

September 3, 2009

Newspapers: Kalispell: *Daily Interlake*, Missoula: *Missoulian*, Butte: *Montana Standard*, Great Falls: *Great Falls Tribune*, Helena: *Independent Record*, Thompson Falls: *Sanders County Ledger*

**RE: Legal Notice for Plum Creek Timberlands, LP Operating Permit 00167
Partial Bond Release**

Dear Editor:

Please place the following notice in the next legal publication section of your newspaper for two consecutive weeks, preferably the Sunday edition:

Legal Notice

Plum Creek Timberlands, LP (Plum Creek) operates 93 quarries in northwestern Montana under Operating Permit 00167. It has requested partial or full bond release at 53 of the quarries. Part of the requested bond release reflects the reclamation of disturbance at 15 quarries totaling 77.6 acres. In addition, Plum Creek is requesting bond release for 44.8 acres at 38 sites that have never been disturbed.

Plum Creek is requesting three sites that have been fully reclaimed to be removed from the operating permit. Removal of the three sites from the operating permit would reduce the total permitted acreage from 14,093.9 acres to 13,944.2 acres and the total acreage permitted for disturbance from 3,550.6 acres to 3,523.0 acres. The number of permitted sites would be reduced from 93 to 90. Even though full bond release is being requested on 40 additional sites, Plum Creek requests they be kept permitted for future disturbance. If these sites were to be activated in the future they would be covered through incremental bonding.

DEQ has inspected the sites and proposes to release the bond and remove the three sites as requested. DEQ currently holds an obligated bond in the amount of \$193,394. Taking the proposed bond release and an increase in the bond due to additional acreage being disturbed in 2009 into account, the obligated bond held by DEQ would be reduced by a net amount of \$39,591 to \$154,102.

Nineteen affected sites are located in Flathead County:

- Below Dam Rock in Sections 17 and 18, Township 25 North Range 24 West - Reclamation complete.
- Bitterroot Rock in Sections 18 and 19, Township 27 North Range 24 West - Reclamation complete.
- Boisverts Rock in Section 31, Township 27 North Range 25 West - Anticipate no new use over current levels.

- Horseshoe Rock in Section 11, Township 27 North Range 24 West - Reclamation complete.
- Rand Creek Rock in Section 23, Township 29 North Range 24 West - No activity, property sold; remove from operating permit.
- Red Rock in Section 28, Township 25 North Range 24 West - Anticipate no new use over current levels.
- South Bitterroot Rock in Section 19, Township 27 North Range 24 West - Reclamation complete
- West Twin Rock in Sections 28, 29, and 33, Township 27 North, Range 26 West and Sections 4 and 5, Township 27 North, Range 25 West - No disturbance.
- Little McGregor Rock in Section 5, Township 26 North, Range 25 West and in Sections 32 and 33 in Township 27 North, Range 25 West - No disturbance.
- Skookum Yard in Section 7 in Township 26 North, Range 24 West - Anticipate no new use over current levels.
- BN Rock in Sections 29, 30, 31, and 32, Township 28 North, Range 27 West - No disturbance.
- Granger Overlook in Section 7, Township 26 North, Range 23 West - No disturbance
- C Branch Rock in Section 33, Township 26 North, Range 25 West - No disturbance.
- Red Lake in Section 29, Township 25 North, Range 25 West - No disturbance.
- Mule Mech Rock in Section 1, Township 25 North, Range 26 West -No disturbance.
- East Boisverts Rock in Sections 30, 31, and 32, Township 27 North, Range 25 West - Reclamation complete.
- West Boisverts Rock in Sections 25 and 35, Township 27 North, Range 26 West - Reclamation complete.
- Haskill Retreat Rock in Section 5, Township 26 North, Range 23 West - No disturbance.
- Kessler Overlook in Section 5, Township 26 North, Range 23 West - No disturbance.

Thirteen affected sites are located in Lincoln County:

- ACM 58 Mile in Sections 20 and 21, Township 28 North Range 27 West - Reclamation complete.
- ACM Section 35 Mile in Section 35, Township 28 North Range 27.5 West - Reclamation complete.
- Fisher Six Mile Pit in Section 9, Township 29 North Range 29 West - Anticipate no new use over current levels.
- Kavalla Powerline Rock in Section 27, Township 29 North Range 27 West - Reclamation complete.
- Kid Rock in Sections 8 and 9, Township 29 North Range 26 West - Anticipate no new use over current levels.
- Mckillop Section 9 in Section 9, Township 27 North Range 28 West - Anticipate no new use over current levels.

