemical Cross-media Pollution Act |          |
| <input type="radio"/>                              | Voluntary Cleanup and Redevelopment             |          |
| <input type="radio"/>                              | Hazardous Waste Act                             | Yes      |
| <input type="radio"/>                              | Abandoned Mines Act                             |          |
| <input type="radio"/>                              | Metal Mine Reclamation Act                      |          |
| <input type="radio"/>                              | Solid Waste Management Act                      |          |
| <input type="radio"/>                              | Underground Storage Tank Act                    |          |
| <input type="radio"/>                              | Brownfields                                     |          |
| <input type="radio"/>                              | Enforcement Site                                |          |
| <br>                                               |                                                 |          |
| <input type="radio"/>                              | Owner Parcels                                   | Yes      |
| <input type="radio"/>                              | County                                          | Yes      |
| <br>                                               |                                                 |          |
| <b>Highways</b>                                    |                                                 |          |
| <input type="radio"/>                              | Interstate Route                                |          |
| <input type="radio"/>                              | U.S. Route                                      | Yes      |
| <input type="radio"/>                              | Montana Route                                   |          |
| <input type="radio"/>                              | Secondary Route                                 |          |
| <br>                                               |                                                 |          |
| <b>Town Population</b>                             |                                                 |          |
| <input type="radio"/>                              | 0-100                                           |          |
| <input type="radio"/>                              | 101-1,000                                       |          |
| <input type="radio"/>                              | 1,001-5,000                                     | Yes      |
| <input type="radio"/>                              | Over 5,000                                      |          |
| <br>                                               |                                                 |          |
| <b>Streams</b>                                     |                                                 |          |
| <input type="radio"/>                              | Major river or stream                           | Yes      |
| <input type="radio"/>                              | Other stream                                    |          |
| <input type="radio"/>                              | Un-named stream                                 |          |
| <br>                                               |                                                 |          |
| <b>Water Body</b>                                  |                                                 |          |
| <input type="radio"/>                              | Lake/Pond                                       | Yes      |
| <input type="radio"/>                              | Swamp/Marsh                                     |          |
| <input type="radio"/>                              | Glacier                                         |          |
| <br>                                               |                                                 |          |
| Select a Background Image:                         |                                                 |          |
| None                                               |                                                 |          |
| <a href="#">Click here for a printable version</a> |                                                 |          |
| HELP                                               |                                                 |          |

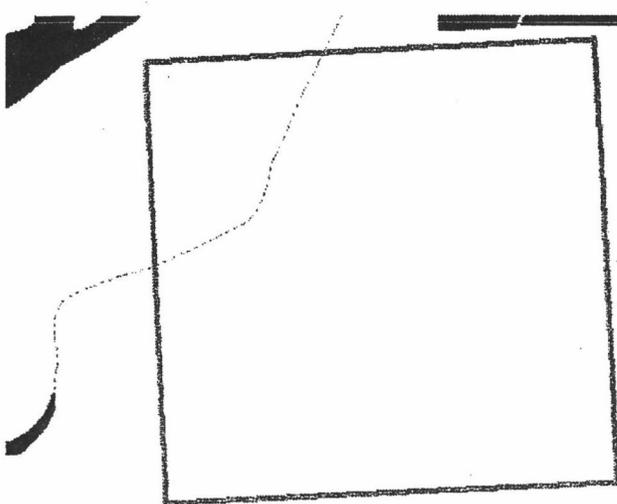
http://maps2.nris.mt.gov/mapper/MapWindow.asp?Profile=2031449&Cmd=Build+Reports

3/1/2012

### Wastewater Discharge Locations

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan  Full Extent



This map is 1.88 miles wide.

**Location Map**



**Data Reports**

**Wastewater Summary**

[Download Point Source Dischargers Shape File](#)

**Description**

[Click Here](#)

| Identify              | Legend                                                                                       | Metadata |
|-----------------------|----------------------------------------------------------------------------------------------|----------|
| <input type="radio"/> | <b>Point Source Discharge</b><br>Industrial<br>Wastewater Treatment<br>Fondlot<br>Stormwater | Yes      |
| <input type="radio"/> | County                                                                                       | Yes      |
| <input type="radio"/> | <b>Highways</b><br>Interstate Route<br>U.S. Route<br>Montana Route<br>Secondary Route        | Yes      |
| <input type="radio"/> | <b>Town Population</b><br>0-100<br>101-1,000<br>1,001-5,000<br>Over 5,000                    | Yes      |
| <input type="radio"/> | <b>Water Body</b><br>Lake/Pond<br>Swamp/Marsh<br>Glacier                                     | Yes      |
| <input type="radio"/> | <b>Streams</b><br>Major river or stream<br>Other stream<br>Un-named stream                   | Yes      |

Select a Background Image:  
None

[Click here for a printable version](#)

HELP

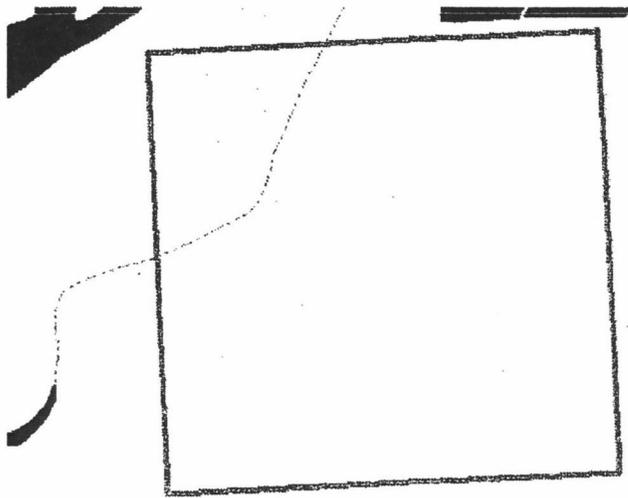
<http://maps2.nris.mt.gov/mapper/MapWindow.asp?Profile=2031450&Cmd=Build+Reports>

3/1/2012

### Abandoned and Inactive Mines (MBMG)

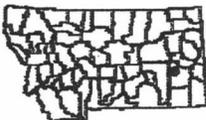
Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2
Pan  Full Extent



This map is 1.66 miles wide.

**Location Map**



**Data Reports**

[Bureau of Mines & Geology Mine Data Mining Districts Report](#)

[Download Abandoned/Inactive Mines Shape File](#)

[Download Mining Districts Shape File](#)

| Identify                        | Legend                | Metadata |
|---------------------------------|-----------------------|----------|
| <b>Abandoned/Inactive Mines</b> |                       |          |
| <input type="radio"/>           | Developed Deposit     |          |
| <input type="radio"/>           | Producer              |          |
| <input type="radio"/>           | Temporary Shutdown    | Yes      |
| <input type="radio"/>           | Part Producer         |          |
| <input type="radio"/>           | Exp Prospect          |          |
| <input type="radio"/>           | Low Prospect          |          |
| <input type="radio"/>           | Other                 |          |
| <input type="radio"/>           | Unknown               |          |
| <b>Mining Districts</b>         |                       |          |
| <input type="radio"/>           | Mining Districts      | Yes      |
| <b>County</b>                   |                       |          |
| <input type="radio"/>           | County                | Yes      |
| <b>Highways</b>                 |                       |          |
| <input type="radio"/>           | Interstate Route      |          |
| <input type="radio"/>           | U.S. Route            | Yes      |
| <input type="radio"/>           | Montana Route         |          |
| <input type="radio"/>           | Secondary Route       |          |
| <b>Town Population</b>          |                       |          |
| <input type="radio"/>           | 0-100                 |          |
| <input type="radio"/>           | 101-1,000             | Yes      |
| <input type="radio"/>           | 1,001-5,000           |          |
| <input type="radio"/>           | Over 5,000            |          |
| <b>Streams</b>                  |                       |          |
| <input type="radio"/>           | Major river or stream | Yes      |
| <input type="radio"/>           | Other stream          |          |
| <input type="radio"/>           | Un-named stream       |          |
| <b>Water Body</b>               |                       |          |
| <input type="radio"/>           | Lake/Pond             | Yes      |
| <input type="radio"/>           | Swamp/Marsh           |          |
| <input type="radio"/>           | Glacier               |          |

**Select a Background Image:**

None

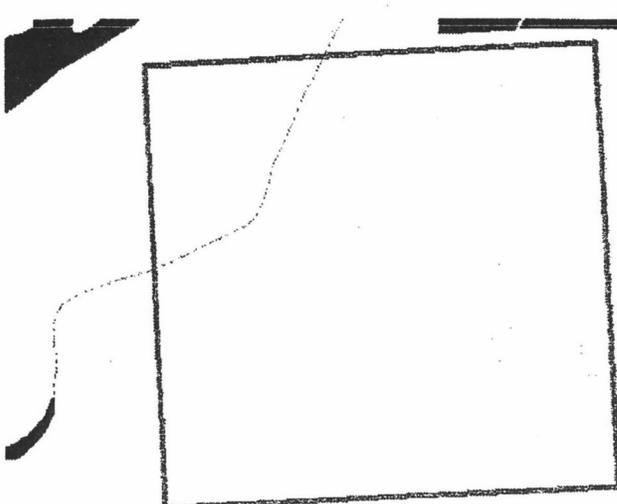
[Click here for a printable version](#)

HELP

## Abandoned and Inactive Mines

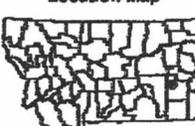
Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan  Full Extent



This map is 1.66 miles wide.

