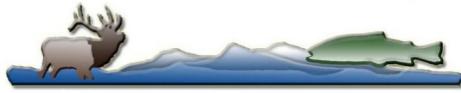


*State of Montana*  
  
*Natural Resource Damage Program*

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MEMORANDUM

TO: Members of the Butte Natural Resource Council

FROM: NRDP

DATE: May 5, 2025

SUBJECT: May 15, 2025, BNRC Meeting

Council Members,

There were conflicts with the Archives and the Emergency Center, so we're having the meeting at a new location with adequate internet and space, WET's conference room at 510 E Park St. Parking is in the rear of the building.

Attached is an agenda for our 05-15-2025 BNRC meeting and includes:

1. Agenda.
2. A table of the proposed projects and your ranking criteria (if the BNRC votes to recommend moving forward with an amendment). This table includes the amount remaining on the Butte-Silver Bow and Montana Tech revegetation contracts as "committed costs," as well as an estimated set-aside for closeout administration costs for the life of the fund. Note that this table should be used rather than the table in the March 29, 2025, NRDP Project memo, because it has a more precise identification of the funds available to allocate to new projects.
3. NRDP's March 29, 2025, Projects Memorandum that you have previously received.
4. The BSB Project Proposal Memo that you have previously received.
5. NRDP's legal analysis of 2020 Butte Priority Soils Operable Unit Consent Decree, Use of \$20.5 million BTC Riparian Action Leftover Funds (Per Paragraph 21) and the funding diagram for the Parrot Project funding and reimbursement that was used after the CD was executed. (Note that the funding diagram has some out-of-date information on it because NRDP has not continued to update it.)

As always, feel free to contact us if you have any questions.

Thanks

# **BUTTE NATURAL RESOURCE DAMAGE RESTORATION COUNCIL (BNRC)**

**BNRC Members:**

**Elizabeth Erickson,  
Chair**

**Bill Callaghan**

**Mary Jo McDonald**

**John McKee**

**Suzzann Nordwick**

**Emmett Riordan**

**Jon Sesso**

**Courtney Young**

**Thursday May 15, 2025**

**6:00 to 9:00 pm**

**MT Tech**

**1300 W Park Street**

**2<sup>nd</sup> Floor Student Union Building #212**

**Butte, Montana**

## **AGENDA**

**Introduction – Meeting Overview– (6:00 to 6:10)**

– Elizabeth Erickson, Chair, Doug Martin, NRDP

**Montana Tech Revegetation Update – (6:20 to 6:50)**

– Robert Pal, Montana Tech

• Questions/Comments from the Council then the Public

**To Amend or Not Amend the BAO Restoration Plan – (6:50 to 7:10) –  
Action Item**

– Council will discuss and make a recommendation to the Governor on  
whether or not to amend the BAO Restoration Plan.

Per the March 29, 2025, NRDP memorandum (attached), if the Council recommends not amending the BAO Restoration Plan to minimize costs, existing contracts with Montana Tech and Butte Silver Bow for revegetation actions would be honored and NRDP staff would continue to oversee and coordinate with remedy. This pause would occur until the funds from the Butte Site Fund reimburse the BAO fund (after DEQ completes the Blacktail Creek remedial action). If Council recommends not to propose implementing projects and instead pause, the restoration plan would not need to be amended, and no further action is necessary at this meeting.

If the Council recommends amending the BAO Restoration Plan, existing contracts would be honored. The Council also needs to select/rank the projects to propose in an amendment. Currently, the total costs of all restoration projects to be considered exceeds the available funding (table attached). Once the Council selects/ranks projects, NRDP will prepare a draft amendment and seek public comment for a minimum of 30 days. Council would then consider public comment and make a recommendation to the Governor on what projects to include in an amendment.

# **BUTTE NATURAL RESOURCE DAMAGE RESTORATION COUNCIL (BNRC)**

**If No Amendment Selected** – Adjourn (7:10)

– Public Comment/Questions

**If Amendment is Selected** – (7:10 – 9:00)

Council to select/rank proposed projects shown in attached table. NRDP, MT Tech, and BSB staff will be available to discuss projects and answer questions. The selection/ranking of projects could include recommending fully or partially funding of projects, the recommendation of project contingency or other considerations. Other considerations could include, but are not limited to, provisions in the March 29, 2025, NRDP memorandum (attached) that were requested by Council, such as “project implementation should start within two years.”

The attached table provides a list of the projects and their estimated costs; this table has been updated from the table in the March 29, 2025, memo and should be used. The BNRC policy criteria are also listed on the table for your use to assist with project selection/ranking.

– Public Comment/Questions

## **Remote/Hybrid Meeting Procedures:**

\* This meeting is open to the public via in-person, telephone or the Microsoft Teams meeting app or webapp.

## **Procedures NRDP staff, and public shall follow to make this meeting a success:**

NRDP staff will be the meeting host/moderator and assist in running this meeting.

**This meeting will be recorded** for the purpose of public record, the meeting recording will be posted publicly to NRDP's website. As such, **all meeting participants shall announce their name before speaking every time they speak** for continuity purposes. If participants do not announce their name, the moderator will need to interject and ask the speaker to give their name. This is especially important for those participants who are joining by telephone, as we will only be able to see a telephone number.

## **Public Procedures to Participate:**

Members of the public may observe/listen to the meeting and attend for purposes of public comment either in person, by using the Teams link or by telephone. Meeting agenda and backup materials, including the slideshow presentation, can be found at: <https://dojmt.gov/nrdp/butte-natural-resource-council/>

All public comments and questions will be held upon conclusion of presentations.

Members of the public participating via Teams may raise their hand (for directions see links at the end of this document) and wait to be addressed by the moderator or politely interject and wait for acknowledgement by the moderator, to provide comment or ask a question, **please do not talk over others**. Comments/questions will first be taken from the public attending the meeting in-person and then those participating remotely via Teams or telephone. If your question is asked or addressed before you are acknowledged, please lower your hand. Everyone will get a chance to speak if they wish to do so.

**NOTE:** If you try to speak without being recognized by the moderator, your comment/question may not be heard. Also, it has come up that the raise your hand feature in Teams is not always available depending on how you join the meeting. If you do not have the ability to raise your hand, please politely interject and ask the moderator to speak, only when the question/discussion portion of the meeting is opened by the moderator.

Any oral public comment provided is a public record that is recorded, archived, and available on the Internet.

NRDP will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. For questions about accessibility or to request accommodations, please call Meranda Flugge at 406-444-0229 or email at [meranda.flugge@mt.gov](mailto:meranda.flugge@mt.gov) as soon as possible but no later than 3:00 PM Wednesday, May 14th, 2025.

**Thursday, May 15<sup>th</sup>, 2025, BNRC Meeting Access information:**

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2025 Butte Area One Restoration Projects - BNRC Policy Criteria Evaluations

Proposed BAO Projects						
	Title	Sponsor	Project Summary	BAO Fund Request	Notes	BAO Plan Amendment?
Current BAO fund balance =				\$5,590,659		
BAO Committed Costs						
A	Butte remedy/restoration coordination, CD compliance, and liability monitoring	NRDP	Review CD materials, attend CD meetings, assess CD liability, coordinate BTC Remediation with DEQ, generate NRDP comment letters, develop restoration project concepts and projects.	\$300,000	assumes 3 years of effort	no
B	Montana Tech Native Plant Butte Hill Revegetation	Montana Tech	Continue with the final 3 years on the Montana Tech Native Plant Program to work with the BSB Tree Program to improve the diversity and sustainability of the revegetation on the caps over mine waste areas on the Butte Hill.	\$318,000	contracted, unspent	no
C	Butte-Silver Bow Tree and Shrub Planting Program	Butte-Silver Bow	BSB has identified the Walkerville playground, Little Minah, Belle of Butte as potential sites. Also work with one local grade school each fall to plant native species.	\$411,000	contracted, unspent	no
D	Closeout Administration Expenses	NRDP	Assumes 12%, only actual share of admin will be charged to BAO over remaining life of the fund.	\$670,880		no
Total BAO Committed Costs =				\$1,699,880		
BAO uncommitted balance =				\$3,890,779		
Proposed Projects						
1	BAO Alluvial Aquifer Restoration Project	NRDP	Capture and pump contaminated groundwater from the middle alluvial unit by drilling wells and conveying the water to the Montana Resources Dredge Pond.	\$2,000,000		yes
2	Blacktail Creek Contamination Investigation	NRDP	Quantify the nature and extent of contamination in/along Blacktail Creek from Lexington upstream through Father Sheehan Park.	\$250,000		yes
3	Blacktail Creek Restoration Project	NRDP	Build step pools over a municipal sewer line in Blacktail Creek and screen the diversion to the Butte Country Club irrigation pond to improve cutthroat trout migration. Total cost = \$1.2M. So far \$300,000 has has been spent on design/permitting. UCFRB Aquatics dedicated \$550,000, so there is a \$350,000 shortfall. NRDP proposes dedicating \$100,000 from BAO for this project.	\$100,000		yes
3a			alternative amount	?		
4	Parrot Smelter/City Corral Memorial	NRDP	NRDP proposes to work with BSB/Butte Archives to construct a memorial for the Parrot Smelter and Butte-Silver Bow City Corral/Shop facilities at a site behind the Butte Civic Center.	\$20,000		yes
5	Water Meters and Labor	Butte-Silver Bow	Transition 4,239 flat rate water users to metered systems ("meters and labor")	\$1,767,451	per BSB memo*	yes
5a	Water Meters Grant Program		BSB proposes utilizing a portion of the BNRC funds to establish a 10-year grant program that would provide financial support to property owners earning less than the area median family income.	\$2,500,000	per BSB memo*	yes
5b	Enhancements to Basin Creek Park Pavilions and Parking Lot		Enhancing the accessibility and infrastructure at Basin Creek Park. Project calls for enhancing the edible forest by replacing damaged trees and installing a more efficient irrigation system; rehabilitation of the historic lodgepole pavilion; construction of an ADA-accessible pavilion, restroom and parking facilities, and installation of interpretive signage.	\$884,827	per BSB memo*	yes
Total BSB Request =				\$5,152,278		
Proposed Projects total =				\$7,522,278	*NRDP reviewed the BSB-proposed projects to confirm a nexus to the injured resource and/or services provided prior to sending the memo to BNRC. NRDP did not evaluate the other NRD criteria, such as cost-benefit. NRDP will perform a full evaluation using NRD legal and policy criteria if BNRC recommends a project.	