- N 8 Rock in Section 12, Township 30 North Range 26 West and Section 12, Township 30 North Range 27 W - Reclamation complete.
- Kavalla 15 Rock in Section 15, Township 29 North, Range 27 West; - No disturbance.
- Mckillop Ridge in Sections 3, 4, 9, and 10, Township 27 North, Range 28 West - Never disturbed.
- Coniff 335 Rock in Section 3, Township 28 North, Range 26 West and Sections 34 and 35, Township 29 North, Range 26 West - Anticipate no new use over current levels.
- Loon Complex Rock in Sections 26, 27, and 35, Township 27 North, Range 28 West - Reclamation complete.
- McGilvary Rock in Section 33, Township 32 North, Range 29 West - Reclamation complete.
- Billy Fritz Pass Rock in Section 33, Township 27 North, Range 28 West - No disturbance.

Nineteen affected sites are located in Sanders County:

- Baker Rock in Section 31, Township 21 North, Range 25 West - No disturbance.
- Bemish Rock in Section 33, Township 20 North, Range 27 West - Reclamation complete.
- Blackjack Rock in Section 25, Township 20 North, Range 27 West - No disturbance.
- Jungle Rock in Sections 28 and 33, Township 23 North, Range 27 West - Partial reclamation complete.
- North Banana Rock in Section 31, Township 21 North, Range 25 West - No disturbance.
- Power Rock in Section 6, Township 20 North, Range 25 West - Reclamation complete.
- West Combest Rock in Section 31, Township 20 North, Range 26 West - Reclamation complete.
- Miller 9 Rock in Section 9, Township 19 North, Range 26 West - No disturbance.
- Miller 817 in Sections 8 and 17, Township 19 North, Range 26 West - No disturbance.
- Miller Combest Rock in Sections 9, 10, and 15, Township 19 North, Range 26 West - No disturbance.
- West Combest 58 Rock in Sections 5 and 8, Township 19 North, Range 26 West - No disturbance.
- Clark 21 in Sections 20, 21, 28, and 29, Township 21 North, Range 25 West - No disturbance.
- Rock 78 in Sections 7 and 8, Township 19 North, Range 26 West - No disturbance.
- Rock 43 in Sections 3 and 4, Township 19 North, Range 26 West - No disturbance.
- Baldys Rock in Sections 17 and 20, Township 21 North, Range 25 West - Anticipate no new use over current levels.

- Deerhorn 32 Rock in Section 32, Township 23 North, Range 27 West - Anticipate no new use over current levels.
- Thompson 5 Rock in Section 5, Township 22 North, Range 27 West - No disturbance.
- Locust 6 in Section 6, Township 20 North, Range 25 West - No disturbance.
- Snider 1 in Section 1, Township 22 North, Range 25 West - No disturbance

Two affected sites are located in Missoula County:

- Dirty Ike Rock in Section 15, Township 12 North, Range 17 West - Reclamation complete; site sold as part of Montana Legacy Project; Site may be assigned to Nature Conservancy. Site would be removed from operating permit.
- Johnson Rock in Sections 14 and 15, Township 13 North, Range 18 West - No disturbance; site sold as part of Montana Legacy Project. Site would be removed from operating permit.

Pursuant to Section 82-4-338(5), MCA, DEQ may not release or decrease a reclamation bond until the public has been provided an opportunity for a hearing and a hearing has been held if requested. A request for a hearing on the proposed bond release must be submitted by September 21, 2009 to the postal or e-mail address set forth below.

A copy of the bond calculations that form the basis for the proposed bond determination can be obtained by contacting the Montana Department of Environmental Quality, Environmental Management Bureau, P.O. Box 200901, 1520 E. Sixth Ave., Helena, MT 59620-0901, or by calling Herb Rolfes at (406) 444-3841 or e-mail at hrolfes@mt.gov. Comments must be received by September 21, 2009.

To expedite payment, please send your *invoice, tear sheet, and affidavit of publication* to DEQ at the address above to the attention of **Dick Morrow**. Please indicate that the bill applies to Environmental Management Bureau, PO # 50310.29. Thank you.

Sincerely,

Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
(406)444-3841 or email at hrolfes@mt.gov

File: 00167.37 and .10
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