**Location Map**



| Data Reports                                            | Description                |
|---------------------------------------------------------|----------------------------|
| <a href="#">DEQ Abandoned Mines inventory</a>           | <a href="#">Click Here</a> |
| <a href="#">Bureau of Mines &amp; Geology Mine Data</a> | <a href="#">Click Here</a> |
| <a href="#">Mining Districts Report</a>                 | <a href="#">Click Here</a> |

[Download Abandoned Mine Inventory Shape File](#)  
[Download Priority Abandoned Mine Points Shape File](#)  
[Download Abandoned/Inactive Mines Shape File](#)  
[Download Mining Districts Shape File](#)

| Identify               | Legend                                                                                   | Metadata |
|------------------------|------------------------------------------------------------------------------------------|----------|
| <input type="radio"/>  | <input checked="" type="radio"/> Abandoned Mine Site                                     | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> Priority Abandoned Mines (Points for better visibility) | Yes      |
| <b>MEMO Mines Data</b> |                                                                                          |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Developed Deposit                                       | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> Producer                                                |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Temporary Shutdown                                      |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Past Producer                                           |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Exp Prospect                                            |          |
| <input type="radio"/>  | <input checked="" type="radio"/> New Prospect                                            |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Other                                                   |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Unknown                                                 |          |
| <input type="radio"/>  | <input type="checkbox"/> Mining Districts                                                | Yes      |
| <input type="radio"/>  | <input type="checkbox"/> County                                                          | Yes      |
| <b>Highways</b>        |                                                                                          |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Interstate Route                                        | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> U.S. Route                                              |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Montana Route                                           |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Secondary Route                                         |          |
| <b>Town Population</b> |                                                                                          |          |
| <input type="radio"/>  | <input checked="" type="radio"/> 0-100                                                   | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> 101-1,000                                               |          |
| <input type="radio"/>  | <input checked="" type="radio"/> 1,001-5,000                                             |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Over 5,000                                              |          |
| <b>Streams</b>         |                                                                                          |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Major river or stream                                   | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> Other stream                                            |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Un-named stream                                         |          |
| <b>WaterBody</b>       |                                                                                          |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Lake/Pond                                               | Yes      |
| <input type="radio"/>  | <input checked="" type="radio"/> Swamp/Marsh                                             |          |
| <input type="radio"/>  | <input checked="" type="radio"/> Glacier                                                 |          |

Select a Background Image:  
None

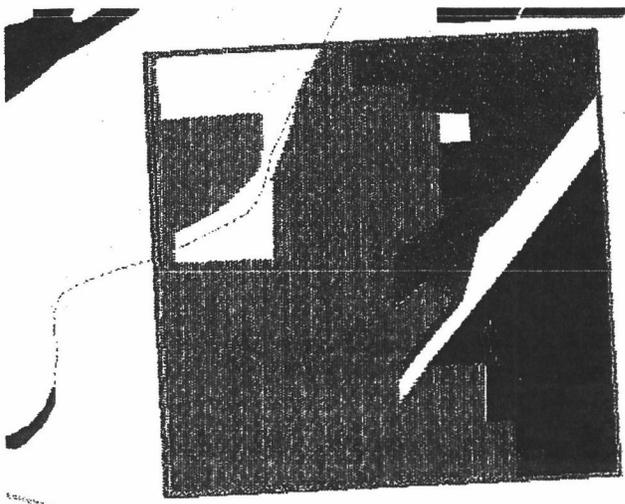
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HELP

## Septic Density 2000

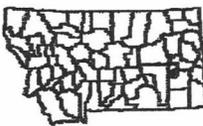
Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2
Pan  Full Extent



This map is 1.68 miles wide.

**Location Map**



**Data Reports**

[Septic Summary](#)

[Public Water Supply Summary Report](#)

[Download Septic Density 2000 Shape File](#)

[Download Public Water Supplies Shape File](#)

**Description**

[Click Here](#)

[Click Here](#)

| Identify              | Legend                                                                                                                                                                                    | Metadata |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <input type="radio"/> | <b>Septic Density</b><br><input type="checkbox"/> High<br><input type="checkbox"/> Medium<br><input type="checkbox"/> Low<br><input type="checkbox"/> City Sewer                          | No       |
| <input type="radio"/> | <input type="checkbox"/> Public Water Supply                                                                                                                                              | Yes      |
| <input type="radio"/> | <input type="checkbox"/> Hydrologic Unit                                                                                                                                                  | Yes      |
| <input type="radio"/> | <b>Highways</b><br><input type="checkbox"/> Interstate Route<br><input type="checkbox"/> U.S. Route<br><input type="checkbox"/> Montana Route<br><input type="checkbox"/> Secondary Route | Yes      |
| <input type="radio"/> | <b>Town Population</b><br><input type="checkbox"/> 0-100<br><input type="checkbox"/> 101-1,000<br><input type="checkbox"/> 1,001-5,000<br><input type="checkbox"/> Over 5,000             | Yes      |
| <input type="radio"/> | <b>Water Body</b><br><input type="checkbox"/> Lake/Pond<br><input type="checkbox"/> Swamp/Marsh<br><input type="checkbox"/> Glacier                                                       | Yes      |
| <input type="radio"/> | <b>Streams</b><br><input type="checkbox"/> Major river or stream<br><input type="checkbox"/> Other stream<br><input type="checkbox"/> Un-named stream                                     | Yes      |

**Select a Background Image:**

None

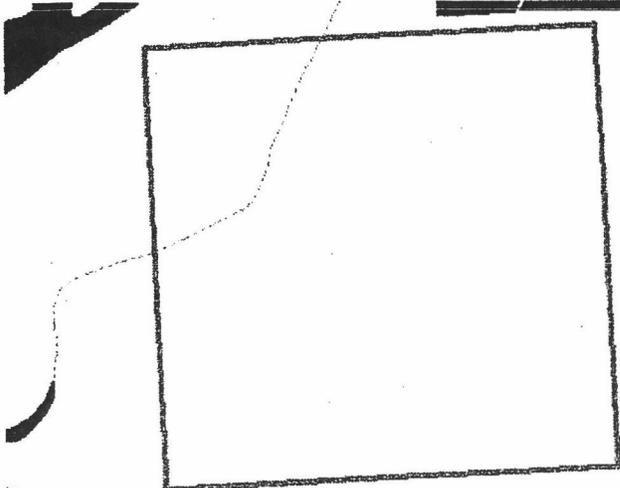
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HELP

### Crude Oil Pipelines

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan  Full Extent



This map is 1.66 miles wide.

**Identify**

- Crude Oil Pipeline Yes
- Hydrologic Unit Yes
- Highways**
- Interstate Route Yes
- U.S. Route
- Mountain Route
- Secondary Route
- Town Population**
- 0-200 Yes
- 101-1,000
- 1,001-5,000
- Over 5,000
- Streams**
- Major river or stream Yes
- Other stream
- Un-named stream
- Water Body**
- Lake/Pond Yes
- Swamp/Marsh
- Glacier

Select a Background Image:

None

[Click here for a printable version](#)

HELP

**Location Map**



**Data Reports**

**Pipeline Summary**

[Download Crude Oil Pipelines Shape File](#)

**Description**

[Click Here](#)

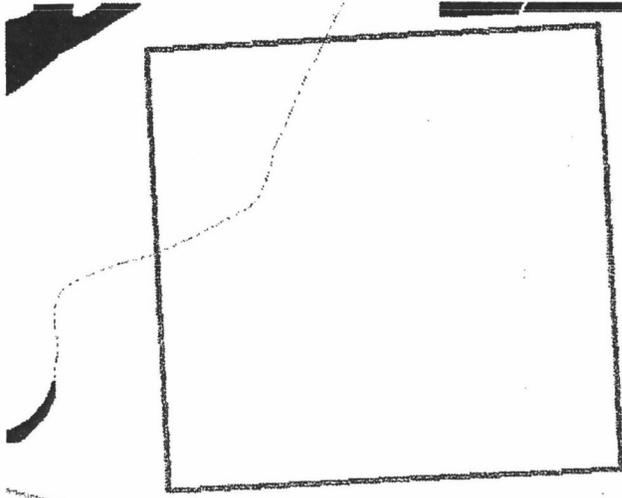
<http://maps2.nris.mt.gov/mapper/MapWindow.asp?Profile=2031454&Cmd=Build+Reports>

3/1/2012

### EPA Toxic Release Inventory Sites

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom IN OUT Zoom Factor 2 - Pan 
Full Extent



This map is 1.68 miles wide.

