

Permit No.:

Date Rec'd

Amount Rec'd

Check No.

Rec'd By

FORM
NOI-37

**Notice of Intent (NOI)
 General Permit for Suction Dredging Operations
 MTG370000**

The NOI-37 form must be completed by the owner or operator of a portable suction dredging operation eligible for coverage under the Montana Department of Environmental Quality's (DEQ) General Permit for Suction Dredging Operations. **Please read the attached instructions before completing this form.** You must print or type legibly; forms that are not legible, not complete, or unsigned will be returned. You must maintain a copy of the completed NOI-37 form for your records.

Section A – NOI-37 Status and Fee

Permit Number: MTG 37 (If no prior NOI-37 submitted, DEQ will assign a permit number)

Select Appropriate Fee if Montana Resident:

\$50.00 - New Application / Resident

\$25.00 - Renewal Application / Resident

\$25.00 - Major Permit Modification / Resident

Select Appropriate Fee if Non-Resident:

\$200.00 - New Application / Non-Resident

\$100.00 - Renewal Application / Non-Resident

\$100.00 - Major Permit Modification / Non-Resident

Section B – Applicant (Owner/Operator) Information

The Owner/Operator must be present during the suction dredging operation. See Part I.B. of the General Permit.

Owner/Operator _____

Mailing Address _____

City, State, and Zip Code _____

Phone Number, Email Address _____

Contact Person, if Applicable (name and title) _____

Section C – Activity Operation Information:

Operation Site Name _____

Operation Site Location Description _____

Nearest City or Town, Zip Code, County _____

Latitude, Longitude _____

Located Within Indian Country:

Yes No (If yes, obtain the permit through EPA, not DEQ)

Standard Industrial Classification (SIC) Codes:

The SIC Code for gold ores is provided in box (1). If another SIC code is applicable, provide the SIC code which best reflects the industrial activity in box (2).

SIC Code	Description
(1) 1041	Gold Ores

SIC Code	Description
(2)	

Section D – Outfall Description and Location(s):

MAP: Attach a map of the area, adhering to the following requirements:

- Topographic map extending at least one mile beyond property boundaries of the site of the operation
- Show the operation boundaries
- Identify the receiving water in which the suction dredging will take place

Identify the receiving water(s) where suction dredging will take place: Include the location and width.

Outfall Number	Latitude	Longitude	Receiving Water Width (feet)	Name of Receiving Water
001				

Section E – Additional Information

Suction dredge intake diameter size (inches): _____ Will chemicals be used? Yes No

Stream Classification: Is the stream classified as A-1, A-Closed? (See [ARM 17.30.601-670](#)). Yes No

Seasonal Stream Restrictions: All applicants must contact the MT Fish, Wildlife and Parks fisheries biologist responsible for the area in which the proposed suction dredge operation is to occur. Provide the contact details below - If FWP determines that a seasonal restriction is required to protect fisheries, include the details of the seasonal restriction.

Name of Person Contacted: _____

Date of Contact: _____

Seasonal Restriction (date range dredging is allowed): _____

Sage Grouse Habitat: Visit the [Montana Sage Grouse Habitat Conservation Program](#) (Program) website to determine if the proposed operation is located in designated sage grouse core, general, or connectivity habitat.

Yes. Submit an application to the Program and attach the required consultation letter.

No. No additional information is required.

Section F – CERTIFICATION FOR ALL OWNER/OPERATORS

All Applicants Must Complete the Following Certification:

I certify under penalty of law that this document and all attachments are accurate and true. I am aware that there are significant penalties for submitting false information; including the possibility of fine and imprisonment for knowing violations. [75-5-633, MCA].