BNRC Policy Criteria (score 1 = high, 7+ low)									
Restoration of Injured Resource	Public Support	Benefits to Butte Area One	Silver Bow Creek Ecosystem Health	Long-term Effectiveness	Matching Funds and Cost Sharing	Coordination and Integration	Normal Govt Function	Total	Rank

Score

1 = High

7+ = Low

STATE OF MONTANA, NATURAL RESOURCE DAMAGE PROGRAM



To: BNRC Members

From: NRDP Staff

Date: January 24, 2025 (updated March 29, 2025)

Subject: Butte Area One Restoration Project Recommendations for 2025

**Background:**

The BNRC has expressed concern that administrative costs and expenses for Butte Area One (BAO) Restoration Fund are being incurred at a rate that was outpacing the interest earned for the BAO account. Additionally, the council expressed their frustration with the pace of the Butte Priority Soils Operable Unit Consent Decree (BPSOU CD) remedial efforts. Seven years after publicly releasing the remedial plans and starting design (i.e., BPSOU CD, Appendix D, Attachment C) and more than four years after entering the BPSOU CD, remedy projects have not progressed as substantively as the council had hoped, and therefore, there are limited opportunities for implementing restoration in areas where remedy is yet to occur.

The BNRC requested that NRDP staff develop various conceptual restoration actions that:

1. have the highest restoration values (Stage 1 Legal and Stage 2 BNRC Policy criteria),
2. are "shovel-ready," which is defined as can be initiated within two years,
3. would minimize BAO expenses, and
4. that will not conflict with or implement BPSOU CD remedy actions.

The range of potential restoration actions ranges from implementing projects now to "hitting pause" by significantly reducing all BAO restoration work until remedy work is completed.

Whatever outcome, the revisions to the BAO will likely have to be captured in an amendment to the BAO Restoration Plan. Once crafted, the revised plan would go out for public comment before going to the BNRC and Trustee's Restoration Council for their recommendation, which will be conveyed to the Governor who will make the final decision on any BAO Restoration Plan revisions.

**BAO Fund Status:**

At the October 17, 2024, BNRC meeting, NRDP staff presented an update on the balances of the BAO Restoration Fund and provided the council with a short list of potential shovel-ready restoration projects for discussion. NRDP estimates that approximately \$5.6 million is available as of the end of 2024.

There are three additional funding sources excluding the existing BAO Restoration funds (see Table 1 below), they are:

1. Parrot Tailings Waste Removal Project (Parrot Project) remainders
2. BPSOU CD Butte Settlement Fund
3. SSTOU \$2.5 million transfer (BAO portion of \$5.0M transfer)

**1. Parrot Project Remainders:**

Per the 2019 BAO Restoration Plan amendment, the current BAO balance includes the \$842,945 reimbursement from the Parrot Project. More money may be available when ET Cover O&M is agreed to with BSB and a final round of sampling is completed following completion of the BPSOU CD Par. 96 5-year time frame.

**2. BPSOU Settlement Funds:**

With the execution of the BPSOU CD, the State of Montana was provided a \$20.5M settlement by BP-Atlantic Richfield (BP-AR) for implementation of remedy work, with leftovers to go to restoration to reimburse the State for costs incurred by NRDP investigating BPSOU CD contaminant source areas and for implementing the Parrot Project. The State, through the Montana Department of Environmental Quality (DEQ), will implement the Blacktail Creek (BTC) part of the BPSOU CD remedy (Attachment C, Section 5). BTC implementation is at a minimum several years off.

When DEQ has finished their defined remediation of BTC, the first \$1.0M of remaining settlement funds will be provided to Butte-Silver Bow (BSB) for a future project in the Silver Bow Creek corridor, subject to the terms in the BPSOU CD, Appendix D, Attachment C, Addendum 1. The remaining Butte Site account settlement funds will be divided among three restoration plans as described in the 2019 Restoration Plan amendment:

- 51% to the Upper Clark Fork River Basin Aquatic and Terrestrial Restoration Plan;
- 35% to the Butte Area One Restoration Plan; and
- 14% to the Butte-Silver Bow Groundwater Restoration Plan.

The schedule for DEQ to complete this project is unknown at this time. It is anticipated that \$7.0-\$12.0M will remain for restoration projects after DEQ completes its BTC Project.

**3. Status of the Streamside Tailings Operable Unit (SSTOU) \$5.0 Million Transfer:**

The Governor allocated additional restoration funds to pay for the Parrot Project in 2019 (BAO Amendments, 2019). In addition, as part of the funding package for the Parrot, the Governor proposed in this amendment to allocate the first \$2.5 million of the Streamside Tailings Operable Unit Consent Decree leftover funds to the BAO Restoration Plan. Subsequent to this 2019 commitment, DEQ has indicated to NRDP that DEQ will not be able to re-submit a transfer funding request to EPA from the SSTOU account for the UCFRB (\$2.5M) or the BAO Restoration Funds (\$2.5M) to meet the 2019 amendment.

**Table 1 - BAO Restoration Fund Status Summary**

Fund Sources	Expected	Current
Existing Funds	n/a	\$4,775,000
Parrot Project	Undetermined	\$843,000
SSTOU Remainders	\$2,500,000	\$0
BPSOU CD Settlement	\$?~ \$2,450,000 - \$4,200,000	\$0
Approximate Total		\$5,618,000

**NRDP BAO Restoration Project Alternatives:**

NRDP does not recommend allocating funding per the existing categories within the BAO Restoration Plan at this time; instead NRDP is recommending allocating funding to projects where implementation can be started within two years. The BNRC requested that BSB develop a short list of other shovel-ready water restoration projects for the council's consideration. The BSB ideas will be presented to the BNRC in a separate memo when received.

Below are two alternatives NRDP can further develop to seek public comment, for the council to consider, and be presented to the Governor for consideration and approval. The following recommendations by the NRDP are made with the highest restoration value and the ability to start implementation of projects within two years. Implementation is defined as the establishment of a contract with NRDP for a project or initiation of project development, design or construction activities. If project implementation does not start within two years, funding allocated to this project will remain in the BAO Restoration Fund for future allocation by the Governor.

**Alternative 1: Shovel Ready Project Implementation**

At the November 7, 2024, BNRC meeting, NRDP staff presented the council with a short list of viable restoration projects that would meet the four (4) criteria previously listed and could be implemented with approximately \$5.6M currently available in the BAO Restoration Fund (Table 1). In order of priority:

**Oversee and Coordinate with Remedy**

NRDP will ensure that the remedial activities within the Silver Bow Creek corridor do not impact restoration actions (current or future), meet the BPSOU CD requirements related to remedy, and ensure that restoration funds are not spent on remedy per Section 6 of the Restoration Plan. This is estimated to cost \$100,000/yr.

**BAO Alluvial Aquifer Restoration Project (contingent on BSB access agreements)**

This project proposes pumping contaminated groundwater from the area where the Parrot project was completed. The BAO natural resource damage settlement was for injuries to the alluvial aquifer and the surface waters of Silver Bow and Blacktail Creeks within the Upper Silver Bow Creek Corridor caused by the release of hazardous substances by BP-AR. The largest source of alluvial groundwater contamination was the Parrot Project waste. When NRDP first contemplated the removal of the Parrot Project waste, EPA and BP-AR questioned how long it would take to substantially reduce alluvial aquifer groundwater contaminant concentrations once the primary

waste sources had been removed. At the request of NRDP, the Montana Bureau of Mines and Geology (MBMG) conducted column tests on the alluvium to quantify the estimated time frame. MBMG concluded that the aquifer could substantially improve relatively quickly noting that as little as three volumes of clean water passing through the alluvium could greatly reduce groundwater contamination. Although the alluvial aquifer in Butte is rather prolific, it would still take decades to pass three volumes through this aquifer. However, actively removing the highly contaminated groundwater that currently exists below where the Parrot Project was completed would:

1. greatly accelerate the recovery of the aquifer closer to baseline conditions, and
2. add another layer of protection from the existing contaminated groundwater discharge to Blacktail and Silver Bow Creeks.

During the Parrot Project, the waste removal area was dewatered to keep the work area dry so groundwater saturated waste could be excavated. During Phase IIC, about 32.5 million gallons of highly acidic and contaminated groundwater from the upper alluvial unit was collected by a series of horizontal drains and was conveyed to the Montana Resources (MR) dredge pond for use in their mining and milling processes. This effort removed approximately 35,000 pounds of copper and 37,000 pounds of zinc, along with several hundred pounds of other contaminants. MBMG estimated it would likely have taken decades for this amount of contamination to have been removed from the upper alluvial groundwater under natural conditions. These results justify additional efforts to capture and remove highly contaminated groundwater from the alluvial aquifer.

To accelerate the recovery of the alluvial aquifer and to protect the creeks from contaminated groundwater discharge, NRDP would implement the BAO Alluvial Aquifer Restoration Project that was previously proposed to the BNRC in 2021. This would include drilling three or four 6- inch extraction wells, installing stainless-steel pumps into each well, possibly utilizing the horizontal trenches installed as part of the Phase IIC Parrot Project (although these are not currently being used), manifolded into a single collection point, and installing a below-grade discharge line to the MR dredge pond. Every effort would be made to place these wells in areas where they will not disturb the recently completed Civic Center parking lot or interfere with other existing or future infrastructure. The discharge pipeline would be buried below the frost line to prevent freezing during winter operation.

Water quality samples would be periodically collected at the discharge end of the line. The analytical results from these samples would be used to determine the effectiveness and duration of the project. At some point in the future, the cost of pumping would exceed the benefit of contaminant removal as the contaminant concentrations decrease. It is likely that the wells would be pumped for two to ten years with the benefits exceeding the costs.

Prior to starting any field work, NRDP would need to execute an agreement with the landowner, BSB, for installation of the system and MR, who would receive the water. This project would likely require additional permitting.

An engineering proposal prepared in October 2021 estimated construction costs for the BAO Alluvial Aquifer Restoration Project would be about \$2.0M. Operating and maintenance costs for this system would likely be ~\$50,000/year.