**Location Map**



**Data Reports**

**EPA Toxic Release List**

[Download EPA Toxic Release Inventory Shape File](#)

**Description**

[Click Here](#)

| Identify                 | Legend                | Metadata |
|--------------------------|-----------------------|----------|
| <input type="checkbox"/> | Toxic Release Site    | No       |
| <input type="checkbox"/> | Hydrologic Unit       | Yes      |
| <b>Highways</b>          |                       |          |
| <input type="checkbox"/> | Interstate Route      | Yes      |
| <input type="checkbox"/> | U.S. Route            |          |
| <input type="checkbox"/> | Montana Route         |          |
| <input type="checkbox"/> | Secondary Route       |          |
| <b>Town Population</b>   |                       |          |
| <input type="checkbox"/> | 0-100                 | Yes      |
| <input type="checkbox"/> | 101-1,000             |          |
| <input type="checkbox"/> | 1,001-5,000           |          |
| <input type="checkbox"/> | Over 5,000            |          |
| <b>Streams</b>           |                       |          |
| <input type="checkbox"/> | Major river or stream | Yes      |
| <input type="checkbox"/> | Other stream          |          |
| <input type="checkbox"/> | Un-named stream       |          |
| <b>Water Body</b>        |                       |          |
| <input type="checkbox"/> | Lake/Pond             | Yes      |
| <input type="checkbox"/> | Swamp/Marsh           |          |
| <input type="checkbox"/> | Glacier               |          |

**Select a Background Image:**

None

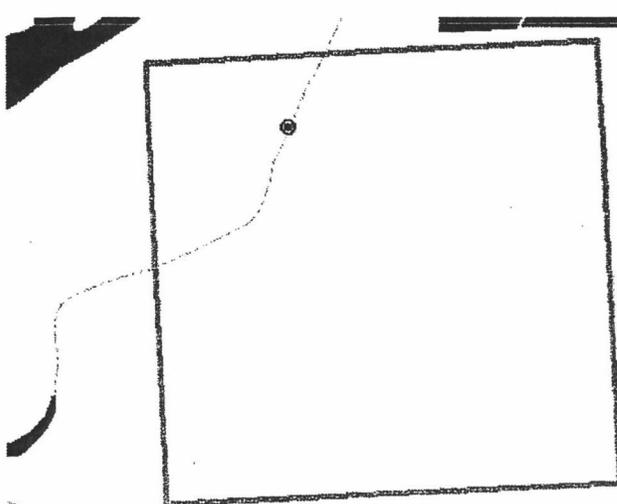
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HELP

### RWRP Sites

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2
Pan
Full Extent



This map is 1.88 miles wide.

**Location Map**



**Data Reports**

[RWRP Sites](#)

[DEQ Priority Wetlands](#)

[Heritage Wetland Sites](#)

[Download RWRP Sites Shape File](#)

[Download DEQ Priority Wetlands Shape File](#)

[Download NHP Priority Wetlands Shape File](#)

**Description**

[Click Here](#)

[Click Here](#)

[Click Here](#)

| Identify              | Legend                                                                                | Metadata |
|-----------------------|---------------------------------------------------------------------------------------|----------|
| <input type="radio"/> | RWRP Sites                                                                            | No       |
| <input type="radio"/> | DEQ Priority Wetlands                                                                 | No       |
| <input type="radio"/> | Heritage Wetland Sites                                                                | No       |
| <input type="radio"/> | Hydrologic Unit                                                                       | Yes      |
| <input type="radio"/> | <b>Highways</b><br>Interstate Route<br>U.S. Route<br>Montana Route<br>Secondary Route | Yes      |
| <input type="radio"/> | <b>Town Population</b><br>0-100<br>101-1,000<br>1,001-5,000<br>Over 5,000             | Yes      |
| <input type="radio"/> | <b>Rivers</b><br>Major river or stream<br>Other stream<br>Un-named stream             | Yes      |
| <input type="radio"/> | <b>Water Body</b><br>Lake/Pond<br>Swamp/Marsh<br>Glacier                              | Yes      |

Select a Background Image:

[Click here for a printable version](#)

HELP

## Public Water Supply

Selection Info: Township 8N, Range 47E, Section 27

Back To Data List
Zoom  IN  OUT Zoom Factor 2 - Pan 
Full Extent

This map is 1.68 miles wide.

**Location Map**

**Data Reports**

**Public Water Supply Summary Report**

[Download Public Water Supplies Shape File](#)

**Description**

[Click Here](#)

| Identify              | Legend                                                                                | Metadata |
|-----------------------|---------------------------------------------------------------------------------------|----------|
| <input type="radio"/> | <b>Public Water Supply</b>                                                            | Yes      |
| <input type="radio"/> | <b>Highways</b><br>Interstate Route<br>U.S. Route<br>Montana Route<br>Secondary Route | Yes      |
| <input type="radio"/> | <b>Town Population</b><br>0-100<br>101-1,000<br>1,001-5,000<br>Over 5,000             | Yes      |
| <input type="radio"/> | <b>County</b>                                                                         | Yes      |
| <input type="radio"/> | <b>Hydrologic Unit</b>                                                                | Yes      |
| <input type="radio"/> | <b>Streams</b><br>Major river or stream<br>Other stream<br>Un-named stream            | Yes      |
| <input type="radio"/> | <b>Water Body</b><br>Lake/Pond<br>Swamp/Marsh<br>Sluicel                              | Yes      |

Select a Background Image:  
None

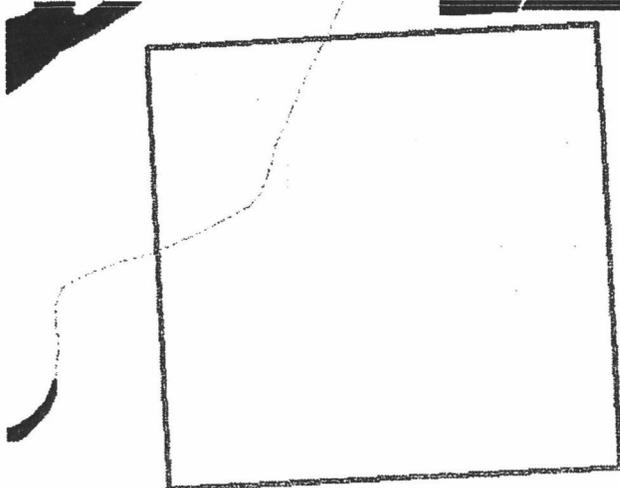
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HELP

### Major Streams

Selection Info: Township 8N, Range 47E, Section 27

[Back To Data List](#)   Zoom  IN  OUT   Zoom Factor: 2   Pan  [Full Extent](#)



This map is 1.68 miles wide.

**Location Map**  


**Data Reports**  
**Major Streams**  
[Download Major Streams Shape File](#)

**Description**  
[Click Here](#)

| Identify              | Legend                                                                                        | Metadata |
|-----------------------|-----------------------------------------------------------------------------------------------|----------|
| <input type="radio"/> | <b>Streams</b><br>— Major river or stream<br>— Other stream<br>— Un-named stream              | Yes      |
| <input type="radio"/> | <b>Town Population</b><br>● 0-100<br>● 101-1,000<br>● 1,001-5,000<br>● Over 5,000             | Yes      |
| <input type="radio"/> | <b>County</b><br>□                                                                            | Yes      |
| <input type="radio"/> | <b>Water Body</b><br>■ Lake/Pond<br>■ Swamp/Marsh<br>■ Glacier                                | Yes      |
| <input type="radio"/> | <b>Highways</b><br>— Interstate Route<br>— U.S. Route<br>— Montana Route<br>— Secondary Route | Yes      |

Select a Background Image:  
None

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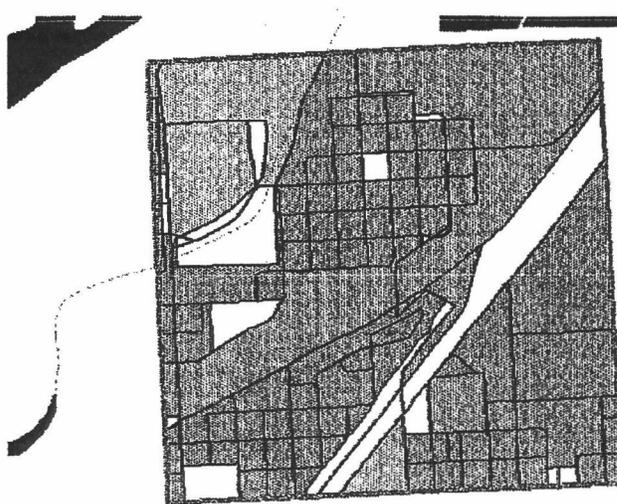
HELP

### 2010 Census Block Population Map

Selection Info: Township 8N, Range 47E, Section 27

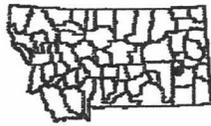
Back To Data List
Zoom  IN  OUT
Zoom Factor 2
Pan 
Full Extent

Identify
Legend
Metadata



This map is 1.66 miles wide.