Name (Type or Print)

Title (Type or Print)

Phone Number

Signature

Date Signed

Notice of Intent (NOI-37) Instructions

General Permit for Suction Dredging Operations MTG370000

The NOI-37 form must be completed by the owner/operator of a suction dredge operation eligible for coverage under DEQ's *Suction Dredge General Permit*. Corresponding documents and related forms are available on the DEQ website at: <http://deq.mt.gov/water/resources/Forms> or from DEQ by calling (406) 444-5546. **Do not use this form to transfer permit coverage to a new owner or operator. For a permit transfer you must use Form PTN.**

You must provide a complete NOI-37 package before DEQ can authorize your proposed suction dredging activity. A complete NOI-37 package includes:

- All requested information in the NOI-37 form, including certification by the appropriate signatory.
- Applicable fee
- Sage Grouse Habitat letter, if applicable
- Seasonal stream restrictions information and FWP contact information

Please type or print legibly; applications that are not legible or are not complete will be returned. Responses must be self-explanatory and must not refer exclusively to attached maps, plans, or documents. You must maintain a copy of the General Permit and completed NOI-37 Form for your records. The completed NOI-37 form and fee can be submitted online or mailed as follows:

- Online Submission: Fees, Applications, and Compliance Tracking System (FACTS) at <http://deq.mt.gov/Public/FACTS>
- Mail-in Submission: Montana Department of Environmental Quality, Water Protection Bureau, PO Box 200901 Helena, MT 59620-0901

SPECIFIC ITEM INSTRUCTIONS

Section A – NOI-37 Status and Fee

Permit Number: Provide your MPDES-assigned permit number.

- Leave blank if this is your first NOI-37 submission under the 2019-General Permit. DEQ will assign a permit number.
- If you were covered under the 2015-General Permit, provide your MPDES permit number that begins with MTG37.

Select Appropriate Fee: Select appropriate fee according to NOI-37 **Application Status** and **Montana Residency**. If you are a resident of Montana, select one of the three options under “Montana Resident”. If you are not a resident of Montana, select one of the three options under “Non-Resident”.

- New Application: Check this box if this is the first NOI-37 submission for this operation under the General Permit.
- Renewal Application: Check this box if your operation is currently covered under the 2015-General Permit.
Applications must be renewed before the March 31, 2019 expiration date.
- Permit Coverage Modification: Check this box if there is a change in the operation or site information. (This does not apply to permit transfers.)

Fee Information: Each NOI-37 option requires a fee, which is based on the type of residency and the NOI-37 status. See Administrative Rules of Montana 17.30.201 and 75-5-516(12) Montana Code Annotated for more information on fees.

- Indicate whether you are a Montana resident or a nonresident.
- Select the appropriate fee as described below.

Fees for Residents of Montana:	Fees for Nonresidents:
New Application: \$50	New Application: \$200
Renewal Application: \$25	Renewal Application: \$100
Major Modification: \$25	Major Modification: \$100

Section B – Applicant (Owner/Operator) Information

- Owner/Operator (Name, Title): Give the name, as it is legally referred to, of the person, business, or other entity that owns, operates, controls or supervises the suction dredging operation. **The permit will be issued to the entity identified in this section.** The owner/operator assumes all liability for discharges from the site and compliance with the terms and conditions of the General Permit. The owner/operator must always be present during operation. If the owner/operator is other than an individual or government entity, it must be registered with the Montana Secretary of State’s office.
- Provide the contact information for the owner/operator (mailing address, city, state, zip code, phone number with area code, email address).
- Applicant Contact Person: The applicant contact person must be thoroughly familiar with the suction dredging operation and the facts reported in this form. DEQ must be able to contact this person for additional information. Give the name, title, work phone number, and email address of this person, if different from the owner/operator. If the applicant contact person and the owner/operator are the same person, write “Same”

