

Final Response to Public Comments on the Draft Butte Area One Restoration Plan

Prepared by:

State of Montana

Natural Resource Damage Program

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Butte, MT 59701

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December 2012

**Final Response to Public Comments on the
Draft Butte Area One Restoration Plan**

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Section I. Introduction

On October 15, 2012, the Butte Natural Resource Damage Restoration Council (BNRC), with assistance from the State of Montana, Department of Justice, Natural Resource Damage Program (NRDP), released the *Butte Area One Draft Restoration Plan* for public comment through November 16, 2012. For outreach on this public comment period, the NRDP sent notices of this opportunity for public comment to 373 individual/entities on its mailing lists and over 200 individuals on its e-mailing list, issued a press release, placed two sets of display ads in the Butte area newspaper, and conducted a public hearing on November 8, 2012. The BNRC/NRDP also summarized the *Butte Area One Draft Restoration Plan* at the October 12, 2012 meeting of the Trustee Restoration Council.

The NRDP received a total of 47 comment letters during the public comment period. An additional six individuals provided public hearing comments. See Appendix 1 for a list of commenters, identified by a specific number that serves as a reference to the comment throughout this document. Appendix 1 also provides copies of the comment letters and public hearing testimony, which are also available on the NRDP website at: <https://doj.mt.gov/lands/advisory-councils/>.

All but three of the 53 total comments received either indicated general support of or appreciation for the Restoration Plan. Forty one comments made note of the importance of the \$10 million in funding for the water system improvements.

This document further summarizes the comments received, with similar comments grouped together by category, and provides the NRDP/BNRC's responses organized by these categories. Attachment A provides a table that lists the letters by comment category.

This document reflects revisions directed by the BNRC to a preliminary draft response document prepared by the NRDP and reviewed at the BNRC's November 27, 2012 meeting. These revised responses were the subject of consideration at the December 3, 2012 meeting of the Trustee Restoration Council. The Governor approved the BNRC's proposed *Final Butte Area One Final Restoration Plan* and the associated response document in December 2012.

Section II. Comment Summary and Response by Category

Category 1: General Support of the Draft Restoration Plan.

Comments: Forty four comment letters and six public comments at the public hearing (PH) indicated general support of the *Butte Area One Draft Restoration Plan* (#1-41; 44-45; 47; PH 1-6).

Response: The NRDP and BNRC appreciate the indicated support of the *Butte Area One Draft Restoration Plan*.

Category 2: Support of the \$10 million in funding for water system improvements.

Comments: Forty one form letters in support of the *Draft Restoration Plan* were received from 32 citizens and 9 entities. The form letter noted the importance of \$10 million for water system improvements with the following statement: “I would also like to make a specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water and to ensure the availability of clean water to our citizens”. (#2-41, 45)

Also stated in a similar letter by John Roeber with the Montana State Building and Construction Trades Council in regards to the \$10 million allocation (#45), “This money is critical for our way of life, and with the development of the water treatment plant at Basin Creek, we all win. Projects like this turn into a long-term investment for generations to come.”

Response: The BNRC agrees with the importance of the \$10 million allocation to Butte for funding of Butte’s water system improvements. The request of \$10 million for a Basin Creek water treatment plant was made to the BNRC by Butte Silver Bow Chief Executive Paul Babb in a July 3, 2012 letter and during a BNRC meeting on June 26, 2012.

Category 3: Against funding of the Montana Tech revegetation proposal.

Comments: Dr. Pat Munday and Andrea Stierle expressed concern that the BNRC should not allocate funding of \$1 million for the Montana Tech revegetation project. They list the following concerns about funding the project (#42 & 43):

- The project was also a proposal submitted for consideration in the *Draft UCFRB Aquatic and Terrestrial Resources Restoration Plans* and was not recommended for funding by the NRDP for those plans.
- The established test plots to date are labor intensive and very small, totaling less than an acre of vegetation that must be watered regularly to survive. There is not much to show for the \$600,000 that the NRDP has already invested in this project.

Response: The rationale for the State not recommending funding in the aquatic and terrestrial restoration plans for the requested \$2.5 million was that the State believed an allocation for this project was most appropriate in Butte where the diversity of forbs has been the focus of the original project. Restoration and remedy at Silver Bow Creek and the Clark Fork River is expected to continue to work successfully and be cost-effective with the continued use of the nurseries and seed companies already procured through competitive solicitation over the past decade and additional competitive procurements without the use of the Montana Tech project.

Most reclaimed areas on the Butte Hill have been revegetated with about a dozen species of grasses; many of which are not native to Montana. The goal of the Montana Tech native plant diversity proposal is to re-establish native forbs on these reclaimed areas. Currently, there are less than a dozen of these native forb species available through commercial growers. Over 60 species of forbs native to Southwestern Montana have been collected and cultivated by the

Montana Tech group. Eco-systems with a diversity of species tend to be more weed-resistant and self-sustaining.

It is important to note that the \$1 million of funding for this project is expected to be expended over an eight year period (2013-2020). About two-thirds of the allocation would go toward supporting a nursery manager that would be primarily responsible for growing nursery stock, seed collection, and coordination of a plant diversity effort on the 400 plus acres of reclaimed waste dumps in coordination with the Butte-Silver Bow Reclamation Manager. At the present time, BSB is in support of the diversity project and looks forward to continuing the productive relationship with the Montana Tech nursery project personnel.¹

As provided on page 60 of the *Butte Area One Restoration Plan*: “The NRDP shall report at BNRC meetings on the progress of the implementation of the *BAO Restoration Plan*. At such meetings the BNRC may comment on the implementation of the plan and propose changes in how the plan is being implemented.” The Montana Tech native plant diversity project, like all other projects, will be subject to this scrutiny.

Category 4: Importance of removal of the Parrot Tailings:

Comment: Dr. Pat Munday and Andrea Stierle expressed concern that removal of the Parrot Tailings is not part of the BNRC Restoration Plan (#42 & 43).

Response: The BNRC Restoration Recommendation, on page 37 of the *Butte Area One Restoration Plan*, provides for a larger restoration project that would include removal of the Parrot Tailings, the Diggings East and the Northside Tailings. Because the BNRC recognized that restoration of the Silver Bow Creek corridor would likely exceed the BAO settlement funds, this project calls for multiple funding entities. For example, in order to remove the Parrot Tailings there are considerable costs involved, such as the removal and replacement of the BSB shop complex and the revegetation of the tailings removal area. These costs, along with other efforts in the upper SBC corridor, could be the focus of the BNRC \$10 million effort and not necessarily the costs for actual tailings removal, which could be the focus of other settlement funding sources. Specifically, page 38 of the Plan states that the \$10 million restoration allocation could include land shaping and contouring, constructing sediment controls, waste removals, importing clean soils and soil amendments, revegetation of disturbed areas, and replacing recreational or public facilities that would be eliminated incidental to waste removal activities.

Category 5: Configuration of a baseball field post restoration actions.

Comment: Jack Whelan asked if the configuration of a baseball field could be part of post Parrot Tailings removal. (PH1)

¹ Phone conversation with Gregory Mullen and BSB reclamation manager Tom Malloy about the Montana Tech project on 11/19/12.

Response: After the removal of the Parrot Tailings, it is feasible and possible that a baseball field configuration may be an appropriate land use in this area. Final determination will need to be evaluated at that time by the landowner, which is Butte-Silver Bow.

Category 6: Importance of Butte NRDP staff.