**Location Map**



**Data Reports**

[Census 2010 Block Population Summary](#)

[Census 2010 Block Population Details](#)

[Download 2010 Census Blocks Shape File](#)

**Description**

[Click Here](#)

[Click Here](#)

| <b>Population/Square Mile</b>               |     |
|---------------------------------------------|-----|
| <input type="radio"/> Uninhabited           | Yes |
| <input type="radio"/> 0-2                   | Yes |
| <input type="radio"/> 2-20                  |     |
| <input type="radio"/> 20-100                |     |
| <input type="radio"/> 100-500               |     |
| <input type="radio"/> Over 500              |     |
| <b>Highways</b>                             |     |
| <input type="radio"/> Interstate Route      | Yes |
| <input type="radio"/> U.S. Route            |     |
| <input type="radio"/> Montana Route         |     |
| <input type="radio"/> Secondary Route       |     |
| <b>Town Population</b>                      |     |
| <input type="radio"/> 0-100                 | Yes |
| <input type="radio"/> 101-1,000             |     |
| <input type="radio"/> 1,001-5,000           |     |
| <input type="radio"/> Over 5,000            |     |
| <b>Streams</b>                              |     |
| <input type="radio"/> Major river or stream | Yes |
| <input type="radio"/> Other stream          |     |
| <input type="radio"/> Un-named stream       |     |
| <b>Water Body</b>                           |     |
| <input type="radio"/> Lake/Pond             | Yes |
| <input type="radio"/> Swamp/Marsh           |     |
| <input type="radio"/> Glacier               |     |

**Select a Background Image:**

None

[Click here for a printable version](#)

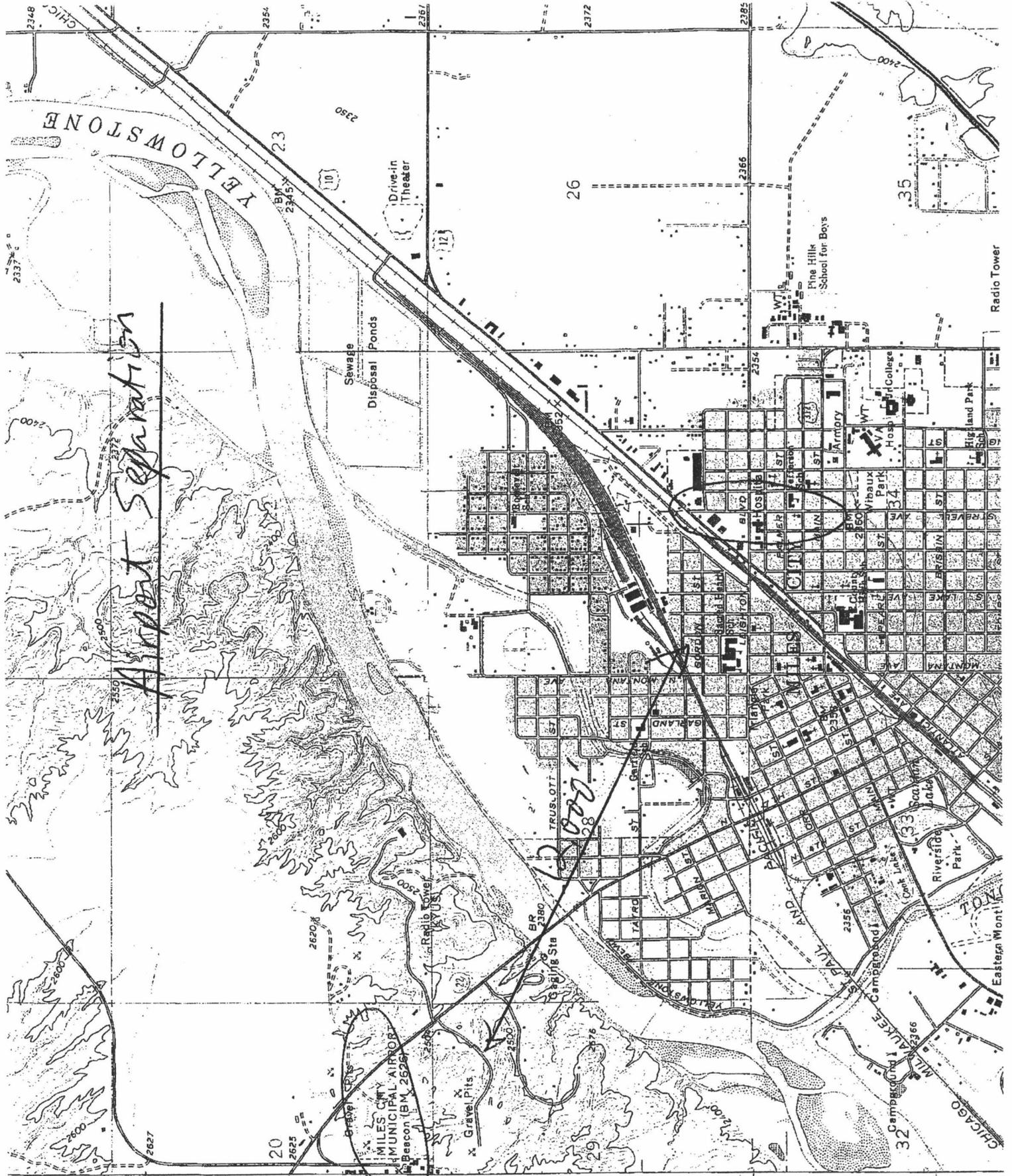
HELP

*Airport Separation*

*2000*

4876 IV NW  
(BIG HILL)  
ANGELA 28 MI.

MILES CITY  
MUNICIPAL AIRPORT  
Beacon (BM, 2628)



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YELLOWSTONE

Sewage Disposal Ponds

Drive-in Theater

Pine Hills School for Boys

Radio Tower

Gravel Pits

Riverside Park

Eastern Mont...

Chicago

Campbell

St. Paul



## Region 8 Region 8 Sole Source Aquifer (SSA) Program

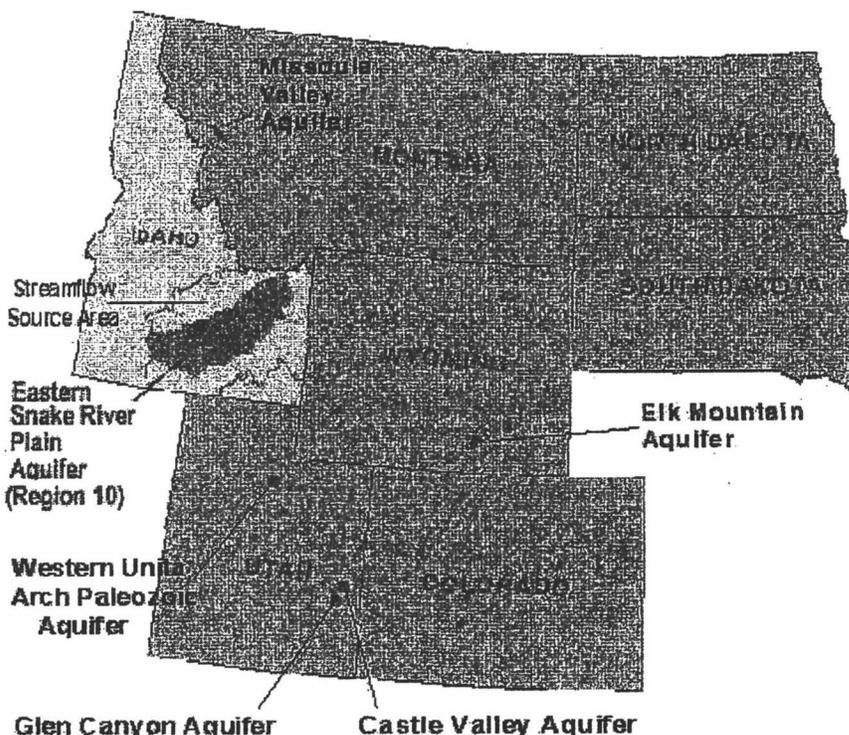
As of March 2009, EPA has designated 77 Sole Source Aquifers nationwide. Five of these are in Region 8 (which includes Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming).

### Pending Petitions

There are currently NO sole source aquifers designated in Colorado, North Dakota or South Dakota and no pending petitions in any of the six states.

### Sole Source Aquifer Program Resources

- [Overview of the SSA program](#)
- [Commonly Asked Questions and Answers](#)
- [Project Review - Areas of Concern](#)
- [Petitioners' Guidance](#)
- [Region 8 SSA contacts](#)
- [Region 8 SSA Maps](#)



| State | Sole Source Aquifer Name                                  | Federal Reg. Cit. | Publ. Date |
|-------|-----------------------------------------------------------|-------------------|------------|
| MT    | Missoula Valley Aquifer                                   | 53 FR 20895       | 06/07/1988 |
| UT    | Castle Valley Aquifer System                              | 66 FR 41027       | 08/06/2001 |
| UT    | Western Uinta Arch Paleozoic Aquifer System at Oakley, UT | 65 FR 232         | 12/01/2000 |
| UT    | Glen Canyon Aquifer System                                | 67 FR 736         | 01/07/2002 |
| WY*   | Eastern Snake River Plain Aquifer Stream Flow Source Area | 56 FR 50638       | 10/07/1991 |
| WY    | Elk Mountain Aquifer                                      | 63 FR 38167       | 07/15/1998 |

**MILES CITY ECONOMIC DEVELOPMENT COUNCIL**

1010 Main Street, Miles City, MT 59301  
Phone: 406-234-2705 Fax No: 406-234-5705

**FAX COPY**

**TO:** Andrew Chanania

**FAX NO:** <sup>84</sup>406-874-2771

**FROM:** Keith Homlund and Julie Korkow

**DATE:** 7/3/2012

**REGARDING:** \_\_\_\_\_

Fax of : Finding of Categorical Exclusion for CDBG Grant for  
Custer County RID1 Sewer Line Project. (3RD PART)

This document is being faxed on behalf of the Custer County Commissioners.

