STATE OF MONTANA
FINAL ENVIRONMENTAL ASSESSMENT
Proposed 32-Bed Forensic Mental Health Facility

Location: Yellowstone County, MT, Old U.S. Highway 10 Site – West of the City of Laurel

Lead Agency: Montana Department of Public Health and Human Services

Cooperating Agency: Montana Board of Investments

Statutory Authority: Montana Environmental Policy Act (MEPA), Title 75, Chapter 1, MCA, HB 5 (2025); Montana House Bill 5

Date of Final Assessment: June 12, 2026

DEPARTMENT OF
PUBLIC HEALTH &
HUMAN SERVICES

TABLE OF CONTENTS

EXECUTIVE SUMMARY

This Environmental Assessment (EA) has been prepared by the Montana Department of Public Health and Human Services (DPHHS) in cooperation with the Montana Board of Investments (BOI) pursuant to the Montana Environmental Policy Act (MEPA), Montana Code Annotated (MCA) Title 75, Chapter 1, and the Administrative Rules of Montana (ARM), 17.4.601 et seq.

The EA evaluates the environmental, social, public health, and economic consequences of the Proposed Action—the construction and operation of a 32-bed (potentially expanding to 64-bed) forensic mental health facility on an approximately 114-acre property in Yellowstone County west of Laurel, Montana, selected after evaluation of alternative sites — against the No Action Alternative of not proceeding with the facility. DPHHS has assessed the Proposed Action by identifying the Proposed Action, its need, and the affected environment, and evaluating the direct, secondary, and cumulative impacts to relevant environmental resources, and by considering the site-specific characteristics of the project area, applicable regulatory requirements, and the effectiveness of mitigation measures in reducing any impacts.

Based on the analysis presented herein, DPHHS finds that the Proposed Action would result in positive impacts to the Montana human environment, including material improvements to public health, constitutional due process, regional economic vitality, geographic equity in the provision of and access to health services, and public safety — while causing no significant adverse impacts to the physical, or other components of the human, environment. The Proposed Action would result in no material alteration to land, air, water or biological resources, and any alteration would be of limited geographic extent or duration or could be mitigated below any material alteration. Wetlands and aquatic features identified on the parcel would be avoided or subject to additional permitting and review. The facility would connect to existing municipal water and wastewater infrastructure with confirmed capacity, and stormwater, dust, and erosion impacts would be addressed through standard permitting and best management practices.

No material growth-inducing or growth-inhibiting aspects, including cumulative impacts, are anticipated to occur. The Proposed Action is a compatible land use and consistent with applicable growth policy goals of greater economic opportunity. The evaluation of alternative sites has demonstrated that the selected site reasonably satisfies, and exceeds, the State's operational, infrastructure, and workforce criteria relative to other locations considered. While local community opposition, reflected in public comment, was expressed to the forensic mental health facility's location, it did not demonstrate any change to the site's satisfaction, and exceedance, of the site selection criteria.

No particularly unique, fragile, or important environmental resource or value was identified, though the Proposed Action would increase the availability of, and alleviate

the lack of capacity for, forensic psychiatric evaluation and restoration services, which is a critical need. The Proposed Action contemplates the full buildout of the facility, and would not set precedent for, or commit the Department to, any future actions with significant impacts. The Proposed Action does not conflict with local, State, or federal laws, requirements, or formal plans.

The No Action Alternative is found to perpetuate and intensify existing adverse impacts to Montana's behavioral health system, its forensic patients, and its county detention infrastructure. While the No Action Alternative would avoid the minor environmental issues associated with, in particular, the facility's construction, any variation in effects are minimal and of short duration.

AGENCY DETERMINATION

The Department of Public Health and Human Services approves and selects as the appropriate alternative the Proposed Action, subject to the mitigation measures and conditions identified in this Environmental Assessment. The Proposed Action meets the purpose and need, satisfies and exceeds the site selection criteria, has minimal physical environmental impacts, and has positive human environmental impacts. The Proposed Action does not result in any significant impacts to the environment, including to the physical or human environment. The Department of Public Health and Human Services determines that preparation of an Environmental Impact Statement is not required.

1. PURPOSE AND NEED

1.1 STATUTORY AUTHORITY AND PROJECT BACKGROUND

In the 2025 legislative session, the Montana Legislature passed House Bill 5 (HB 5), a long-range building program bill that transferred $26.5 million to the BOI for the construction of a behavioral health facility. Governor Greg Gianforte signed HB 5 into law on June 19, 2025. The statute required DPHHS and BOI to jointly develop a plan for the facility's type and location, subject to approval by the Director of the Office of Budget and Program Planning (OBPP).

Pursuant to HB 5, DPHHS and BOI developed a joint plan. On Nov. 28, 2025, following OBPP approval of the joint plan and analysis of alternative sites, DPHHS Director Charlie Brereton announced that a location in Yellowstone County near Laurel had been selected as the proposed facility site. BOI subsequently executed a buy-sell agreement for a 114-acre parcel located west of Laurel along Old U.S. Highway 10, between 8th Avenue and Golf Course Road. The parcel and facility would be owned by BOI as a State investment asset, with DPHHS serving as operator under a lease arrangement consistent with each agency's statutory mission.

1.2 PURPOSE

The primary purpose of this project is to construct and operate a state-of-the-art, 32-bed (potentially expanding to 64-bed) forensic mental health facility in Montana to address the acute shortage of forensic mental health capacity. The facility will serve individuals involved in the criminal justice system who require mental health evaluation or inpatient restoration of competency to stand trial, as authorized under MCA Titles 46 and 53. The facility is designed with modular scalability so that beds may be converted to civil commitment use if future demand warrants.

1.3 NEED

Montana's forensic mental health system is operating under severe and worsening strain. The following data points, drawn from DPHHS's October 2025 forensic demand analysis, document the need for immediate action:

- **Forensic court orders have surged 77% since FY 2022**, with Guilty but Mentally Ill (GBMI) orders alone increasing by 650% over that same period. There were 156 forensic court orders in FY 2025.

- **The forensic waitlist at the forensic mental health facility in Galen reached 128 individuals** at the close of FY 2025 — a patient population being housed in county jails while awaiting treatment, often without adequate psychiatric care. **As of June 5, 2026, there are 87 patients on the forensic wait list.**

- **Since FY 2022, the Galen facility has maintained a waitlist consistently exceeding 70 patients**, creating a systemic bottleneck affecting county courts, jails, local mental health systems, and defendants' constitutional rights.

- **Montana currently operates 21.57 State psychiatric beds per 100,000 residents**, at the lower end of the national benchmark range of 20–40 beds per 100,000 population.

- The only forensic facility in the State — the forensic mental health facility in Galen (53 beds) — is located in **western Montana**, requiring eastern and central Montana counties to transport defendants hundreds of miles for evaluations and restoration.

- Nationally, forensic waitlists grew from 883 individuals in 2019 to approximately 2,400 by 2024, and **11 states added more than 1,300 forensic beds** between 2022 and 2024 in direct response.

- In FY 2024 and FY 2025 combined, at least **24 known court orders were dismissed** due to speedy trial violations directly attributable to forensic bed shortages — each representing a lost treatment opportunity and a constitutional risk to the State, as well as a failure of the justice system.

- The total behavioral health investment during the 2025 session — approximately **$124 million in State funds** plus up to $40 million in federal funds — reflects the Legislature's recognition of a behavioral health crisis requiring comprehensive infrastructure solutions.

2. PROJECT DESCRIPTION

2.1 PROPOSED ACTION

DPHHS, as the Lead Agency and future facility operator, proposes, in cooperation with BOI (property owner), to construct a 32-bed (potentially expanding to 64-bed) forensic mental health facility on approximately 14 acres of an 114-acre parcel located in Yellowstone County, west of Laurel, along Old U.S. Highway 10, at Section 8, Township 2 South, Range 24 East (Facility or FMHF). The project is funded at $26.5 million through HB 5, with the potential to draw on approximately $28.5 million from the Behavioral Health System for Future Generations (BHSFG) State special revenue fund to cover any costs exceeding the initial legislative appropriation. A description of the proposed FMHF, including maps and other depictions of the facility, can be found in Appendix C.

Full scope of the Proposed Action analyzed under MEPA. The Proposed Action analyzed under this EA encompasses the full long-range buildout of the FMHF in two phases on the same parcel:

> **Phase 1 (currently funded):** Construction and operation of a 32-bed forensic mental health facility, funded by the $26.5 million HB 5 (2025) appropriation supplemented by $28.5 million from the BHSFG State special revenue capital account. BOI has approved and is awaiting DPHHS direction to proceed following applicable regulatory processes, an Investment Project Manager Contract (BOI SH-DM-1-2026) with D&M Development, LLC for the construction, with a total contract obligation not to exceed $48,296,810.40.
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> The Phase 1 design, permitting, bidding, construction, commissioning, and substantial completion sequence is depicted in the project schedule below.

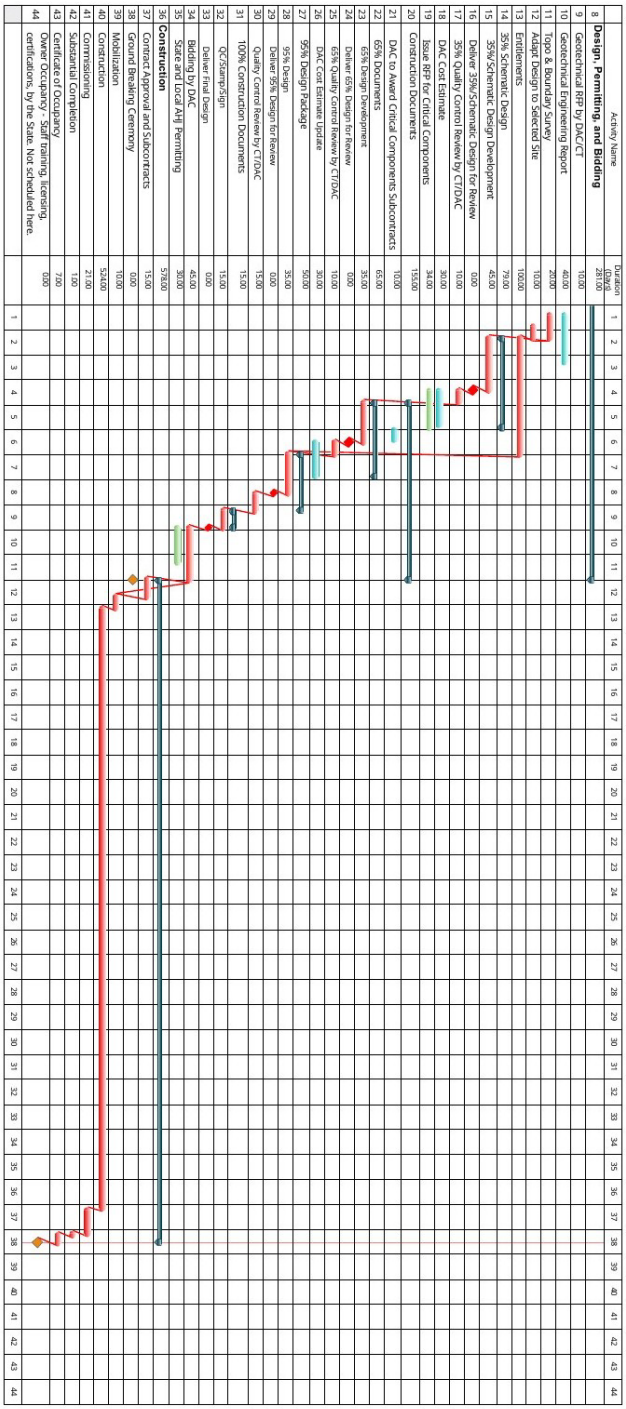


Figure 1. Montana Forensic Mental Health Facility Project Schedule (Phase 1). Source: DAC / Cushing Terrell, December 3, 2025.

Phase 2 (contingent on future appropriation): Construction and operation of an additional 32 forensic beds on the same parcel, increasing total facility capacity to 64 forensic beds. The additional beds will serve the same forensic population, will be designed to the same security and clinical standards, and will be operated under the same DPHHS lease and operational program as the Phase 1 facility. Phase 2 will not be constructed unless and until the Legislature appropriates additional funding for that purpose.

Both phases are analyzed in this EA. Where this document refers to the "32-bed" facility, that reference describes Phase 1 of the Proposed Action; references to the long-range facility, full buildout, or the 64-bed configuration describe the cumulative scope of Phase 1 plus Phase 2. Where impacts are inherently scaled with bed count — water and sanitary sewer demand, staffing complement, traffic, and capital cost — the relevant section identifies both the Phase 1 figure and the full-buildout figure.

The two-phase scope is disclosed in the DPHHS HB 5 Proposed Construction Plan submitted to OBPP (which states the facility will be designed with scalability in mind for future use) and has also been described to the Laurel City Council and the Yellowstone County Commission and is reflected in the conceptual design package prepared by DLR Group and Cushing Terrell on the State's behalf.

Key project components include:

- **32-bed inpatient forensic mental health facility** designed to medium- to low-security standards with modular pods convertible to civil commitment use.
- **Programmatic areas** including evaluation suites, restoration treatment units, gender-separated housing pods, administrative offices, and clinical support spaces.
- **Site infrastructure,** including water, wastewater, electrical service, stormwater management, access roads, and surface parking.
- **Security infrastructure** appropriate for a forensic patient population, including perimeter fencing, secure entries, and camera systems.
- **Landscaping and open space** consistent with a secure, treatment environment and compatible with the surrounding land use context.

Upon completion, DPHHS will operate the FMHF as lessee, with BOI retaining ownership as a State investment asset consistent with its statutory mission.

2.2 SITE DESCRIPTION

The proposed site is a 114-acre parcel of generally flat, vacant agricultural land located on the western edge of Laurel's urban boundary. The site is situated approximately 700 feet from Interstate 90 and borders Old U.S. Highway 10, providing direct access to the interstate transportation corridor and efficient traffic circulation options. The parcel is

bordered by commercial developments to the south and southeast, agricultural land to the west, and residential land to the north and east. The Laurel Golf Course is to the east, and Wood's Softball Complex is across Old Highway 10 to the South. The new Love's Travel Stops & Country Stores, Inc. (Love's) truck stop location is nearby.

Because the property currently lies just outside the Laurel city limits, BOI has contacted both the City of Laurel and Yellowstone County to have the property zoning designated for governmental use. Although the property must be zoned for government use, no zoning regulations or growth policy is contrary to the siting of a forensic mental health facility. BOI plans to consent to annexation if the City of Laurel desires it.

