## ZONING COMPLIANCE

In accordance with Opencut Mining Act sections 82-4-431(8) & 432(2)(b), 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:**

**Site Name:**

**County:**

Site Name:

**Sec****tion(s)    &** **Township**  **North** or**South** **Range**  **East** or**West**

**Section(s)    &    Township    North** or **South Range    East** or **West**

**LOCAL GOVERNING BODY SECTION:** Complete all items unless so directed by *italics* below.

In accordance with section 82-4-432(2)(b) of the Opencut Mining Act and section 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, location map and a Plan of Operation for the proposed sand and gravel operation identified above: **Yes** or **No** If **No**, this form is not acceptable.
2. Check **one** box:
3. Site is **not** zoned.

1. Site is **zoned** and **does not comply** with local zoning regulations.; therefore, **no Opencut operations can occur**. Site is zoned as:
2. Site is **zoned** and local zoning regulations **do not require** a local license or permit for the proposed Opencut operations. Site is zoned as:
3. 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.

**CERTIFICATION BY LOCAL GOVERNING BODY:**

**Name of Local Governing Body:**

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

**Title:**

**Signature:**

**Date:**