The information contained in this message is intended only for the personal and confidential use of the recipient(s) named above. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified you have received this document in error and that any review, dissemination, distribution, or copying of of this message is strictly prohibited.

\*The Eastern Snake River Plain Aquifer is jointly managed with Region 10. While listed in both regions, it is counted only once in the national total of 77.

## Overview of the SSA program

The Sole Source Aquifer (SSA) Protection Program is authorized by Section 1424(e) of the Safe Drinking Water Act of 1974 (Public Law 93-523, 42 U.S.C. 300 et. seq).

EPA defines a Sole Source Aquifer as one which supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. EPA guidelines also stipulate that these areas can have no alternative drinking water source(s) which could physically, legally, and economically supply all those who depend upon the aquifer for drinking water.

### Petition for Designation

Although the agency has statutory authority to initiate SSA designations, EPA has a longstanding policy of only responding to petitions. Any person may apply for SSA designation. A "person" is any individual, corporation, company, association, partnership, state, municipality, or federal agency. A petitioner is responsible for providing EPA with hydrogeologic and drinking water usage data, and other technical and administrative information required for assessing designation criteria.

In 1987, EPA published the Sole Source Aquifer Designation Petitioner Guidance to assist those interested in preparing and submitting petitions to EPA regional offices. The document provides procedures and criteria for proposing aquifer boundaries, determining whether an aquifer is the sole or principal source of drinking water, and for evaluating alternative sources of drinking water.

In general, the designation decision process takes a minimum of six months from the time that the petitioner submits a complete petition to EPA. The process may take considerably longer, depending on the technical complexity of the petition, and on the number of petitions that may be undergoing review within the EPA regional office at a particular time.

### Project Review Authority and Coordination

If an SSA designation is approved, proposed federal financially-assisted projects which have the potential to contaminate the aquifer are subject to EPA review. Proposed projects that are funded entirely by state, local, or private concerns are not subject to EPA review. Examples of federally funded projects which have been reviewed by EPA under the SSA protection program include:

- highway improvements and new road construction
- public water supply wells and transmission lines
- wastewater treatment facilities
- construction projects that involve disposal of storm water
- agricultural projects that involve management of animal waste
- projects funded through Community Development Block Grants

Most projects referred to EPA for review meet all federal, state, and local ground water protection standards and are approved without any additional conditions being imposed. Occasionally, site or project-specific concerns for ground water quality protection lead to specific recommendations or additional pollution prevention requirements as a condition of funding. In rare cases, federal funding has been denied when the applicant has been either unwilling or unable to modify the project.

**Limitations of the Program**<http://www.epa.gov/region8/water/solesource.html>

Sole source aquifer designation provides only limited federal protection of ground water resources which serve as drinking water supplies. It is not a comprehensive ground water protection program. Protection of ground water resources can best be achieved through an integrated and coordinated combination of federal, state, and local efforts.

Although designated aquifers have been determined to be the "sole or principal" source of drinking water for an area, this does not imply that they are more or less valuable or vulnerable to contamination than other aquifers which have not been designated by EPA. Many valuable and sensitive aquifers have not been designated simply because nobody has petitioned EPA for such status or because they did not qualify for designation due to drinking water consumption patterns over the entire aquifer area. Furthermore, ground water value and vulnerability can vary considerably both between and within designated aquifers. As a result, EPA does not endorse using SSA status as the sole or determining factor in making land use decisions that may impact ground water quality. Rather, site-specific hydrogeological assessments should be considered along with other factors such as project design, construction practices, and long-term management of the site.

**Region 8 SSA Contacts****Colorado**

Greg Oberley

303-312-7043

[oberley.gregory@epa.gov](mailto:oberley.gregory@epa.gov)**Montana**

Carol Russell

303-312-6310

[russell.carol@epa.gov](mailto:russell.carol@epa.gov)**North Dakota**

Eric Steinhaus

303-312-6837

[steinhaus.eric@epa.gov](mailto:steinhaus.eric@epa.gov)**South Dakota**

Greg Oberley

303-312-7043

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Darcy Campbell

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[campbell.darcy@epa.gov](mailto:campbell.darcy@epa.gov)**Wyoming**

Mike Wireman

303-312-6719

[wireman.mike@epa.gov](mailto:wireman.mike@epa.gov)

WCMS

Last updated on Wednesday, February 29, 2012



Natural Resources Conservation Service  
3120 Valley Drive East  
Miles City, MT 59301

(406) 232-7905 OFFICE  
(406) 232-3965 FAX

March 14, 2012

Dayton H. Alsaker, P.E.  
DOWL-HKM  
16 West 8<sup>th</sup> Street  
Sheridan, Wyoming 82801

Dear Dayton,

I have reviewed the soils at the proposed sewer line project in Miles City, Montana. Within the boundary that you gave me there are two different soil types present. They are

Marvin Silty Clay, 0 – 2 percent slope (map unit symbol 62A)  
Yamacall Loam, 0 – 2 percent slope (map unit symbol 79A)

Both soils are considered Hydric soils and the Yamacall Loam is also listed as Prime farmland if irrigated. Both attributes need to be considered when planning a project of this nature.

While the soils are considered hydric, the actions of installing a sewer line in the alleys should not have a negative effect on those soils. It is reasonable that those soils have already been manipulated and no longer have the hydric characteristics. Attention should be paid, that if there are potential wetlands, that they not be drained, dredged, or filled during your project.

The Yamacall Loam is considered Prime farmland if irrigated. The Natural Resource Conservation Service's primary concerns for actions such as this one are based on the provisions of the Federal Farmland Protection Policy Act (FPPA). This act requires evaluation of important farmland status (prime farmland, farmland of statewide importance, or locally important farmland). The proposed actions are within existing rights-of-way, and FPPA does not apply. These lands are considered to be already converted to non-agricultural uses.

Thank you for the opportunity to comment on this project.

Respectfully,

A handwritten signature in black ink, appearing to read "Rusty Irion", is written over a faint, illegible typed name.

Rusty Irion, District Conservationist  
USDA-NRCS  
Miles City Field Office

Enc:

The Natural Resources Conservation Service provides leadership in partnership effort to help people conserve, maintain and improve our natural resources and environment.

An Equal Opportunity Provider and Employer

## Hydric Soils

Custer County Area, Montana

| Map symbol and map unit name                     | Component | Percent of map unit | Landform    | Hydric rating | Hydric criteria |
|--------------------------------------------------|-----------|---------------------|-------------|---------------|-----------------|
| 62A:<br>Marvan silty clay, 0 to 2 percent slopes | Lallie    | 3                   | Oxbows      | Yes           | 2B3, 3          |
| 79A:<br>Yamacall loam, 0 to 2 percent slopes     | Bigsandy  | 3                   | Depressions | Yes           | 2B3, 3          |

### Explanation of hydric criteria codes:

1. All Histels except for Folistels, and Histosols except for Folists.
2. Soils in Aquic suborders, great groups, or subgroups, Albolls suborder, Historthels great group, Histoturbels great group, Pachic subgroups, or Cumulic subgroups that:
  - A. are somewhat poorly drained and have a water table at the surface (0.0 feet) during the growing season, or
  - B. are poorly drained or very poorly drained and have either:
    - 1.) a water table at the surface (0.0 feet) during the growing season if textures are coarse sand, sand, or fine sand in all layers within a depth of 20 inches, or
    - 2.) a water table at a depth of 0.5 foot or less during the growing season if permeability is equal to or greater than 6.0 in/hr in all layers within a depth of 20 inches, or
    - 3.) a water table at a depth of 1.0 foot or less during the growing season if permeability is less than 6.0 in/hr in any layer within a depth of 20 inches.
3. Soils that are frequently ponded for long or very long duration during the growing season.
4. Soils that are frequently flooded for long or very long duration during the growing season.

This table lists the map unit components that are rated as hydric soils in the survey area. This list can help in planning land uses; however, onsite investigation is recommended to determine the hydric soils on a specific site (National Research Council, 1995; Hurl and Vasilas, 2006).