The nearest school is approximately .5 miles from the proposed construction location of FMHF. Commenters have expressed concern about the FMHF's location in relation to the school, generally comparing the FMHF to a prison. (Commenters have presented no data demonstrating that siting a forensic mental health facility within any given proximity to a school causes adverse impacts or effects to the human environment.) Although both forensic mental health facilities and prisons are secure facilities, a forensic mental health facility is not a prison and is very different from a prison. Montana law does not preclude siting a forensic mental health facility in Yellowstone County west of Laurel, including as it may relate to any school.

A forensic mental health facility is a secured facility providing psychiatric care to individuals needing mental health care or evaluation. It is not a prison or private correctional facility. It is part of the behavioral health system, operated under DPHHS authority and licensed as a secured, nonhospital component of a mental health center, whose primary purpose is to provide psychiatric evaluation, treatment, and custody for individuals whose criminal cases turn on their mental illness, fitness to proceed, or special forensic sentencing status.

Pursuant to Administrative Rule of Montana 37.106.1902 (10), a forensic mental health facility means a 24-hour, seven-day-a-week, secured nonhospital-based forensic psychiatric treatment for criminal justice involved adults who are committed by a court of competent jurisdiction for the purpose of psychiatric treatment or evaluation. Pursuant to Montana Code Annotated Section 53-21-102 (11), a "mental health facility" or "facility" means the state hospital, the Montana mental health nursing care center, or a hospital, a behavioral health inpatient facility, a community facility, a category D assisted living facility, a community program, an appropriate course of inpatient treatment, a mental health center, a residential treatment facility, or a residential treatment center licensed or certified by the department that provides treatment to children or adults with a mental disorder.

Forensic mental health facilities are organized around clinical care rather than custody. They must maintain enough clinical and support staff on duty around the clock to meet treatment needs, respond to crises, and sustain a safe therapeutic environment, which results in more direct care staff per patient than is typical per inmate in a prison unit.

The workforce in a forensic mental health facility is largely composed of physicians, psychiatric technicians, nurses, and other clinically oriented staff whose work centers on observation, therapeutic engagement, de-escalation, and supporting individualized treatment plans for people with serious mental illness. Security practices in a forensic mental health facility are designed to protect staff and patients and prevent elopement, but they are embedded within a treatment-focused environment where clinical assessments, recovery-oriented interventions, and therapeutic goals drive daily operations rather than a primarily custodial or punitive mission.

A prison, by contrast, is part of the correctional system and exists to securely confine people who have been criminally convicted and sentenced to the Department of Corrections. Its core legal purpose is punishment, custody, training, and general rehabilitation, with mental health services provided as one of several institutional programs rather than as the primary mission. *See* Mont. Code. Ann. § 53-30-101 (1). Prisons are staffed primarily by Correctional Officers, who are law enforcement professionals focused on maintaining order, enforcing rules, and providing security in a custodial, punishment-oriented setting. Their training emphasizes use of force standards, emergency response, perimeter and movement control, and managing large inmate populations. As a result, a relatively small number of officers may supervise many incarcerated people across large housing units or recreation yards, with staffing geared toward broad security coverage and institutional control.

Prison placement is driven by a standard criminal sentence under the criminal code, whereas placement in a forensic mental health facility is driven by court orders under the mental illness and mental defect provisions of Montana law. In many cases, patients in a forensic mental health facility have not been found guilty of a crime but are being evaluated to determine whether they are mentally fit to stand trial or are being treated to become fit to stand trial. Some may ultimately be found “guilty but mentally ill” (GBMI), meaning the court concludes they committed the offense but had a significant mental disorder at the time, and their sentence must account for both punishment and treatment. Others may be found “not guilty but mentally ill” (NGBMI) or a similar status under Montana law, meaning the court recognizes that their criminal responsibility is altered by mental illness and focuses on treatment and supervision rather than punishment.

Forensic mental health facilities differ significantly from prisons. These differences include differences in core mission, staffing, and day-to-day operations. Siting considerations applicable to prisons are not applicable to forensic mental health facilities.

Montana Code Annotated Section 53-30-607 imposes a one-mile setback between a *private correctional facility* and the nearest public school. That statute does not apply to a forensic mental health facility. Section 53-30-607 is titled “Licensure limitations — siting of private correctional facilities” and, by its plain terms, restricts only what the

Department of Corrections may license. "Department" is defined at Montana Code Annotated Section 53-30-602(1) as "the department of corrections provided for in 2-15-2301," and "private correctional facility" is defined at Montana Code Annotated Section 53-30-602(2)(a) as "a correctional facility that is either privately operated or privately owned and operated." The FMHF is neither: it is publicly owned by the BOI under HB 5 (2025) §17, publicly operated by DPHHS under HB 5 § 21, and is a forensic mental health facility, not a correctional facility.

The Legislature, moreover, has expressly recognized that the two categories are distinct: Montana Code Annotated § 53-21-102 (10) provides that "[a] correctional institution or facility or jail is not a mental health facility within the meaning of this part." The FMHF is governed by Title 53, Chapter 21, not by Title 53, Chapter 30, Part 6. No Montana statute imposes a fixed setback distance between a DPHHS forensic mental health facility and a school; the site's security design is therefore evaluated under the standards applicable to forensic hospitals (perimeter fencing, secure entries, controlled patient movement, and sallyport intake, rather than under the Department of Corrections private-prison siting rule). Both environments are secure. There are locked doors, controlled movement, searches, and rules designed to prevent escape and keep staff, residents, and communities safe. Each uses structured schedules, formal disciplinary processes, and incident reporting to manage behavior and respond to safety concerns. Both settings also have to balance individual rights with public safety, follow constitutional standards for conditions of confinement, and provide basic services such as food, shelter, medical care, and access to the courts.

But a forensic mental health facility is very different from a prison. This distinction is recognized both in law and in their core missions. Montana law permits the siting of the forensic mental health facility in Yellowstone County west of Laurel, including as it may relate to any school.

2.3 ALTERNATIVES

Proposed Action – Construct and Operate the FMHF on Parcel Near Laurel in Yellowstone County
As described in Section 2.1 above.

Alternative Sites Considered Prior to Selection
Numerous alternative sites were evaluated for the location of the FMHF. Site visits took place in Summer 2025 throughout Yellowstone County to assess locations suitable for the FMHF's design requirements. Additional site visits were conducted in Fall 2025 in Custer County (Miles City) and Bighorn County (Hardin) with participation from local officials, BOI, and DPHHS representatives.

There were a variety of factors used in the site selection process, including:

- Accessibility, Transportation, and Logistics
- Site Configuration and Suitability
- Utilities, Public Services, and Infrastructure
- Fiduciary Considerations
- Permanent Workforce Availability

Based on a comprehensive evaluation of all proposed locations, the Yellowstone County west of Laurel site most clearly satisfied the State's selection criteria and demonstrated superior long-term viability for a new FMHF. The site was chosen over other locations due to its strong alignment with the aforementioned factors. The alternative sites identified and considered during the site-selection process are identified in Appendix E.

Accessibility, Transportation, and Logistics – The site offers direct and reliable access for patients, staff, emergency medical services (EMS), and law enforcement, with convenient proximity to major transportation routes and regional population centers. This level of accessibility supports timely transfers, facilitates staff commuting, and enhances coordination with community partners throughout eastern Montana. The site also facilitates geographic equity in the provision of mental health services.

Site Configuration and Suitability – The property provides an appropriately sized and configured lot to support secure forensic facility operations and construction needs. The site's topography, layout, and access meet the needs of the specialized security, privacy, and safety requirements of a new FMHF.

Utilities, Public Services, and Infrastructure – The location has access to reliable water, sewer, electrical power, and telecommunications infrastructure, established emergency vehicle routes, and access to emergency medical services, fire, and police. These existing systems reduce development risk, support continuity of operations, and help ensure that emergency response and public safety services can be provided efficiently and effectively.

Fiduciary Considerations – The site supports responsible stewardship of public funds by balancing upfront project costs with long-term maintenance and operational efficiency. The availability of existing infrastructure, the suitability of the lot for potential phased development, and the potential to minimize costly retrofits or off-site improvements all contribute to lower lifecycle costs for the State.

Permanent Workforce Availability – This facility will rely on a specialized behavioral health workforce, including psychiatric nurses, psychiatric technicians, psychiatrists, psychologists, social workers, and other key clinical and support roles. The Laurel location was selected in part because of its proximity to the largest health system and health care workforce hub in Montana, improving the feasibility of recruiting, training, and retaining qualified permanent staff. Workforce challenges in behavioral health are

pronounced nationally and in Montana. The State is actively investing in solutions through efforts such as the BHSFG Initiative and the Rural Health Transformation Program (RHTP). These initiatives, among others, are expanding education, training, certification, and career advancement opportunities in critical behavioral health fields, and the Laurel site is positioned to benefit from and contribute to those ongoing efforts.

Commenters have expressed opposition to the FMHF's immediate location, particularly as to how it may interrelate with proximal residences, businesses, or schools. Although the Commenters concerns have been heard and considered, Commenters arguments and data have not materially changed the criteria evaluation described above, or demonstrated the need for additional, unconsidered criteria, or demonstrated that an alternative location would better satisfy the criteria.

The evaluation of alternative sites, applying the factors identified above, demonstrates that the selected parcel reasonably satisfied, and exceeded, the State's operational, infrastructure, and workforce criteria relative to other locations considered. The Yellowstone County site near Laurel was selected because it best satisfies the State's siting criteria—offering superior access to major transportation routes and regional population centers, access to mental health care providers, compatible site configuration, and immediate connection to existing utilities and public infrastructure—while reducing development risk and lifecycle costs. It also uniquely supports long-term operational viability by providing access to Montana's largest health care workforce, improving recruitment and retention and the provision of forensic mental health services, relative to other locations considered.

No Action Alternative – Decline to Build the Facility

Under the No Action Alternative, BOI would not acquire the Laurel parcel, and the facility would not receive the $26.5 million appropriated in HB 5, which would revert to the Long-Range Building Program account. No new forensic psychiatric capacity would be added in Montana through this mechanism in the foreseeable future. The existing forensic system, centered entirely at the Galen facility in western Montana, would continue to operate at or above capacity, with a growing, constitutionally problematic waitlist, and continued geographic inequity in the provision of forensic mental health services. The Proposed Action and the No Action Alternative have comparable and limited environmental impacts, in that the Proposed Action results in only minor, localized, and mitigable construction and operational effects, while the No Action Alternative avoids those physical disturbances. Accordingly, the primary distinction between the alternatives lies not in the physical environmental effects, but in the Proposed Action's ability to avoid the worsening human-environmental conditions and lost economic opportunity associated with inaction.

3. AFFECTED ENVIRONMENT

The analysis area for this EA is private property under an option to buy agreement with BOI, and potentially impacted surrounding areas, including residences, businesses, schools, transportation corridors, and utility service areas. Additional information on the physical environment is available in Appendix B.

3.1 PHYSICAL ENVIRONMENT

Soils and Geology

As shown in the geotechnical analysis attached as Appendix B, the geologic setting consists of lean clay with varying amounts of sand from the surface to depths ranging from 14 to 20 feet below ground surface. Underlying the clay is a sand with varying amounts of clay, silt, and gravel encountered at depths ranging from 14 to 20 feet and continuing to the bottom of the boring when encountered. The lean clay material was identified to be part of the Quaternary glacial till while the sand material was identified to be part of the Quaternary alluvial deposits in the Scobey region.

Standard Penetration Test (SPT) N values (uncorrected) recorded in the clay generally ranged from 1 to 14 blows per foot, indicating very soft to stiff soil. The moisture content of split spoon samples ranged from 5 to 25% at the time of testing.

SPT N values (uncorrected) recorded in the clay generally ranged from 6 to over 50 blows per foot, indicating loose to very dense soil. The moisture content of split spoon samples ranged from 18 to 23% at the time of testing.

The proposed site consists of agricultural soils typical of the Yellowstone River valley, characterized by generally well-drained loam and clay-loam soils used for dryland and irrigated agricultural production. No unique geological features or unstable soils have been identified in available site records.

Floodplain and Wetlands

Six wetlands totaling 17.31 acres and five bed-and-bank features totaling 1.84 acres were delineated during the February 2026 aquatic resource delineation.

Wetland-3, Wetland-5, and Wetland-6 may be considered jurisdictional due to their connection to seasonal wetlands, Bed and Bank (BB-1), which is likely to convey naturally sourced water for more than three months per year. BB-1 connects to a network of irrigation ditches that eventually outflow to the Yellowstone River, a Waters of the United States (WOTUS). Wetland-2 and Wetland-4 are likely non-jurisdictional features since they do not connect to another WOTUS. More research and field investigation will need to be performed to provide a preliminary jurisdictional determination for Wetland-1, as it is difficult to determine if it connects to another WOTUS somewhere off the property.

BB-4 and BB-5 are all likely non-jurisdictional features since they are constructed wholly in upland and do not convey water for more than three months of the year. BB-2 and BB-3 are also likely non-jurisdictional features, as they are constructed in upland areas and may convey water for more than 3 months of the year.

The U.S. Army Corps of Engineers will be consulted to make all final jurisdictional determinations in future phases that may impact the regulated features. Construction would occur away from and not disturb these wetlands.

Air Quality and Greenhouse Gases
The project is located within Yellowstone County. Montana's air quality standards are enforced under the Clean Air Act of Montana, Title 75, Chapter 2, MCA. Ambient air quality in the project vicinity is typical of peri-urban/agricultural interface and is influenced by a combination of regional and local sources, including vehicle traffic along Interstate 90 and Old U.S. Highway 10, agricultural activities, including soil disturbance and seasonal operations, commercial and light industrial development, and occasional fugitive dust during dry and windy conditions. Existing emissions from the parcel are minimal and limited primarily to agricultural soil disturbance and minor equipment use. Construction activities would generate temporary, localized fugitive dust and equipment emissions, primarily from ground disturbance, vehicle traffic, and construction equipment. During operations, the facility is expected to produce no air quality impacts. The Facility would not be a major stationary source of regulated air pollutants, and emissions would be limited to routine vehicle traffic, building energy use, and minor maintenance activities, consistent with existing development in the area and typical of institutional development. The Proposed Action would likely have a negligible effect on increased greenhouse gas emissions entering the atmosphere.

Water Resources
Water services would be provided by connection to the existing City of Laurel facilities. The City of Laurel has stated that sufficient capacity is available to provide water supply to this proposed facility, as established by the Love’s Late-Comer’s and Development Agreement approved by the City Council under Resolution R25-39 (adopted June 10, 2025), which authorized extension of city water and sanitary sewer mains to serve this area at capacity sufficient to accommodate the Proposed Action. A copy of Resolution R25-39 and the accompanying Late-Comer’s and Development Agreement is attached to this EA as Appendix A.