### Blacktail Creek Contamination Investigation

In 2016, NRDP conducted the waste investigation of the Silver Bow Creek and Blacktail Creek corridors to quantify the nature and extent of the contamination within the floodplains of these streams within BAO. The results of this investigation were used for conceptually designing waste removal projects at the Blacktail Creek and Butte Reduction Works Smelter Remediation Projects and ultimately incorporated in the 2020 BPSOU Consent Decree. Floodplain soil, surface water, groundwater, pore water, and in-stream sediment samples were collected and analyzed for contaminants and other parameters, including “background” samples from Blacktail Creek between Lexington Avenue to Harrison Avenue. Although not as highly contaminated as those samples collected in the study area, these upstream “background” samples from Lexington to Harrison, contained surface water, groundwater, sediment, sediment pore-water, and floodplain soils contaminant concentrations above State standards and/or risk-based screening criteria.

It is known that the Bell Smelter was located slightly north of Blacktail Creek, just west of Harrison Avenue. Although short-lived, this operation produced wastes that were never quantified nor characterized and much of which were discharged directly into Blacktail Creek. Historical aerial photos of this area indicate a lack of vegetation in the area, indicating waste spread downstream from the source area. Also, these wastes were possibly used to construct roadbeds in this area. Data collected by Montana Fish, Wildlife and Parks for Blacktail Creek in this area indicates that fish numbers are much lower than fish numbers upstream.

The goal of this investigation would be to quantify the nature and extent of contamination in this area. This information could be used by EPA to coordinate remedy with restoration and for NRDP to design a restoration project(s) for this reach of Blacktail Creek. Funds to implement future stream restoration project could come from the BAO portion of the Butte Site Funds once DEQ has completed their Blacktail Creek remedial clean-up downstream of Lexington Avenue.

NRDP proposes a thorough investigation of the Blacktail Creek floodplain from Lexington Avenue upstream through Father Sheehan Park west of Harrison Avenue. Based on NRDP’s previous investigations this effort would cost approximately \$250,000 and would be conducted in 2025/26.

### Waste Area Improvements/Revegetation Projects

The 2020 BAO Plan Amendment dedicated \$1,978,575 to the Waste Area Improvements / Revegetation category and called for 15% of the unspent Parrot Project funds to go back to this category. As of June 30, 2024, the balance in the Waste Area improvements/Revegetation category of the BAO Plan was approximately \$1,759,163. The value of the upcoming 15% of the reimbursement from the Parrot Project will be approximately \$124,000. The two sponsors of the BAO restoration revegetation projects are the Montana Tech Native Plant Program and the BSB Department of Reclamation and Environmental Services.

Montana Tech: The Montana Tech Native Plant Program was provided with \$914,000 in the 2020 BAO Restoration Plan Amendment. Montana Tech Native Plant Program is currently working under a 5-year contract, valid from July 1, 2024, through June 30, 2028, to work in conjunction with the BSB Tree Program to improve the diversity and sustainability of the revegetation on the caps over mine waste areas. Montana Tech currently has a balance of about \$361,000 remaining on this contract and is spending approximately \$125,000 per year. NRDP recommends increasing the total amount available to Montana Tech to \$375,000 by adding \$14,000 to this contract and continuing this current

arrangement until the money is expended and their contract expires on June 30, 2028. Montana Tech would continue to submit yearly work plans and budgets for review/approval by NRDP.

BSB (contingent on BSB willingness to implement): The 2020 BAO Restoration Plan Amendment dedicated \$1,024,559 to BSB Tree and Shrub Planting Project. BSB and NRDP have a contract for this project that is valid from July 1, 2023, through June 30, 2028. Since 2020, BSB has spent about \$107,000 on the tree/shrub planting project, leaving a remaining balance of approximately \$918,000. BSB's annual BAO restoration budget has been approximately \$100,000/yr, but their actual spend rate has been closer to \$26,000/yr because they have been using matching remedy funding to complete much of the work on the waste area improvements.

The BNRC has expressed interest in BSB and Montana Tech collaborating on a few large revegetation projects on the Butte Hill that will not be addressed under BPSOU CD or in the West Side Soils OU. NRDP concurs and recommends that BSB and MT Tech work together on one large scale tree//shrub/native plant project per year for the next three years. BSB will have the authority to spend up to \$306,000/year on supplies/materials/labor and Montana Tech will provide native plants as needed per their existing contract discussed above. BSB has identified a few sites where much work could be done in the near-term: the Walkerville playground on the southeast corner of the Alice Mine site, the Little Minah and the Belle of Butte. NRDP also recommends that BSB and Montana Tech work with one local grade school each fall to plant native species at one of the three selected sites or other suitable waste area such as the evapotranspiration covers on the Parrot Smelter site behind the Civic Center.

Moulton Reservoir Recreation Project (contingent on BSB willingness to implement)

BSB was allocated \$100,000 in BAO funding from the small project category in May of 2015 to construct recreational amenities at the Moulton Reservoir. BSB did not want the construction and/or use of the recreational facilities to interfere with the construction of the new spillway and dam improvements at the Moulton Reservoir. The dam infrastructure improvement project was completed in Fall of 2024. If BSB is interested, then the recreational project could be implemented at this time. NRDP proposes to allocate \$250,000 to BSB to implement this recreation project. The extra funds beyond the 2015 small project funding would provide for the increased costs of construction over the last decade and the expansion of the project to the upper reservoir and a connection to the Continental Divide Trail. It is recognized that most of this property around the Moulton Reservoir is owned by the U.S. Forest Service, and BSB would have to collaborate with their local representatives on the recreation project.

Blacktail Creek Restoration Project

NRDP has a restoration project ready to bid, and planned for 2025, on Blacktail Creek once full funding has been secured. This project calls for building step pools over a concrete-encased municipal sewer line that passes through the stream just south of the Butte Country Club golf course and screening off the diversion to the Butte Country Club irrigation pond. This project would improve fish passage for native west slope cutthroat trout as they migrate to spawning grounds in the upper limits of Blacktail Creek and would also eliminate/minimize brook trout habitat. When coupled with the other road infrastructure, remedy, and restoration projects slated for Blacktail Creek, this passage-elimination project would contribute to the holistic vision to make the entirety of Blacktail Creek a healthier trout stream.

Total costs for this fish passage project are estimated at nearly \$1.2M. Over \$300,000 has already been invested in designing and permitting this project. The primary funding source for this project is the UCFRB Aquatics account allocated to Blacktail Creek watershed, which has a current balance of about \$550,000. This project has a funding shortfall of about \$350,000. NRDP is seeking grant funds from other sources and has secured \$30,000 so far. NRDP proposes to dedicate \$100,000 from the BAO Restoration Fund toward the completion of this project.

**Parrot Smelter/City Corral Memorial (contingent on access agreement)**

The Parrot Smelter operated from 1881 to 1899, and the City Corral/BSB Maintenance Shops also operated for decades in this area. To properly recognize these historical landmarks, NRDP proposes to work with BSB/Butte Archives to construct a memorial for these facilities at a site behind the Butte Civic Center, including a description of the evapotranspiration (ET) cover and protective uses of the ET cover. Projected costs for this endeavor should be about \$20,000.

**Alternative 1 Summary**

The total value of the restoration projects identified by the NRDP is about \$4,713,000, see Table 2 below. NRDP will implement projects per Section 6 of the BAO Restoration Plan.

**Table 2 – Alternative 1 Estimated Project Costs**

<b>Proposed Project</b>	<b>Cost Estimate</b>	<b>Dependent On</b>
<b>Oversee and Coordinate with Remedy</b>	\$300,000	Assumes 3 years for remedial designs to be completed.
<b>BAO Alluvial Aquifer Restoration Project</b>	\$2,000,000 (updated)	Agreements with BSB for site access and with MR to take the contaminated water.
<b>Blacktail Creek Contamination Investigation</b>	\$250,000	
<b>Waste Area Improvements/Revegetation Projects</b>		
<i>MT Tech</i>	\$375,000	
<i>BSB</i>	\$918,000	BSB willingness to implement.
<b>Moulton Reservoir Recreation Project</b>	\$250,000	BSB willingness to implement.
<b>Blacktail Creek Restoration Project</b>	\$100,000	
<b>Parrot Smelter/City Corral Memorial</b>	\$20,000	BSB access agreement.
<b>Approximate Total</b>	<b>\$4,213,000</b>	

**Alternative 2: Place the BAO Restoration Efforts On-Hold**

The BAO Restoration Plan was signed by the Governor in January 2013. The BPSOU CD was entered in 2020. To date, there have been very limited opportunities for restoration to work in conjunction with remedy. NRDP understands the BNRC's desire to see restoration pick up where remedy leaves off, or for the two programs to work together. If the Governor decides that it would be better for restoration to pick up where remedy leaves off, then NRDP would work towards placing the BAO restoration efforts on hold. After the Butte Site Fund reimburses the BAO Fund (i.e., after DEQ completes the Blacktail Creek remedial action), the BNRC could reconvene and assist the Governor to determine how best to allocate and spend the available funding. Factors to consider in deciding whether to pause the BAO restoration efforts include:

- Design and construction costs will likely continue to increase.
- Interest earned on the BAO fund investments might not keep pace with inflation.
- The historical knowledge of the council and the staff might be lost by the time restoration efforts are reconvened.

Under this alternative, NRDP and the BNRC would reduce Butte efforts to a minimum until BPSOU remedial activities are completed and the Butte Site Fund reimburses the BAO Restoration Fund. NRDP would reduce its costs to include ensuring that the remedial activities within the Silver Bow Creek corridor do not impact restoration actions (current or future), meet the BPSOU CD requirements, and ensure that restoration funds are not spent on remedy per Section 6 of the BAO Restoration Plan. This alternative would allow interest to accrue and once the Butte Site Fund reimburses the BAO Restoration Fund, the Governor, with BNRC input, would determine how best to allocate and spend the available funding. The BNRC would not meet during this time but could reconvene if determined necessary by the Governor once funding is reimbursed. Upon the approval of the Governor, if necessary, NRDP would hold public meetings to inform the public of current project and fund status. See cost estimates in Table 3 below.

**Table 3 – Alternative 2 Estimated Costs**

Proposed Project	Cost Estimate/yr	Dependent On
Oversee and Coordinate with Remedy	\$100,000	
Approximate accrued interest (assumes 4% on \$5.6M)	+\$224,000	
Approximate Total	+\$100,000	



# THE CITY-COUNTY OF Butte-Silver Bow

## **Butte-Silver Bow Proposal to the Butte Natural Resource Damage Council for Butte Area One Restoration Funds**

Butte-Silver Bow (BSB) is requesting \$5,036,847 from the Butte Area One Restoration Fund to invest in critical water infrastructure, and enhance, maintain, and expand recreation opportunities within our community. Below please find a detailed proposal and funding request for the following two projects:

- Completion of Water Metering Infrastructure within the Butte Urban Boundary
- Enhancements to Basin Creek Park Historic District

### **Project I. Completion of Water Metering Infrastructure within the Butte Urban Boundary**

In recent years, BSB has recognized a need to manage its municipal water resources and conducted planning initiatives revealing the local government and public's interest in water conservation. The deposition of waste related to historic mining and mineral processing injured the alluvial groundwater and surface water resources, and Butte has developed an extensive and sophisticated municipal water system to support its residents' access to safe and healthy drinking water.

