

Printed Date: 06/03/2024

Permit Number: 8851
Name: RYLEY SPEARING
Company Name: IMEG
Address: 1817 SOUTH AVE W SUITE A
MISSOULA, MT 59801
Phone Number: (701) 871-0624
Nature of Permit:

THE OWNER PLANS ON BUILDING A SHARED ACCESS DRIVEWAY FOR 9 RESIDENTIAL SINGLE FAMILY HOMES. THE APPROACH WILL BE LOCATED ON THE NORTH SIDE OF HWY 200.

Sign Route	Corridor	Mile Post Start	Mile Post End	County
MT-200	C000006	1.63	1.63	Sanders

Conditions of Permit:

- 1) All other necessary permits for this project must be obtained by and are the responsibility of the applicant/permittee.
- 2) Permittee shall be responsible for all utility locates
- 3) If any deviation from the approved plans is determined necessary at the time of construction, the deviation must be approved by MDT.
- 4) Any affected ground on MDT right of way must be returned to its original condition and reseeded with certified weed free seed.
- 5) The applicant/permittee will submit a traffic control plan to the Division Office for approval before entering MDT right of way for construction.
- 6) Permittee or their contractors are required to meet all signing and traffic control requirements while working on MDT right of way in accordance with MUTCD specifications. A traffic control plan must be submitted and approved prior to any work beginning. Provisions may or may not be necessary for pedestrians and bicyclists (site specific). Contractor is responsible for Traffic Control and work schedule coordination with other projects in the vicinity to ensure public safety, adequate traffic flow and appropriate signage is met at all times.

Drainage Information:

Type	Size	Length	Drain Site Distance Right	Drain Site Distance Left
Cmp	18"	60'	1200	1200

Other Remarks and/or Conditions:

Please contact Jesse Gascon 406-293-4089 for final inspection and acceptance following the approach construction.

Applicant Date	Issue Date	End Date	Permit Type	Maintenance Division
Jul 21, 2023	Jun 03, 2024	Dec 03, 2024	Temporary	Kalispell

Signatures

Type	Signature	Title
Applicant	Ryley Spearing	
MDT District Rep	Justun Juelfs	Maintenance Chief

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Applicant will review the terms and conditions of this permit. In signing and submitting this permit, the applicant has agreed to accept and abide by those terms and conditions in their entirety. This permit has been officially approved by the Montana Department of Transportation by:

SIGNATORIES NAME: Justun Juelfs

DATE: 06/03/2024

SIGNATORIES TITLE: Maintenance Chief

Approach Permits are subject to the following terms and conditions:

TERM - This permit shall be in full force and effect from the date hereof until revoked as herein provided.

REVOCATION - This permit may be revoked by State upon giving thirty (30) days notice to Permittee by ordinary mail, directed to the address shown in the application hereto attached, but the State reserves the right to revoke this permit without giving said notice in the event Permittee breaks any of the conditions or terms set forth herein.

COMMENCEMENT OF WORK - No work shall be commenced until Permittee notifies the Maintenance Chief shown in application the date the Permittee proposes to commence work.

CHANGES IN HIGHWAY - If the State changes the highway, or there are other changes to adjoining streets, alleys, etc., which necessitate alterations in structures or installations installed under this permit, Permittee shall make the necessary alterations at Permittee's sole expense or in accordance with a separate agreement.

STATE SAVED HARMLESS FROM CLAIMS - In accepting this permit the Permittee, its/his successors or assigns, agree to protect the State and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right of way, and in case any suit or action is brought against the State and arising out of, or by reason of, any of the above causes, the Permittee, its/his successors or assigns, will upon notice to it/him of the commencement of such action, defend the same at its/his sole cost and expense and satisfy any judgment which may be rendered against the State in any such suit or action.

PROTECTION OF TRAFFIC - Submit a traffic control plan for review and approval prior to any work being performed in MDT Right-of-Way. Traffic control must meet current MUTCD and MDT standards and guidance. The approval shall in no way operate to relieve or discharge the Permittee from any of the obligations assumed by acceptance of this permit, and especially those set forth under Section 6 thereof.

HIGHWAY AND DRAINAGE - If the work done under this permit interferes in any way with the drainage of the State Highway affected, Permittee shall, at its/his own expense, make such provisions as the State may direct to take care of said drainage.

RUBBISH AND DEBRIS - Permittee is responsible for debris that is carried onto the roadway by this construction with sweeping and cleaning done daily at permittee's expense. Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and the roadside left in a neat and presentable condition satisfactory to the State.

WORK TO BE SUPERVISED BY STATE - All work contemplated under this permit shall be done under the supervision of and to the satisfaction of the authorized representative of the State, and the State hereby reserves the right to order the change of location or removal of any structure or installation authorized by this permit at any time, said changes or removal to be made at the sole expense of the permittee.