Circular D by the Department of Environmental Quality projects use of 4,680 gallons per day (gpd) for Phase I (32 beds times 115 gpd plus 100 employees times 10 gpd). Phase II would add an additional 4,280 gpd (32 beds time 115 gpd plus 60 employees time 10 gpd). However, actual projected potable demand for the 32-bed FMHF is approximately 2,000 gallons per day: 1,000 for employee and patient needs and 1,000 for kitchen and laundry services. At 64 beds, the facility would use 2,600 gallons per day potable water.

At 32 beds, this is roughly the equivalent of 10 five-bedroom single family homes (400 gpd each). The total water line length from Love's Truck Stop to the 12" tee at the site is approximately 2,364 lineal feet. There will be approximately 500 linear feet of water line from the tee to the building site. As is the case with Love's, a domestic pump will be used to ensure adequate pressure.

Sanitary wastewater would discharge to the existing City of Laurel municipal wastewater collection and treatment system, which the city has confirmed has adequate treatment capacity at projected flow of approximately 2,000 gallons per day per 32-bed unit, again, throughout Laurel Resolution R25-39.

To minimize the use of treated potable water for non-potable purposes, the Proposed Action includes installation of on-site groundwater wells dedicated to landscape irrigation. The irrigation wells would be permitted by the Montana Department of Natural Resources and Conservation (DNRC) under the Montana Water Use Act (Title 85, Chapter 2, MCA).

Estimated irrigation demand is approximately 7,000 gallons per day during the growing season. Area data indicates groundwater levels are approximately 40 feet below the existing ground surface.

No surface-water bodies are located on the proposed construction site. Stormwater management for construction would be conducted under the Department of Environmental Quality's (DEQ's) General Permit for Stormwater Discharges Associated with Construction Activity, with a Stormwater Pollution Prevention Plan (SWPPP) developed prior to ground disturbance. Post-construction stormwater would be managed by on-site retention and conveyance designed in accordance with the City of Laurel's stormwater standards. The SWPPP mitigations would minimize sediment and erosion-related impacts to surface water during construction.

The water-resources analysis in this EA is tiered to the City of Laurel's adopted water and sewer master plans, to the Late-Comer's and Development Agreement adopted under Resolution R25-39, and to existing Yellowstone County groundwater studies.

Cultural and Historic Resources
No historic structures are located on the vacant agricultural parcel itself.

Vegetation and Wildlife
The site is currently in agricultural use with minimal native vegetation. No critical wildlife habitat, threatened or endangered species, or wildlife corridors have been identified on the parcel. The project footprint is appropriate for the scale of proposed development and will not fragment regionally natural areas. This location is adjacent to

the urban interface of Laurel and Old Highway 10. The area is not in Core or General Habitat for greater sage grouse.

3.2 HUMAN ENVIRONMENT

Populations and Demographics
Yellowstone County, anchored by the city of Billings, is the most populous county in Montana, with over 169,000 residents as of 2022 and experiencing growth. It serves as a regional economic hub with a diverse economy. Laurel is a city of approximately 7,376 residents (2026 projected) located in Yellowstone County, approximately 14 miles southwest of Billings. The city has experienced steady population growth, with a projected annual growth rate of approximately 1.1%. The median household income is $68,474, and the poverty rate is approximately 8–10%. Laurel's location on the I-90 corridor, adjacent to the Billings metro area, provides access to a robust regional labor market, essential to staffing the proposed facility.

Health Care Workforce and Infrastructure
Yellowstone County's access to a critical health care workforce and infrastructure necessary to ensure the facility's success is a primary reason for its selection. This location puts the facility close to the Billings metropolitan area's health care workforce catchment zone, which supports a broad range of medical, mental health, and behavioral health professionals. The proximity to Billings — Montana's largest city and regional health care hub — is essential for recruiting and retaining the licensed psychiatric nurses, social workers, psychologists, and security personnel that a forensic facility requires.

Transportation
Laurel sits directly on I-90, one of Montana's primary east-west transportation corridors. This location provides direct, high-quality road access for law enforcement transporting patients from eastern and central Montana counties — many of which currently face one-way transport distances of 300–500 miles to reach the Galen facility in western Montana. There is a direct exit off the I-90 onto the Old U.S. Highway 10 frontage road. This provides direct site access.

The Traffic Impact Study for the Love's Travel Stop performed by SCJ Alliance dated May 2024 identifies that the Love's Travel Stop will generate an additional 720 trips per day in 2025. Their analysis assumes a 4% growth rate per year for both Love's traffic and general neighborhood growth through 2030. The closest intersection to the FMHF site that was included in the study is at Golf Course Road/19th Ave W and Old Highway 10 W, which will also be the main entrance from the interstate to the facility. 994 trips per day were counted. In 2030, with the Love's project, the traffic flow is anticipated to be 2,085 trips per day. The FMHF, if fully expanded to 64 beds, will have approximately

60 employees. This is less than 5% of the daily traffic and is unlikely to cause effects in the area. This study is attached as Appendix H.

Public Services
Local governments (county or city) could provide standard municipal services, including water, wastewater, fire, and emergency response. Yellowstone County could provide law enforcement detention and emergency medical services at a regional level consistent with the operational needs of the proposed facility. As addressed below, the FMHF will be fairly self-efficient with respect to various public services, as it will have staff trained and equipped to respond to clinical, behavioral, and life-safety events.

Funding for the facility is limited by Legislative transfer and appropriation pursuant to Articles VIII, Sections 13 and 14 and HB5 (2025). Funding for other public services with funds dedicated by the Legislature for this facility is not legal.

Water and sanitary sewer capacity. The City of Laurel's water and sewer systems have sufficient capacity to serve the proposed facility. The city has already answered that question in the affirmative on the record.

On June 10, 2025, the Laurel City Council adopted Resolution R25-39, approving a Late-Comer's and Development Agreement under Laurel Municipal Code Chapter 12.38 by which Love's has constructed, at its sole expense and at an estimated cost of $2,735,515, a water main extending from the city's existing system at the 8th Avenue/Old U.S. Highway 10 intersection and a sanitary sewer main extending from the city's existing system at the 7th Avenue/Old U.S. Highway 10 intersection, both running approximately 1,450 feet east of the Old Highway 10/19th Avenue West intersection.

The city's approval of R25-39 reflects an affirmative engineering determination that capacity exists in the existing system to receive these new connections along the Old Highway 10 corridor. The proposed FMHF parcel lies along that same corridor and would tap into the Love's-financed improvements on the same terms as any other prospective customer under LMC § 12.38.030, paying a pro-rata reimbursement during the seven-year reimbursable period. The City's execution of R25-39 demonstrates that the city's water and sewer systems can accommodate the proposed facility.

The State's preliminary facility design parameters confirm that the demand placed on the city's system by the Proposed Action is modest relative to the capacity being delivered under R25-39: the facility's domestic water service will tap the Loves-financed main with a four-inch (4") connection, reducing to a three-inch (3") service entering the building, sized for a peak instantaneous demand of approximately 120 gallons per minute at full long-range buildout of 64 beds (Phase 1 plus Phase 2, as described in Section 2.1).

Sanitary sewer service to the facility will be conveyed by a six-inch (6") lateral discharging to the Loves-financed sanitary sewer main. These service sizes are

consistent with standard institutional health care service connections and are below the design capacity of the mains being constructed under R25-39.

Fire, police, and emergency medical services. The proposed facility would very rarely draw on Laurel's volunteer-stipend fire department and single-ambulance emergency medical service, or on the city's police department. This health care facility will be staffed at all times with on-site safety personnel and patient-care staff trained and equipped to respond to clinical, behavioral, and life-safety events, and the building will be designed with secure entries, controlled patient movement, perimeter fencing, sallyport intake, and fire detection and suppression systems meeting the standards applicable to a hospital occupancy, and on-site security supervision. The proposed facility is designed and will be operated so as not to impose additional demands on those local services. Additional detail can be found in Section 4.4.1.

The State, through the BOI as titleholder under HB 5 (2025) §17 and DPHHS as operator under HB 5 §21, will not seek annexation of the parcel into the City of Laurel for the purpose of obtaining fire, police, or ambulance services; the State will, however, consent to annexation if the City requests it, consistent with the position already stated in Section 2.2 of this EA.

For the limited circumstances in which a patient requires emergency medical care that cannot be safely managed on-site, DPHHS will pursue inter-facility transfer agreements with hospital systems and independent emergency medical service providers in Billings (located approximately 12 miles east of the site via Interstate 90) for transport and treatment, rather than relying on the City of Laurel's ambulance or hospital resources.

Accordingly, the Proposed Action does not impose meaningful new operating demands on Laurel's fire department, police department, or emergency medical services.

Proximate Residences, Business, and Schools

Commenters have expressed opposition to the FMHF's immediate location, particularly as to how it may interrelate with proximal residences, businesses, or schools. As addressed in Section 2.3, Commenters' arguments and data have not materially changed the site selection criteria evaluation described above or demonstrated that an alternative location would better satisfy the criteria. Additionally, property value and tax revenue issues are addressed in Sections 4.1.1, 4.1.2--, and schools are addressed in Section 2.2 and 4.1.1. Commenters did not provide any data or studies demonstrating any effect on proximate businesses. As demonstrated in Section 4.1.1, the FMHF is expected to have a positive economic impact.

4. ENVIRONMENTAL CONSEQUENCES

4.1 PROPOSED ACTION – IMPACTS ASSESSMENT

4.1.1 Positive Impacts on the Human Environment

Public Health — Behavioral Health Service Access
The construction of the 32-bed facility is projected to increase DPHHS's annual forensic care delivery capacity to 197 patients, increasing the availability of, and alleviating the lack of capacity for, forensic psychiatric evaluation and restoration services, which is a critical need.

This expansion directly addresses a documented and worsening public health emergency. Individuals on the current 87-person waitlist are being held in county jails without adequate psychiatric care, leading to clinical deterioration, increased suicide risk, and prolonged institutionalization. Access to timely forensic psychiatric services is foundational to both individual health outcomes and community public safety.

The 197-patient annual delivery capacity figure reflects Phase 1 (32 beds). Upon completion of Phase 2 (an additional 32 forensic beds, contingent on future legislative appropriation, as described in Section 2.1), the facility's annual forensic care delivery capacity is projected to approximately double, providing meaningful long-term capacity to address the documented and growing forensic waitlist.

Constitutional Due Process and Rule of Law
Prolonged detention in county jails without access to competency evaluations and restoration treatment may constitute a violation of defendants' constitutional due process rights under the Fourteenth Amendment. Other states, including Washington, have faced federal class-action lawsuits and consent decrees requiring expanded forensic capacity due to similar systemic failures. The proposed facility directly mitigates this legal exposure for both the State of Montana and its 56 counties. It will also reduce the costs of confining individuals who are committed to DPHHS and are awaiting bed availability at the State's Galen campus.

The current waitlist for these services supports Yellowstone County as the location for the facility. As of June 5, 2026, the waitlist, by county, is:

Missoula – 15
Yellowstone – 13
Flathead – 12
Silver Bow – 11
Cascade – 5

Richland – 4
Beaverhead – 4
Powell – 3
Lewis and Clark – 3
Ravalli – 3
Hill – 3
Custer – 2
Jefferson -1
Deer Lodge – 1
Lake – 1
Gallatin – 1
Lincoln – 1
Fallon – 1
Mineral – 1
Carbon – 1
Big Horn – 1

Total: 87 across 21 counties.

Geographic Equity – Central and Eastern Montana
Because the existing forensic mental health facility in Galen is located in western Montana, law enforcement agencies, courts, patients, and families in central and eastern Montana face substantial transportation burdens — in some cases 300–500 miles one-way — for forensic services. DPHHS's guidance analysis specifically cites geographic equity and improved access for eastern Montana as the primary rationale for the facility's site selection. Locating the facility in Laurel on the I-90 corridor provides efficient ground transportation access to communities across central and eastern Montana, including Yellowstone, Custer, Dawson, Richland, McCone, Garfield, Prairie, Rosebud, and Treasure Counties.

Economic Benefits – Regional Employment and Investment
The project represents a capital investment of at least $26.5 million, with potential supplemental funding of up to $28.5 million from the BHSFG fund. Construction will generate direct employment in the building trades and support indirect economic activity throughout the Yellowstone County regional economy. Upon opening, the facility will create permanent positions in psychiatry, nursing, social work, psychology, security, maintenance, and administration — stable, well-compensated public health care sector jobs consistent with Laurel's growth policy goal of greater employment opportunity.

Public Safety
The forensic waitlist has directly contributed to the dismissal of criminal charges on due process grounds — at least 24 known cases in FY 2024 and FY 2025 combined.

Each dismissal represents a safety risk if the underlying criminal conduct is attributable to untreated mental illness. By reducing waitlists and increasing throughput for competency evaluation and restoration, the proposed facility enables the criminal justice process to move forward appropriately, protecting both defendants' rights and community safety.

Safety and Security Concerns Related to Proximity to Local Schools and Homes
All individuals admitted to this type of facility are either court-ordered or sentenced to DPHHS. The facility will operate under strict security and clinical protocols to ensure the safety of patients, staff, and the local and broader community. The facility will be fully compliant with ARM 37.106.1615, which stipulates the requirements for a facility of this type. No law or regulation restricts the siting of the facility at the location selected.

As a forensic mental health facility, security is tighter than in traditional locked psychiatric units. Security features include:

- "Sally port" doors, which ensure one door is closed before the other opens to prevent patient elopement
- A robust, high-security perimeter fence around certain sections of the facility as an additional measure of safety and security for the campus as well as the surrounding community
- A 24/7 central command station that operates facility access control and manages patient and staff movements
- 24/7 interior and exterior live video monitoring

No firearms are on-site, and staff are trained in de-escalation and safe behavioral management techniques.

Total EMS calls for the Galen facility are minimal and are as follows, based on information provided by DPHHS. There have been four total fire department calls from 2020 to present, none of which required fire department response (fire alarms only). There have been 21 EMS calls, most in FY 2025, due to ongoing construction of the Main Hospital and increased medical acuity of patients being transferred to Galen. The Department does not anticipate that this would be the patient population served in the Yellowstone County Facility.

Reduction of County Jail Strain
County jails across Montana report severe operational strain from housing forensic patients who require psychiatric care but cannot access treatment due to the waitlist. Jail staff reports that these individuals deteriorate while held in facilities not equipped to treat mental illness. The proposed facility, by reducing the forensic waitlist and absorbing patients from eastern counties, will relieve overcrowding in county jails, reduce per-diem costs to county governments, and allow jail staff to focus on their core public safety function.

