



Beartooth

RESOURCE CONSERVATION AND DEVELOPMENT AREA, INC.
ECONOMIC DEVELOPMENT DISTRICT
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RECEIVED

FEB 27 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

February 16, 2005

Montana Environmental Quality Council
P.O. Box 201704
Helena, MT 59620-1704

RE: Consultation for compliance with solid waste disposal, water quality, and air quality stipulations as defined by the index of applicable Federal Statutes and Regulations.

To the Attention of the Council:

The City of Hardin has requested funding from the U.S. Department of Commerce Economic Development Administration (EDA) in the amount of \$1,000,000. This funding will assist in the development of an industrial park, north of the city. This letter is notice to your agency that federal funds are being utilized in this project to determine the potential impacts of this action.

As you know, federal funding subject to NEPA requires an environmental review process prior to the release of funds. The Environmental Assessment (EA) of the project activities must demonstrate that no significant impact on the human or physical environment is likely to occur or that actions have been initiated that would mitigate any potential impacts to the extent practicable.

*The legal description of the project or property affected is all of Section 11;
the North ½ of Section 14; the West ½ of Section 12 and all of Section 13
in Township 1 South, Range 34 East
of the P.M.M. , Big Horn County, Montana.*

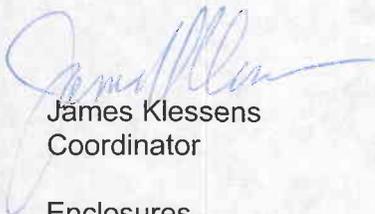
Please review the enclosed map and notify this office of any non-compliance to meet environmental requirements. Before the funds can be released, the City must submit proof of publication and compliance to all applicable federal statutes and/or regulations listed on the next page along with the minimum public notice requirements with its findings.

The City asks for your assistance in certifying that this project complies with the index of applicable federal statutes and regulations as listed below:

1. Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 17(c) and (d) (42 U.S.C. 7506 (c) and (d));
2. Determining Conformity of Federal Actions to State or Federal Implementation Plans (Environmental Protection Agency) – 40 CFR parts 6, 51, and 93);
3. Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1376);
4. The Safe Drinking Water Act of 1974, as amended (42 U.S.C. 69-01-6978, 300f – 300j-10);
5. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 100 – 149;
6. Missoula, Montana Sole Source Aquifer, in accordance with Section 1424 (e) of the Safe Drinking Water Act, 42 U.S.C. 300h-3 (1982);
7. Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901-6987);
8. U.S. Environmental Protection Agency (EPA) Implementing Regulations 40 CFR Parts 240 – 265; and
9. 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).

Thank you for your prompt attention to this matter. I will look forward to a response and if you have any questions or need more information, please do not hesitate to contact me.

Sincerely,



James Klessens
Coordinator

Enclosures

Hardin Industrial Park Project Summary

The City of Hardin is working toward the development of an industrial park, north of the community. The project was initiated in 2000 when Rocky Mountain Power and Ethanol purchased the old Holly Sugar Refinery industrial site. The company proposed the construction of a coal fired generation plant and an ethanol plant. After much planning and permitting work, the company opted to sell its electric generation plant to Centennial Energy, a division of MDU Resources. Both projects are moving forward.

The Power plant, a 116 megawatt coal fired facility is well underway in the construction process. Much of the main infrastructure is in place with a planned commissioning of the plant in Fall 2005. All permitting is in place.

The Ethanol Plant is moving slower, working now to raise the necessary capital to kick off construction. The plant will initially produce 30 million gallons of fuel per year with the ability to expand to 40 million gallons. This facility will be located in the old Sugar Refinery buildings.

In November 2004, the City annexed 791 acres north of the community in an area surrounding both facilities. At the same time, the land was zoned heavy use industrial. The entire industrial area was also designated as a Tax Increment District which will provide funding to develop the needed infrastructure.

The first major project is the development of the traffic infrastructure to serve the park and its industrial users. The attached map identifies the major features of the park and also those items which will be either newly constructed or improved. Federal funding from the Economic Development Administration has been requested to construct transportation infrastructure on the site. This project will rebuild the Sugar Factory Road and County Road 157 plus install a new road connecting these east-west roads through the park. These roads will be constructed to facilitate heavy truck traffic. The current plan is to follow the existing easements with some minor adjustments to facilitate safer corners. It will also include the necessary turning lanes and signaling devices to assure safety for area residents.

The total project approaches \$3 million dollars with federal assistance of \$1 million expected. The planned construction will begin in August with completion by October.

City of Hardin Annexation & Road Proposal