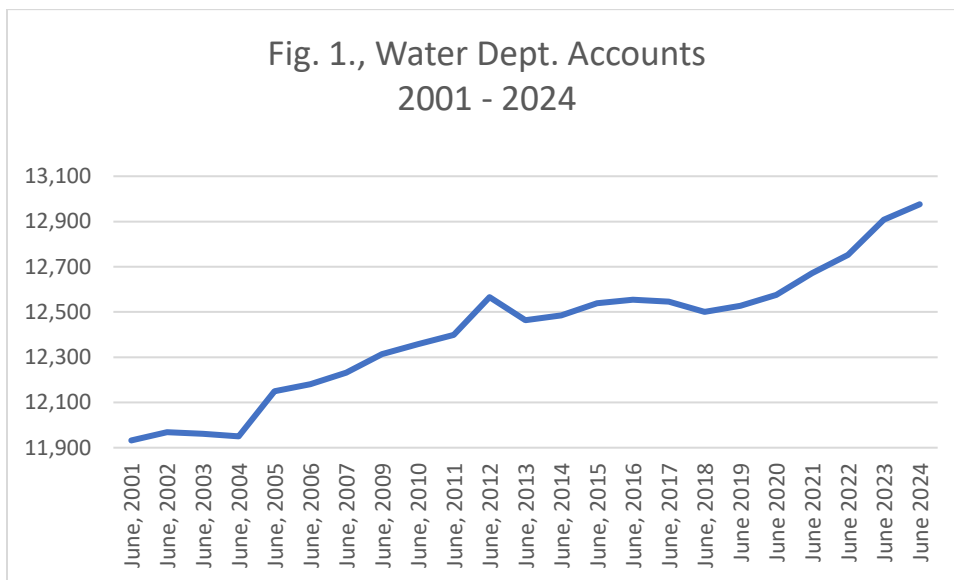
In 2020, Butte-Silver Bow adopted the Butte-Silver Bow Comprehensive Plan which set forth the community's seven overarching goals guiding future development: enhancing the community character, respecting heritage, maintaining recreational access, sustaining affordability and housing choice, providing economic opportunity, promoting sustainable growth, and ensuring a clean and healthful environment for all residents.

The seven goals are supported by 28 individual objectives and 75 action strategies detailing how to accomplish these goals in a measurable way. Maintaining the quantity and quality of Butte-Silver Bow's surface and groundwater resources is one such objective, and notably, in 2021, Butte-Silver Bow completed its Water Master Plan (WMP) to evaluate the condition and capacity of the municipal water system to meet existing and future water demands, assess the general condition of above ground facilities, and describe future water quality regulatory implications. The WMP informs an implementation strategy that leverages technology while promoting environmental and economic sustainability (BSB WMP, 2021).

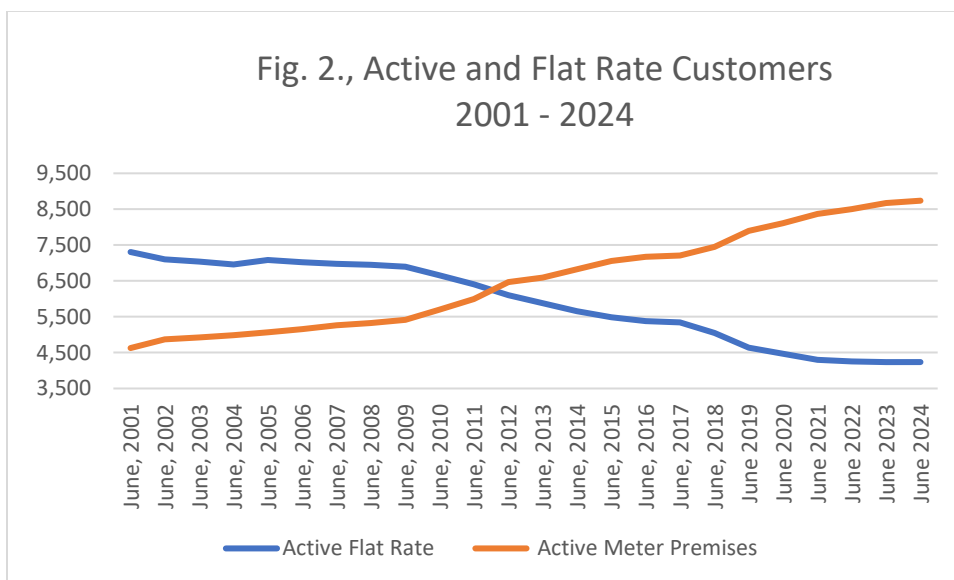
In 2024, Butte-Silver Bow adopted the Sustainability, Health, and Resilience Plan (SHARP) to address specific climate-related challenges impacting Butte's future. This analysis focused on three primary public policy areas; public health, contaminated sites, and water resources. Water resource impacts include drought, increased demand for groundwater due to reduced surface water availability, and threats to local water sources due to wildfire, and will require various strategies to conserve and sustain supply.

Both the Water Master Plan and SHARP identify water metering as a key action strategy for sustainability and conservation of water resources. As of June 30, 2024, Butte-Silver Bow has 12,976 active water accounts. A total of 8,737 accounts are metered, and 4,239 accounts pay a flat rate. **Flat Rate Account** charges are based on property characteristics (e.g., number of rooms, bathrooms, and lawn size), and do not reflect actual water consumption, leading to inefficiencies and overuse. **Metered Account** charges are based on actual water use, promoting conservation and efficient resource management.

In 2012, as part of the Butte Natural Resource Damage Program’s investment in the Basin Creek water resource, additional funds were allocated to a meter program. Approximately \$1,026,776 was invested in a Butte-Silver Bow water meter program, which incentivized participation through the provision of a free, up-to-date meter. Figure 1., below, illustrates the increasing number of accounts at the Water Division since 2001; please notice the outlier in 2012, which coincides with initial NRDP investment in Butte’s drinking water system. As participation in the water meter program continues to increase, sustainability of these resources becomes paramount.



The previously funded water meter program was successful; as illustrated in Figure 2., below, 2012 marks the point in time when the number of properties with water meter systems exceeded those of flat rate users.



In 2024, Butte-Silver Bow pro-actively reinitiated the meter program, establishing a long-term, 20-year project to upgrade the existing 8,737 meters to systems of appropriate specification. In 2021, Butte-Silver Bow invested \$60,000 in digital meter reading technology positioned at gateways throughout the city.

The Neptune 360 water meter system uses technology to read water meters within the gateway area at 15-minute intervals. This technology allows the Water Department to monitor water use and quickly identify leaks to mitigate water waste in a timely manner.

Butte-Silver Bow anticipates upgrading the 8,731 meters over a 20-year period; the period of 20 years is the approximate useful life a meter system, and the program ensures effective monitoring of water usage over a sustained period. The program requires the purchase of the meter itself, currently valued at \$340 dollars, and the labor costs associated with the transfer. The local government has identified specific geographic areas wherein water meter upgrades will occur (please see Attachment A, Butte-Silver Bow's Water Meter Conversion and Replacement Program Zones). A meter upgrade takes approximately 10 minutes, and the upgrades are targeted within the same geographic area for efficiency in process. BSB anticipates upgrading 500 meters annually. The costs associated with this program are reflected in Attachment B, Water Meter Transition Program Budget.

In addition to the water meter upgrades, the Water Utility Division is currently developing a Drought Management Plan for the watershed. Butte-Silver Bow successfully secured \$50,000 in grant funds from the State of Montana, Department of Natural Resources and Conservation, to draft a plan to ensure reliable municipal water availability for its residents. This plan seeks to outline solutions to provide water during drought periods by defining drought levels, and outlining key actions to be taken in preparation for and during a drought.

### **Water Meter Transition Proposal**

As of June 30, 2024, Butte-Silver Bow has 4,239 flat rate water users. These accounts pay an increased water rate based upon specifications of their homes, rather than their water use, contributing to the inefficient use of water. Water Department data indicate that non-metered properties use greater quantities of water than metered counterparts, and converting the flat rate homes to meters will result in sustainability and conservation of water resources impaired by climate change impacts. Transitioning these remaining customers to metered accounts will:

- Reduce water consumption and waste, especially in dry summer months.
- Provide accurate data to monitor usage, detect leaks, and implement conservation programs.
- Align with SHARP goals to ensure long-term sustainability and availability of Butte-Silver Bow's water resources.

### **Project Scope & Cost Estimates**

BSB seeks BNRC funding to facilitate transitioning its 4,239 flat rate water users to metered systems. The proposal for this program incorporates the costs of meter purchase and its installation by BSB Water Utility Division staff, and one unique concept BSB believes is essential to a successful transition to a metered program.

One of the greatest barriers to transitioning properties to metered systems is the age and condition of plumbing. A meter requires a property to have copper or PEX plumbing and an interior water shut off. The majority of Butte residences were constructed in the early 20<sup>th</sup> century and have varying plumbing systems due to the prevalence of certain materials at any given point in time. Copper did not become a consistently used interior plumbing material until the 1980s, and many Butte homes were constructed well before this time. As many have experienced, the expense of converting residential plumbing infrastructure can be cost prohibitive, particularly for those with economic constraints.

In addition to the procurement of meter systems and labor costs, Butte-Silver Bow proposes utilizing a portion of the BNRC funds to establish a grant program that would provide financial support to property owners earning less than the area median family income. A total of \$2,500,000 of BNRC funds would establish a reimbursement-based grant program utilizing a sliding scale, offering a greater share of financial support to those most in need, to support plumbing conversion for meter installation. BSB believe this approach will lower the barriers to participation in the program and provide an important mechanism for low-income residents to attain a meter system, which could lower their water consumption as well as upgrading the infrastructure of their properties.