Long-Term Systemic Resilience
The facility's modular design — built to forensic standards but capable of conversion to civil commitment use — provides long-term flexibility that maximizes the return on State capital investment and avoids costly future retrofits.

4.1.2 Physical Environmental Impacts

Short-Term Construction Impacts
Ground-disturbing activities will produce temporary, localized impacts, including fugitive dust, equipment exhaust emissions, construction noise, and disturbance of agricultural soils within the project footprint. These impacts are typical of commercial and institutional construction projects. They will be managed through standard best management practices, including dust suppression, erosion and sediment controls, and construction traffic management plans. All applicable State air quality, stormwater, and construction permits will be obtained before commencement of earth-disturbing activities.

Long-Term Operational Impacts
Upon completion, the facility's operational footprint will generate traffic consistent with that of an institutional health care campus — primarily staff commuting and periodic law-enforcement transport of patients. Given the site's access via Old U.S. Highway 10 and its direct exit from I-90, traffic impacts on residential streets will be minimized through appropriate site design and access management. Wastewater flows could be handled by the City of Laurel's municipal wastewater treatment system. Stormwater will be managed in compliance with State permit requirements.

Land Use, Visual, and Socioeconomics
The Proposed Action encompasses the full 64-bed long-range buildout in two phases: Phase 1, the currently funded 32-bed forensic facility; and Phase 2, an additional 32 forensic beds on the same parcel, contingent on future legislative appropriation. The two-phase 64-bed scope, as disclosed in the DPHHS HB 5 Proposed Construction Plan submitted to OBPP, has also been described to the Laurel City Council and the Yellowstone County Commission. It is also reflected in the conceptual design package prepared by DLR Group and Cushing Terrell on the State’s behalf, attached as Appendix C.

The 114-acre parcel size reflects the security perimeter, operational support, and contingency-buffer requirements appropriate to a 64-bed forensic campus, identified during the alternative-site screening (Section 2.3). Because the full 64-bed buildout is analyzed in this EA, no supplemental environmental analysis is required for Phase 2 construction, provided it remains within the parameters analyzed here. Any future State-operated construction at this site that would exceed the parameters analyzed in this EA

— for example, capacity materially beyond 64 beds or a materially different use — may constitute a separate State action potentially requiring its own environmental analysis.

The site is currently vacant agricultural land in Yellowstone County by the western edge of Laurel. Construction in this location is generally consistent with Laurel's Growth Policy, which anticipates continued development along the western urban fringe. Landscaping, architectural design, and appropriate setbacks will be incorporated to minimize visual impacts on nearby residential properties and recreational amenities. Excess land could be left in its current agricultural status, resold, or further developed, as consistent with land-use or growth needs.

Impacts to nearby residential property values have been raised, specifically by citing broker testimony ("6% sale-price differential on a single townhouse unit," another broker's estimate of "up to 50%," a "$100,000 per home" figure, and a "27% within one mile" figure) and a reference to a Montana Realtors Association report.

Studies were submitted by opponents and proponents of the facility. Proponents submitted information collected by the State of Montana's Legislative Services Division, analyzing forensic facility construction and the current economic conditions around previously built forensic facilities. Opponents submitted information regarding "correctional facility, jail, work camp, etc." (Sage Journals), ranging in date from 1990 to 2022. After consideration and review, it was determined that "correctional facilities, jails, work camps, etc." are not comparable to a forensic mental health facility as described in Section 2.2. A local gap analysis was conducted in September 2025, and the Department has determined that the analysis is inaccurate and generally irrelevant. The analysis claimed that the "proposed facility, operating at a standard 7:1 ratio, would require approximately 450 full-time staff," which is categorically false based on the existing staffing models for the FMHF at Galen and the Department's projected staffing needs for the new facility. All studies are available in Appendix F.

The Department has reviewed the comment record and the peer-reviewed empirical literature on this question. None of the figures submitted in comments are supported by controlled market analysis: the 6% figure is a single transaction with a five-month listing period and no hedonic comparison, nor was it accompanied by any documented proof of the valuation change; the "up to 50%," "$100,000," and "27%" figures are stated without identified comparable sales, methodology, or source documents. Anecdotal comments regarding sales data were considered but remain unverified as second-hand and do not consider the changing dynamic of the housing market, which is shifting to a more buyer-friendly market generally (https://nbcmontana.com/news/local/pandemic-era-influx-drove-price-spikes-economist-says-montana-housing-is-stabilizing). However, an analysis was performed on the housing market in the 59044 Zip Code using publicly available data and found average home prices have increased from December 2025 to April 2026 in dollar value and shows home prices have grown year-over-year for the

same time frame. This timeframe overlaps with public knowledge of the FMHF and its proposed location in the 59044 Zip Code.

Peer-reviewed literature has examined this question repeatedly over four decades using multiple-regression and difference-in-differences methods that control for the fact that such facilities are generally sited in already lower-value areas.

Galster, Tatian, and Pettit (2004), studying 11 supportive-housing developments in Denver, found that property values within 2,000 feet of the facilities rose approximately 3.5% relative to the pre-siting trend after the facilities opened.

The NYU Furman Center's analysis of roughly 7,500 supportive-housing units in New York City found no statistically significant negative impact on properties within 500 feet and steady relative price growth after opening.

Horn, Joshi, and Maclean (2021), studying substance-use-disorder treatment centers in Seattle, found that naïve models produced a 3.4–4.6% reduction, but that, after correcting for the endogeneity of facility siting using a spatial difference-in-differences model, "no evidence that [such centers] affect property values" remained.

Earlier studies of mental health centers and group homes (Dear 1977; Ryan and Coyne 1985; Wagner 1989) reached similar conclusions.

Property-value diminishment claims are not supported by the available empirical evidence and do not establish an adverse socioeconomic impact. The FMHF, moreover, would be developed with full perimeter landscaping and architectural treatments consistent with the surrounding residential and commercial context, and with setbacks designed to minimize visual intrusion on adjacent properties.

Assertions that siting the facility on the Laurel parcel forgoes an estimated $350,000 to $400,000 per year in property tax revenue that would otherwise be generated by private residential or commercial development of the 114-acre site are not supported by data and are speculative in assuming that such residential or commercial development would provide this revenue (Commenters assume a scale of residential and commercial development exceeding that of the FMHF, which the Commenters maintain cannot adequately be serviced by existing utilities), occur. As demonstrated in Section 4.4.1, the FMHF would generate positive socioeconomic impacts, including those with a nexus to the human environment.

Additionally, psychiatric facilities are commonly located in residential neighborhoods throughout Montana. Appendix C shows maps of the Billings Clinic Behavioral Health and DPHHS Grasslands psychiatric facilities with concentric circles extending for a one-mile radius. In both instances, facilities are near residential and other public facilities, are in growing areas, and, generally, have above-average commercial and financial value.

Property owned by the State of Montana and used for a governmental purpose is generally exempt from local property taxation under Article VIII, Section 5 of the Montana Constitution and Title 15, Chapter 6, Part 2, MCA, irrespective of the specific site selected; any foregone-tax figure therefore reflects not a unique consequence of

the Yellowstone County parcel, but the general statutory framework governing State-owned facilities.

The Phase 1 (32-bed) construction phase represents a BOI contractual commitment of up to $48,296,810.40 under BOI Investment Project Manager Contract SH-DM-1-2026, funded by the $26.5 million HB 5 (2025) appropriation supplemented by $28.5 million from the BHSFG fund. Phase 2 construction, if appropriated by a future Legislature, would represent a further capital investment of comparable magnitude on the same parcel. Ongoing operations of the facility will sustain permanent positions in psychiatry, nursing, social work, psychology, security, maintenance, and administration — payroll, procurement, and indirect economic activity that accrues to the Yellowstone County regional economy and to local sales- and income-tax-paying businesses.

Municipal water, sanitary sewer, and road systems could adequately service the FMHF. As addressed in Section 3.2, the City of Laurel's execution of the Love's Latecomer Agreement (Resolution R25-39, June 10, 2025) and its acceptance of municipal water and sewer extensions to this corridor demonstrate that infrastructure capacity to serve development in this area is being delivered. Additionally, water and sewer services are financed by user fees, not property taxes.

The City of Laurel has further received substantial state financial assistance for construction, operation, and maintenance of its water and wastewater systems. The chart below from the Legislative Services Division, which was verified by the Office of Budget and Program Planning, shows in excess of $23 million in state financial assistance to the City of Laurel.

Biennium	Program Type/Legislation	Amount	Infrastructure Focus	Status
2025	State-Local Infrastructure Partnership Act (HB 355)	$488,448	7th Ave and 6th Ave Sewer Main Line Replacements	Approved
2021	ARPA Infrastructure Grant (HB 632)	$1,098,308	South 4th Street Stormwater and Sewer Infrastructure Improvements Project	Completed
2017	TSEP Wastewater Grant	$500,000	Fire Flow Capacity and Mains Replacement	Completed
2015	TSEP Planning Grant	$15,000	Water system PER	Completed
2015	DNRC Renewable Resource Grant (RRGL)	$125,000	Water Systems Improvements	Completed
2011	TSEP Wastewater Grant	$625,000	Replace distribution main	Completed
2009	TSEP Wastewater Grant	$750,000	Replace the Village Sub lift station	Completed
2007	TSEP Wastewater Grant	$500,000	Replace sewer trunk mains.	Completed
Since 2000	WRF (Drinking Water) Loans	$11,600,000	Water Treatment Plant, Water Main, Laurel Intake	Completed
Since 2000	SRF (Wastewater) Loans	$7,900,000	Upgrade to Wastewater Plant and Collection System	Completed
Total		$23,601,756		

Locating the facility on the 114-acre Yellowstone County parcel west of Laurel does not block westward residential growth nor does it exacerbate any local housing shortage. Long-term housing supply in the Laurel area is governed by considerably broader factors than the availability of any one 114-acre peri-urban parcel, and the FMHF merely requires that any westward growth in the area align with the FMHF's use of the parcel. In fact, the FMHF further supports the continued provision of services to any westward expansion. The City of Laurel, moreover, has no ability to provide for expanded residential development in the vicinity of the parcel, as it, and other areas west, are outside the Laurel city limits. The City of Laurel Civil Attorney stated on March 25, 2026, in a written communication to the BOI, "The City of Laurel has no authority to zone, or otherwise dictate, appropriate land use for the property the State is purchasing."

From: Civil Attorney <civilattorney@laurel.mt.gov>
Sent: Wednesday, March 25, 2026 2:43 PM
To: Villa, Dan <DVilla@mt.gov>
Cc: City Mayor <citymayor@laurel.mt.gov>; Kurt Markegard <kmarkegard@laurel.mt.gov>
Subject: Governmental Use Notice

Mr. Villa:

I am responding to the attached letter sent to City of Laurel CAO Markegard late yesterday night.

Moving forward, please direct all communications to my office on this matter, or if you are communicating with City Staff on these pending matters, please be sure to circle in my office, due to pending litigation concerns.

Montana law, related to local zoning regulations, as you note in your letter to CAO Markegard, specifies as follows:

76-2-402. Local zoning regulations -- application to agencies. (1) Whenever an agency proposes to use public land contrary to local zoning regulations, a public hearing must be held and the agency shall attend the public hearing.

(2) The local governing body shall hold a hearing within 30 days of the date the agency gives notice to the local governing body of its intent to develop land contrary to local zoning regulations.

Mont. Code Ann. § 75-2-402 is not applicable to the proposed Mental Health Forensic Facility, as it relates to the City of Laurel. The "local governing body," in this circumstance, is not the City of Laurel. The "local governing body" is Yellowstone County. The property at issue is not within City of Laurel city limits. The property at issue is not subject to City of Laurel jurisdictional obligations. Existing case law and statutory authority makes it very clear that the City of Laurel does not have extra-territorial jurisdiction over the County property at issue. The City of Laurel has no authority to zone, or otherwise dictate, appropriate land use for the property the State is purchasing. Please refer to the County's Resolution related specifically to this issue – R24-116. In addition, please refer to the District Court's determination by way of Judge Fehr in Yellowstone County, clearly specifying that the City does not have extra-territorial jurisdiction over County properties. While that decision is on appeal, right now, to the Montana Supreme Court, unless and until overturned, this is the existing law that governs the City of Laurel, and it is binding upon the City of Laurel's actions, as they relate to County properties.

The City declines to take any actions in relationship to the property at issue, including the State's purchase of this property and intended use. If and when an annexation Petition is presented to the City, at which time the City/County Planning Board will meet its legal obligations to consider the Petition, and thereafter, so will City Council, the City declines to participate in any purported "zoning" hearings or otherwise related to the County property at issue. The City does not have jurisdictional authority over this property, and your inquiries should be directed at Yellowstone County, its staff, and the Commissioners making decisions about County properties.

If you wish to further discuss, please let me know.

Thank you.

Best Regards,

Michele L. Braukmann
Civil City Attorney
City of Laurel
Cell Phone: 406.671.4333
civilattorney@laurel.mt.gov

The parcel lies in unincorporated Yellowstone County and is currently in agricultural use. Even where local zoning regulations exist, Montana law expressly contemplates State agency use of public land for governmental purposes that may be contrary to local zoning (see 76-2-402, MCA). Section 76-2-402, MCA, provides that where an agency proposes to use public land contrary to local zoning regulations, the local governing body must hold a public hearing within thirty days of notice from the agency, and the agency must attend the hearing. The statute prescribes a procedure for such use; it does not prohibit it. The State will follow the procedure, as applicable, prescribed by § 76-2-402, MCA, in Yellowstone County. As addressed in Section 2.2, the Department has separately requested that the City of Laurel and Yellowstone County designate the property for governmental use, consistent with the existing planning framework.

Additionally, as detailed in Section 2.3, multiple alternative sites, including various locations in central and eastern Montana, were considered for the potential location of the FMHF. Based on that evaluation and application of the siting factors and considering any unique varying effects on the human environment presented by the various locations, the site near Laurel most clearly satisfied the selection factors and demonstrated superior long-term viability for a new FMHF.

The Department finds that the scope of the Proposed Action is fully disclosed and analyzed. The Department finds no adverse land use, socioeconomic, or visual impacts established by the Proposed Action. The Department finds no adverse impact to the housing market or to the regional growth pattern established by the dedication of this parcel to the Proposed Action.

Water, Air, and Land
Impacts and their lack of materiality are generally addressed in applicable portions of Sections 3.1 and 3.2, and those portions are incorporated herein by reference.