Comment: Jon Sesso expressed that local staff should be in Butte to oversee the implementation of all projects outlined in the Plan (PH6).

Response: There presently is a local NRDP staff person whose primary responsibility is and will be the implementation of projects as outlined on pages 58 and 59 of the Plan. If significantly more resources are needed in the Butte NRDP office to implement projects outlined in the Plan, and it would be cost-effective to do so, then these resources could come out of the Butte office.

Category 7: Funding interest proportionately for each specific category.

Comment: Jon Sesso requested that all categories in the plan earn their own interest and that the interest earned on the unexpended balances in each of the six categories remain in the specific category accounts (PH6).

Response: To optimize the amount of interest earned, the BAO fund will remain as a single fund. However, the interest earned on the overall BAO Restoration Fund will be divided proportionately among accounts based upon their individual balances at the end of each fiscal year as described on pages 59 and 60 of the restoration plan.

Category 8: Restoration of the SBC corridor as the primary funding commitment of BAO funds.

Comments: Mary Kay Craig and Fritz Daly conveyed in their comments:

- the importance of restoring the SBC corridor from Texas Avenue to Blacktail Creek (#1 and PH3);
- concerns that the PRPs have not come forward to do what would be a permanent cleanup in Butte so work on the cleanup would be done with restoration funds (PH3);
- concerns about the \$10 million earmarked for infrastructure of water system improvements would not guarantee enough funds to remove the Parrot Tailings (#1 and PH3); and
- the need for a solid financial commitment of removing the Parrot Tailings, Diggings East, North Side Tailings, and other contaminated tailings remaining in the SBC channel flowing through Butte are essential to responsibly complete the work. It was suggested that the \$15 million economic development fund that BSB will receive from the

BSB/AR 2006 allocation agreement² be used for funding the Basin Creek water treatment plant (#1).

Response: The BNRC agrees that it is important to restore the SBC corridor from Texas Avenue to Blacktail Creek and has allocated funds to be used with expected other funding sources to complete the project.

The importance of restoring the Upper SBC corridor is discussed and contemplated throughout the Plan and, regarding using restoration funds, on page 38 it is stated that “The BNRC prefers that the cost of waste removal be funded by other sources and not with Butte Area One restoration settlement monies.”

The allocation of \$10 million for the Basin Creek water system is considered an important investment by the BNRC and is an appropriate use of NRD funds.

The BNRC is not in a position to direct how the \$15 million BSB economic development fund is allocated.

Category 9: Question on timing of restoration actions.

Comment: Trinity Berry of Butte asked about the timing of restoration actions in the upper SBC corridor so kids in Butte would have a place to recreate in the near future (#46).

Response: Table 2 on page 42 of the Plan proposes that Upper SBC restoration be completed between years 2013 and 2016. This is only an estimate, which depends on funding allocations that cannot be specifically estimated at this time.

Category 10: Concern about vegetation improvement allocation compared to stream restoration allocation.

Comments: Bob Olsen with the George Grant Chapter of Trout Unlimited commented that the allocation of \$6 million for vegetation improvements on the hill seems high when compared with the stream restoration allocation of \$4 million. He also expressed general support for the Plan, appreciation of the level of public solicitation generated while preparing the Plan, and generally agreed with the other funding allocations (#47).

Response: Although \$4 million is allocated in the stream restoration category, there will be other restoration work completed during the implementation of the restoration of the Upper Silver Bow Creek corridor that will help restore Silver Bow Creek. With this work, water quality in SBC is expected to improve and wetlands are anticipated to be created.

² The draft allocation agreement between BSB and Atlantic Richfield Company is entitled, *Allocation and Settlement Agreement and Mutual Release of Claims by and Between the City and County of Butte-Silver Bow and Atlantic Richfield Company, November 15, 2006 Draft.*

Attachment A – Categorical Breakdown of Comments

Category Number	Category Title	Letter Number
1	General Support of the Draft Restoration Plan	1-41, 44-45, 47, PH1-6
2	Support of \$10 Million for Water System Improvements	2-41, 45
3	Against Funding of the Montana Tech Revegetation Proposal	42, 43
4	Importance of Parrot Tailings Removal	42, 43
5	Configuration of a Baseball Field Post Restoration Actions	PH1
6	Importance of Butte NRDP Staff	PH6
7	Funding Interest Proportionately for each Specific Category	PH6
8	Restoration of the SBC Corridor as the Primary Funding Commitment of BAO Funds	1, PH3
9	Question on Timing of Restoration Actions	46
10	Concern about amount of vegetation Improvement Allocation Compared to the Stream Restoration Allocation	47

PH = Public Hearing comments

Appendix 1

Public Comments Received

Comment #	Name	Organization	City
1	Fritz Daily		
2	Mark Rule		Butte
3	Corinne Osborne		Butte
4	Shari and Steve Kelly		Butte
5	Elaine Stormwind		Butte
6	Dave and Lori Cashell		Butte
7	Charles and Corinne Osborne		Butte
8	Mick Wonnacott		Butte
9	Seth Bergan		Butte
10	John Chupein	Alltrade Home Improvement, LLC	Butte
11	Jim Smithan	Butte Local Development Corporation	Butte
12	Donna and Howard Maesar		Ramsay
13	Kay Duncan		Butte
14	Julie Hart		Butte
15	Robert Meinhardt	Swank Enterprises	Kalispell
16	Dick and Kim Talley		Butte
17	Bill Markovich	Markovich Construction Real Estate	Butte
18	Corey Markovich	Markovich Construction Real Estate	Butte
19	Sidni Markovich	Markovich Construction Real Estate	Butte
20	Kelly Smith	Butte Hampton Inn	Butte
21	Frank Shields		Butte
22	Bruce Evans		Butte
23	Kim Steele		Butte
24	Dan Steele		Butte
25	Jeanne Larson		Butte
26	Eric Driscoll Larson		Butte
27	Douglas Finnicum	BSB Public Works Department	Butte
28	Shelly Jones		Butte
29	Dan E. Jones		Butte
30	Todd Tregidga		Butte
31	Randal Eldred		Butte
32	Jim Keenan		Butte
33	Dean Stringer		Butte
34	Edward Houchin		Butte
35	Tom Stajcar		Butte
36	Joe Holland		Butte
37	Doug Wedlake		Butte
38	Chuck Wright	St. James Healthcare	Butte
39	Tim Cassidy		Butte
40	Jonathan Pytka		Butte
41	Cindi Shaw	BSB Council of Commissioners	Butte
42	Andrea Stierle		Butte
43	Pat Munday		Butte
44	R. David Williams		
45	John Roeber	MSBCTC	East Helena
46	Trinity Berry		Butte
47	Bob Olsen	George Grant Chapter of Trout Unlimited	Butte

Public Hearing Comments

PH1	Jack Whelan	Butte American Legion Baseball Program	Butte
PH2	Colleen Elliot		Butte
PH3	Mary Kay Craig		Butte
PH4	Kriss Douglas		Butte
PH5	Dave Williams		Butte
PH6	Jon Sesso		Butte

From: Fritz Daily [<mailto:buttedaily@bresnan.net>]
Sent: Sunday, October 21, 2012 9:49 AM
To: Cunneen, Pdraig
Cc: Fox, Carolyn A.
Subject: Comments on Butte Natural Resource Proposal

To Pat Cunneen;

Pat,

Please include my comments as part of the official record on the Butte Natural Resource Damage Council's proposed solution for dealing with Restoration of the Butte Hill and the Silver Bow Creek area flowing through Butte.

