

ZONING COMPLIANCE

In accordance with Opencut Mining Act sections 82-4-431(2)(a)(iv)(D); 82-4-432(2)(b)(ii) & 82-4-432(14)(a)(v), sand and gravel operations must meet applicable local zoning regulations. As a result, this form is required unless the Operator is proposing to mine **bentonite, clay, scoria, peat, or soil**.

In accordance with section 17.24.223 of the rules implementing the Act, this form is required for a sand or gravel operation to apply for a **permit or an amendment adding acreage, changing the postmining land use or adding an asphalt or concrete plant**.

OPERATOR SECTION: All fields must be completed.

Operator Name: Capital Concrete, Inc.

Site Name: Winston

County: Broadwater

LOCAL GOVERNING BODY SECTION: Complete all applicable below items.

In accordance with MCA 82-4-432(2)(b) of the Opencut Mining Act and ARM 17.24.223 of the rules implementing the Act, **the local governing body having jurisdiction over the area to be mined must certify that the proposed mine site and Plan of Operation comply with applicable local zoning regulations** adopted under MCA Title 76, Chapter 2. The certification must be submitted on this DEQ form.

1. The Operator has provided the local governing body with a Site Map and Location Map for a Standard Permit Application and a Location Map for a Rural Permit Application for the proposed sand and gravel operation identified above:

Yes or **No** If **No**, this form is not acceptable.

2. Check **one** box:

a. Site is **not** zoned.

b. Site is **zoned** and **does not comply** with local zoning regulations.; therefore, **no Opencut operations can occur**. Site is zoned as: _____

c. Site is **zoned** and local zoning regulations **do not require** a local license or permit for the proposed Opencut operations. Site is zoned as: _____

d. Site is **zoned** and local zoning regulations **require** a local license or permit for the proposed Opencut operations. Site is zoned as: _____

Local zoning regulations require the following license or permit: _____

The application cannot be deemed complete until a copy of the local license or permit for the proposed operation is submitted to the Department.

MCA 82-4-432(2)(b)(ii) states *proposed sand and gravel opencut operation complies with applicable local zoning regulations adopted under Title 76, chapter 2, and in effect prior to the filing of a permit application or at the time a written request is received for a preapplication meeting pursuant to this section.*

CERTIFICATION BY LOCAL GOVERNING BODY:

Name of Local Governing Body: _____

Official's Name (print legibly): _____ **Title:** _____

Signature: _____ **Date:** _____

The plan the operator submits to Opencut requires that they operate the site in a manner that protects human health and the environment. The operator is required to strip soil material before mining, and grade, replace soil material on, and seed all disturbed areas after mining. If you would like to see what is included in a plan, go to Forms at <http://deq.mt.gov/Mining/opencut>

The Opencut Mining Program oversees the permitting process, monitors sites, and releases an operator's permit after a site has been properly reclaimed.

Please complete the Certification By Local Governing Body section on the accompanying form

Scan and e-mail the form back to me.

Thank you.

Mark Carlstrom
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LOCATION MAP

CAPITAL CONCRETE, INC.

WINSTON SITE

103.5 ACRES

SECTION 17, T8N, R1E

MAY 2021

MGC CONSULTANTS LTD

NORTH NON-BONDED AREA N01-N09

SOUTH NON-BONDED AREA N10 - N14

P18/N06
P19/N07
WINSTON
1.7 MI

P17/N05

P20/N08

P16/N04

P15/N03

P14/N02

P13

P01/N01

P12

P11

P10

P09

P08

HIGHWAY
12/287

P02

P07/N14

P06/N13



P04/N11

P05/N12

RAILROAD