Physical Environmental Finding
Based on site characteristics, the scale of the proposed facility, available infrastructure, and applicable regulatory framework, no adverse impacts to air quality, water resources, soils, cultural resources, biological resources, or other physical environmental components are anticipated from the Proposed Action that cannot be mitigated through standard permitting and construction practices.

Based on the foregoing, the Department has determined that there are no adverse impacts to water resources associated with the Proposed Action.

4.2 NO ACTION ALTERNATIVE – IMPACTS ASSESSMENT

The No Action Alternative — declining to build the Forensic Mental Health Facility in Yellowstone County — does not represent a neutral baseline. It perpetuates and compounds a documented, ongoing crisis with measurable adverse consequences for Montana's human environment. While the No Action Alternative perpetuates and compounds this adverse consequence for Montana's human environment, it would mean that the impacts of the Proposed Action would not occur, and that existing impacts reflecting 114-acre agricultural land would continue.

Continued Public Health Crisis
Without the proposed facility, the forensic waitlist — currently at 87 individuals and growing — will continue to grow as forensic court orders (up 77% since FY 2022) outpace admission capacity. Individuals legally entitled to psychiatric evaluation and treatment will remain in county jails for extended periods without appropriate clinical intervention, with documented clinical deterioration, increased risk of self-harm, and delayed adjudication.

Constitutional and Legal Exposure
The No Action Alternative leaves Montana's constitutional exposure regarding the due process rights of forensic defendants intact and worsens it. As DPHHS has noted, other states facing analogous situations have been subjected to federal court oversight, class-action litigation, and court-ordered capacity expansions — remedies far more costly than the proactive investment contemplated under the Proposed Action. The continued dismissal of criminal charges due to speedy trial violations is expected to increase.

Perpetuation of Geographic Inequity
Without this Yellowstone County facility, central and eastern Montana will remain without accessible forensic psychiatric services, forcing continued long-distance transport of patients, delays in treatment initiation, and disproportionate burden on eastern Montana's law enforcement and judicial systems.

Foregone Economic Development
The No Action Alternative results in the forfeiture of at least $26.5 million in legislative capital investment in the Laurel and Yellowstone County community. Permanent health care employment positions, multiplier economic effects, and long-term institutional investment in the community would not be realized.

Continued County Jail Strain and Costs
County jails would continue to bear the cost and operational burden of housing psychiatric patients for whom treatment is legally required but unavailable. This burden falls disproportionately on smaller counties with limited detention resources and diverts county resources from core public safety functions.

No Action Alternative Finding
Under the No Action Alternative, existing and worsening adverse impacts on the human environment — including degraded public health, constitutional rights violations, geographic inequity, foregone economic development, and strain on county public safety — will continue and intensify. The No Action Alternative is found to produce a materially worse environmental outcome for Montana's human environment than the Proposed Action and is not the environmentally preferred alternative.

5. MITIGATION MEASURES AND PUBLIC ENGAGEMENT

The following mitigation measures are recommended as conditions of project approval to manage identified physical environmental impacts. These measures shall be incorporated into the facility's design, construction, and operations documentation before commencement of ground-disturbing activities.

1. **Dust and Air Quality**
   Implement a dust control plan for all ground-disturbing activities, including water application, vehicle speed limits on unpaved surfaces, and prompt stabilization of disturbed areas following grading.

2. **Stormwater and Erosion Control**
   Prepare and implement a Stormwater Pollution Prevention Plan in compliance with Montana DEQ's Construction General Permit before earth-disturbing activities.

3. **Wetlands and Floodplain**
   Complete a formal jurisdictional wetland determination and FEMA floodplain review before final site plan approval. If wetlands are identified, comply with all applicable Section 404/401 requirements.

4. **Cultural Resources**
   Complete a Phase I archaeological survey of the project area before ground disturbance and conduct Section 106 consultation with the State Historic Preservation Office as required by State and federal law.

5. **Traffic Management**
   Develop a Construction Traffic Management Plan to route heavy equipment and delivery vehicles away from residential streets and design permanent facility access to prioritize ingress and egress from Old U.S. Highway 10 and the I-90 interchange.

6. **Exterior Lighting**

Implement full-cutoff exterior lighting to minimize light spillover onto adjacent residential properties and the Laurel Golf Course, consistent with dark-sky best practices.

7. **Landscaping**
   Landscape to enhance both the functionality of the facility and be consistent with BOI's fiduciary duty to protect the asset's investment value.

8. **Public Engagement**
   Public engagement occurred throughout the decision process, and BOI and DPHHS have held two public meetings in Yellowstone County on the Proposed Action and related EA. Another public engagement will be forthcoming as required by law related to zoning for governmental purposes. First, a public hearing occurred on April 22, 2026, in Laurel, Montana. DPHHS and BOI reviewed and considered public comment and input from that hearing and addressed that input as applicable in a Preliminary Draft EA. A second public hearing, with concurrent public comment period, occurred June 2, 2026, in Billings, Montana. Comments were, again, considered and, as applicable, incorporated into the EA. And a final public engagement is to be scheduled by Yellowstone County and is related to the proposed governmental use designation, should the land purchase occur.

   A brief timetable of public involvement and comment opportunities is detailed below:

   - **August 20, 2025:** BOI Executive Director read a complete statement for the Board of Investment and audience members at the BOI's regular meeting. The statement was made available to the public and can be found at hb5.mt.gov.

   - **December 10, 2025**: BOI authorizes the Executive Director to purchase land for construction of a behavioral health facility pursuant to HB5, subject to approval of the Office of Budget and Program Planning. The option to buy was delayed to July 1, 2026, to accommodate the MEPA process. No public comment was provided.

   - **March 9, 2026**: DPHHS Director, DPHHS staff, and BOI Executive Director provide an update to the Children, Families, Health and Human Services Committee. Public comment and minutes can be found on the committee website at https://committees.legmt.gov/#/nonStandingCommittees/7.

- **March 17, 2026**: DPHHS Director, DPHHS staff, and BOI Executive Director provide an update to the Health and Human Services Interim Budget Committee. Public comment and minutes can be found on the committee website at https://committees.legmt.gov/#/nonStandingCommittees/41?tab=Details

- **April 22, 2026**: Board of Investments approves the construction contract for the Behavioral Health Facility investment, pending receipt of a notice to proceed by the Department of Public Health and Human Services. Senators and Director Osmundson provided proponent comments. Citizens provided opponent comments. The contract has not been executed pending completion of the MEPA process. A public hearing was held at the Laurel Public Library for comments on the Proposed Action and "State of Montana Preliminary Environmental Assessment." The meeting notice, agenda, and documents can be found at https://hb5.mt.gov/_shared/PUBLIC_HEARING_doc.pdf, and the recording is posted at https://www.youtube.com/@theMT_BOI/videos and incorporated by reference.

- **June 2, 2026**: A public hearing was held at the Billings Hotel and Convention Center on the Proposed Action and draft "State of Montana Final Environmental Assessment." The meeting notice, agenda, and documents can be found at https://hb5.mt.gov/_shared/Docs/6-2-26_Public_Hearing_Packet.pdf, and the recording is posted at https://www.youtube.com/@theMT_BOI/videos and incorporated by reference.

  The Proposed Action was also publicly discussed at the Billings City Council, Laurel City Council, Laurel School Board, and Yellowstone County Commission, all of whom have had public comment on the proposed facility between July 2025 and June 2026. Meetings wherein no formal notice was provided but where public members were made aware of the project and potential locations took place in July 2025 with elected and public officials, including Yellowstone County Commissioners, Billings City Council members and staff, Laurel city staff, and local legislators.

All applicable comments were reviewed and considered. Written comments as well as video recordings of both public meetings can be viewed in Appendix G. All materials are incorporated herein by reference.

Additionally, DPHHS and BOI have established a public website, https://hb5.mt.gov, with information relevant to the proposed Forensic Mental Health Facility, including this EA. That information is incorporated herein by reference. That information includes:

- The plan called for under subsection 2 of Section 17 of House Bill 5;
- The document "Building a Foundation for Future Generations: Montana's New Behavioral Health Facility;
- A Frequently Asked Questions (FAQs): Montana's New Behavioral Health Facility";
- Legal opinions from the Staff Attorneys for the Montana Legislative Services Division;
- A Letter of Advice from the Attorney General;
- A copy of House Bill 5 in its entirety; materials used during the site identification process, including communications from Big Horn County, Custer County, and the City of Laurel;
- A copy of the Buy/Sell Agreement between the Board of Investments and the current landowner;
- Draft floor plans of the proposed facility;
- A presentation to the Children, Families, Health and Human Services Interim Committee entitled "Forensic Mental Health Facility Update";
- A presentation to the Health and Human Services Interim Budget Committee entitled "Forensic Mental Health Facility Update"; and
- Comments between the agencies and the City of Laurel

6. CUMULATIVE IMPACTS

The proposed facility is one component of a comprehensive statewide behavioral health investment totaling approximately $124 million in State funds authorized by the 2025 Legislature. This package includes funding for MSH Spratt Unit closure and conversion to support 30 new forensic beds, expansion of civil psychiatric beds at MSH and MSH Grasslands, reopening of the Montana Mental Health Nursing Care Center (Lewistown) D-Wing for geriatric civil psychiatric patients, and a community-based court-ordered evaluation program through the BHSFG fund. Each element of the behavioral health investment is essential, and meeting one or more elements does not eliminate the need for the others.

No cumulative adverse physical environmental impacts are identified from the Proposed Action in combination with other projects or activities in the Laurel area. The cumulative human environment benefits of this investment — improved access to behavioral health care, reduced waitlists, decreased legal exposure, reduced county jail burden, and improved geographic equity — are substantial and broadly distributed across the State.

7. AGENCIES AND PERSONS CONSULTED

Agency / Entity	Role in Project
Montana Department of Public Health and Human Services	Lead Agency; forensic demand analysis; site selection; facility programming
Montana Board of Investments	Cooperating Agency; property owner; HB 5 investment manager; real estate developer
Montana Office of Budget and Program Planning	Joint plan review and approval; budget compliance oversight
Montana Department of Environmental Quality	MEPA; stormwater permit requirements, water/ sewer to subdivision approvals
City of Laurel	Closest municipal authority
Yellowstone County Commission	Community engagement, land use
CFHHS Interim Committee, Health and Human Services Interim Budget Committee (Section B)	Montana Legislature; legislative oversight and appropriations history

DPHHS, overlapping with BOI, has jurisdiction and environmental review responsibility for the Proposed Action. Additional agencies or entities, as identified above, will have

varying responsibilities for aspects of the Proposed Action, generally relating to the issuance of any needed permits or approvals.

8. FINDINGS AND CONCLUSIONS

1. DPHHS, in cooperation with the Montana BOI, prepared this Environmental Assessment in accordance with the Montana Environmental Policy Act, Montana Code Annotated Title 75, Chapter 1, and the Administrative Rules of Montana, 17.4.601, et seq.
2. The Environmental Assessment evaluates the environmental, social, public health, and economic consequences of the Proposed Action—the construction and operation of a 32-bed (potentially expanding to 64-bed) forensic mental health facility on an approximately 14 acres of an 114-acre property in Yellowstone County west of Laurel, Montana, selected after evaluation, through application of various site selection criteria, of alternative sites—against the No Action Alternative of not proceeding with the Forensic Mental Health Facility, along with the potential environmental impacts of the Proposed Action and No Action Alternative.
3. The Environmental Assessment was made available for public review, and public comment periods were provided and public hearings conducted. DPHHS and BOI reviewed and considered all applicable comments and incorporated responses, either directly or conceptually, into this Environmental Assessment.
4. DPHHS and BOI considered concerns raised, and documentation provided, during public comment, including concerns regarding proximate schools, residences, and businesses, property values and tax revenue, residential growth, transportation, water, sewer, and other public services infrastructure, emergency services, allegations of improper site selection, and general, localized opposition to the Forensic Mental Health Facility. These concerns were evaluated using applicable data, studies, and analysis, and assessing the strength or applicability of any supporting documentation.
5. Montana's forensic mental health system is experiencing a documented and acute shortage of capacity, including increasing forensic court orders, persistent and growing waitlists, strain on county detention systems, and associated constitutional and public-health concerns.
6. The purpose of the Proposed Action is to construct and operate a forensic mental health facility to provide forensic mental health care, including evaluation and competency restoration services, to address this identified statewide need.
7. The Proposed Action's locating of the FMHF in Yellowstone County facilitates access to mental health care professionals and services, facilitates the expansion of

Montana's mental health care workforce, and alleviates a geographic inequity in the availability of forensic mental health care.

8. DPHHS and BOI considered the Proposed Action, the No Action Alternative, and multiple alternative sites during the planning and analysis process.
9. Based on an evaluation of the siting criteria, including accessibility, infrastructure availability, site configuration, workforce availability, and long-term operational viability, DPHHS finds that the Yellowstone County site west of Laurel, Montana best satisfies the siting criteria.
10. DPHHS finds that the No Action Alternative would avoid construction-related disturbance but would perpetuate and exacerbate existing adverse conditions affecting Montana's human environment, including continued delay in mental health care, strain on county jails, legal and constitutional risks and liabilities, and public health consequences.
11. DPHHS selects the Proposed Action as the preferred alternative.
12. DPHHS finds that the Proposed Action and affected area are appropriately defined, and that the affected area consists of a vacant agricultural parcel and surrounding transportation, infrastructure, residences, businesses, schools, and service areas, with no unique or fragile environmental resources identified within, or impacted by, the Proposed Action or its footprint.
13. Wetlands and aquatic features are present on portions of the property; however, DPHHS finds that construction will avoid these resources or be subject to additional review and permitting, as required by applicable law.
14. DPHHS finds that construction of the Proposed Action will result in temporary, localized impacts, including dust, noise, emissions, and soil disturbance, all of which are typical of construction activities.
15. DPHHS finds that such impacts will be minimized and controlled through standard permitting requirements, best management practices, and implementation of mitigation measures.
16. DPHHS finds that long-term operation of the Forensic Mental Health Facility will result in minimal impacts to air quality, water resources, soils, waste, biological resources, and cultural resources, and that the facility will function within existing infrastructure and regulatory frameworks.
17. DPHHS finds that water, wastewater, transportation, and other public service infrastructure, including emergency services, have sufficient capacity to support the Proposed Action.

18. DPHHS finds no adverse impacts to physical environmental resources are anticipated that cannot be avoided, minimized, or mitigated through standard practices and regulatory compliance.

19. DPHHS finds that the Proposed Action will result in beneficial effects to the human environment, including:
    - Increased access to forensic mental health services;
    - Reduction in county jail strain;
    - Improved public safety;
    - Constitutional due process compliance;
    - Enhanced geographic equity in service access; and
    - Economic investment and employment opportunities.