Members of the Butte Natural Resource Damage Council,

I offer my heartfelt support for your proposal and hard work and thanks to John McKee for sending his thoughts on his vote against ratification of the Butte Natural Resource Damage Council proposed solution for dealing with Restoration of the Butte Hill and the Silver Bow Creek area flowing through Butte. ***I totally agree with John McKee's thoughts that a solid financial commitment of removing the Parrot Tailing, Digging East, North Side Tailings and other contaminated tailings remaining in the Silver Bow Creek Channel flowing through Butte are essential to responsibly complete your proposal.***

I sincerely urge Governor Schweitzer, Richard Opper, the Clark Fork Advisory Committee and the Trustee Restoration Committee to include John's thoughts that a solid financial commitment for tailings removal is necessary to complete your proposal.

I also believe that the \$10 million for the Basin Creek Treatment Plant should be removed and the money used for further cleanup and restoration in Butte Priority Soils. ***As a counter proposal for funding the Treatment plant, I propose using the \$15 bonus {Economic Development Fund} that Butte Silver Bow will receive from the allocation Agreement be used for that purpose.***

Let me preface my remarks by commending and thanking the members of the Butte Natural Resource Committee and Pat Cunneen for your diligent and excellent work on drafting your proposal. I believe strongly your committee was a "breath of fresh air" to the cleanup and restoration process of our community. You are all a credit to the community!

You were presented with an almost impossible task of preparing a plan for restoring an area that was supposedly cleaned during initial remediation. The problem you faced from the "get go" is that the area was not responsibly cleaned by the Atlantic Richfield/British Petroleum Company as required by Federal Superfund Law, the Constitution of the State of Montana and supported by our local government.

As you progressed through the process you received additional information supplied by the Montana Bureau of Mines that supported to an even greater extent the failure of the cleanup proposed and accepted by the agencies and the local government. Just one example, although there were many, is the fact that the groundwater in the Parrott Tailing that is moving underneath the town and further contaminating the area was more toxic than Berkeley Pit water.

Even with that information you trudged on and accepted the challenge that was presented to you. The best part about your process, that was totally different from that of the agencies and the local government, is that you performed your task with total transparency. Not only did you welcome

comments at each meeting you actually solicited input. Sarcastically, what a novel idea, government being transparent!

The main reason I support John's decision is because of a lawsuit I am involved in as a member of the Silver Bow Creek Headwaters Coalition against the State of Montana concerning the name of Silver Bow Creek flowing through Butte.

As most of you know, we worked closely with Richard Opper, the Director of the Department of Natural Resources, to settle our lawsuit. While I have great respect for Richard, on three different occasions we actually reached agreement with Richard on settlement only to be turned back after Richard's discussions with the State's attorneys. On all three settlement discussions Richard agreed to the State committing to the removal of the Parrot Tailing, Digging East and North Side Tailing. He even agreed and commented to the press that removing the tailings is essential to a responsible cleanup of Silver Bow Creek flowing through Butte and agreed that using the remaining Silver Bow Creek Cleanup dollars of \$35 to \$55 million was the proper use for this money.

As you all know, without removal of these tailings and other tailing in the Silver Bow Creek Corridor, you will never have a cleaned Silver Bow Creek or Clark Fork River. It's a tragedy to think that we now have fish in the lower reaches of the Creek and we eventually face future "fish kills" because of the irresponsible cleanup of the headwaters of the Creek.

For that reason I agree with John that a solid commitment, as was also promised to our group, for removal of the tailings is essential to complete your proposed task. I sincerely hope that as Governor Schweitzer, reviews your plan and works with Richard Opper, he will support John's vote to provide the necessary funding to complete the task at hand. I personally believe Governor Schweitzer and Richard Opper support a responsible cleanup and restoration of the Butte area. This is a once in a lifetime opportunity and a historical opportunity to complete the cleanup and restoration of Silver Bow Creek and the Clark Fork River.

Thanks again for all of your hard work, I am proud to call you my friends and commend you for your work.

Fritz Daily

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October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

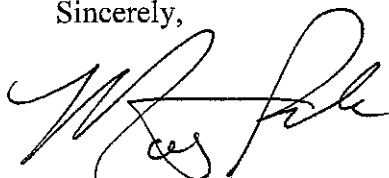
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Mark T Rule
3585 Moulton Reservoir Road
Butte, MT 59701

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November 1, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Corinne Osborne
331 Storm View Road
Butte, MT 59701

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October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

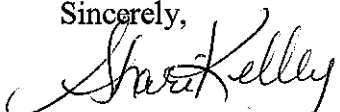
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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,


Shari and Steve Kelly
Shari and Steve Kelly
3014 Bayard
Butte, MT 59701

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October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Elaine Stormwind
1801 Texas
Butte, MT 59701

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1301 East Lockey
P.O. Box 201425
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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Dave and Lori Cashell
1901 Holmes Ave.
Butte, MT 59701

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1301 East Lockey
P.O. Box 201425
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To Whom It May Concern:

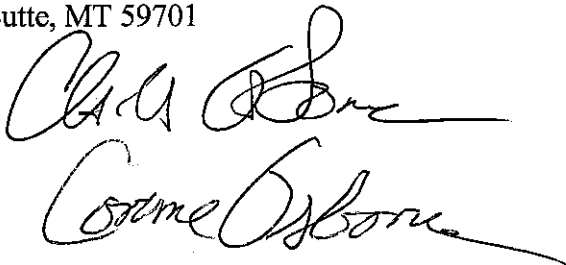
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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Charles and Corinne Osborne
331 Storm View Road
Butte, MT 59701

Handwritten signatures of Charles and Corinne Osborne. The signature for Charles is written above the signature for Corinne.

October 29, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Mick Wonnacott
156 W. Granite
Butte, MT 59701

October 29, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

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Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Seth Bergan
1064 Wild Wind Rd.
Helena, MT 59602

From: John Chupein [mailto:alltradebutte@hotmail.com]
Sent: Monday, October 29, 2012 6:25 PM
To: Natural Resource Damage Program
Subject: support letter for butte area one restoration

Hello Governer, I support The Butte area one restoration project. Please push it through.
Thank you I am John R Chupein one of the many people that cast my vote for you.
Thanks for your service to this great state!!!

John Chupein
Alltrade Home Improvement, LLC
PO Box 3213 Butte, Montana 59701
(406) 498-1595
www.alltrademt.com
FIND US ON FACEBOOK
<https://www.facebook.com/pages/Alltrade-Home-Improvement/157581951027883>



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1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

The Butte Local Development Corporation (BLDC) would like to express our full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. We believe the allocation of the \$32M into the categories outlined in the draft plan and prepared by a committee of local citizens captures the priorities of our community.

We would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek Reservoir water to help serve Butte's potable water needs.

