

MINUTES
Special Meeting
Teleconference
December 29, 2015

Call to Order

The Board of Environmental Review's special meeting was called to order by Madam Chair Miles at 11:00 a.m., on Friday, December 29, 2015, in Room 111 of the Metcalf Building, 1520 East Sixth Avenue, Helena, Montana.

Attendance

Board Members Present: Chairperson Joan Miles, Chris Tweeten, Michele Reinhart Levine, Roy Sayles O'Connor, Dr. Robert Byron

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

Board Members Absent: Marietta Canty, Robin Shropshire

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

Board Liaison: George Mathieus

Board Secretary Present:

Court Reporter Present: Laurie Crutcher, Crutcher Court Reporting

Department Personnel Present: Tom Livers – Director; John North, Dana David – Legal;

Interested Persons Present: Steve Wade – Signal Peak Energy; Derf Johnson- MEIC.

Interested Persons Present by Phone: Brenda Lindlief-Hall, Ellen Pfister, Chris Jardine , Galen Munson – Signal Peak Employee, Taylor Kuykendall – SNLEnergy.

Chairman Miles thanked members of the audience for their attendance.

The Board considered the draft Findings of Fact and Conclusions of law prepared by Mr. Reed for 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.

In a discussion led by Ms. Reinhart-Levine the Board reviewed each finding and conclusion and agreed to modify several.

Mr. Reed notified the Board that the parties were negotiating settlement of a remedy.

Ms. Reinhart-Levine MOVED that the Board to adopt the revised Findings of Fact and Conclusions of Law as amended during the meeting, and that the Board defer adoption of a final order pending negotiation of the remedy. Mr. O'Connor SECONDED the motion.

Mr. Tweeten MOVED the Board to make an addition to the draft final order. Ms. Reinhart-Levine SECONDED Mr. Tweeten's proposed amendment. The MOTION including the addition proposed by Mr. Tweeten CARRIED UNANIMOUSLY.

Chairperson Miles called for the Board to determine a meeting time and date for the next special meeting for the purpose of adopting a final order for the Signal Peak proceeding. The Board agreed to a special meeting through teleconference on January 12, 2016, at 1:00 p.m.

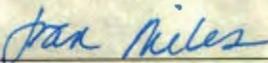
Chairperson Miles invited discussion about a request received from the Legislative Water Policy Interim Committee for the Board to appear at the next meeting and provide an update on the Signal Peak proceeding.

Chairperson Miles asked Mr. Reed to alter a letter he had drafted to send to the Committee in response to their request and the Board members agreed to this action. The letter will decline the invitation.

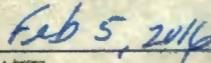
Chairperson Miles opened the floor to additional items to be addressed by the Board and for public comment. None was heard.

Chairperson Miles adjourned the meeting at 11:54 a.m.

Board of Environmental Review December 29, 2015, minutes approved:



JOAN MILES
CHAIRMAN
BOARD OF ENVIRONMENTAL REVIEW



DATE