20. DPHHS finds that no adverse socioeconomic, land-use, or community-service impacts have been demonstrated to result from the Proposed Action.

21. DPHHS finds that the Proposed Action, when considered with other past, present, and reasonably foreseeable actions, will not result in cumulative adverse impacts to the physical environment.

22. DPHHS finds that cumulative impacts to the human environment are beneficial in light of the broader statewide behavioral health investments.

23. DPHHS adopts the mitigation measures identified in Section 5 of the Environmental Assessment as conditions of project implementation, including as applicable:
    - Dust control and air quality measures;
    - Stormwater and erosion control measures (including preparation and implementation of a Stormwater Pollution Prevention Plan);
    - Wetland and floodplain review and compliance;
    - Cultural resource investigations and consultation;
    - Traffic management planning; and
    - Lighting and landscaping measures.

24. DPHHS finds that these mitigation measures are reasonable, enforceable, and will ensure that any potential impacts remain below levels of significance, though no levels of significance are expected.

25. DPHHS finds that the Proposed Action will comply with all applicable federal, state, and local laws, regulations, and permitting requirements, including those governing water resources, air quality, stormwater, cultural resources, and land use.

26. DPHHS finds that any required permits or approvals will be obtained prior to construction or operation as required by law.

27. Based on the analysis contained in this Environmental Assessment, and in consideration of the factors identified in Administrative Rule of Montana 17.4.608, DPHHS finds that the Proposed Action:
    - Will not have significant adverse impacts on or to the environment, including the physical or human environment;
    - Will not adversely affect unique, fragile, or important environmental resources;
    - Will not result in significant cumulative adverse impacts to the environment; and
    - Will not create significant uncertainty or unknown environmental risks.

28. DPHHS finds that any impacts associated with the Proposed Action are minor, localized, temporary, or mitigable, and do not rise to the level of significance under the Montana Environmental Policy Act.

29. Based on the analysis in the Environmental Assessment, including consideration of direct, indirect, and cumulative effects, and applying the significance criteria in Administrative Rule of Montana 17.4.608, the Department concludes that the proposed action will not significantly affect the quality of the environment.

30. DPHHS determines that preparation of an Environmental Impact Statement is not required.

31. DPHHS approves the Proposed Action, subject to the mitigation measures and conditions identified in this Environmental Assessment. The Proposed Action meets the purpose and need, satisfies and exceeds the site selection criteria, has minimal physical environmental impacts, and has positive human environmental impacts.

32. Findings and conclusions included in discussions in other sections of this Environmental Assessment are incorporated herein by reference.

Lead Agency Certifying Official	Cooperating Agency Acknowledgment
Charles T. Brereton Director Montana Department of Public Health and Human Services (DPHHS)	DAN VILLA Executive Director Montana Board of Investments (BOI)
Signature: Signed by: 61408679875F473...	Signature: DocuSigned by: 21DF48F786AE4F4...
Date: 6/12/2026	Date: 6/12/2026

This Environmental Assessment was prepared in accordance with Title 75, Chapter 1, MCA (Montana Environmental Policy Act) and the Administrative Rules of Montana, ARM 17.4.601 et seq. Public comment on this document may be submitted to the Montana Department of Public Health and Human Services, 111 N. Sanders, Helena, MT 59601, or to the Montana Board of Investments, 2401 Colonial Drive, 3rd Floor, Helena, MT 59620. Please review public notices identifying comment periods and hearing dates and locations.

APPENDIX A

CITY OF LAUREL RESOLUTION R25-39 — LATE-COMER'S AND DEVELOPMENT AGREEMENT

Adopted by the Laurel City Council; conveys municipal water and sewer service extension authority to the FMHF site.

CONTRACT
(Late Comers and Development Agreement)

This Late Comers and Development Agreement (this "Agreement") is made and executed this_____day of_____, 20____, by and between Love's Travel Stops & Country Stores, Inc., an Oklahoma corporation, ("Love's"), and the City of Laurel, Montana, a Municipality within the State of Montana (the "City");

WITNESSETH:

WHEREAS, Love's desires to construct a water main and sanitary sewer, to connect to the City's existing system at the 7th Avenue/ Old US Highway 10 intersection for the sewer connection, and the 8th Avenue/Old US Highway 10 intersection for the water connection both to extend to +/- 1,450 feet east of the Old Highway 10/19th Avenue W intersection with said system to serve property (collectively, the "Improvements") owned by Love's and more particularly described in the attached Exhibit A (the "Love's Property").

TO WIT:

AND WHEREAS, the parties desire to enter into a contract pursuant to the authority granted by Chapter 12.38 of the Laurel Municipal Code ("LMC"), whereby provisions are made for the reimbursement of Love's and its assigns by any owner of real estate who did not contribute to the original cost of such facility and who subsequently taps onto or uses the same, pursuant to the specific definitions of a "prospective customer" under LMC § 12.38.030, of a fair pro rata share of the cost of construction of such facility, to be borne by Love's, including only those who directly connect thereto, and

WHEREAS, it is adequate for the requirements of Love's that the City has required Love's to install in lieu thereof, and

WHEREAS, the parties have agreed that upon the construction thereof, the City will acquire title thereof.

NOW, THEREFORE, it is agreed between the parties hereto as follows:

1. Love's shall, at its own expense, construct the Improvements to be located as follows:

   Prior to the commencement of construction thereof, Love's shall submit to the City Engineer of the City of Laurel detailed plans and specifications for the construction of such Improvements, which plans and specifications must be authorized by the City Engineer prior to the commencement of construction. Thereafter, said Improvements shall be constructed by Love's in accordance with the standards established by the City of Laurel and in compliance with all rules and regulations of the Public Works Department of the City of Laurel. Prior to commencing construction of the Improvements, Love's shall furnish to the City a performance bond in an amount equal to one hundred twenty-five percent (125%)

4880-6149-3699, v. 8

2. Love's estimates that the Improvements will cost $ $2,735,515.00, which amount shall include all anticipated costs associated with the design, construction, installation, inspection, testing, and approval of the Improvements.

3. During the construction of said Improvements, the City Engineer of the City of Laurel, or his representatives, shall have the right to make reasonable inspection of said Improvements to determine that they are being constructed in accordance with the plans and specifications above referenced to and in compliance with all of the standards established by the City of Laurel. Upon the completion of said construction, Love's shall submit to the City Engineer of the City of Laurel, a detailed statement of the cost of said construction, which statement shall be attached hereto and made a part hereto (the "Expended Amount"). Love's shall likewise submit to the City Engineer, such proof as the Engineer may require that Love's has fully paid for all labor and materials used in connection with his construction of said Improvements.

4. Upon completion of the Improvements and upon the submission to the City Engineer of the information required in the immediately preceding paragraph, the City Engineer will inspect said Improvements, and upon his approval and acceptance thereof, said Improvements shall thereafter belong to and be the property of the City of Laurel, and the City of Laurel will thereafter charge for the use of such Improvements such rates as it may be authorized by law to collect and shall likewise thereafter provide for the maintenance and operation of said Improvements Additionally, upon such approval and acceptance of the Improvements, the City shall promptly release the performance bond. The City Engineer may, in his or her reasonable discretion, approve a partial release of the performance bond upon substantial completion of a portion of the Improvements, provided that the remaining bond amount is sufficient to guarantee completion of the remaining Improvements.

5. This Agreement shall, upon completion and acceptance of the Improvements as hereinabove described, be recorded with the Clerk and Recorder of Yellowstone County, and thereafter and for a period of seven (7) years (the "Reimbursable Period"), the City of Laurel will not grant any person, firm, or corporation who has not contributed to the original cost of such Improvements ("Future Developer") a permit or be authorized to tap into or use such Improvements during said period of time without first paying to the City of Laurel the amount required to reimburse Love's pursuant to the requirements of LMC 12.38 and based upon the City's Schedule of Fees and Charges that is in place at the time that the reimbursement is calculated ("Reimbursement Fees"). The City of Laurel will pay all amounts so received to Love's or its assigns annually on the first working day of November pursuant to Chapter 12.38 of the Laurel Municipal Code and the City's Schedule of Fees and Charges. The City and Love's each agree to keep detailed written records related to the Reimbursement Fees assessed and received (as applicable), to provide each other reasonable access thereto, upon request, and to cooperate in good faith to resolve any apparent or purported discrepancies. The Reimbursement Fees shall be calculated by the City pursuant to the terms of LMC 12.38 and the City's Schedule of Fees and Charges in place at the time that the Reimbursement Fees is calculated. Notwithstanding the foregoing, in no event shall the Reimbursement Fees collected from any Future Developer be less than the amounts set forth in the City's current Schedule of Fees and Charges attached hereto as Exhibit B, as may be amended from time to time, and if the City's Schedule of Fees and Charges increases in the future, the higher fee shall apply. Pursuant to LMC 12.38.030, the parties agree that the Reimbursement Fees apply only to connections and does not apply to additional extensions of existing special benefit facilities. If, during the Reimbursable Period, LMC 12.38.030 or any successor provision is

amended to permit reimbursement for additional extensions of existing special benefit facilities, then, notwithstanding anything to the contrary herein, Love's (or its assigns) shall be entitled to receive such additional reimbursements to the fullest extent permitted by such amendment, without the need for further amendment to this Agreement, and the City shall cooperate in good faith to effectuate the intent of this provision.

6. Priority to Allow Recovery of Costs; Cooperation. Love's having the right and ability to recoup the Reimbursement Fees, the parties understand and agree that it is of primary importance to and consideration of Love's in entering into and performing under this Agreement. As such, the parties agree that, subject to the limitations hereinabove, Love's shall have priority in entitlement to recovery of the Reimbursement Fees to reimburse Love's, and the City shall act in good faith to honor such priority.

7. Default and Remedies. Except as otherwise provided in this Agreement, if either party breaches any provision of this Agreement and fails to remedy such breach within thirty (30) days of notice thereof (unless such cure is not reasonably possible within such 30-day period and the breaching party has commenced and is pursuing with reasonable diligence such cure), the non-breaching party may institute legal action against the defaulting party for specific performance, injunctive or declaratory relief, damages, and/or any other remedy provided by law or in equity.

8. Interpretation; Applicable Law. If any part of this Agreement shall be held invalid by a court of competent jurisdiction, the same shall be deemed a separate and independent provision and shall not affect the validity of the remaining portion thereof. This Agreement shall be governed by and construed in accordance with the laws of the State of Montana. In the event that applicable Montana, federal, or local law, regulation or ordinance is changed after the effective date of this Agreement, resulting in the invalidity or unenforceability of any provision hereof, then this Agreement shall be deemed modified to the extent necessary to comply with the law, regulation or ordinance then in effect.

9. Waiver. The failure to enforce any particular provision of this Agreement on any particular occasion shall not be deemed a waiver by either party of any of its rights hereunder, nor shall it be deemed to be a waiver of subsequent or continuing breaches of that provision, unless such waiver expressed in a writing signed by the party to be bound.

10. Relationship of Parties: Ownership of Improvements. Nothing contained in this Agreement shall be deemed to dedicate any portion of the Love's Property as public land or create a partnership, tenancy-in-common, joint tenancy, joint venture, co-ownership, by or between the parties in the Love's Property (which shall remain the sole property of Love's) or in the Improvements (which once dedicated, shall remain the sole property of the City).

11. Notice. All notices or other communication herein required or permitted shall be in writing and given by personal delivery or sent by (i) registered or certified mail return receipt requested, postage prepaid, (ii) nationally recognized overnight courier service, or (iii) facsimile transmission, to the addresses first set forth hereinabove (unless changed in accordance herewith). Notice shall be deemed received on the earlier of (i) actual receipt, (ii) three (3) business days after deposit in the U.S. Mail, (iii) the first business day after deposit with an overnight courier, or (iv) if by facsimile transmittal, upon receipt of proof of transmission. Any notice or communication not received because of a change of address or facsimile number, without notice

to the other party thereof, or refusal to accept delivery, shall be deemed received, notwithstanding the same, as set forth above.

12. Miscellaneous. This Agreement embodies the entire understanding with respect to the subject matter hereof and may not be altered or modified except by an instrument in writing signed by all parties. The Agreement shall be binding upon and inure to the parties, their respective successors and assigns. The terms hereof shall not be construed in favor of or against any party, but shall be construed as if the parties jointly prepared this Agreement. If any provisions of this Agreement shall be held to be void or unenforceable for any reason, said provision shall be deemed modified so as to constitute a provision conforming as nearly as possible to said void or unenforceable provision while still remaining valid and enforceable, and the remaining terms or provisions hereof shall not be affected thereby. This Agreement may be executed by facsimile, electronic or original signature of the parties and in any number of counterparts, each of which, assuming no modification or alteration, shall constitute an original and all of which, when taken together, shall constitute one and the same instrument. In the event any party hereto commences litigation or other legal action against the other to enforce its rights hereunder, the prevailing party in such litigation or legal action shall be entitled to recover from the other(s), in addition to any other relief granted, its reasonable attorney's fees, costs and expenses incidental to such litigation or legal action.

In the event of the assignment by Love's of any interest in this contract, written notice thereof shall be given to the City of Laurel. All payments to be made by the City of Laurel to the party of the first part under this contract shall be sent to the following address, TO WIT: Love's Travel Stops & Country Stores, Inc., 10601 N. Pennsylvania Ave., Oklahoma City, OK 73120; Attn: Real Estate or to such other address as the party of the first part may hereinafter direct in writing.

[signatures on following pages]

Dated at Oklahoma City, Oklahoma, this 22ND day of July, 2025.

LOVE'S:

LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

By: _____
Name: Tim Doty
Title: Vice President

STATE OF OKLAHOMA)
) ss
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on the 22nd day of July, 2025 by Tim Doty as Vice President of Love's Travel Stops & Country Stores, Inc.

[SEAL]

ANNTANETTE REECE NOTARY #25001636 EXP. 02/10/2029 PUBLIC STATE OF OKLAHOMA

Signature of notarial officer

My Commission Expires: 2/10/2029

Dated at Laurel, Montana, this 18 day of June, 2025.

CITY OF LAUREL

By: _____
Authorized Agent for the City of Laurel

STATE OF MONTANA)
) ss
COUNTY OF YELLOWSTONE)

On this day and year above personally appeared before me David Waggoner to me known to be acting as Authorized Agent for the City of Laurel, Montana, a Municipality within the State of Montana, who executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said Municipality for the uses and purposes therein mentioned and on oath states he/she is authorized to execute the said instrument.

Given under my hand and official seal 18 day of June, 2025.