Thank you for your attention this letter, and for accepting the BLDC's support for this important funding for our community. We strongly urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Jim Smitham
Jim Smitham
Executive Director

510 East Park St. - PO Box 507 - Butte, Montana 59703
(406) 723-4349 - fax (406) 723-1539 - www.buttemontana.org

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Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Donna & Howard Maesar
PO Box 28
Ramsay, MT 59748

October 30, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 01 2012

NATURAL RESOURCE
DAMAGE PROGRAM

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Gay Duncan

Full Name: - *Gay Duncan*
Address: - *135 Lockspur Ln*
City, State, Zip: - *Butte, MT - 59701*

October 30, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 01 2012

NATURAL RESOURCE
DAMAGE PROGRAM

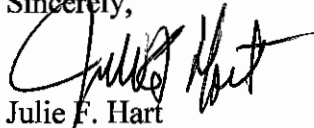
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the restoration priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water and to ensure the availability of clean water to our citizens.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Julie F. Hart
3490 Parkway
Butte, MT 59701



SWANK ENTERPRISES / GENERAL CONTRACTORS

P.O. BOX 10007
750 WEST RESERVE DR.
KALISPELL, MT. 59904-3007
406/752-5411 - FAX 756-8765

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Robert Meinhardt
750 W. Reserve Drive
Kalispell, MT 59901

RECEIVED

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as our full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. We believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

We would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting our support for this important funding for our community. We urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Dick and Kim Talley
51 Tapadero Trail
Butte, MT 59701

November 1, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

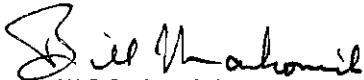
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Bill Markovich
2728 Lexington Ave.
Butte, MT 59701

November 1, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

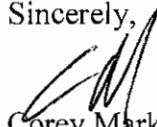
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,


Corey Markovich
2728 Lexington Ave.
Butte, MT 59701

November 1, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

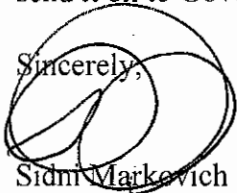
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Sidni Markovich
2728 Lexington Ave.
Butte, MT 59701



Hampton Inn Butte
3499 Harrison Avenue, Butte, MT 59701

tel: 406.494.2250
fax: 406.494.4404

20

October 30, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

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NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

To Whom It May Concern:

Please accept this letter as evidence of my full support for the Butte Natural Resource Damage Restoration Council's *Draft Butte Area One Restoration Plan*. I believe the allocation of the \$32,000,000.00, into the categories outlined in the draft plan, perfectly satisfies the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Kelly M. Smith, General Manager
Butte Hampton Inn
3499 Harrison Ave.
Butte, MT 59701



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NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

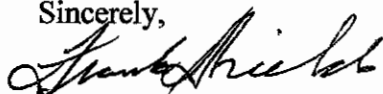
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Frank Shields
2800 Sheridan Ave
Butte, MT 59701

RECEIVED

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

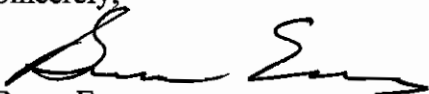
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Bruce Evans
1300 W. Aluminum
Butte, MT 59701

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

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NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

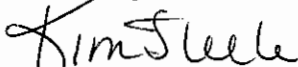
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Kim Steele
100 E. Broadway
Butte, MT 59701

RECEIVED 24

NOV 02 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Dan Steele
100 E. Broadway
Butte, MT 59701

RECEIVED

NOV 05 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 31, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Jeanne Lasser
1400 W Diamond
Butte MT 59701

October 31, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED
NOV 05 2012
NATURAL RESOURCE
DAMAGE PROGRAM

To Whom It May Concern:

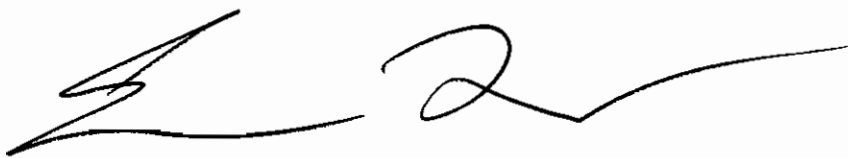
Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Eric Driscoll Larson



1400 W. Diamond
Butte MT 59701

October 29, 2012

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NOV 05 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

NATURAL RESOURCE
DAMAGE PROGRAM

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely, *Douglas Finnicum*
Water Treatment Plant Manager
Douglas Finnicum
Address 1130 Sampson
Butte, MT 59701

28

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NOV 07 2012

293 Storm View Road
Butte, MT 59701

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

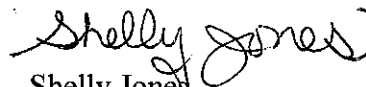
To Whom It May Concern:

Thank you for this opportunity to send this letter in support of the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

Butte-Silver Bow's need for a healthy water supply is critical for our community, and the \$10 million in funding for water system improvements would be a tremendous benefit for the development of the water treatment plant for our community's Basin Creek water supply

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely yours,


Shelly Jones

RECEIVED

NOV 07 2012

NATURAL RESOURCE
DAMAGE PROGRAM

293 Storm View Road
Butte, MT 59701

October 29, 2012

NRDP
1301 East Lockety
P.O. Box 201425
Helena, MT 59620

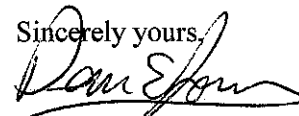
To Whom It May Concern:

Thank you for this opportunity to send this letter in support of the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

Butte-Silver Bow's need for a healthy water supply is critical for our community, and the \$10 million in funding for water system improvements would be a tremendous benefit for the development of the water treatment plant for our community's Basin Creek water supply

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely yours,



Dan E. Jones

RECEIVED

NOV 07 2012

NATURAL RESOURCE
DAMAGE PROGRAM

November 5, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

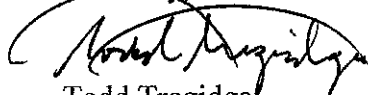
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Todd Tregidga
3330 Quincy
Butte, MT 59701

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 08 2012

NATURAL RES.
DAMAGE PROGRAM

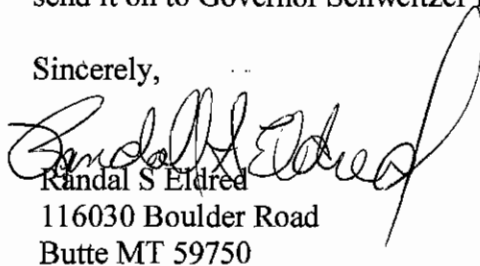
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Randal S Eldred
116030 Boulder Road
Butte MT 59750

October 29, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM


To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Jim Keenan
1215 Westside Blvd.
Butte, MT 59701

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

RECEIVED

NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Dean T. Stringer
2103 Five Mile RD.
Butte, MT. 59701

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NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Edward G. Houchin
1806 Whitman St.
Butte, MT 59701

RECEIVED

NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

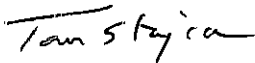
Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Tom Stajcar
3330 Burlington
Butte Mt, 59701



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NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP

1301 East Lockey
P.O. Box 201425
Helena, MT 59620

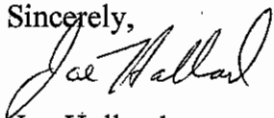
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Joe Holland
822 Waukesha
Butte, MT 59701

RECEIVED

NOV 08 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 29, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

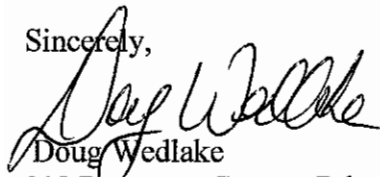
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Doug Wedlake
318 Passmore Canyon Rd.
Butte, MT 59701



St. James Healthcare

Sisters of Charity of Leavenworth Health System

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NOV 13 2012

NATURAL RESOURCE
DAMAGE PROGRAM

November 5, 2012

Natural Resource Damage Program
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

Dear Trustee Restoration Council:

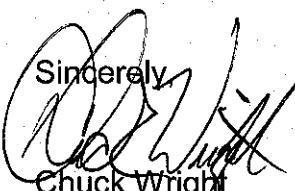
This letter is to express my support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan appropriately captures the priorities of our community and will ensure a healthier community well into the future.