In addition to the grant funds, BSB requests \$37,939 for the salaries and benefits associated with the installation of meters on properties with the necessary internal plumbing systems. The approach will emulate the existing meter upgrade program and will occur over a period of approximately 10 years. An additional \$1,729,512 is budgeted for the purchase of 4,239 meters and setters at a cost of \$408.00. The transition program has a slightly higher purchase cost, as the pressure-regulating setter is required for the initial installation.

<b>Table 1. Water Meter Transition Program Cost Outlay</b>					
<b>Component</b>	<b>Units</b>	<b>Cost</b>	<b>Labor</b>	<b>Grant</b>	<b>Total Cost</b>
Water Meters	4,239	\$ 408			\$ 1,729,512
Water Meter Labor	4,239		\$ 9		\$ 37,939
Grant Program				\$ 2,500,000	\$ 2,500,000
<b>Total</b>					<b>\$ 4,267,451</b>

Table 1., Water Meter Transition Program Cost Outlay summarizes Butte-Silver Bow’s request of \$4,267,451 for the meter transition program. This includes the purchase of 4,239 meters at a cost of \$408; \$37,939 for installation; and \$2,500,000 to lower the barriers to participation through infrastructure investment in residences.

### **Match Commitment**

Butte-Silver Bow commits a total of \$4,328,313 over a 20-year period. The match reflects the contributions Butte-Silver Bow has made to the meter program, and their intention to continue this work for the next two decades.

The meter transition will be led by the BSB Department of Public Works, Water Utility Division. To ensure Butte-Silver Bow is encouraging and enforcing participation in the metering program, staff commits to the development of updated water conservation policies to be enshrined in updated ordinances. Water Department ordinances have not been substantially updated since the initial acquisition of the Butte Water Company in the early 1990s. Given the goals of the 2020 Comprehensive Plan, the 2021 Water Master Plan, and the 2024 SHARP Plan, there is significant need for updated policy reflective of current conditions.

Butte-Silver Bow is currently investing significant dollars in the development of the water conservation strategy. Butte-Silver Bow commits a total of \$3,442,000 to the water meter program over the course of 20 years. This commitment includes wages and benefits for water department laborers to upgrade existing meter customers to meters compatible with the Neptune360 technology. Butte-Silver Bow will continue to allocate \$14,000 to the Neptune system over the 20-year time horizon. The Public Works Accountant and Water Department Data Manager will work collaboratively to ensure necessary funding

is allocated, accounted for, and ensure both upgrade and transitions are scheduled to achieve the 500-meter per year goal.

These commitments are in addition to the additional costs provided by the local government and its departments including Human Resources, Budget and Finance, Payroll, and Central Services. This accounts for the services these professionals provide to grant funded initiatives, reporting requirements, and the incremental costs of phones, computers, and other supplies and materials.

### **10-year BAO Funding Request**

Butte-Silver Bow formally requests \$4,267,447 from the Butte Area One Restoration Fund, and commits \$4,209,733 as match. Butte-Silver Bow seeks allocation of the request over a period of 10 years or approximately \$430,000 per year for 10 years. This would allow Butte-Silver Bow to appropriate approximately \$250,000 per year to the grant program, \$172,950 to meter system purchases, and \$3,794 to wages and benefits.

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### **Project II. Enhancements to Basin Creek Park Historic District**

Basin Creek Park has been a popular recreation area for the public since the early 20<sup>th</sup> century. The Basin Creek Watershed was originally built to provide water for the City of Butte. The recreation area was developed following the construction of the Basin Creek Dam in the late 1890s. The origins of the park stem from the Butte Water Company's investment in the Basin Creek Reservoir, and given the community's need for respite from the urban area's industrial operations. The park provided a pleasant open space, reprieve from the noise, dust, and bustle of the urban area. The park featured a lush canopy of cottonwoods, maples, elms, and large lawn areas. In 1913, the construction of the Basin Creek Caretaker's House, also known as the Foreman's House, a lodgepole pine pavilion, firepits, and potable water added further amenities for visitors of the park.

Leveraging the significant investments of the early 20<sup>th</sup> century, Basin Creek Park was nominated for listing in the National Register of Historic Places, and in late 2023 the Basin Creek Park Historic District was officially designated. Contributing to the integrity of the park's significance are Butte-Silver Bow rehabilitation of the park's many structural and natural features. The rehabilitation began with the restoration of a piece of Montana's architectural history that serves as the centerpiece for the park, the Basin Creek Caretaker's house. The rehabilitation was generously supported by a series of grant investments and matched by the structure's insurance proceeds.

The State Historic Preservation Office provided BSB with a \$100,000 pass-through grant funded by the National Park Service, which was coupled with \$37,900 in insurance money collected due to damage to the historic building, and \$10,000 donated from the local non-profit Butte Citizens for Preservation and Rehabilitation. With the addition of \$11,000 allocated by the BSB Superfund Advisory and Redevelopment Trust Authority, the exterior of the Caretaker's House has been restored.

BSB is currently investing an additional \$45,000 provided by the United States Environmental Protection Agency Brownfields program through Headwaters RC&D. These funds are being targeted for the mitigation of hazardous materials and comprehensive cleanup of the property.

Coincidental to the revitalization of the Basin Creek Park Historic District, is significant investment of funds in the rehabilitation of the Basin Creek Reservoir and the municipal water system associated with the Basin Creek Watershed. Approximately \$24.1 Million of natural resource damage funds were

allocated to implement elements of the *Final 2014 Butte-Silver Bow Groundwater Restoration Plan* over the course of six years. The project goals, including the construction of Basin Creek Water Treatment Plant, improvements to the Big Hole Water Treatment Plant, Basin Creek pump station, and installation of water meters, have been completed. In addition to those items first invested in 2014, additional Butte-Silver Bow funding (American Rescue Plan Act) and BNRC funding have been applied toward the rehabilitation of the Dam.

As the board is aware, municipal water is provided by three different sources, Big Hole River and Moulton Reservoirs augment the principal municipal water source at Basin Creek Reservoir. Basin Creek provides 60% of Butte's water supply. Investments in the water treatment and dam infrastructure have made significant improvements to the longevity of the system, but risks remain. Butte-Silver Bow has agreed to open the reservoir area to recreation in the future, but the watershed has been heavily impacted by the mountain pine beetle epidemic resulting in significant deadfall and a high wildfire risk in the area surrounding the Treatment Plant and reservoirs.

Butte-Silver Bow, the United States Forest Service, and Montana Department of Natural Resources and Conservation have collaborated on a project to reduce fuels and wildfire risk in the watershed and have invested \$417,250 for hazardous fuels reduction.

Butte-Silver Bow remains committed to opening the watershed to recreation, but due to the extensive risk associated with opening the resource at this time, BSB is formally requesting BNRC funding to revitalize the existing park area to broaden access and reengage the community in its use and stewardship of the park while hazardous fuels reductions continue.

## **Project Scope and Cost Estimates**

In November 2016, the Montana Natural Resource Damage Program (NRDP), in partnership with the George Grant Chapter of Trout Unlimited, sponsored the Basin Creek Reservoir Recreational Project. The initiative aimed to develop the area into a public recreational space, with key objectives including:

- Providing ADA-compliant walk-in access for residents
- Installing historical markers and signage to educate visitors about the area's rich history
- Restoring impacted vegetation and improving existing park infrastructure.

In addition to the objectives associated with the NRDP-TU proposal, this BNRC request for \$884,827 is reflected in Attachment C, Basin Creek Park Landmark District Improvements budget, and described in detail below.

### *Foliage*

The Basin Creek Park picnic area has been in decline for many years. Recent dam improvement projects and fuel reduction efforts have impacted the park's vegetation, revealing extensive damage to many of the existing trees on the property with many cottonwoods rotting away their center. Hazardous trees pose safety concerns and must be removed, while new trees will need to be planted.

One recent effort to enhance the tree canopy is the Basin Creek Edible Food Forest, an ongoing project led by BSB Parks and Recreation to establish Butte's very first public, edible food forest in Basin Creek Park. This project was made possible with funding from a 2021 Innovation Grant, and consists of various fruit trees, along with additional edible shrubs and plants.

This proposal contemplates enhancing the edible forest by replacing the damaged trees with replacements. A total of \$61,415 is budgeted for this project element. This would then be followed by installation of an updated, more efficient irrigation system to restore the aid in the establishment of the park's vegetation and sustain the park's natural beauty.

#### *Historic Lodgepole Pine Pavillion*

The park's historic lodgepole pine pavilion serves as a cherished venue for community events and milestones such as weddings and graduations. The pavilion's construction dates to the early 20<sup>th</sup> century, and requires significant investments to sustain its availability for the future. The pavilion's construction was somewhat ingenious, built over a foundation that housed a small restroom facility, according to the Landmark Nomination form, for women and children. The foundation itself is structurally compromised, and the requires proper decommissioning and replacement. This proposal suggests allocating \$150,000 toward the rehabilitation of the structure, including the obliteration and reconstruction of its foundation.

#### *ADA Accessible Pavillion*

Beyond restoring the existing pavilion, there is also a need for a centrally located, ADA-accessible pavilion that complements the historic character of the park. The existing lodgepole pavilion requires navigating stairs to shelter underneath, it also does not offer picnic amenities such as tables and grilling spaces. The park also requires connectivity between the parking area and its restroom facility to the new pavilion area. A total of \$283,000 is budgeted for this element to ensure the pavilion provides the necessary amenities to park guests, and encourages residents to spend time and become stewards of the park space.

#### *ADA Accessible Parking and Restroom Facilities*

Currently, the park's parking lot does not meet ADA accessibility standards, creating barriers for individuals with mobility challenges; a total of \$150,000 is budgeted for this project element. Additionally, the only restroom within the park lacks ADA-compliant access. These limitations prevent many community members from fully enjoying the park's amenities, highlighting the urgent need for infrastructure improvements to ensure inclusiveness for all visitors. This project goal includes the upgrade of electrical systems to provide light to the pavilions and the parking lot, estimated at \$100,000.

#### *Interpretation*

Reviewing the various plans, applications, and projects occurring in the watershed reveals our community's commitment to operating and maintaining excellent facilities, and BSB has done so with every effort to mitigate the costs falling upon the shoulders of taxpayers. This is particularly evident in this facility. The final element of the proposal, which would enhance the recreation experience at the park, is the development and installation of interpretive signage estimated at \$25,000. This signage would discuss the history of the watershed and its role in Butte's fascinating water story, interpretation of the features within the park, and provide wayfinding to visitors to ensure they are aware and access the features of the space.