STATES RIGHT NOT TO BE INTERFERED WITH - All such changes, reconstructing or relocation shall be done by Permittee, in such a manner as will cause the least interference with any of the State's work, and the State shall in no way be liable for any damage to the Permittee by reason of any such work by the State, its agents, contractors or representatives, or by the exercise of any rights by the State upon the highways by the installations or structures placed under this permit.

REMOVAL OF INSTALLATIONS OR STRUCTURES - Unless waived by the State, upon termination of this permit, the Permittee shall remove the installations or structures contemplated by this permit and restore the premises to the condition existing at the time of entering upon the same under this permit, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control, excepted.

MAINTENANCE AT EXPENSE OF PERMITTEE - Permittee shall maintain, at its/his sole expense the installations and structures for which this permit is granted, in a condition satisfactory to the State.

STATE NOT LIABLE FOR DAMAGE TO INSTALLATIONS - In accepting this permit the Permittee agrees that any damage or injury done to said installations or structures by a contractor working for the State, or by any State employee engaged in construction, alteration, repair, maintenance or improvement of the State Highway, shall be at the sole expense of the Permittee.

STATE TO BE REIMBURSED FOR REPAIRING ROADWAY - Upon being billed therefor Permittee agrees to promptly reimburse State for any expense incurred in repairing surface or roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this permit.

OTHER CONDITIONS:

All approach side slopes will preferably be constructed on 10 to 1 slope but not less than 6 to 1 slope, unless otherwise approved.

No private signs or devices etc., will be constructed or installed within the highway right-of-way limits.

This permit is valid only if approach construction is completed within specified months from date of issue as described in Other Remarks and/or Conditions.

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The Montana Approach Manual can be found on the web athttps://www.mdt.mt.gov/publications/docs/manuals/approach_manual.pdf**Applicant Information****First Name ***

RYLEY

Last Name *

SPEARING

Email *

ryley.k.spearing@imegcorp.com

Company

IMEG

Mailing Address *

1817 SOUTH AVE W SUITE A

Contact Phone *

(701) 871-0624

City *

MISSOULA

State *

MT

Zip *

59801

Alternate Contact/Co-Applicant Information (Optional)

First Name	Last Name	Email	Phone	Contact Type
DAN	FULTZ	Daniel.D. Fultz@imegcorp.com	(406) 721-0142	<input checked="" type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact

Location Information**Sign Route ***

MT-200

Route Name**Mile Post Start ***

1.63

Mile Post End

1.63

Physical Address *

222-146 MONTANA 200

City *

HERON

County *

SANDERS

Legal Description

S20, T27 N, R34 W, SWNW PLAT S LYING N OF MT HWY 200 27.3 ACRES APPROX

Township

27N

Range

34W

Section

20

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Permit Information**Nature of Permit (Give sufficient detail of anticipated build/structure/activities that the applicant is requesting to occur in MDT's right-of-way.) ***

THE OWNER PLANS ON BUILDING A SHARED ACCESS DRIVEWAY FOR 9 RESIDENTIAL SINGLE FAMILY HOMES. THE APPROACH WILL BE LOCATED ON THE NORTH SIDE OF HWY 200.

Apply Date *

7/21/23

For how long a period is the permit desired? (e.g. Permanent, 30 days, May 1-June 30, 202x)?

PERMANENT

Project Scope (Please describe location of work and entire project scope. Include distance from existing highway survey station (if applicable), milepost, centerline, or right-of-way line near which installations of structures will be installed. Please attach a map depicting location.)

THE SCOPE OF THIS PROJECT IS TO DEVELOP A SUBDIVISION CONSISTING OF NINE LOTS. EACH LOT WILL CONTAIN A SINGLE FAMILY HOME. LOTS RANGE IN SIZE BETWEEN ONE AND SEVEN ACRES. THE PROPOSED APPROACH WILL BE LOCATED ON THE NORTH SIDE OF HWY 200,

If a Corporation, give State of Incorporation and names of President and Secretary**Estimated Trips/Day ***

90

Side of Roadway *

- ☒ North
☐ South
☐ East
☐ West

Use of Property *

- ☐ Commercial
☐ Field Access
☐ Joint Use
☒ Mutli Family Residence
☐ Single Family Residence
☐ Other. If 'Other' please enter Use of Property

Are there environmental actions involving hazardous waste sites? (Superfund, Spills, Underground Storage Tanks, Old Mines, etc.) If Yes you will need to fill out additional environment questions.