Last year, St. James Healthcare partnered with the Butte Silver Bow Public Health Department and others to complete a Community Needs Assessment. The assessment identified many significant issues related to our physical environment, specifically air, water and soil quality. I believe the draft plan addresses many, if not all, of these issues.

The quality of drinking water is of particular concern, and I would like to make specific note of the importance of funding for the water system improvements. The \$10 million is critical for our community in the development of the water treatment plant for Basin Creek which will ensure that our residents have a safe drinking water supply.

I urge the Trustee Restoration Council to adopt the plan as submitted and to send it on to Governor Schweitzer for his approval.

Sincerely,


Chuck Wright
President and CEO
St. James Healthcare

RECEIVED

NOV 13 2012

November 8, 2012

NRDP
1301 East Lockett
P.O. Box 201425
Helena, MT 59620

NATURAL RESOURCE
DAMAGE PROGRAM

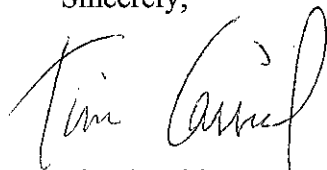
To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Tim Cassidy
4 Bittersweet Dr.
Butte, MT 59701

RECEIVED

NOV 14 2012

NATURAL RESOURCE
DAMAGE PROGRAM

October 30, 2012

NRDP
1301 East Lockey
P.O. Box 201425
Helena, MT 59620

To Whom It May Concern:

Please accept this letter as my full-support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

Full Name:
Address:
City, State, Zip:JONATHAN PYTKA
1003 S COLORADO ST
BUTTE, MT 59701

RECEIVED

NOV 14 2012

NATURAL RESOURCE
DAMAGE PROGRAM

November 12, 2012

NRDP

1301 East Lockett

P.O. Box 201425

Helena, MT 59620

To Whom It May Concern,

Please accept this letter from me in full support of the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make a specific note of the importance of the \$10M in funding for the water system improvements. This money is critical for our community in the development of the water treatment plant for Basin Creek water.

Thank you for your attention to this letter, and for accepting my full support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,



Cindi Shaw

Vice Chair, Council of Commissioners

Butte-Silver Bow

To the members of the BNRC Committee:

I appreciate the hard work and dedication of the members of this committee. It is difficult trying to decide the best use of a limited resource. As a 32 year resident of Butte, Montana I am very interested in how the limited funds available for restoration will be used by my community. Based on the good data generated by scientists at the Bureau of Mines and Geology I assumed our “highest and best good” was the removal of the Parrot Tailings, a highly mobile plume of toxic waste. I was surprised to see that removal of the Parrot Tailings is NOT part of the BNRC agenda. I was equally surprised to see that Public Idea #56 was considered FOR inclusion in the BNRC Restoration Plan. Neither of these surprises were pleasant.

I have examined the existing test plots generated by the original funds provided for the Montana Tech revegetation project. The original funds provided by the NRDP - over \$600,000 - have basically created less than an acre of vegetation that must be watered regularly to survive. This project is labor intensive as well as water intensive and requires hand weeding as well as hand watering to be successful. When you consider the area that requires revegetation – the vast majority of which is not located near a conveniently placed water spigot – this approach does not seem to be a wise use of the limited pot of money dedicated to restoration.

I can appreciate that the members of the committee would like to support Montana Tech and its efforts. But continuing a project that required \$600,000 and a great deal of water to “restore” one acre of land is a foolish idea. At the current rate of success, throwing an additional \$1,000,000 at this project just might create an additional 1.7 acres of “restored” land after 10 years. Not a good use of restoration funds.

It is interesting to note that the Natural Resource Damage Program *rejected* a similar Montana Tech revegetation proposal for restoring native plant diversity along Silver Bow Creek and the Clark Fork River because it was not cost-effective compared with comparable services competitively procured by commercial contractors with a proven track record and lower costs. I have included that response to the request for funds from NRDP, **Draft Upper Clark Fork River Basin Aquatic and Terrestrial Resources Restoration Plans:**

Abstract #47: Restoring Native Plant Diversity in UCFRB. Proposal asks for continuation of funding of the 2008 grant to provide native plants and seeds for restoration projects along the SBC and CFR. Also subject to BNRC funding request.

The concept proposal submitted by Montana Tech for restoring native plant diversity along Silver Bow Creek and the Clark Fork River (abstract #47), is not included as a proposed action because revegetation along both Silver Bow Creek and the Clark Fork River is expected to be competitively procured as has been done for the last decade, with expected lower costs and allocation of effort than as proposed in the abstract.

If the main NRD Program has rejected this proposal, then why should we fund it in Butte?
Let’s focus these funds on real remediation/restoration strategies – like removing the Parrot Tailings.

Sincerely,



Andrea Stierle
1118 Waukesha
Butte, MT 59701
406-782-6419
Andrea.stierle@mso.umt.edu

From: Pat Munday [<mailto:pmunday1@yahoo.com>]
Sent: Thursday, November 15, 2012 6:07 PM
To: Natural Resource Damage Program
Subject: Butte Area One Draft Restoration Plan comment
To: Members of the Butte Natural Resources Council

From: Pat Munday, PhD
723 W Daly St
Walkerville MT 59701

Thank you to the members of the committee who have worked so hard to bring this process to a close.

I have been involved with Superfund in Butte for more than 20 years, served as a charter member of the Governor's NRD Advisory Council, and served actively with EPA TAG groups and conservation organizations.

I am concerned by two errors of omission and one error of commission in the Draft Restoration Plan:

As a major error of omission, why is removal of the Parrot Tailings not a top priority item? The Bureau of Mines and Geology documented that the removal of the Parrot Tailings, a highly mobile plume of toxic waste, was critical for the long-term restoration of the Butte aquifer. The Draft Plan recognizes the importance of the Parrot Tailings but does not fund anything for its removal. The Butte Restoration Plan should allocate sufficient resources for this high priority project.

As another error of omission, why is the restoration of upper Silver Bow Creek – the so-called "Metro Storm Drain" – not a priority item? The Draft Plan recognizes upper Silver Bow Creek as a part of the watershed but does not fund anything for its restoration. The Butte Restoration Plan should allocate sufficient resources for the full restoration of upper Silver Bow Creek.

As an error of commission, the Draft Plan recommends one million dollars (\$1,000,000.00) to fund the Montana Tech Native Plant project. Based on the \$600,000 that the main Natural Resource Damage Program already invested in this project, there is not much to show for it. The established test plots are a very small drop in a very large bucket, and they were established at great cost for a tiny amount of square footage.

To allocate an additional million dollars (\$1,000,000.00 -- hardly change to be left on the table) is a gross waste of precious restoration money. The main Natural Resource Damage Program rejected a similar Montana Tech Native Plant proposal for restoring native plant diversity along Silver Bow Creek and the Clark Fork River. NRDP found the Tech Native Plant proposal a waste of money – it is not cost-effective compared with comparable services competitively procured from commercial contractors with a proven track record and lower costs. If the main NRD Program has rejected this proposal, then why should we fund it in Butte? We have any less extra money to throw around.