The three essential characteristics of wetlands are hydrophytic vegetation, hydric soils, and wetland hydrology (Cowardin and others, 1979; U.S. Army Corps of Engineers, 1987; National Research Council, 1995; Tiner, 1985). Criteria for all of the characteristics must be met for areas to be identified as wetlands. Undrained hydric soils that have natural vegetation should support a dominant population of ecological wetland plant species. Hydric soils that have been converted to other uses should be capable of being restored to wetlands.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). These soils, under natural conditions, are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurl and Vasilas, 2006).

Hydric soils are identified by examining and describing the soil to a depth of about 20 inches. This depth may be greater if determination of an appropriate indicator so requires. It is always recommended that soils be excavated and described to the depth necessary for an understanding of the redoximorphic processes. Then, using the completed soil descriptions, soil scientists can compare the soil features required by each indicator and specify which indicators have been matched with the conditions observed in the soil. The soil can be identified as a hydric soil if at least one of the approved indicators is present.

## Hydric Soils

Map units that are dominantly made up of hydric soils may have small areas, or inclusions, of nonhydric soils in the higher positions on the landform, and map units dominantly made up of nonhydric soils may have inclusions of hydric soils in the lower positions on the landform.

The criteria for hydric soils are represented by codes in the table (for example, 2B3). Definitions for the codes are as follows:

1. All Histels except for Folistels, and Histosols except for Folists.
2. Soils in Aquic suborders, great groups, or subgroups, Alboils suborder, Historthels great group, Histoturbels great group, Pachic subgroups, or Cumullic subgroups that:
  - A. are somewhat poorly drained and have a water table at the surface (0.0 feet) during the growing season, or
  - B. are poorly drained or very poorly drained and have either:
    - 1) a water table at the surface (0.0 feet) during the growing season if textures are coarse sand, sand, or fine sand in all layers within a depth of 20 inches, or
    - 2) a water table at a depth of 0.5 foot or less during the growing season if saturated hydraulic conductivity (Ksat) is equal to or greater than 6.0 in/hr in all layers within a depth of 20 inches, or
    - 3) a water table at a depth of 1.0 foot or less during the growing season if saturated hydraulic conductivity (Ksat) is less than 6.0 in/hr in any layer within a depth of 20 inches.
3. Soils that are frequently ponded for long or very long duration during the growing season.
4. Soils that are frequently flooded for long or very long duration during the growing season.

### References:

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. September 18, 2002. Hydric soils of the United States.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

# Prime and other Important Farmlands

Custer County Area, Montana

| Map symbol | Map unit name                        | Farmland classification     |
|------------|--------------------------------------|-----------------------------|
| 79A        | Yamacall loam, 0 to 2 percent slopes | Prime farmland if irrigated |

## Prime and other Important Farmlands

This table lists the map units in the survey area that are considered important farmlands. Important farmlands consist of prime farmland, unique farmland, and farmland of statewide or local importance. This list does not constitute a recommendation for a particular land use.

In an effort to identify the extent and location of important farmlands, the Natural Resources Conservation Service, in cooperation with other interested Federal, State, and local government organizations, has inventoried land that can be used for the production of the Nation's food supply.

"Prime farmland" is of major importance in meeting the Nation's short- and long-range needs for food and fiber. Because the supply of high-quality farmland is limited, the U.S. Department of Agriculture recognizes that responsible levels of government, as well as individuals, should encourage and facilitate the wise use of our Nation's prime farmland.

Prime farmland, as defined by the U.S. Department of Agriculture, is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses. It could be cultivated land, pastureland, forestland, or other land, but it is not urban or built-up land or water areas. The soil quality, growing season, and moisture supply are those needed for the soil to economically produce sustained high yields of crops when proper management, including water management, and acceptable farming methods are applied. In general, prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, an acceptable salt and sodium content, and few or no rocks. The water supply is dependable and of adequate quality. Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. More detailed information about the criteria for prime farmland is available at the local office of the Natural Resources Conservation Service.

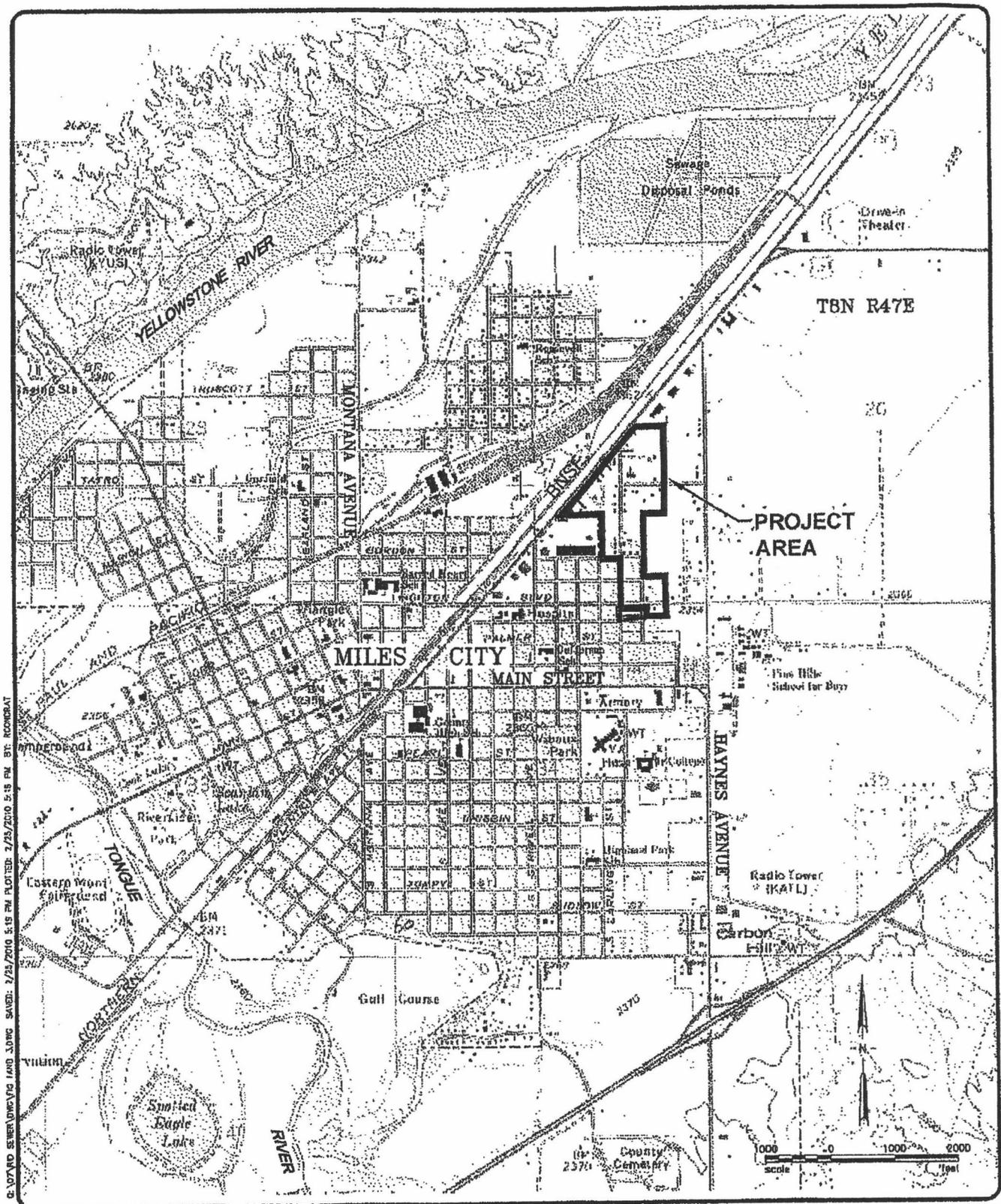
For some of the soils identified in the table as prime farmland, measures that overcome a hazard or limitation, such as flooding, wetness, and droughtiness, are needed. Onsite evaluation is needed to determine whether or not the hazard or limitation has been overcome by corrective measures.

A recent trend in land use in some areas has been the loss of some prime farmland to industrial and urban uses. The loss of prime farmland to other uses puts pressure on marginal lands, which generally are more erodible, droughty, and less productive and cannot be easily cultivated.

"Unique farmland" is land other than prime farmland that is used for the production of specific high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. It has the special combination of soil quality, growing season, moisture supply, temperature, humidity, air drainage, elevation, and aspect needed for the soil to economically produce sustainable high yields of these crops when properly managed. The water supply is dependable and of adequate quality. Nearness to markets is an additional consideration. Unique farmland is not based on national criteria. It commonly is in areas where there is a special microclimate, such as the wine country in California.

In some areas, land that does not meet the criteria for prime or unique farmland is considered to be "farmland of statewide importance" for the production of food, feed, fiber, forage, and oilseed crops. The criteria for defining and delineating farmland of statewide importance are determined by the appropriate State agencies. Generally, this land includes areas of soils that nearly meet the requirements for prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some areas may produce as high a yield as prime farmland if conditions are favorable. Farmland of statewide importance may include tracts of land that have been designated for agriculture by State law.

In some areas that are not identified as having national or statewide importance, land is considered to be "farmland of local importance" for the production of food, feed, fiber, forage, and oilseed crops. This farmland is identified by the appropriate local agencies. Farmland of local importance may include tracts of land that have been designated for agriculture by local ordinance.