☐ Yes ☒ No

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Environmental Checklist

The Montana Environmental Checklist Help Guide can be found on the web at

<https://www.mdt.mt.gov/other/webdata/external/planning/forms/environmental-checklist-helpsheet.pdf>

Checklist Conditions and Required Approvals

- A. The applicant is not authorized to proceed with the proposed work until the checklist has been reviewed and approved, as necessary, and any requested conditions of approval have been incorporated.
- B. Complete the checklist items 1 through 16, indicating "Yes" or "No" for each item. Include comments, explanations, information sources, and a description of the magnitude/importance of potential impacts in the right hand column. Attach additional and supporting information as needed. The checklist preparer, by signing, certifies the accuracy of the information provided.
- C. If "Yes" is indicated on any of the items, the Applicant must explain the impacts as applicable. Appropriate mitigation measures that will be taken to avoid, minimize, and/or mitigate adverse impacts must also be described. Any proposed mitigation measures will become a condition of approval. Use attachments if necessary. If the applicant checks "No" and the District concludes there may in fact be potential impacts, the Environmental Checklist must be forwarded to Transportation Planning for review and approval.
- D. If "Yes" is indicated in item 11 a. (threatened or endangered species), the Applicant should provide information naming the particular species and the expected location, distribution and habitat use in the proposed action area, i.e. within the immediate area of the proposed action; or, in the general area on occasion (seasonally passes through) but does not nest, den or occupy the area for more than a few days.
- E. If the applicant checks "Yes" for any item, the approach permit, occupancy agreement or permit, along with the checklist and supporting information, including the Applicant's mitigation proposal, documentation, evaluation and/or permits must be submitted to Transportation Planning. Electronic format is preferred.
- F. When the applicant checks "Yes" to any item, the Applicant cannot be authorized to proceed with the proposed work until the MDT Environmental Services Bureau and/or Transportation Planning, as appropriate, reviews the information and signs the checklist.
- G. Applicant must obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the proposed action or activity. The Applicant is solely responsible for any environmental impacts incurred as a result of the project; obtaining any necessary environmental permits, notifications, and/or clearances; and ensuring compliance with environmental laws and regulations.

Impact Questions *			Comment, Explanation, and/or Information Source (Attach supporting information, as necessary.)
Actions that qualify for Categorical Exclusion under MEPA and/or NEPA (See ARM 18.2.261 and 23 CFR 771.117)			
1	Will the proposed action impact any known historical or archaeological site(s)?	NO	
2	Will the proposed action impact any publicly owned parkland(s), recreation area(s), wildlife or waterfowl refuge(s)?	NO	
3	Will the proposed action impact prime farmlands? (If "YES", attach a completed Farmland Conversion Impact Rating Ad-1006.)	NO	
4a	Will the proposed action have an impact on the human environment that may result from relocations of persons or businesses, changes in traffic patterns, changes in grade, or other types of changes?	NO	
4b	Has the proposed action received any preliminary or final approval from the local land use authority?	NO	this project is currently going through preliminary plat review process. for this application we need a MDT approach approval
5	For the proposed action, is there documented controversy on environmental grounds? (For example, has the applicant received a letter of petition from an environmental organization?)	NO	
6	Will the proposed action require work in, across or adjacent to a listed or proposed Wild or Scenic River?	NO	Yes the proposed approach is near the Clark Fork River.

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7	Will the proposed action require work in a Class I Air Shed or nonattainment area?	NO	
8	Will the proposed action impact air quality or increase noise, even temporarily?	YES	During construction activity there will be a temporary increase and noise and there is potential for dust.
9a	Is the proposed action located within an MS4 Area? (HTTPS://TINYURL.COM/3H54CNMD)	NO	
9b	Will the proposed action have potential to affect water quality, wetlands, streams or other water bodies? If "YES", an environment-related permit or authorization may be required.	NO	
10	Are solid or hazardous wastes or petroleum products likely to be encountered? (For example, project occurs in or adjacent to Superfund sites, known spill areas, understorage tanks, or abandoned mines.)	NO	
11a	Are there any listed or candidate threatened or endangered species, or critical habitat in the vicinity of the proposed action?	NO	
11b	Will the proposed action adversely affect listed or candidate threatened or endangered species, or adversely modify critical habitat?	NO	
12	Will the proposed action require an environmental-related permit or authorization? If the answer is "YES", please list the specific permits or authorizations.	NO	
13	Is the proposed action within designated sage grouse habitat (https://sagegrouse.mt.gov/ProgramMap). (If yes, a consultation letter issued from the Montana Sage Grouse Habitat Conservation Program is required.)	NO	
14a	Is the proposed action on or within approximately 1 mile of an Indian Reservation?	NO	
14b	If "YES", will a Tribal Water Permit be required?	N/A	
15	Will the proposed action result in increased traffic volumes, increased wait or delays on state highways, or have adverse impacts on other forms of transportation (rail, transit or air movements)?	NO	
16	Is the proposed action part of a project that may require other governmental permits, licenses or easements? If "Yes", describe the full extent of the project and any other permits, licenses or easements that may be necessary for the applicant to acquire in the project scope box above.	NO	
17	Attach a brief description of the work to be performed, including any subsurface work.	YES	
18	Attach representative photos of the site(s) where the proposed action would be implemented. Photos are to include any structures, streams, irrigation canals, and/or potential wetlands in the project area.	YES	
19	Attach map(s) showing the location(s) of the proposed action(s); Section, Township, Range; highway or route number and approximate route post(s).	YES	

Checklist preparer:

(Signature)

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