AMBER HATTON NOTARY PUBLIC for the State of Montana Residing at Billings, Montana My Commission Expires May 31, 2026

Notary Public in and for the State of Montana,
Residing in Billings MT
My commission expires May 31, 2026

Approved as to form:

Michele LB
City Attorney
City of Laurel

4096700 WD
02/26/2025 02:12 PM Page 5 of 7
eRecorded For Yellowstone County, MT

EXHIBIT A

Lot 7A-1, of the Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document No. 1684287.

EXCEPTING THEREFROM that portion granted unto The State of Montana by virtue of Bargain and Sale Deed recorded January 25, 1965, Book 807, Under Document No. 747048; and

EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Bargain and Sale Deeds recorded September 13, 2017 Under Document No. 3827294 and 3827295; and

EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Warranty Deeds recorded September 13, 2017 Under Document No. 3827296 and 3827297.

Exhibit B

RESOLUTION NO. R25-18

A RESOLUTION OF THE CITY COUNCIL TO ADOPT AN OFFICIAL SCHEDULE OF FEES AND CHARGES FOR THE CITY OF LAUREL AND REPEALING ALL PREVIOUS RESOLUTIONS THAT SET FEES OR CHARGES THAT CONFLICT WITH THE SCHEDULE ATTACHED HERETO UPON ITS EFFECTIVE DATE.

WHEREAS, the Laurel Municipal Code requires the City Council to review, modify, and/or update its fees and charges on an annual basis through further Resolution of the City Council;

WHEREAS, City Staff prepared the attached Schedule of Fees and Charges, incorporated herein, for the City Council's consideration and adoption after public hearing until further Resolution of the City Council;

WHEREAS, on the 25th day of February 2025, the City Council adopted Resolution No. R25-17, a Resolution of Intent to adopt the updated Schedule of Fees and Charges and set a public hearing for the 11th day of March 2025; and

WHEREAS, a public hearing was held on the 11th day of March 2025, in order to provide opportunity for public input prior to adoption of the updated Schedule of Fees and Charges.

NOW THEREFORE BE IT RESOLVED by the City Council that the attached Schedule of Fees and Charges is reasonable and in the best interests of the City of Laurel; and

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council hereby approves the Schedule of Fees and Charges attached hereto and incorporated by reference herein.

Introduced at a regular meeting of the City Council on the 11th day of March 2025 by Council Member Banks.

PASSED and APPROVED by the City Council of the City of Laurel, Montana on the 11th day of March 2025.

APPROVED by the Mayor on the 11th day of March 2025.

CITY OF LAUREL SEAL YELLOWSTONE COUNTY, MONTANA

CITY OF LAUREL

Dave Waggoner, Mayor

R25-18 Adopt Schedule of Fees and Charges

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

R25-18 Adopt Schedule of Fees and Charges

CITY OF LAUREL
SCHEDULE OF FEES AND CHARGES
AS OF TUESDAY MARCH 11, 2025/ RESOLUTION NO. R25-18

Administrative, City Attorney, and Court Fees and Charges (except Library)

Item	Fee
Returned Check	$50.00
Document Photocopying	
First three pages	No Charge
Copies in excess of three pages per page	$0.25
Discovery Fee	
Fee for production of discovery documents – Flat fee for USB Drive	$10.00
Additional Discovery Fee for Mailed Documents	$10.00
Public Records Request/FOIA Request	
Research City Records (Per Hour)	$50.00
Research by Contracted Staff (Per Hour)	$150.00-$250.00
Research by City Attorney (Per Hour)	$250.00
Dog License Fees and Renewals before April 1 (Must be renewed each year)	
Spayed Female/Neutered Male	$20.00
Un-spayed Female/Un-neutered Male	$30.00
Dog License Renewals after April 1	
Spayed Female/Neutered Male	$30.00
Un-spayed Female/Un-neutered Male	$40.00
Dog Kennel before April 1 (Must be renewed each year)	
Non-Commercial	$50.00
Commercial	$75.00
Chicken License Fee – Flat Fee	$25.00
Business License	
General	$100.00
Beer and/or Wine	$400.00
Three Apartments	$50.00
Four Apartments	$60.00
Five or more Apartments	$95.00
Pawn Shop	$200.00
Utilities	$400.00
Amusement Machines	$100.00
Live Music	$100.00
Junk	$100.00
Liquor	$500.00
Franchises	$400.00
Sexually Oriented Business	$750.00

Police Department Fees and Charges

Item	Fee
Victims Report	$10.00
Case Report	$40.00
Case Report with Pictures	$55.00
Vehicle Accident Report – Form Only	$20.00
Vehicle Accident Report with Pictures	$35.00
Audio Recording	$75.00
Vehicle Impound – Per Day 1st Week	$45.00
Vehicle Impound – Per Day after 1st Week	$70.00
Dog Impound Fee – 1st in Calendar Year	$35.00
Dog Impound Fee – Subsequent in Calendar Year	$50.00
Dog Boarding Fee – 24 Hours After Notification – Per Day	$100.00
Fingerprint Card	$35.00
Subsequent Fingerprint Cards – Per Card	$5.00
False Alarm – 3rd and Consecutive in Calendar Year	$100.00

Library Fees and Charges

Item	Fee
Photocopy Fees – per page	
Black & White	$0.10
Color	$0.20
Printer Fees – per page	
Black and White	$0.10
Color	$0.20
Lost or Damaged Book	Cost
Library Cards for Non-Residents	No Charge
Interlibrary Loan Postage (per item not available via Courier – after 3)	$5.00
Community Room	
Use during library hours – for profit fee charged - per hour	$3.00
Use after hours (per hour or any portion of an hour – for profit)	$30.00
Refundable Cleaning Deposit	$30.00
Library Card Replacement Fee (per card)	$2.00
Fax Fees (per page)	
Send	No Charge
Receive	$0.10

Fire Department Fees and Charges

Item	Fee
Incident Report (NFIRS Copy)	$50.00
Photograph Copies – Digital (USB)	$35.00
Fire Suppression Fees Charged to Non-Resident or for Code or Ordinance Violations	
Base Rate for First Hour of Response for Working Fires, Rescue Operations, Hazmat or Large-Scale Incidents	$2,000.00
Base Rate for First Hour of Service Assist Calls or Minor Calls	$1,500.00
For Each Fireman – Per Hour	$50.00
Base Rate for Assist and Investigate – Per Hour	$250.00
Rates for Additional Hours after the First Hour of Any Response (Time Calculated from Time of Response to Return to Service)	
Engine #1	$500.00
Engine #2	$500.00
Engine #4	$500.00
Squad 5	$500.00
Tender #1	$225.00
Tender #2	$225.00
Support #1	$225.00
Command 1	$250.00
Command 2	$250.00
Brush #3	$250.00
Brush #4	$250.00
Brush #5	$250.00
Business Inspections within jurisdiction – Marketing Fireworks, Firecrackers, and other Pyrotechnics	$250.00
False Fire Alarms – Per Calendar Year	
First	No Charge
Second	$400.00
Third	$800.00
Fourth+	$1,000.00
Fire Extinguisher Training	
10 Students	$250.00
Additional Per Student	$25.00

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 4 of 15

Emergency Medical Service Fees and Charges

Code	Definition	Charge
A0425	Ambulance Mileage (per **loaded** mile)	$20.00
A0428	Transport, BLS non-emergent	$850.00
	Out of District Fee	$150.00
A0429	Transport, BLS emergent	$1,200.00
	Out of District Fee	$150.00
A0426	Transport, ALS non-emergent	$1,000.00
	Out of District Fee	$150.00
A0427	Transport, ALS emergent	$1,400.00
	Out of District Fee	$150.00
A0433	Transport, ALS 2 emergent	$1,600.00
	Out of District Fee	$150.00
A0434	Specialty Care Transport	$2,000.00
A0424	Extra Ambulance Attendant	$100.00
A0382	BLS routine supplies	$100.00
A0398	ALS routine supplies	$200.00
A0384	Defibrillation supplies	$160.00
A0394	IV Supplies	$75.00
A0396	Intubation	$175.00
A0422	Oxygen	$75.00
A0420	Waiting time (with patient)	$75.00
	Stand by Rate QRU (1 person) (per hour)	$75.00
	Stand by Rate Ambulance (2 person) (per hour)	$100.00
TNT1	Simple response (lift assist, etc.)	$25.00
TNT2	Response, treatment using BLS Supplies / no transport	$50.00
TNT3	Response, treatment using ALS or ALS2 Supplies / no transport	$100.00
	Glucagon	$300.00
	Patient Care Report Copy (HIPAA Compliant)	$25.00

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 5 of 15

Public Works: Water Rates and Charges

Item	Fee
See Current Resolution (Resolution No. R24-100)	
System Development Fees (Based on Line Size) - Water	
¾ Inch	$2,500.00
1 Inch	$4,475.00
1 ¼ Inch	$6,950.00
1 ½ Inch	$10,000.00
2 Inch	$17,850.00
3 Inch	$40,000.00
4 Inch	$71,425.00
Connections to the water system with meters larger than 4 inches or when the unique usage characteristics of a large water user may require, the City will determine the system development fee at that time if the City can provide the services as requested.	
Curb Box Repair Insurance Fee – Per Month Per Water Account	$1.00
Utility Hook-Up Fees	
Water Tapping – Two Inches or Less	$250.00
Water Tapping – Greater Than Two Inches	Fee x 1.25
Labor/Operator Rate Per Hour	$60.00
Heavy Equipment Rate Per Hour	$100.00
Other Fees for Repairs, etc.	
Frozen or Damaged Meter	
Replacement Meter or Meter Parts	Cost + 25%
Plus the Labor/Operator Rate Per Hour	$60.00
OR Overtime Hourly Rate if Called Out After Hours	$90.00
Hydrant Meter Rental – Per Month (Prorated Plus the Total Usage)	$476.00
Utility Billing Fees and Deposits	
New Accounts or Re-Establishing an Account	$35.00
Restoring Service to a Delinquent Account	$75.00
Deposit for New Meter Accounts, No Service in Previous Year	$170.00
Charge for Check Returned by Bank as Unpaid	$50.00

Public Works: Wastewater Rates and Charges

Item	Fee
See Current Resolution (Resolution No. R24-100)	
Septic Dump Fee -	$60.00 Minimum up to 1,000 Gallons plus $0.06 per gallon thereafter
Septic Clean-up Fee for Spillage (Resolution No. R15-96)	$40.00
System Development Fees (Based on Line Size) – Sewer	
Residential – Each Housing Unit (Duplex=2 units; Triplex=3 units; Four-plex=4 units; etc.	$2,700.00
Commercial – Based on Water Meter Size; Includes Subdivision for Rent or Lease	
¾ Inch	$2,700.00
1 Inch	$4,833.00
1 ¼ Inch	$7,506.00
1 ½ Inch	$10,800.00
2 Inch	$19,278.00
3 Inch	$43,200.00
4 Inch	$77,139.00
Connections to the wastewater system with water meters larger than 4 inches or when the unique usage characteristics of a large water user may require, the City will determine the system development fee at that time if the City can provide the service as requested.	

Public Works: Solid Waste Fees and Charges

Item	Fee
See Current Resolution (Resolution No. R22-77)	
Multiple Containers – Non-Residential users who use multiple containers shall be assigned a volume of use variable for each container used.	
Roll Off Container Set/Reset	$30.00
Roll Off Container Haul	$150.00
Roll Off Container Cost per Ton	Current Billings Landfill Rates
Replacement Waste Container – Due to Negligence	Cost x 1.50
All Tires – Per Tire	$5.00
Container Site Waste – Business and Non-City Residents and/or City Residents that do not use City Solid Waste Services	
Minimum	$10.00
Per Additional Cubic Yard	$10.00
Non-Residential Garbage Disposal Rate Schedule – See Current Resolution (R22-77)	

Park and Recreation Fees and Charges

Item	Fee
Shelter Reservation	$50.00
Special Event Application Fee	$35.00
Special Event in Parks	
One Day Closure	$100.00
Two Day Closure	$150.00
Youth Activities	Fee can be waived by the Mayor
Garbage Cans for Special Events – Per 100 Gallons – Prepaid	Residential Garbage Rate
Special Event Clean-Up Fee – Per Hour/Per Employee	$45.00
Riverside Park Camping Fees	
Tent Space (per night)	$20.00
Back-in Space (per night)	$25.00
Pull Through Space (per night)	$30.00

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 8 of 15

Cemetery Fees and Charges

Item	Fee
Please Note: Cemetery Caretaker must be present at all interments. Please Note: Burials are not permitted on Sundays, holidays, or Saturday afternoons.	
City Residents	
Full Grave	$650.00
Baby Grave	$500.00
Non-Residents	
Full Grave	$800.00
Baby Grave	$550.00
Opening and Closing	
Full Grave	$480.00
Full Grave on Saturday mornings	$580.00
Baby Grave	$400.00
Baby Grave on Saturday mornings	$450.00
Cremation	$300.00
Cremation on Saturday mornings	$350.00
Two Cremations on single plot	$375.00
Two Cremations on single plot on Saturday mornings	$450.00
Set Cremation Urn at existing Headstones	$75.00
Private Sale of any plot – Transfer Processing Fee	$75.00
Disinterment Fee for full burial	$600.00
Disinterment Fee for cremains	$500.00

Planning Fees and Charges

Item	Fee	Notes
Annexation into the City of Laurel (80 acres or less)	$ 750.00	+ $35.00/acre
Annexation into the City of Laurel (81 acres or more)	$ 750.00	+ $55.00/acre
Cash in Lieu of Parking spaces outside of the Central Business District	$ 850.00	+ $25.00/space
Conditional Use Application (Commercial)	$ 1,350.00	
Conditional Use Application (Residential)	$ 850.00	
Floodplain Permit	$ 300.00	
Home Occupations	$ 200.00	
Outdoor Seating	$ 300.00	+$25.00/day
Planned Unit Development Concept Plan	$ 850.00	
Planned Unit Development Preliminary Plan	$ 1,350.00	+$50.00/acre
Planned Unit Development Final Plan	$ 1,600.00	+$25.00/acre
Review of Buildings for Lease or Rent	$ 350.00	
Site Plan Review Fee (Commercial)	$ 600.00	
Site Plan Review Fee (Residential)	$ 350.00	
Special Review (Commercial)	$ 1,350.00	
Special Review (Residential)	$ 850.00	
Special Review Applications resubmitted within one year of a withdrawal request made after the legal advertising	$ 600.00	
Staff Research	$ 50.00	Per Hour
Temporary Use Permit	$ 450.00	
Vacation of Street or Alley	$ 350.00	
Variance (Commercial)	$ 1,350.00	
Variance (Residential)	$ 850.00	
Variance Applications resubmitted within one year of a withdrawal request made after the legal advertising	$ 850.00	
Zone Change	$ 1,350.00	+ $45.00/acre
Zone Change Applications resubmitted within 1 year of a withdrawal request made after the legal advertising	$ 850.00	
Zoning Compliance/Verification Letter	$ 200.00	
Zoning Map Amendment	$ 1,750.00	+ $45.00/acre