In discussing the Tech Native Plant proposal with a revegetation expert, the expert stated that it would succeed only in the short term because of its labor intensive nature, including hand weeding and hand watering. It was the expert's opinion that once this labor intensive effort ends, time and natural conditions will quickly erase the effort. In other words, ten years following this effort, no one will ever know that a million dollars (\$1,000,000.00) was spent to restore a few small plots.

Don't waste this money. Allocate it to projects that will produce permanent benefits with a high probability of success. Please rethink the need to restore Upper Silver Bow Creek and to remove the Parrot Tailings.

Thank you for this opportunity to provide comments on the environmental future of Butte.

From: david williams [<mailto:toko.dave@gmail.com>]
Sent: Friday, November 16, 2012 11:10 AM
To: Natural Resource Damage Program
Subject: Comments on the Draft Butte Area One Restoration Plan (BNRC)

Thank you for the opportunity to comment on the Butte Area One Restoration Plan developed by the Butte Natural Resource Damage Restoration Council.

First off, let me reiterate my thanks and appreciation to both the members of the BNRC and the folks from the NRDP who helped the BNRC develop the Draft Plan.

I support the BNRC Restoration Recommendation. I think it is a reasonable allocation of the potential resources available that will help restore important environmental resources in Area One.

As others have also expressed, I wish more foundational work towards restoration had been completed under remedy, but that is outside the scope of the BNRC's mandate.

Please feel free to contact me if you have any questions in regards to my comments.

Dave

--

R. David Williams
Geologist
ofc: 406 533 7655, cell: 406 498 9615



MONTANA STATE BUILDING & CONSTRUCTION TRADES COUNCIL
IN AFFILIATION WITH
THE NATIONAL BUILDING & CONSTRUCTION TRADES DEPARTMENT
AMERICAN FEDERATION OF LABOR – CONGRESS OF INDUSTRIAL ORGANIZATIONS

President - John W. Roeber ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ *Secretary/Treasurer – Jim Ryan*

November 16, 2012

NRDP
 1301 East Lockey
 P.O. Box 201425
 Helena, MT 59620

To Whom It May Concern:

Please accept this letter as notice of my full support for the Butte Natural Resource Damage Restoration Council's Draft Butte Area One Restoration Plan. I believe the allocation of the \$32M into the categories outlined in the draft plan captures the priorities of our community.

I would also like to make specific note of the importance of the \$10 million in funding for the water system improvements. Infrastructure projects are vital to every community, plus it makes a safe environment for everyone in that area. This money is critical for our way of life, and with the development of the water treatment plant at Basin Creek, we all win. Projects like this turn into a long-term investment for generations to come.

Thank you for your attention this letter, and for accepting my support for this important funding for our community. I urge the Trustee Restoration Council to adopt the plan as submitted, and to send it on to Governor Schweitzer for his approval.

Sincerely,

John W. Roeber
 President MSBCTC
 P.O. Box 1286
 East Helena, Montana 59635

November 15, 2012
1317 Casey St.
Butte, MT 59701

Dear BNRC

Subject: public comment on your plan.

I am Trinity Berry, and I had the idea called #1. I was just wondering when upper Silver Bow Creek is going to be restored. Will it ever be a fishery or a place to swim and have fun? I want fish to be able to be born there, not just put there.

When will we get the money for Silver Bow Creek? I understand it is hard to get it right away, because some of the money has to be used to get rid of the poisons. I would like you to use the money to restore the creek and let the mining company finish the clean up first. Can we all try and make it happen a little sooner?

A lot of Kids in Butte would like a place to swim and catch fish. Maybe someone would like to have a picnic and enjoy themselves right here in Butte. I would also like to have a good day on the banks of Silver Bow Creek. All of us in Butte would have a lot more tourists and more family visiting, I would think. If we all think about it, I am 12 years old, and by the time they finish Silver Bow Creek I will be 18 or older if you have to wait for the money until 2015. My friends and I would like to enjoy Silver Bow Creek while we're still kids.

Thank you for listening to what I have to say, Please think about what I said.

From: Trinity Berry ☺

A handwritten signature in cursive script that reads "Trinity Berry". The signature is written in dark ink and is positioned below the typed name.



November 16, 2012

Carol Fox
Natural Resource Damage Program
1301 East Lockey St
Helena, MT 59601

Dear Ms. Fox:

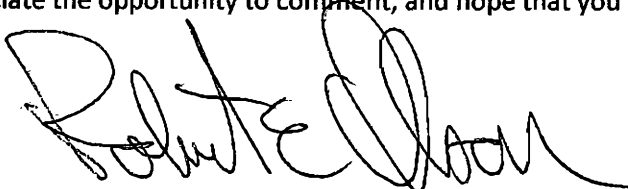
Please accept these comments on behalf of the George Grant Chapter of Trout Unlimited (GGTU) on the *Butte Area One Draft Resource Plan* developed by the Butte Natural Resource Damage Restoration Council (BNRC) and NRD. GGTU has been an active voice on fisheries issues in the upper basin and with the NRD program, having successfully received two prior NRDP grants. Our chapter has a longstanding presence in the upper basin, and we work hard to represent the Butte-Anaconda region on fishery issues.

GGTU would like to formally support the Butte Area One Resource Plan. We would specifically like to commend the BNRC Board and NRD staff for the thorough public process followed and the level to which the group solicited public input. With such complex restoration issues at hand, GGTU feels it is crucial that the funding agencies go over and above the standard public process requirements. The NRD staff would be well served to conduct similar public outreach/input efforts for the larger Upper Clark Fork River restoration funds.

Regarding specifics of the plan, the group did an admirable job of sorting through the many restoration needs for the community, and focused on the largest need categories. GGTU feels that restoration of the Silver Bow Creek corridor through the removal of the Parrot Tailings and other riparian improvements is the highest and best use of these restoration dollars. Similar to the BNRC board discussions, GGTU struggled with the large allotment to the municipal water system improvements; however, the group understands that replacement of lost ground water and surface water resources for drinking water were part of the legal settlement criteria. Also, the use of \$6,000,000 for vegetation improvements on the hill seems high when compared with stream restoration funds (\$4,000,000).

We appreciate the opportunity to comment, and hope that you will seriously consider our suggestions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Olson". The signature is fluid and cursive, with a large initial "B" and "O".

Bob Olson - President
George Grant Chapter of Trout Unlimited

PUBLIC COMMENT PERIOD

ON THE BUTTE AREA ONE DRAFT RESTORATION PLAN

PREPARED BY

THE BUTTE NATURAL RESOURCE DAMAGE COUNCIL (BNRC)

AND THE STATE OF MONTANA

NATURAL RESOURCE DAMAGE PROGRAM (NRDP)

Held at:

Thornton Building
65 East Broadway Street
2nd Floor Conference Room
Butte, Montana

Thursday, November 8, 2012

6:00 p.m.

REPORTED BY:

Kimberly C. Carpenter
Butte-Silver Bow County Courthouse
155 West Granite Street
District Court, Department 2
Butte, MT 59701
(406) 497-6422

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PAT CUNNEEN, FACILITATOR

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1 Thursday, November 8, 2012

2 * * * * *

3 P R O C E E D I N G S

4 -oOo-

5 PAT CUNNEEN: Okay. Folks, then, with
6 that, we're going to go ahead and move into the public
7 hearing. And, basically, Kim is going to record your
8 testimony. And we're hearing this. And we would ask
9 that you would just step forward into the aisle up here
10 so we can make sure that Kim hears you.