Section C – Activity Information

- Operation Site Name: The operation site name describes the specific area/location where the suction dredging operation will be physically conducted.
- Operation Site Location Description: The operation site location description may be a physical address or description of how the site may be accessed. PO Boxes are not acceptable. If the street address is not available, include the nearest intersection or other identifying information.
- Nearest City or Town, Zip Code, County: This is the city or town that is closest to the operation site.
- Latitude, Longitude: Latitude and longitude coordinates must be accurate. DEQ prefers the location be specified in decimal degrees, accurate to the fourth decimal place. If the preferred decimal degrees are not used, then the coordinates must be provided in degrees, minutes, and seconds, accurate to the nearest second. Geographic information may be obtained at <http://nris.msl.mt.gov/> and <http://deq.mt.gov/Water/Resources/cwaic>.
- Located Within Indian Country: Indicate if the operation covered under this NOI-37 will occur on Indian Country. This Permit applies to all areas of the State of Montana, except for Indian Reservations, which are permitted by EPA.
- **Standard Industrial Classification (SIC) Codes** – The NOI-37 lists the primary SIC code for gold mining. If there is another SIC code for another activity, then list that four-digit SIC code in box (2). List the SIC code that best describe the operation. SIC Codes and conversions from the newer North American Industry Classification System can be found at <http://www.census.gov/epcd/www/naics.html> and <http://www.osha.gov/pls/imis/sicsearch.html>.

Section D – Outfall Description and Location(s)

- **MAP:** Attach a topographic map of the area extending to at least one mile beyond the property boundaries. The map must be easily legible and show the operation boundaries and receiving water being dredged. NOI-37 forms submitted with incomplete or illegible maps will be considered incomplete and returned with instructions to provide an appropriate map.
- **Identify the receiving water(s) where suction dredging will take place.**
 - Outfall Number: The outfall is the point suction dredging operation is discharging sluice water back into the receiving water. Because suction dredging operation is mobile, identify the outfall as the point where the planned operation will begin. For renewals, use the outfall number(s) specified in the current authorization. For new projects list all outfalls starting with 001.
 - Latitude and Longitude: Provide accurate coordinates for each outfall. DEQ prefers coordinates be reported in decimal degrees, accurate to the fourth decimal place. (See Section C)
 - Receiving Water Width: Provide the width, in feet, of the wetted stream channel.
 - Name of Receiving Water: Provide the name of the waterbody in which suction dredging is proposed to occur.

Section E – Additional Information

- Suction dredge intake diameter size (inches): If the diameter of the intake on the suction dredge is greater than four inches, you will need to apply for an individual permit.
- Will chemicals be used? Using chemical agents to improve mineral processing/metal extraction is prohibited.
- **Stream Classification:** refer to Administrative Rules of Montana 17.30.601-670 to determine if your proposed operation is in a stream classified as A-1 or A-Closed.
- **Seasonal Stream Restrictions:** Some streams have seasonal restrictions, which are date ranges with allowed access to that stream. All applicants must contact the MT Fish, Wildlife and Parks fisheries biologist responsible for the area in which the proposed suction dredge operation is to occur.
 - Name of Person Contacted: This is the fisheries biologist responsible for the region in which your proposed suction dredging operation will occur. Go to the FWP website at <http://fwp.mt.gov/fish> and click on “Contact” – Select the region in which your proposed suction dredging operation will occur, then click on the “Fisheries Biologists” tab in the popup. The name of the fisheries biologist for that region appear, and you can then search the FWP website for their contact information – OR – Call (406)444-2449 and ask for the contact details of the fisheries biologist responsible for the region in which you propose to suction dredge.
 - Date of Contact: This is the actual date you contacted the fisheries biologist.
 - **Seasonal Restriction:** If FWP determines that a seasonal restriction is required to protect fisheries, identify the date range of which the stream has **restricted (allowed) access**. For clarity, write out the month(s) in the date range.
- **Sage Grouse Habitat:** Visit <https://sagegrouse.mt.gov/> to determine if the proposed operation is located in designated sage grouse core, general, or connectivity habitat. If it is, then you will need to submit an application to the Montana Sage Grouse Habitat Conservation Program and obtain a consultation letter from the Program. Include the consultation letter with your NOI-37 submission. For more information, call (406)444-1467 or (406)444-2613.

Section F - Certification

Certification must be completed by the applicant (owner/operator) responsible for the authorization as identified in Section B. This is certification that the applicant will comply with the terms and conditions of the General Permit.