#### *Architecture, Design, Engineering, and Management*

Approximately 15% of the contracted services budget, totaling \$769,415, or \$115,412. This element would lead the architecture, design, and engineering associated with the rehabilitation and restoration project components, and overall contract management.

## **Funding Request**

For over a decade, NRDP and Butte-Silver Bow (BSB) have been committed to enhancing accessibility and infrastructure at Basin Creek Park. This funding request continues the efforts of past BNRC board members to expand recreational opportunities and further improve the park for public enjoyment.

Butte-Silver Bow requests a total of \$884,827 for the Basin Creek Park Historic District, and provides a total of \$380,712 in match for a project value of \$1,265,539.

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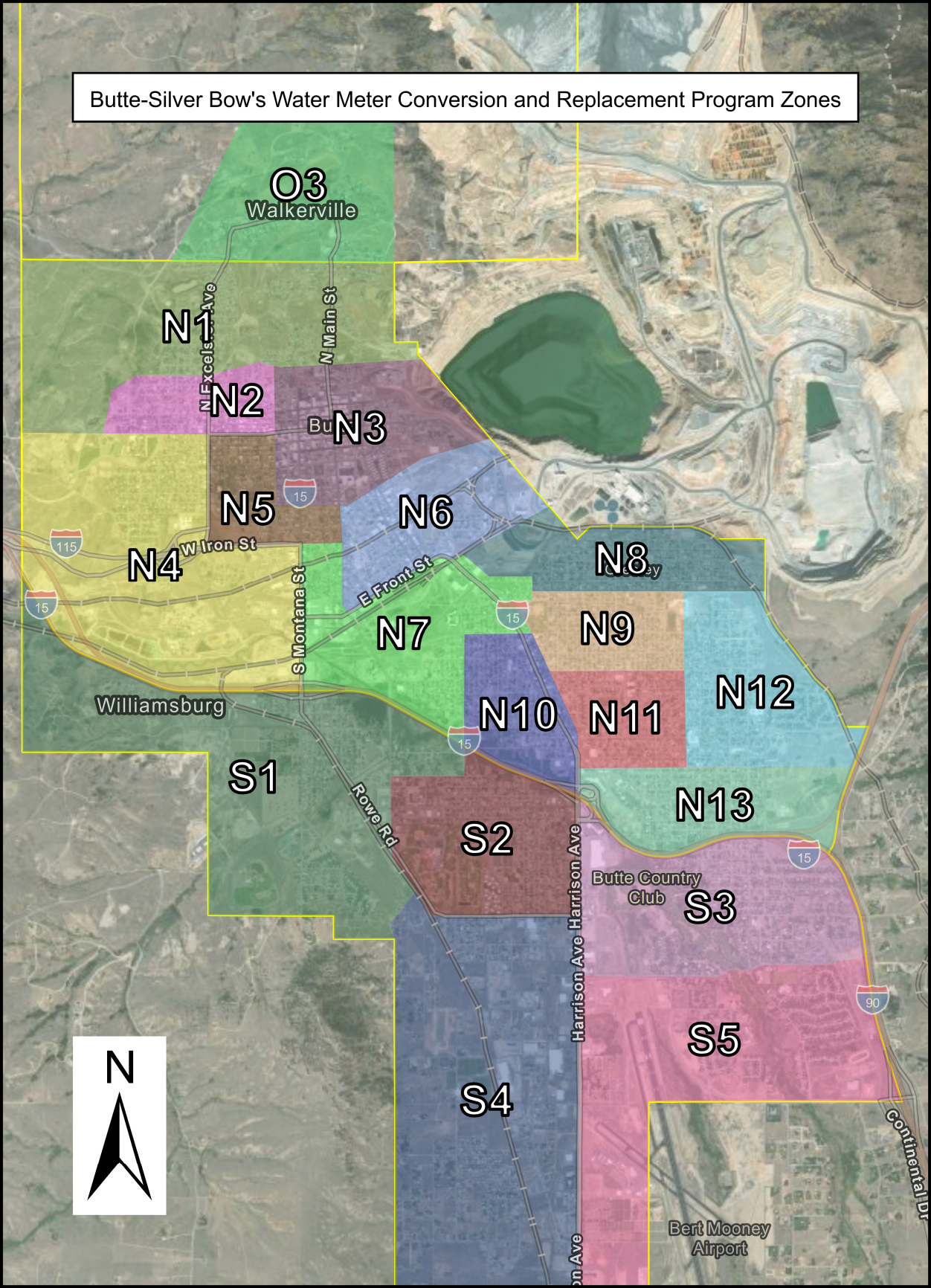
## **Conclusion**

Butte-Silver Bow respectfully requests \$5,036,847 to fund critical water infrastructure, and enhance, maintain, and expand recreation opportunities within our community (please see Attachment D, Water Meter Transition and Basin Creek Park Historic District budget). This request, as described above includes a \$4,267,447 allocation over a 10-year period or approximately \$420,000 per year for the meter transition program; and a one-time investment of \$884,827 for Basin Creek Park Historic District.

This request is timely, and these investments have emerged as a reasonable proposal to invest in the sustainability of the Basin Creek watershed, whether it be through the installation of water meter systems to moderate water use over time and sustain water resources into the future, or invest in vital recreational opportunities that improve the public's relationship to the Basin Creek Park Historic District, and making the facility available to those of all abilities. However, these requests are only a small reflection of community infrastructure needs based upon current planning.

Butte-Silver Bow sees opportunities for further restoration investments into the future. The contexts within which the City-County has planned have changed significantly since the inception of the BNRC. Impacts upon natural resources have shifted due to climate change, and there is a need for enhanced adaptation. Opportunities abound for improved, expansive tree canopy to reduce water evaporation, further sustaining our water resources into the future. The state and region have experienced expanded growth and development since 2020, placing additional demand on our natural resources; Butte-Silver Bow will continue to explore action strategies associated with the 2020 Comprehensive Plan and its attachments to conceive, develop, and seek funding to invest in the infrastructure sustaining Butte now, and in the future.

Butte-Silver Bow's Water Meter Conversion and Replacement Program Zones



Butte-Silver Bow's Water Meter Conversion and Replacement Program Zones

## Water Meter Replacement Zone Boundaries

### North of I-90/I-15

- N1: South of Walkerville, North of Woolman
- N2: South of Woolman, North of Park, West of Washington
- N3: South of Woolman, East of Washington, North of Platinum
- N4: North of I90/15, South of Park, West of Excelsior, South of Iron, West of Excelsior
- N5: East of Excelsior, South of Park, West of Washington, North of Iron, West of Main, South of Platinum
- N6: East of Main, North of Front, South of Pit
- N7: North of I90/15, East of Montana, South of Iron, West of Main, South of Front, West of Oregon, North of George, West of Georgia
- N8: South of Pit, West of Continental, South of Grand, North of Cobban, East of Florence, East of Georgia
- N9: North of Cobban, West of Sherman, South of Grand, East of Florence
- N10: North of I90/15, East of Oregon, South of George, West of Florence
- N11: North of Aherst, West of Sherman, South of Cobban, East of Florence, East of Massachusetts, East of Harrison
- N12: North of Amherst, East of Sherman, East of Garfield, South of Grand, East of Continental
- N13: North of I90/15, South of Amherst

### South of I-90/I-15

- S1: South of I90/I15, West of Oregon, North of Evans, West of Lexington
- S2: South of I90/I15, West of Harrison, East of Lexington, East of Rowe, North of Hansen
- S3: South of I90/I15, West of Harrison, North of Elizabeth Warren
- S4: West of Harrison, South of Holmes, South of Hansen
- S5: South/West of I90/I15, East of Harrison, South of Elizabeth Warren

### Outlying Areas

- O1: TIFID
- O2: Rocker
- O3: Walkerville
- Urban Boundary

Attachment D. Butte Natural Resource Damage Program Grant Request  
Water Meter Transition and Basin Creek Park Historic District Revitalization

Description	Hours Used	Total	BAO/BNRC Expenses	BSB Match Expenses
<b>SALARIES &amp; WAGES</b>				
County Attorney	80	\$ 5,571	\$ -	\$ 5,571
Public Works Director	160	\$ 8,430	\$ -	\$ 8,430
Reclamation Director	80	\$ 4,215	\$ -	\$ 4,215
Planning Director	80	\$ 3,664	\$ -	\$ 3,664
Parks Director	540	\$ 20,401	\$ -	\$ 20,401
Public Works Accountant	330	\$ 11,365	\$ -	\$ 11,365
Water Department Data Manager	15600	\$ 414,960	\$ -	\$ 414,960
Water Division Construction Foreman	400	\$ 12,876	\$ -	\$ 12,876
Parks Superintendant	540	\$ 20,428	\$ -	\$ 20,428
Urban Forester	250	\$ 7,248	\$ -	\$ 7,248
Water Department Laborers (meter upgrade)	1667	\$ 47,726	\$ -	\$ 47,726
Water Department Laborers (meter transition)	833	\$ 23,849	\$ 23,849	\$ -
Park Laborers	250	\$ 7,333	\$ -	\$ 7,333
Summer Parks Laborers	7500	\$ 123,150	\$ -	\$ 123,150
Sub-total Salaries		\$ 711,216	\$ 23,849	\$ 687,368
Benefits*		\$ 419,618	\$ 14,071	\$ 405,547
<b>TOTAL SALARIES AND BENEFITS:</b>		<b>\$ 1,130,834</b>	<b>\$ 37,920</b>	<b>\$ 1,092,914</b>
<b>CONTRACTED SERVICES</b>				
Basin Creek Park Historic Area Rehabilitation Project		\$ 785,465.00	\$ 769,415.00	\$ 16,050.00
Water Meter Transition Grant Program		\$ 2,550,000.00	\$ 2,500,000.00	\$ 50,000.00
Total		\$ 3,335,465.00	\$ 3,269,415.00	\$ 66,050.00
<b>SUPPLIES, MATERIALS &amp; EQUIPMENT</b>				
Meters & Setters	Units 12,976	\$ 4,700,092	\$ 1,729,512	\$ 2,970,580
<b>TOTAL SUPPLIES AND MATERIALS</b>		<b>\$ 4,700,092</b>	<b>\$ 1,729,512</b>	<b>\$ 2,970,580</b>
<b>OPERATIONS</b>				
Neptune Meter Reading subscription	20	\$ 280,000	\$ -	\$ 280,000
<b>TOTAL OPERATIONS</b>		<b>\$ 280,000</b>	<b>\$ -</b>	<b>\$ 280,000</b>
<b>IDC Rate - 15% of salary and wages and material invoices</b>		<b>\$ 163,937</b>	<b>\$ -</b>	<b>\$ 163,937</b>
<b>PROJECT COSTS THIS REPORT PERIOD</b>		<b>\$ 9,610,328</b>	<b>\$ 5,036,847</b>	<b>\$ 4,573,482</b>

\*Benefits are estimated at ~59% of Salary.