11 We would like you to state your name, spell
12 your last name and give us any comments you have on -- on
13 the plan. And we would ask that you would keep your
14 comments under ten minutes so everybody has a chance to
15 speak.

16 So, with that, if you want to raise your
17 hand and come forward, we'll proceed.

18 JACK WHELAN: Pat, I'll step forward.

19 PAT CUNNEEN: Okay. Also, will you provide
20 us with your address, too, for the record.

21 JACK WHELAN: Address?

22 PAT CUNNEEN: First and last name, spell
23 your last name, and give us your address.

24 JACK WHELAN: Jack Whelan, W-H-E-L-A-N.
25 107 Rampart Drive here in Butte. I'm here on behalf of

1 the Butte American Legion baseball program in Butte,
2 Montana.

3 LARRY CURRAN: Could you turn, Jack, so she
4 can hear you.

5 JACK WHELAN: And, as most of you know -- I
6 have been at these meetings before, or from the media --
7 we have been displaced from the School of Mines where
8 we've played baseball for the past 50-some years. They
9 are in the process of enlarging their football stadium
10 and also building -- plans to build a dormitory on the
11 site of part of the field that we played on before.

12 Be that as it may, we have to play baseball
13 out on the -- where the old dump used to be, out at the
14 Copper Mountain, I think they call it -- something like
15 that -- where they have Babe Ruth fields up there. But
16 they're not -- they don't fit for Legion baseball.
17 They're not big enough. There's no way to handle a
18 crowd. The -- it just won't work. If we're stuck with
19 that, within a year or two we won't have baseball in
20 Butte, Montana. And we're one of the largest cities in
21 the state of Montana now that does not have a baseball
22 field that would qualify to play Legion baseball.

23 Our proposal was -- and we have submitted
24 plans to the committee here -- where the Civic Center
25 presently has a ball field -- the Civic Center Field they

1 call it. It's just north of the county shops. We
2 submitted a plan to have the baseball field go in there.
3 And when they remove the tailings and everything, just to
4 level it off and have it in the configuration where we
5 could put a field in there. We know it possibly can't
6 get the whole thing out of this. But if they could do
7 that part of it for us, we would take it from there and
8 work on it.

9 Since that time there's been a letter
10 submitted to Paul Babb from the recreation board and
11 Billy Melvin down at the Civic Center that they wanted
12 all of that property for a larger parking area for the
13 Civic Center for the times that they need more parking.
14 But if you look at the topography of the land down there
15 and the measurements of it, we could have a field in
16 there and then west of the field have that all be parking
17 lot. They would almost double the size of the parking
18 lot that they presently have. We don't believe that
19 they're mutually exclusive. We think that we could have
20 the baseball field and still have the parking lot there.

21 And, of course, we're -- I'm speaking on
22 behalf of everybody involved and all of the families that
23 are involved with youth playing Legion baseball, that
24 down the road we can have a complex there that Butte can
25 be proud of and we can play baseball. Up at Tech just a

1 year ago we had the state tournament here in Butte. And
2 we got complements all over as to the field, the
3 grandstand and the stadium seats that we had, everything
4 about it. With the exception, I'm sure, of the pro field
5 that they got in Billing, we probably had the best field
6 in the state of Montana.

7 But moving up where we're moving, there's
8 no lights. We can play some day games there, but it just
9 doesn't -- the configuration doesn't fit in for crowd
10 control, gates. All of these things are necessary to
11 fund the program.

12 So we're hoping that when they're doing the
13 remediation in there and removing the topsoil and sorting
14 it and then removing the soils and putting the other back
15 in that it's at a level field and whatnot, that we can
16 put our field in there where it's sitting right now, only
17 down about whatever it would be, 12 feet or whatever.

18 And that's my ten minutes worth, I guess.

19 PAT CUNNEEN: Okay. Thank you, Jack.

20 JACK WHELAN: But I encourage your support.

21 PAT CUNNEEN: Thank you.

22 Anybody else?

23 COLLEEN ELLIOT: I guess I'll speak. My
24 name's Colleen Elliot, C-O-L-L-E-E-N, E-L-L-I-O-T-T,
25 1231 West Quarts, Butte, Montana.

1 What else?

2 PAT CUNNEEN: That's it.

3 COLLEEN ELLIOT: I just wanted to say that
4 I'm pleased. I didn't read the last draft, but I read
5 this second last draft, and I've seen how hard you guys
6 have worked on this. And when I attended the last
7 meeting I thought, "I don't know how they're going to
8 solve this." But I think this is a really good plan that
9 you can be very proud of. And it has my full support.

10 Thank you.

11 PAT CUNNEEN: You still have nine and a
12 half minutes.

13 COLLEEN ELLIOT: So, geology of Butte --

14 MARY KAY CRAIG: Okay. I'm Mary Kay Craig,
15 518 West Granite Street in Butte. And I was born and
16 raised in Butte. Grew up about three blocks from Silver
17 Bow Creek. And it was -- it's very -- a heartfelt thing
18 to me that, as a child, the challenge was always who's
19 afraid to go across Silver Bow Creek on the log. I took
20 my bike across it on the log. So we had little
21 challenges that came along with being from Butte in those
22 days, as you well know.

23 At any rate, what -- I did want to return
24 to Butte in 1990 -- '90, '91. I started working for the
25 Clark Fork Coalition. I was their Upper River

1 representative, and I was charged with trying to get a
2 good, permanent cleanup of Silver Bow Creek. It was not
3 an easy job. Because "permanent," even though mentioned
4 five times in the first three paragraphs of the 1982
5 revision of CERCLA law, has become watered down over
6 the -- over the years to where we see that "long-term
7 effectiveness" has replaced, in people's minds and often
8 in their deliberations, what is required under superfund
9 law.

10 I also worked with the CTEC here as its --
11 as a member and as its chair and vice-chair over several
12 years. And so we were the folks then that put on a lot
13 of meetings, that got people involved in trying to get
14 this lawsuit won. And it was -- it was contentious at
15 times. There was a lot of different stuff happening in
16 those years. It's lovely to see it come to a culmination
17 now.

18 And I have to say as I've attended these
19 meetings that you folks have been putting on that I'm
20 extremely impressed and amazed at what you've had to do.
21 The meetings that you've put on go late at night and how
22 hard you've worked. That has taken just -- it would take
23 my stomach out and turn it upside down to have to be any
24 one of you who has done this and has just done an
25 extraordinary job, absolutely extraordinary job, in

1 coming up with the plan that you have.

2 And that said, then, I would like to say
3 that I'm extremely disappointed that the PRPs have not
4 come forward to do what would be a permanent cleanup in
5 Butte, to where you have to parse out -- parse out the
6 funds that would be then -- supposed to be used for
7 restoration. We see that you're still having to work on
8 cleanup with restoration funds. And there's -- I know
9 that you have looked at this so carefully that down the
10 line in 2015 you believe the funds will be there then to
11 actually make this be a creek that kids can play at, like
12 I never could.

13 And, yet, here in Butte, because of the
14 lack of permanence of some of this cleanup, we have a
15 threat hanging over our head of the Silver Bow -- of the
16 Berkley Pit hanging over the heads of the kids in
17 perpetuity here. It distresses me to see even \$10
18 million go towards infrastructure of water system when I
19 believe that if more effort was made those funds could be
20 found elsewhere.

