

MINUTES
Special Meeting
Teleconference
January 12, 2016

Call to Order

The Board of Environmental Review's special meeting was called to order by Chairperson Miles at 1:00 p.m., on Tuesday, January 12, 2016, in Room 111 of the Metcalf Building, 1520 East Sixth Avenue, Helena, Montana.

Attendance

Board Members Present: Chairperson Joan Miles

Board Members Present by Phone: Chris Tweeten, Michele Reinhart Levine, Roy Sayles O'Connor, Dr. Robert Byron, Robin Shropshire

Board Members Absent: Marietta Canty,

Board Attorney Present: Ben Reed, Attorney General's Office, Department of Justice

Board Liaison: George Mathieus

Board Secretary Present: Hillary Houle

Court Reporter Present: Laurie Crutcher, Crutcher Court Reporting

Department Personnel Present: Dana David – Legal; Martin Van Oort – IEMB.

Interested Persons Present: Steve Wade – Signal Peak Energy; Shiloh Hernandez, Anne Hedges, Derf Johnson- MEIC.

Interested Persons Present by Phone: Svein Newman – Northern Plains Resources; James Lloyd – Hydrometrics; James Dehaven – Helena Independent Record

Chairperson Miles thanked council members and Board members for their work in the proceedings.

I. A. 1. Final Action on Contested Cases

The Board reviewed the proposed draft Findings of Fact, Conclusions of Law, and Order prepared by Mr. Reed in the matter of a request for hearing by Montana Environmental Information Center regarding DEQ's approval of Coal mine permit No. C1993017 issued to Signal Peak Energy, LLC, for Bull Mountain Mine No.1 in Roundup, Montana, BER 2013-07 SM. The Board discussed formatting and grammatical changes to the draft final order.

Ms. Reinhart led the Board in a discussion of corrections to the draft final order.

Chairperson Miles asked Mr. Reed for recommendations on how to incorporate the proposed Consent Decree that was filed by the parties with the Board on January 11, 2016, into the final order.

Chairperson Miles called for a MOTION, and Mr. Tweeten MOVED to adopt the Findings of Fact, Conclusions of Law, and Order incorporating the corrections addressed by the Board. Board Member Michele Reinhart-Levin SECONDED. The motion CARRIED unanimously.

The Board then entertained comments by the parties on the proposed Consent Decree.

Chairperson Miles called for a MOTION to adopt the Consent Decree. Board Member Michele Reinhart-Levine so MOVED. Board Member Sayles O'Connor SECONDED the motion. The motion CARRIED unanimously.

II. Public Comment

None was heard.

III. Adjournment

Chairperson Miles adjourned the meeting at 1:23 p.m.

Board of Environmental Review January 12, 2016, minutes approved:



JOAN MILES
CHAIRMAN
BOARD OF ENVIRONMENTAL REVIEW



DATE