Attachment B. Water Meter Transition Program  
BNRC Proposal for Funding

Description	Hours Used	Total	BAO/BNRC Expenses	BSB Match Expenses
<b>SALARIES &amp; WAGES</b>				
County Attorney	80	\$ 5,571	\$ -	\$ 5,571
Public Works Director	80	\$ 4,215	\$ -	\$ 4,215
Reclamation Director	80	\$ 4,215	\$ -	\$ 4,215
Planning Director	80	\$ 3,664	\$ -	\$ 3,664
Public Works Accountant	250	\$ 8,610	\$ -	\$ 8,610
Water Department Data Manager	15600	\$ 414,960	\$ -	\$ 414,960
Water Division Construction Foreman	250	\$ 8,260	\$ -	\$ 8,260
Water Department Laborers (meter upgrade)	1667	\$ 47,717	\$ -	\$ 47,717
Water Department Laborers (meter transition)	833	\$ 23,858	\$ 23,858	\$ -
Sub-total Salaries		\$ 521,071	\$ 23,858	\$ 497,212
Benefits*		\$ 307,432	\$ 14,076	\$ 293,355
<b>TOTAL SALARIES AND BENEFITS:</b>		<b>\$ 828,502</b>	<b>\$ 37,935</b>	<b>\$ 790,568</b>
<b>CONTRACTED SERVICES</b>				
Drought Management Plan		\$ 50,000	\$ -	\$ 50,000
Homeowner Plumbing Upgrade Grant Program			\$ 2,500,000	
<b>TOTAL CONTRACTED SERVICES</b>		<b>\$ 50,000</b>	<b>\$ 2,500,000</b>	<b>\$ 50,000</b>
<b>SUPPLIES, MATERIALS &amp; EQUIPMENT</b>				
	Units			
Meters & Setters (home, commercial conversion)	4,239	\$ 1,729,512	\$ 1,729,512	\$ -
Meters (home, commercial upgrade)	8,737	\$ 2,970,580	\$ -	\$ 2,970,580
<b>TOTAL SUPPLIES AND MATERIALS</b>	<b>12,976</b>	<b>\$ 4,700,092</b>	<b>\$ 1,729,512</b>	<b>\$ 2,970,580</b>
<b>OPERATIONS</b>				
Neptune Meter Reading subscription	20	\$ 280,000	\$ -	\$ 280,000
<b>TOTAL OPERATIONS</b>		<b>\$ 280,000</b>	<b>\$ -</b>	<b>\$ 280,000</b>
<b>IDC Rate - 15% of salary and wages and material invoices</b>		<b>\$ 118,585</b>	<b>\$ -</b>	<b>\$ 118,585</b>
<b>PROJECT COSTS THIS REPORT PERIOD</b>		<b>\$ 8,477,179</b>	<b>\$ 4,267,447</b>	<b>\$ 4,209,733</b>

\*Benefits are estimated at ~59% of Salary.

Attachment C. Basin Creek Park Landmark District Improvements  
BNRC Proposal for Funding

Description	Hours Used	Total	BAO/BNRC Expenses	BSB Match Expenses
<b>SALARIES &amp; WAGES</b>				
Public Works Director	80	\$ 4,215	\$ -	\$ 4,215
Public Works Accountant	250	\$ 8,610	\$ -	\$ 8,610
Parks Director	540	\$ 20,401	\$ -	\$ 20,401
Water Division Construction Foreman	250	\$ 8,048	\$ -	\$ 8,048
Parks Superintendent	540	\$ 20,428	\$ -	\$ 20,428
Urban Forester	250	\$ 7,248	\$ -	\$ 7,248
Park Laborers	250	\$ 7,333	\$ -	\$ 7,333
Summer Parks Laborers	7500	\$ 123,150	\$ -	\$ 123,150
Sub-total Salaries		\$ 199,432	\$ -	\$ 199,432
Benefits*		\$ 117,665	\$ -	\$ 117,665
<b>TOTAL SALARIES AND BENEFITS:</b>		<b>\$ 317,097</b>	<b>\$ -</b>	<b>\$ 317,097</b>
<b>CONTRACTED SERVICES</b>				
	Acres			
Architecture, Design, Engineering, and Mangement**		\$ 115,412	\$ 115,412	\$ -
Weed Control and Maintenance	6.42	\$ 16,050	\$ -	\$ 16,050
New Basin Creek Pavillion & Installation		\$ 158,000	\$ 158,000	\$ -
Lodgepole Pine Pavillion Rehabilitation		\$ 150,000	\$ 150,000	\$ -
Basin Creek Parking Lot reconfiguration and safety		\$ 150,000	\$ 150,000	\$ -
ADA trail improvements		\$ 125,000	\$ 125,000	\$ -
Basin Creek Park signage		\$ 25,000	\$ 25,000	\$ -
Electric upgrades w/lighting in pavilions, parking lot		\$ 100,000	\$ 100,000	\$ -
Hazardous tree replacement, irrigation		\$ 61,415	\$ 61,415	\$ -
<b>TOTAL CONTRACTED SERVICES</b>		<b>\$ 900,877</b>	<b>\$ 884,827</b>	<b>\$ 16,050</b>
<b>SUPPLIES, MATERIALS &amp; EQUIPMENT</b>				
	Units			
<b>TOTAL SUPPLIES AND MATERIALS</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>OPERATIONS</b>				
<b>TOTAL OPERATIONS</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>IDC Rate - 15% of salary and wages and material invoices</b>		<b>\$ 47,565</b>	<b>\$ -</b>	<b>\$ 47,565</b>
<b>PROJECT COSTS THIS REPORT PERIOD</b>		<b>\$ 1,265,539</b>	<b>\$ 884,827</b>	<b>\$ 380,712</b>

\*Benefits are estimated at ~59% of Salary.

\*\*15% of Contracted Services

# STATE OF MONTANA, NATURAL RESOURCE DAMAGE PROGRAM



## MEMORANDUM

**TO:** Doug Martin, NRDP Program Administrator  
Elizabeth Erickson, Chair, Butte Natural Resource Damage Restoration Council

**FROM:** Katherine Hausrath, Chief Legal Counsel, NRDP

**DATE:** April 29, 2025

**SUBJECT:** 2020 Butte Priority Soils Operable Unit Consent Decree (2020 Butte CD), Use of \$20.5 million BTC Riparian Action Leftover Funds Per Paragraph 21

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### Issue

At the April 3, 2025, BNRC meeting, council member Jon Sesso stated that the leftover funds from the \$20.5 million after the Montana Department of Environmental Quality (DEQ) completes the Blacktail Creek Riparian Action can only be spent in Butte and requested that if there was disagreement with this premise, it be stated. As promised at the meeting, this memo evaluates the restrictions on the use of these funds in the 2020 Butte CD. In accordance with Paragraphs 20 and 21 of the 2020 Butte CD and the 2019 Parrot Funding restoration plan amendments, these funds can be spent as follows: (1) \$1 million to Butte-Silver Bow for “end land use” additions; and (2) after the \$1 million, 35% to BAO Funds, 51% to UCFRB Restoration Fund SSTOU Excess, and 14% to the UCFRB Restoration Fund / BSB Groundwater Restoration Plan. Any deviation from these categories would require amending an agreement between the Governor and Butte-Silver Bow or the Governor amending three restoration plans. Therefore, the funds must be spent in accordance with the restoration plans, which would allow for spending the UCFRB funds outside of Butte.

### 2020 Butte CD Paragraphs 20 and 21

Paragraph 20 of the 2020 Butte CD required BP-Atlantic Richfield (BP-AR) to pay \$20.5 million to the State of Montana for placement into the “BPSOU Account,” which is held by DEQ. Paragraph 21 of the 2020 Butte CD provides, “The State of Montana shall use the principal amount and any interest or Earnings on the BPSOU Account solely for implementation of the BTC Riparian Actions; and, if and to the extent funds are not required for the BTC Riparian

Actions, such funds can be used for (i) **other State Restoration actions coordinated with the Remedy** and (ii) end land use actions identified in the SOW (Attachment C, Addendum 1 (Further Remedial Elements Scope of Work – End Land Use Additions)).” (emphasis added).

### Analysis

Although the question correctly identifies the fact that the funds are to be used for “State Restoration actions coordinated with remedy,” “State Restoration” is defined in the 2020 Butte CD as “the activities set forth in the BAO Restoration Plan, **including the Parrot Tailings Waste Removal.**” 2020 Butte CD, § IV, Par. 4.

The Parrot Tailings Waste Removal Project has been completed and NRDP has not yet received the leftover funds under Paragraph 21. See [https://dojmt.gov/wp-content/uploads/Parrot-CCR\\_FINAL.pdf](https://dojmt.gov/wp-content/uploads/Parrot-CCR_FINAL.pdf) However, the 2020 Butte CD contemplated and incorporated the ongoing Parrot Tailings Waste Removal Project funding structure where or when? the Parrot Tailings Waste Removal Project was implemented using funds that would be repaid from a future settlement with BP-AR.

### 2019 Parrot Funding Amendments

The restoration plan amendments governing the Parrot Tailings Waste Removal Project funding recognized that some of the restoration funds would be repaid with the 2020 Butte CD. “Each of the Plan Amendments specified the relative proportions (in percentages) by which the funds transferred to the Parrot Fund will be expended (after first expending the existing Parrot Fund balance), and **then reimbursed in the event there are future settlement proceeds available for such purpose.**” See <https://dojmt.gov/wp-content/uploads/9.20.19-Mods-to-Plan-Amendments-Governors-Approval-Parrot-Phase-II.pdf> (emphasis added). The draft 2019 BAO Plan Amendment that was put out for public comment contained similar language: “It is anticipated that some of the funds transferred to the NRDP Parrot Tailings Removal Fund from the BAO Restoration Fund under this BAO Amendment could be reimbursed from proceeds of a future settlement between the State of Montana and Atlantic Richfield, if such a settlement is finalized through a BPSOU consent decree, and pursuant to that consent decree, the funds are not required for the Montana Department of Environmental Quality to complete the Blacktail Creek and Confluence portions of the BPSOU remedy. The funds would be reimbursed from such a future settlement in the same proportions as the funds are expended.” <https://dojmt.gov/wp-content/uploads/Final-BAO-Amendment-07232019.pdf>

The language in the 2019 amendments does not disclose the dollar amount of the settlement because the State was subject to the 2003 Amended Confidentiality Order in CV-89-39-BU-SEH governing the 2020 Butte CD negotiations and we legally were not allowed to.