G:\O\AD SEWER DRYING 1400.DWG SCALE: 1/2"=20' 2/29/2010 5:19 PM PLOTTER: 2/29/2010 5:19 PM ST: R0000041

**PROPOSED RID SEWER SYSTEM  
 PROJECT AREA  
 CUSTER COUNTY, MONTANA**

**FIG. 1**

**DOWL HKM**

07M385.105      FEB. 2010

RECEIVED FEB 07 2006



713 Pleasant  
P.O. Box 1518  
Miles City, MT 59301  
Phone: 406.234.6666  
Fax: 406.234.7065  
www.hkminc.com

February 2, 2006

U.S. Fish and Wildlife Service  
Ecological Service  
100 N. Park, Suite 320  
Helena, MT 59601

Re: Environmental Assessment for a Sewer Replacement Project

Dear Sir,

The Commissioners of Custer County, Montana are pursuing funding through the Treasure State Endowment Program for the replacement of a sanitary sewer system for a neighborhood in the northeast portion of Miles City.

This sewer system consists of lines up to 100 years old. A video inspection of these lines shows them to be in poor condition with failure likely at some point in the future. Both the existing and proposed replacement sewer systems will connect to the Miles City sewer system to utilize the City's wastewater treatment plant.

The area served is located just outside of the City of Miles City, along Sewell Avenue, mostly between Leighton Boulevard and Valley Drive East. This area is in the SE¼ of Sec 27 and NE¼ of Sec 34, T8N, R47E, as shown on the attached map.

The replacement system will likely involve new sewers installed by open trench excavation in existing street and alley right-of-ways. The service area is primarily existing homes. This project is seen as an important improvement project and is supported by both the City and the County.

It is not believed this project will have any significant environmental implications, however, we are seeking any input or concerns you may wish to provide. Please provide any comments on this proposed project in writing at your earliest convenience. These comments will be incorporated into the Environmental Assessment and addressed accordingly.

If you need more information please contact me.

Sincerely,

*Jeff Maki*  
Jeff Maki, PE

cc: Custer County Commissioners

|                     |             |
|---------------------|-------------|
| USFWS/ITS, Billings |             |
| Received            |             |
| George              | FEB 15 2006 |
| Kathy               |             |
| Helena FO           |             |
| File                |             |

*John*  
*Loi*  
*Shaw*

The U.S. Fish & Wildlife Service reviewed the proposed project & determined that no federally-listed species or designated critical habitat occurs within the project area. This concludes consultation on this project & no further review under Section 7 of the Endangered Species Act is necessary. If wetlands may be impacted by this project, Corps of Engineers' Section 404 permits may be required. Contact Lou Hanebury at (406-247-7367) for further information.

*R. Mark Wilson* 2-24-06 M 296  
Field Supervisor Date File

Q:\07\385105 RID\DOCUMENTS\AGENCY LETTER.DOC

BILLINGS, MONTANA  
406.656.8399

BOZEMAN, MONTANA  
406.586.8834

BUTTE, MONTANA  
406.723.8213

BUTTE LABORATORY  
406.494.1502

SHERIDAN, WYOMING  
307.672.8006

HELENA, MONTANA  
406.442.0370



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, OMAHA DISTRICT  
BILLINGS REGULATORY OFFICE  
2602 FIRST AVENUE NORTH, ROOM 309  
BILLINGS MT 59101

March 7, 2006

Billings Regulatory Office  
PHONE (406) 657-5910  
FAX (406) 657-5911

RE: **Sanitary Sewer System Replacement**  
**Corps File No. 2006-9-0105**

Mr. Jeff Maki  
HKM Engineering  
Post Office Box 1518  
Miles City, Montana 59301

Dear Mr. Maki:

Reference is made to your letter requesting comments regarding the proposed replacement of a sanitary sewer system located at Miles City, Montana. The proposed project is located in Custer County, Montana.

Under the authority of Section 404 of the Clean Water Act, Department of the Army permits are required for the discharge of fill material into waters of the United States. Waters of the United States include the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters.

Based on a map review, the project area does appear to contain jurisdictional waters of the U.S., which may trigger permitting requirements. It is impossible to advise you on likely permitting scenarios without further information pertaining to the project corridor and the scope of project impacts.

When final design has been completed, please fill a joint application and submit to this office. The application can be downloaded from <http://www.nwo.usace.army.mil/html/od-rmt/applications.html>, or one can be mailed to you upon request. When the application is complete, a determination will be made as to whether or not authorization will be granted.

Please contact me if you have any questions.

Sincerely,

Shannon L. Johnson  
Regulatory Project Manager  
Billings Regulatory Office



ENGINEERING / OPERATIONS & UTILITIES  
DEPARTMENT

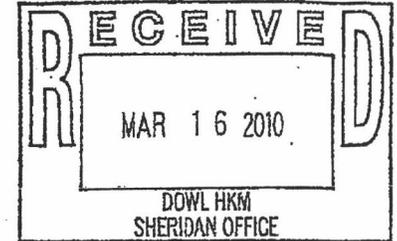


17 So. 8<sup>th</sup> Street  
P.O. Box 910  
Miles City, Montana 59301

Telephone: (406) 234-3493  
Fax: (406) 234-6392

CITY OF MILES CITY

Dayton Alsaker  
DOWL HKM  
16 W. 8<sup>th</sup> Street  
Sheridan WY 82801



March 9, 2010

Re: Proposed Replacement of the RID #1 Sewer System

Dear Dayton,

The following is a response to your questions.

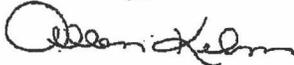
1. Does the City support the reconstruction of this existing sewer system as long as a conventional collection system is constructed? **Yes, we support this project, with the approval of design plans.**
2. Previously you requested that flows be switched from the Montana Avenue lift station to Haynes Avenue whenever possible (such as we did with the Wilson lift Station). This is the plan for this new system (with the new outfall line running down Gumflat Road to North Haynes). **Yes, this is correct.**
3. The new system will include at least one new lift station. I believe you previously indicated the City would provide the O&M on this station like you do for the Aye Station. We will install telemetry similar to the other stations in the City. Will the costs for this service be the same as for the Aye Station? **Yes, The City will provide the maintenance on this lift station and it will be for the same cost rate as the Aye Lift Station for maintenance.**
4. I believe the Albert's Trailer Court is now fully on City sewer. **Yes, this is correct**
5. Are there any City users on the old RID line between the railroad tracks and Bullard Street Lift Station (north of the railroad tracks)? **I don't think so but not 100 % sure.**
6. I believe there are a couple users within the City in the old plaza (Lou's Crafts and the old Bank building). These buildings may not even be occupied. Do you want these connected to the new system on Sewell? **This is still undecided at this time, as we will have to discuss this issue when you are in town next time. We may need some cost items from you to decide which way to go.**
7. I have a summary of call-outs on sewer problems (such as backups) that was kept by the City crew, which runs through October 2005. Can you provide a list of call-outs on the RID sewer from that time to the current? The information I

previously received said "backup" of "plugged". I am told we will score higher if these problems lead to sewage entering a basement or surfacing on the ground. Do you have any records to that effect, or are your operators aware of any of these more severe types of events? The more documentation regarding the results of the plug, the better our chances of receiving grant funding. You have what we have as far as records. I mentioned to you earlier to contact Wyane & Betty Toepke for more information. They may have other people in the area that have been flooded.

8. As we provide estimated monthly rates for the users of the new system, for the City's portion of the rates I'd like to use the standard flat rate amount (when there's no water meter involved) for estimating purposes. I believe this is \$15.78 per month. Is that correct? Since most of these users are on water meters, ultimately the rates will be calculated based on winter water meter readings, per the standard approach. The Custer County Water & Sewer District, Sewer only, for Residential is \$15.78, Commercial is \$20.55
9. Does the City have a sewer rate increase planned at this time? Yes, we will have a sewer rate increase when we start upgrading the wastewater Plant. Hopefully, with council approval this year sometime.
10. It was suggested by the funding program we're applying to that we include a copy of the latest DEQ inspection of the wastewater treatment plant, so verify treatment is adequate. Can you provide a copy of this report? Please find a copy of the latest inspection report and our violation letter that was attached.

If there are any other questions please feel free to contact me at 406-234-3493 or [akelm@milescity-mt.org](mailto:akelm@milescity-mt.org).

Sincerely,



Allen Kelm  
Public Utilities Director  
City of Miles City



RECEIVED

MAY 24 2012

**EARLY PUBLIC NOTICE FOR FLOODPLAINS AND/OR WETLANDS**

May 8, 2012

The County of Custer, Montana, is considering replacement of sewer line in Rural Improvement District #1 (RID#1) as a CDBG project under the Montana CDBG program. The project is located in the 100 year floodplain and/or wetland. The County is interested in discussing alternatives to this project and receiving public comment regarding possible adverse impacts that could result from the project and suggestions for how to mitigate them. A public hearing is scheduled at 5:30pm on May 21, 2012 at the Conference Room in the basement of the Custer County Courthouse to

discuss the proposed project. Please attend or send written comments to: Keith Holmlund, Custer County Commissioners, 1010 Main St., Miles City, MT 59301. Comments will be received until May 25, 2012. A full description of the proposed action and RID #1 area may be reviewed at the office of the Custer County Commissioners at the Custer County Courthouse, 1010 Main St., Miles City, MT, 406-874-3350, 9am-1pm Tuesday through Thursday. Keith Holmlund Environmental Certifying Officer. (Published May 11, and 18, 2012)

**Affidavit of Publication**

STATE OF MONTANA }  
County of Custer } ss.