21 Those funds, this is our one chance to get
22 Silver Bow Creek corridor from Texas Avenue down to its
23 confluence with Blacktail Creek cleaned up. And I hate
24 to see that \$10 million go towards something that I think
25 the money might be able to be found elsewhere. And, yet,

1 D-O-U-G-L-A-S-S.

2 And what was the third thing you wanted?

3 PAT CUNNEEN: Address.

4 KRIS DOUGLASS: Address, 221 North Ophir
5 Street in Butte.

6 So I just want to say that it's been
7 amazing watching and listening to this council over the
8 last several years manage to put together a process and
9 sift through the hundreds of ideas and details and
10 eventually come up with this plan that I think is beyond
11 what any of us could have imagined. And I just commend
12 you and think you've done a wonderful job.

13 And, of course, I have to thank you very
14 much for including Montana Tech's native plant diversity
15 project in this restoration effort. I think -- I think
16 it will be a really good, substantial project. And thank
17 you very much for listening to all these details and
18 letting us come to all of your meetings and listening to
19 your process. And I just think you've done a fabulous
20 job.

21 ELIZABETH ERICKSON: Thanks, Kris.

22 PAT CUNNEEN: Free cookie for anyone who
23 gives testimony.

24 DAVE WILLIAMS: Well, I'll -- I'll submit
25 written comments, as well. But I'm Dave Williams,

1 2731 Princeton Street. And I'll second Colleen and
2 Kris's, and everybody else's, comments. I've come to a
3 lot of these meetings, and these guys have really worked
4 hard to put this together. And it's to their credit that
5 they've worked this hard and put this together.

6 And I have some of the same issues that
7 Mary Kay has with regards to what should be remedied and
8 what should be restoration. But realistically, I think
9 these guys have done an amazing job. And I will submit
10 written comments. So --

11 PAT CUNNEEN: Thank you.

12 COLLEEN ELLIOT: You guys look like you
13 want more criticism.

14 PAT CUNNEEN: Going once.

15 JON SESSO: I'll just state for the public
16 record that -- Jon Sesso, S-E-S-S-O, 811 West Galena.
17 What's the third thing?

18 I would just -- I haven't -- to be candid,
19 I will be submitting written comments on behalf of
20 Butte-Silver Bow, as well, by the deadline next week. I
21 haven't had the chance to read the draft from the
22 previous one that we had worked on. I've been a little
23 bit preoccupied since the last meeting. So I can't
24 comment on whether or not the changes that you've
25 discussed have been incorporated into the document. I

1 would just ask that -- you to make sure they are.

2 Because the changes that you discussed,
3 particularly with respect to the continued role of the
4 DNRC, as has been stated this evening, you guys were our
5 representatives at the table in the expenditure of these
6 funds, and we counted on you very significantly to make
7 sure that this plan was prepared. And I just want to say
8 that the community is counting on this council to make
9 sure now that the plan, as drafted, will be implemented
10 as you guys have deliberated it and want to make sure it
11 happens.

12 And so I was trying to read quickly on the
13 implementation section. I'm assuming those changes were
14 made, also, that you would -- and we will state this in
15 our comments -- that you make every effort to ensure that
16 the program outlined in this document and set forth on
17 the expenditure of these funds is implemented out of
18 Butte and that the Butte staff, Pat and any other help
19 that he might need, be -- be based here in Butte.

20 It's very important in being in this NRD
21 Program, working with multiple grants over the last 12
22 years, that the administrative load associated with the
23 implementation of these projects is enhanced considerably
24 with local staff to turn to to make sure that the
25 projects are implemented and that money associated with

1 the transaction costs in these projects can be maximized
2 for the project and not in the administration of the
3 grants and the pending projects. And I think that starts
4 with the staff being right here in Butte where the
5 projects are being implemented.

6 We are supportive of the changes that are
7 reflected in the conclusions and -- excuse me -- in the
8 Section 6 with respect to Butte-Silver Bow's shared
9 responsibility. I realize that the original expectation
10 was that Butte-Silver Bow would manage all of the
11 projects that would be implemented with the Butte
12 restoration funds, the Butte Area 1 funds. And we
13 support the explanation on Page 59 associated with
14 sharing that responsibility with both the State and also
15 with consultants, to the extent that the project
16 associated with the corridor may involve some private
17 sector involvement. But it comes with the assumption --
18 our support for sharing that comes with the assumption
19 that the projects will be managed locally and that it
20 will be staffed locally. And I hope that that's been
21 made entirely clear in this final draft.

22 As far as the lineup and the six priorities
23 you have set forth, we'll just echo the comments that
24 have been made. The choices you made, I think, are very
25 much supported by the evidence that was generated in the

1 public process in the spring and the great outreach that
2 you did in generating these 100 ideas.

3 And, lastly, I was not sure if I could see
4 it yet, but to the extent that you made it clear that the
5 categories earn their own interest and that the interest
6 earned on the unexpended balances in each of the six
7 categories gets to stay in the categories is still a --
8 is still specific enough in this document that that will
9 be the formula for moving forward.

10 So thank you again, with everyone else's
11 thank you, for all the hard work. And we'll submit our
12 final comments by next Friday before the deadline.

13 Thank you.

14 PAT CUNNEEN: Anybody else? Going, going.

15 MARY KAY CRAIG: Would it be appropriate to
16 ask the members of the council to -- if they wish or wish
17 not, to make a statement in the public record about
18 anything that they feel is important to be said?

19 PAT CUNNEEN: Good suggestion Mary Kay.

20 MARY KAY CRAIG: I didn't mean to put
21 people on the spot.

22 PAT CUNNEEN: Apparently, they're letting
23 their document talk for them.

24 ELIZABETH ERICKSON: I think with 40
25 million we've pretty much said it all at one point or

1 another.

2 PAT CUNNEEN: Last chance.

3 Okay. Folks, we'll conclude the public
4 hearing.

5 We would just like to remind you all that
6 if you do want to submit written comments you can do it
7 online. The agenda has the address. Or you can get them
8 postmarked by this Friday -- or excuse me -- next Friday,
9 the 16th. Typically, we would look at comments even if
10 they arrive late, but we are, as John pointed out, under
11 a crunch to get this done under the current
12 administration. And we do want to address everybody's
13 comments, and we will have a very short period to do
14 that.

15 We have to compile all the comments,
16 respond to them, revise this document if the council
17 feels that's necessary based on those comments, and then
18 get all of those changes to the Trustee Restoration
19 Council for their meeting on Monday, December 3. So --
20 and in between the end of the comment period and that
21 meeting with the TRC, we have Thanksgiving. So we're
22 going to be hard-pressed to get this all done. So we
23 would ask that you timely submit your comments so we can
24 respond to them.

25 With that, Elizabeth, I'll turn it back

1 over to you.

2 (Whereupon, the comment period concluded.)

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REPORTER'S CERTIFICATE

STATE OF MONTANA)
) ss.
County of Silver Bow)

I, KIMBERLY CARPENTER, an Official Court Reporter
and Notary Public in and for the State of Montana, do
hereby certify:

That said proceedings were taken down by me
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control.

I further certify that the foregoing,
consisting of Pages 1 through 18, contains a full, true,
and correct transcript of the proceedings had,
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ability.

DATED this the 14th Day of November 2012.

(Signature)

Kimberly C. Carpenter