## RELEVANT 2020 BUTTE CD PROVISIONS

### 1. Paragraph 96—BP-AR’s Reserved Ability to Sue the State for the Parrot Tailings Waste Removal Project

The 2020 Butte CD parties’ intent that the \$20.5 million leftover funds would be used to pay for the Parrot Tailings Waste Removal Project and can be seen in references to the Parrot Tailings Waste Removal Project throughout the 2020 Butte CD. For example, Paragraph 96 devotes 2.5 pages of the 2020 Butte CD to clarifying how and when BP-AR can sue the State of Montana for the Parrot Tailings Waste Removal Project. At the time the 2020 Butte CD was entered into, the Trustee’s 2019 Restoration Plan spelling out the intent to use the 2020 Butte CD leftover funds to repay Parrot Tailings Waste Removal Project funds was available and understood by the CD parties.

As can be seen in Paragraph 96, the exchange for BP-AR funding the Parrot Tailings Waste Removal Project through the 2020 Butte CD was a commitment by the State not to damage BP-AR infrastructure while implementing the Parrot Tailings Waste Removal Project, or if the State did, the State would have to pay for it.

Under Paragraph 96.f. of the 2020 Butte CD, BP-AR reserved the ability to sue the State under CERCLA, CECRA, and any other federal or state law for an State actions “that cause (in whole or in part) EPA to require additional remedial action and/or AR to perform remedial action that is approved by EPA to satisfy any AR obligation under this Consent Decree or to ensure the protectiveness of the Remedy, thereby causing AR to incur the additional response costs, fees, or damages listed below.”

BP-AR reserved the right to sue for both the Parrot Tailings Waste Removal Project—whether or not directly funded by the 2020 Butte CD—and other Butte Area One restoration actions funded by the leftovers from the \$20.5 million. For the second provision, the 2020 Butte CD specifically stated, BP-AR may sue “[t]o recover response costs, fees, or damages for remedial action at the BPSOU to address adverse impacts to the Remedy caused (in whole or in part) by any State Restoration project funded by payments made to the State under Paragraph 20 of this Consent Decree and described in Paragraph 21 of this Consent Decree (**other than the Parrot Tailings Waste Removal Project**)....” 2020 Butte CD, Par. 96.f. (emphasis added).

(Note that NRDP has previously evaluated Paragraph 96 liabilities based on a request from the Chair of the Upper Clark Fork River Advisory Council and will not restate that here. The memo can be found at <https://dojmt.gov/wp-content/uploads/2025/04/2023.11.27-Butte-CD-Paragraph-96-Memo.pdf>)

### 2. Contribution Protection

Similarly, BP-AR and Butte-Silver Bow, as Settling Defendants, also received contribution protection for the “matters addressed” in the 2020 Butte CD, including, “State Restoration at the BPSOU, **including the Parrot Tailings Waste Removal.**” 2020 Butte CD, Par. 101 (emphasis added). “Contribution protection” refers to whether a third party can sue a defendant to try to force the defendant to pay costs incurred as part of Superfund. By including the Parrot Tailings

Waste Removal Project here, it is clear that the CD parties viewed it as integral to the 2020 Butte CD.

### 3. Access, End Land Use, and Other Provisions

Other references to the Parrot Tailings Waste Removal Project exist in the 2020 Butte CD. These include clarification that EPA does not approve NRDP's work on the Parrot Tailings Waste Removal Project (Par. 30), references to coordinating the remedy work with the Parrot Tailings Waste Removal (Par. 39), access provisions (Par. 51), and notably, the end land use in the Butte-Silver Bow access agreement for the Parrot Tailings Waste Removal Project is discussed as part of the end land use in Appendix D, Attachment C, Addendum 1.

Therefore, the "State Restoration" to be funded by Paragraph 21 has already occurred—the Parrot Tailings Waste Removal Project. The structure of the 2020 Butte CD makes it clear that the 2020 Butte CD parties fully contemplated the eventual leftover Par. 21 funds being used to pay for the already-performed Parrot Tailings Waste Removal Project.

### Additional Background

This section attempts to explain—while still complying with the 2003 Amended Confidentiality Order in CV-89-39-BU-SEH governing the 2020 Butte CD negotiations—how the State got to such a convoluted method of paying for the Parrot Tailings Waste Removal Project. Essentially, the 2020 Butte CD involved BP-AR overpaying DEQ for the BTC Riparian Action: \$20.5 million when the 2020 BPSOU Record of Decision Amendment valued the cost then at \$5 million.<sup>1</sup> <https://semspub.epa.gov/work/08/100007291.pdf> And the reason for this overpayment was for the Parrot Tailings Waste Removal Project, as outlined above.

In a press conference announcing the 2020 Butte CD, Governor Bullock's Natural Resource Advisor, Patrick Holmes, "said that 'as part of the \$20.5 million settlement proposed, the State will be leading efforts to undertake remedial actions in the Blacktail Creek corridor— offering the community a significant amenity.' Holmes said that 'following completion of the work at Blacktail Creek, the State expects approximately half of the proceeds to be available for restoration and end land use needs — **specifically repaying funds used to complete phase II of the Parrot Project** — ultimately contributing about 1/3 of the overall project costs for the Parrot through this settlement.'" [https://mtstandard.com/news/local/its-a-great-day-for-epa-and-a-great-day-for-butte-epa-releases-draft/article\\_bf482a83-cbfa-59de-a17b-1ab8bf9509a4.html](https://mtstandard.com/news/local/its-a-great-day-for-epa-and-a-great-day-for-butte-epa-releases-draft/article_bf482a83-cbfa-59de-a17b-1ab8bf9509a4.html) (emphasis added).

Since at least 2006, the State of Montana had stated that the Parrot Tailings should be removed under the Butte Priority Soils Operable Unit (BPSOU) remedy. *Partial Concurrence letter on BPSOU ROD* from Richard Oppen, Montana Department of Environmental Quality Director, to EPA (September 22, 2006); Response to Public Comments on Final Restoration Plan Amendments for Funding the Parrot Tailings Waste Removal Project (September 17, 2019) at

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<sup>1</sup> The \$5 million cost of the BTC Riparian actions is noted here solely to point out that the \$20.5 million was a significant overpayment of the then-anticipated costs. Construction costs have significantly increased since 2020.

<https://dojmt.gov/wp-content/uploads/Parrot-Amendments-Response-to-Comments-FINAL-attachments.pdf> (Response to Comments).

The State of Montana settled its claim for Butte Area One in 2008 for \$28.5 million; in the 2008 Consent Decree, BP-AR received a covenant not to sue for natural resource damage claims the State had in Butte Area One, which included the Parrot Tailings. Following 2008, NRDP and DEQ continued to assert that the Parrot Tailings should be cleaned up as part of the remedy for Butte.

However, EPA disagreed with this position, so the 2020 Butte CD overpayment allowed the settlement to go forward without BP-AR having to remove the Parrot Tailings under the remedy and in a way that did not leave the State solely responsible for funding the Parrot Tailings Waste Removal Project with existing natural resource damage funds. From the State's 2019 Response to Comments, "[i]n determining to proceed with the Parrot Project, the Governor concluded [continuing to request that EPA require BP-AR to remove the Parrot Tailings] was an obstacle to getting the cleanup done in Butte, and that it was unlikely the State's efforts to persuade EPA to change its position on this question would be successful. The Governor concluded the State's action to remove the Parrot Tailings would avoid this impasse and facilitate the BPSOU negotiations moving forward more quickly." Response to Comment # 17, at <https://dojmt.gov/wp-content/uploads/Parrot-Amendments-Response-to-Comments-FINAL-attachments.pdf>

During the public comment period for the 2019 Parrot Tailings Waste Removal Project Funding Amendments (2019 Parrot Amendments), 27 members of the public stated that BP-AR should pay for the Parrot Project, rather than funding the Parrot Project using restoration funds. See Response to Comments, Comment Group 17. As part of the Governor's decision to fund Phase 2 of the Parrot Project using an additional \$5.3 million from Butte Area One; \$5.2 million from the Upper Clark Fork River Basin Restoration Fund for Butte groundwater fund; and \$8.0 million from the Upper Clark Fork River Basin Restoration Fund for aquatic and terrestrial resources, (a portion of the \$16.5 million dollars transferred in 2016 from DEQ's Streamside Tailings Operable Unit Fund per the SSTOU Consent Decree), the Governor laid out the expectation that "the CD should include a meaningful financial contribution from BP-AR that can be used for the Parrot Tailings." *Id.*

### **Conclusion**

The repayment structure outlined in the 2019 Parrot Tailings Waste Removal Action funding restoration plan amendments for the \$20.5 million leftover funds is consistent with the 2020 Butte CD. In other words, once DEQ completes the BTC Riparian Actions, the remaining funds will be transferred to NRDP and the first \$1 million will be provided to Butte-Silver Bow pursuant to the Governor and Butte-Silver Bow Memorandum of Understanding 2020-260, dated October 8, 2020. The remaining funds will then be repaid to restoration funds as provided in the 2019 *Trustee's Modifications to Plan Amendments Based on Public Comment, and Approval of Plan Amendments as Modified*:

- (a) BAO Fund: 35% to reimburse the Stream Restoration and Mine Cap Improvements/Revegetation categories.
- (a) UCFRB Restoration Fund SSTOU Excess: 51 % to reimburse SSTOU Excess funding for funding priority restoration actions consistent with the 2012 Final Upper Clark Fork River Basin Interim Restoration Process Plan.
- (b) UCFRB Restoration Fund / BSB Groundwater Restoration Plan: 14% to be allocated by BSB consistent with the 2012 Final Upper Clark Fork River Basin Interim Restoration Process Plan.

Therefore, the funds must be spent in accordance with the restoration plans, which would allow for spending the UCFRB funds outside of Butte. Please let me know if you have any questions.

# Parrot Tailings Waste Removal Project Funding & Reimbursement Structure

(All numbers approximate and rounded)