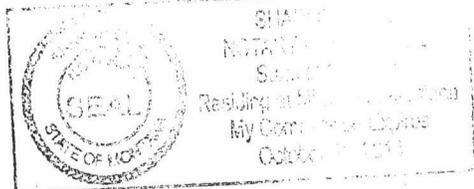
Mary Halvorson, being duly sworn on her oath, says that she has been the principal clerk of the printer of the MILES CITY STAR, a daily newspaper of general circulation, printed and published at Miles City, in said County and State. That the Early Public Notice for Floodplains and/or Wetlands . A printed and true copy which, cut from the columns of said newspaper, is hereto attached, and made a part hereof, was printed and published in said newspaper, in the regular and entire issue of every number of the paper during the period May 11 and 18, 2012.

Signed Mary Halvorson

Subscribed and sworn to before me this 23rd

day of May, 2012

Sharon Olsen



**PUBLIC HEARING**  
**MONDAY, MAY 21, 2012**

**CALL TO ORDER:**

Commissioner Keith Holmlund called the meeting to order at 5:30 pm in the Conference Room in the basement of the Custer County Courthouse. Commissioners Vicki Hamilton and Jack Nesbit were present, as well as Jim Zabrocki of Environmental Health, County planner Bill Ellis and Mike Coryell of Economic Development.

**COMMISSIONER HOLMLUND READ AGENDA:**

The County of Custer, Montana, is considering replacement of sewer line in Rural Improvement District #1 (RID #1) as a CDBG project under the Montana CDBG program. The project is located in the 100 year floodplain and/or wetland. The floodplain will not be modified or impacted, since everything will be put back the way it was, and an existing system is being replaced. Alternatives to this replacement sewer system were considered in the Preliminary Engineering Report. No other alternatives are available for consideration now that the delineation of floodplain has changed to include the RID area. Only two actions will be taken in the design of this sewer system that would not be taken if it was not in the floodplain. These are:

- To place the electrical panel boxes and controls for the two lift stations above the flood elevation
- To place inserts in the manholes so if the streets become flooded, stormwater cannot flow down into the manholes.

The County is interested in discussing alternatives to this project and suggestions for how to mitigate them.

**COMMISSIONER HOLMLUND OPENED THE FLOOR TO QUESTIONS AND ENVIRONMENTAL CONCERNS ONLY:**

Jim Zabrocki commented that the project is not located in a wetland. He also wants to see storm water addressed. Commissioner Nesbit asked if storm water could be run into the sewage system. Commissioner Holmlund and Jim Zabrocki stated that it cannot. Commissioner Holmlund explained where and how the stormwater system operates. There was no further discussion regarding this matter.

Commissioner Holmlund mentioned that we are currently having problems with irrigation run-off on Haynes and Valley Drive East, but the situation is being addressed.

**ADJOURNMENT:**

The meeting adjourned at 6:00 pm.

SUBJECT: Public Hearing regarding Environmental Concerns on RID #1

DATE: May 21, 2012

TIME: 5:30 am - Courthouse Conference Room

| <u>SIGNATURE</u>      | <u>PRINTED NAME</u> |
|-----------------------|---------------------|
| <i>Keith Holmlund</i> | KEITH HOLMLUND      |
| <i>Bill Ellis</i>     | Bill Ellis          |
| <i>Kaci Woods</i>     | Kaci Woods          |
| <i>Vicki Hamilton</i> | Vicki Hamilton      |
| <i>Jim Zabrocki</i>   | Jim Zabrocki        |
| <i>Jack A. Nesbit</i> | Jack A. Nesbit      |
| <i>Mike Coryell</i>   | Mike Coryell        |
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# Affidavit of Publication

STATE OF MONTANA }  
County of Custer } ss.

**RECEIVED**  
**JUN 07 2012**

### EARLY PUBLIC NOTICE FOR FLOODPLAINS AND/OR WETLANDS

June 5, 2012  
The County of Custer, Montana, is considering replacement of sewer line in Rural Improvement District #1 (RID #1) as a CDBG project under the Montana CDBG program. The project is located in the 100 year floodplain and/or wetland. The County is interested in receiving information in regard to alternatives to this project and receiving public comment regarding possible adverse impacts that could result from the project and suggestions for how to mitigate them. Please send written comments to: Keith Holmlund, Custer County commissioners, 1010 Main St., Miles city, MT 59301. Comments will be received until June 20, 2012. A full description of the proposed action and RID #1 area may be reviewed at the office of the Custer County commissioners at the Custer County Courthouse, 1010 Main St., Miles City, MT, 406-874-3350, 9am-1pm Tuesday through Thursday.  
Keith Holmlund  
Environmental Certifying Officer  
Custer County Commissioner  
(Published June 4, 2012)

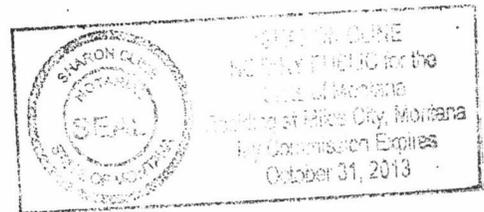
Mary Halvorson, being duly sworn on her oath, says that she has been the principal clerk of the printer of the MILES CITY STAR, a daily newspaper of general circulation, printed and published at Miles City, in said County and State. That the Custer County Sewer Project. A printed and true copy which, cut from the columns of said newspaper, is hereto attached, and made a part hereof, was printed and published in said newspaper, in the regular and entire issue of every number of the paper during the period June 04, 2012.

Signed Mary Halvorson

Subscribed and sworn to before me this 6th

day of June, 2012

Sharon Clene



RECEIVED

JUN 28 2012

**NOTICE OF EXPLANATION  
FOR FLOODPLAINS AND/OR  
WETLANDS**

The County of Custer, Montana intends to undertake a project located in the 100-year floodplain and/or wetland. The project involves the replacement of sewer lines in the Rural Improvement District #1 area as designated by a map which can be viewed in the office of the Custer County Commissioners. Proposed improvements cannot be undertaken in any other location as it would require the relocation of existing housing to an area outside the floodplain which would clearly exceed program resources. Failure to provide the necessary improvements and repair would result in the continued unsafe and unhealthy living conditions of all the families located in the RID #1 area. It is the County's judgment that the proposed improvements outweigh consideration of Executive Order 11988. Since this is an existing

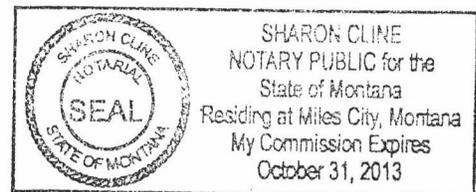
neighborhood with an existing failing sewer system, the best option to address the issues with this old sewer system was determined to be replacement. There are no practical alternatives in regards to the fact that the recently revised floodplain map now places this area within the floodplain. A new underground sewer system will be installed. Two lift stations are required and the electrical components of these stations will be placed above the flood elevation. No improvements will be constructed that will affect floodwaters or change the neighborhood with regards to how it would be impacted by a flood. The project will comply with Custer County's Floodplain Regulations. A more detailed description of the project and the FEMA flood maps are available for citizen review at the office of the Custer County Commissioners in the Courthouse in Miles City, MT. Comments will be received through Monday, July 2nd, 2012. Keith Holmlund, Chairman  
Custer County Commission  
Environmental Certifying Officer  
1010 Main St.  
Miles City, MT 59301  
(Published June 25, 2012)

**Affidavit of Publication**

STATE OF MONTANA }  
County of Custer } ss.

Mary Halvorson, being duly sworn on her oath, says that she has been the principal clerk of the printer of the MILES CITY STAR, a daily newspaper of general circulation, printed and published at Miles City, in said County and State. That the Explanation for Floodplains and/or Wetlands. A printed and true copy which, cut from the columns of said newspaper, is hereto attached, and made a part hereof, was printed and published in said newspaper, in the regular and entire issue of every number of the paper during the period June 25, 2012.

Signed Mary Halvorson  
Subscribed and sworn to before me this 27<sup>th</sup>  
day of June, 2012  
Sharon Cline





**Custer County Commission**  
**County of Custer**

1010 Main • MILES CITY, MONTANA 59301

We hereby certify that no public comments were received for the Early Public Notice for Floodplains and / or Wetlands published June 4, 2012 and the Notice of Explanation for Floodplains and / or Wetlands published June 25, 2012.

Sincerely,

A handwritten signature in cursive script, appearing to read "Keith Holmlund".

Keith Holmlund, Chairman  
Custer County Commissioners