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 10 of 15

Subdivision Fees and Charges

Item	Fee	Notes
Corrections or Adjustments to Plats, Conditions, and Supporting Documents after Preliminary Plat Approval:	$ 350.00	
Corrections or Vacations of Recorded Final Subdivision Plats or Supporting Documents	$ 350.00	
Exempt Subdivision	$ 400.00	
Preliminary Plat (Minor)	$ 1,950.00	+ $50.00/lot
Final Plat (Minor)	$ 1,350.00	
Preliminary Plat, Major Subdivision, 6 to 40 lots	$ 2,250.00	+ $25.00/lot
Final Plat, Major Subdivision, 6 to 40 lots	$ 1,750.00	
Preliminary Plat, Major Subdivision, 41 to 200 lots	$ 2,950.00	+ $25.00/lot
Final Plat, Major Subdivision, 41 to 200 lots	$ 2,500.00	
Preliminary Plat, Major Subdivision, Over 200 lots	$ 3,750.00	+ $25.00/lot
Final Plat, Major Subdivision, Over 200 lots	$ 3,500.00	
Major Adjustments for Minor Subdivisions	$ 750.00	
Major Adjustments for Major Subdivision, 6 to 40 lots	$ 1,350.00	
Major Adjustments for Major Subdivision, 41 to 200 lots	$ 1,850.00	
Major Adjustments for Major Subdivision, Over 200 lots	$ 2,350.00	
Minor Adjustments, Major and Minor Subdivisions	$ 350.00	
Pre-Application Meeting	$ 750.00	+ $25.00/lot
Subdivision for Rent or Lease, Final Plan	$ 1,500.00	
Subdivision for Rent or Lease, Preliminary Plan	$ 1,250.00	
All Appeals the same as the Application Fee		

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 11 of 15

Building Permit Fees and Charges

Item	Fee	Notes
Additional Plan Review required by changes, additions or revisions to plans (minimum charge - one half hour)	$ 100.00	Per Hour
Additional Re-Inspection Fee	$ 100.00	
Building Permit	-	See Appx. A
Deck Permit	$25.00	Per sq.ft.
Demolition Permit – Residential	$500.00	
Demolition Permit – Commercial	-	See Appx. A
Encroachment Permit	$ 150.00	
Fence Permit	$ 100.00	
Fire Inspection (includes one follow-up inspection)	$ 100.00	
Mobile Home Blocking Permit (includes two-meter inspections)	$ 100.00	
Moving Permit	$ 250.00	
On-site Pre-building Inspection (New & Additions)	$30.00	
Photocopies (over 3 pages)	$ 0.25	Per Page
Plan Review (Commercial)	-	65% of Building Permit Fee
Plan Review (Residential)	-	50% of Building Permit Fee
Plotter Photocopies	$ 10.00	Per page
Right-of-way Excavation Permit (Gravel)	$ 150.00	
Right-of-way Excavation Permit (Paved)	$ 200.00	
Roofing Permit (Commercial)	$ 250.00	
Roofing Permit (Residential)	$ 150.00	
Siding Installation Permit	$ 100.00	
Sidewalk, Driveway Approach, Curb & Gutter Permit	$ 150.00	
Sign Permit	$1.00	Per sq.ft.
Sign Plan Review Fees	$2.00	Per sq.ft.
Sign – Face Change	$30.00	Per face
Temporary Sign Permit	$ 75.00	
Temporary Structure Permit	$ 150.00	
Window and/or Door Replacement Installation Permit – No Structural Modifications	$ 75.00	Per structure or building

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 12 of 15

APPENDIX A: BUILDING PERMIT FEES and Charges

Building permit fees are determined by the total valuation of the project. For new construction and additions, the total valuation is determined by the most recent valuation data published by the International Code Council. For remodel projects, the total valuation is based on the documented project cost. (RPR is Residential Plan Review, CPR is Commercial Plan Review)

Valuation		Building Permit	Residential Plan Review	Commercial Plan Review
From	To			
$ 1.00	$ 500.00	$ 36.00	$ 18.00	$ 23.40
$ 501.00	$ 600.00	$ 40.50	$ 20.25	$ 26.33
$ 601.00	$ 700.00	$ 45.00	$ 22.50	$ 29.25
$ 701.00	$ 800.00	$ 49.50	$ 24.75	$ 32.18
$ 801.00	$ 900.00	$ 54.00	$ 27.00	$ 35.10
$ 901.00	$ 1,000.00	$ 58.50	$ 29.25	$ 38.03
$ 1,001.00	$ 1,100.00	$ 63.00	$ 31.50	$ 40.95
$ 1,101.00	$ 1,200.00	$ 67.50	$ 33.75	$ 43.88
$ 1,201.00	$ 1,300.00	$ 72.00	$ 36.00	$ 46.80
$ 1,301.00	$ 1,400.00	$ 76.50	$ 38.25	$ 49.73
$ 1,401.00	$ 1,500.00	$ 81.00	$ 40.50	$ 52.65
$ 1,501.00	$ 1,600.00	$ 85.50	$ 42.75	$ 55.58
$ 1,601.00	$ 1,700.00	$ 90.00	$ 45.00	$ 58.50
$ 1,701.00	$ 1,800.00	$ 94.50	$ 47.25	$ 61.43
$ 1,801.00	$ 1,900.00	$ 99.00	$ 49.50	$ 64.35
$ 1,901.00	$ 2,000.00	$ 103.50	$ 51.75	$ 67.28
$ 2,001.00	$ 3,000.00	$ 125.50	$ 62.25	$ 80.93
$ 3,001.00	$ 4,000.00	$ 145.50	$ 72.75	$ 94.58
$ 4,001.00	$ 5,000.00	$ 166.50	$ 83.25	$ 108.23
$ 5,001.00	$ 6,000.00	$ 187.50	$ 93.75	$ 121.88
$ 6,001.00	$ 7,000.00	$ 208.50	$ 104.25	$ 135.53
$ 7,001.00	$ 8,000.00	$ 229.50	$ 114.75	$ 149.18
$ 8,001.00	$ 9,000.00	$ 250.50	$ 125.25	$ 162.83
$ 9,001.00	$ 10,000.00	$ 271.50	$ 135.75	$ 176.48
$ 10,001.00	$ 11,000.00	$ 292.50	$ 146.25	$ 190.13
$ 11,001.00	$ 12,000.00	$ 313.50	$ 156.75	$ 203.78
$ 12,001.00	$ 13,000.00	$ 335.50	$ 167.25	$ 217.43
$ 13,001.00	$ 14,000.00	$ 355.50	$ 177.75	$ 231.08
$ 14,001.00	$ 15,000.00	$ 376.50	$ 188.25	$ 244.73
$ 15,001.00	$ 16,000.00	$ 397.50	$ 198.75	$ 258.38
$ 16,001.00	$ 17,000.00	$ 418.50	$ 209.25	$ 272.03
$ 17,001.00	$ 18,000.00	$ 439.50	$ 219.75	$ 285.68

$ 18,001.00	$ 19,000.00	$ 460.50	$ 230.25	$ 299.33
$ 19,001.00	$ 20,000.00	$ 481.50	$ 240.75	$ 312.98
$ 20,001.00	$ 21,000.00	$ 502.50	$ 251.25	$ 326.63
$ 21,001.00	$ 22,000.00	$ 523.50	$ 261.75	$ 340.28
$ 22,001.00	$ 23,000.00	$ 544.50	$ 272.25	$ 353.93
$ 23,001.00	$ 24,000.00	$ 565.50	$ 282.75	$ 367.58
$ 24,001.00	$ 25,000.00	$ 586.50	$ 293.25	$ 381.23
$ 25,001.00	$ 26,000.00	$ 601.50	$ 300.75	$ 390.98
$ 26,001.00	$ 27,000.00	$ 616.50	$ 308.25	$ 400.73
$ 27,001.00	$ 28,000.00	$ 633.00	$ 316.50	$ 411.45
$ 28,001.00	$ 29,000.00	$ 648.00	$ 324.00	$ 421.20
$ 29,001.00	$ 30,000.00	$ 663.00	$ 331.50	$ 430.95
$ 30,001.00	$ 31,000.00	$ 678.00	$ 339.00	$ 440.70
$ 31,001.00	$ 32,000.00	$ 693.00	$ 346.50	$ 450.45
$ 32,001.00	$ 33,000.00	$ 708.00	$ 354.00	$ 460.20
$ 33,001.00	$ 34,000.00	$ 723.00	$ 361.50	$ 469.95
$ 34,001.00	$ 35,000.00	$ 738.00	$ 369.00	$ 479.70
$ 35,001.00	$ 36,000.00	$ 753.00	$ 376.50	$ 489.45
$ 36,001.00	$ 37,000.00	$ 768.00	$ 384.00	$ 499.20
$ 37,001.00	$ 38,000.00	$ 784.50	$ 392.25	$ 509.93
$ 38,001.00	$ 39,000.00	$ 799.50	$ 399.75	$ 519.68
$ 39,001.00	$ 40,000.00	$ 814.50	$ 407.25	$ 529.43
$ 40,001.00	$ 41,000.00	$ 829.50	$ 414.75	$ 539.18
$ 41,001.00	$ 42,000.00	$ 844.50	$ 422.25	$ 548.93
$ 42,001.00	$ 43,000.00	$ 859.50	$ 429.75	$ 558.68
$ 43,001.00	$ 44,000.00	$ 874.50	$ 437.25	$ 568.43
$ 44,001.00	$ 45,000.00	$ 889.50	$ 444.75	$ 578.18
$ 45,001.00	$ 46,000.00	$ 904.50	$ 452.25	$ 587.93
$ 46,001.00	$ 47,000.00	$ 919.50	$ 459.75	$ 597.68
$ 47,001.00	$ 48,000.00	$ 934.50	$ 467.25	$ 607.43
$ 48,001.00	$ 49,000.00	$ 949.50	$ 474.75	$ 617.18
$ 49,001.00	$ 50,000.00	$ 964.50	$ 482.25	$ 626.93
$ 50,001.00	$ 51,000.00	$ 976.50	$ 488.25	$ 634.73
$ 51,001.00	$ 52,000.00	$ 987.00	$ 493.50	$ 641.55
$ 52,001.00	$ 53,000.00	$ 997.50	$ 498.75	$ 648.38
$ 53,001.00	$ 54,000.00	$ 1,008.00	$ 504.00	$ 655.20
$ 54,001.00	$ 55,000.00	$ 1,018.50	$ 509.25	$ 662.03
$ 55,001.00	$ 56,000.00	$ 1,029.00	$ 514.50	$ 668.85
$ 56,001.00	$ 57,000.00	$ 1,039.50	$ 519.75	$ 675.68
$ 57,001.00	$ 58,000.00	$ 1,050.00	$ 525.00	$ 682.50
$ 58,001.00	$ 59,000.00	$ 1,060.50	$ 530.25	$ 689.33

FY 25 Schedule of Fees and Charges
March 11, 2025
Resolution No. R25-18
Page 14 of 15

$ 59,001.00	$ 60,000.00	$ 1,071.00	$ 535.50	$ 696.15
$ 60,001.00	$ 61,000.00	$ 1,081.50	$ 540.75	$ 702.98
$ 61,001.00	$ 62,000.00	$ 1,092.00	$ 546.00	$ 709.80
$ 62,001.00	$ 63,000.00	$ 1,102.50	$ 551.25	$ 716.63
$ 63,001.00	$ 64,000.00	$ 1,113.00	$ 556.50	$ 723.45
$ 64,001.00	$ 65,000.00	$ 1,123.50	$ 561.75	$ 730.28
$ 65,001.00	$ 66,000.00	$ 1,134.00	$ 567.00	$ 737.10
$ 66,001.00	$ 67,000.00	$ 1,144.50	$ 572.25	$ 743.93
$ 67,001.00	$ 68,000.00	$ 1,155.00	$ 577.50	$ 750.75
$ 68,001.00	$ 69,000.00	$ 1,165.50	$ 582.75	$ 757.58
$ 69,001.00	$ 70,000.00	$ 1,176.00	$ 588.00	$ 764.40
$ 70,001.00	$ 71,000.00	$ 1,186.50	$ 593.25	$ 771.23
$ 71,001.00	$ 72,000.00	$ 1,197.00	$ 598.50	$ 778.05
$ 72,001.00	$ 73,000.00	$ 1,207.50	$ 603.75	$ 784.88
$ 73,001.00	$ 74,000.00	$ 1,218.00	$ 609.00	$ 791.70
$ 74,001.00	$ 75,000.00	$ 1,228.50	$ 614.25	$ 798.53
$ 75,001.00	$ 76,000.00	$ 1,239.00	$ 619.50	$ 805.35
$ 76,001.00	$ 77,000.00	$ 1,249.50	$ 624.75	$ 812.18
$ 77,001.00	$ 78,000.00	$ 1,260.00	$ 630.00	$ 819.00
$ 78,001.00	$ 79,000.00	$ 1,270.50	$ 635.25	$ 825.83
$ 79,001.00	$ 80,000.00	$ 1,281.00	$ 640.50	$ 832.65
$ 80,001.00	$ 81,000.00	$ 1,291.50	$ 645.75	$ 839.48
$ 81,001.00	$ 82,000.00	$ 1,302.00	$ 651.00	$ 846.30
$ 82,001.00	$ 83,000.00	$ 1,312.50	$ 656.25	$ 853.13
$ 83,001.00	$ 84,000.00	$ 1,323.00	$ 661.50	$ 859.95
$ 84,001.00	$ 85,000.00	$ 1,333.50	$ 666.75	$ 866.78
$ 85,001.00	$ 86,000.00	$ 1,344.00	$ 672.00	$ 873.60
$ 86,001.00	$ 87,000.00	$ 1,354.50	$ 677.25	$ 880.43
$ 87,001.00	$ 88,000.00	$ 1,365.00	$ 682.50	$ 887.25
$ 88,001.00	$ 89,000.00	$ 1,375.50	$ 687.75	$ 894.08
$ 89,001.00	$ 90,000.00	$ 1,386.00	$ 693.00	$ 900.90
$ 90,001.00	$ 91,000.00	$ 1,396.50	$ 698.25	$ 907.73
$ 91,001.00	$ 92,000.00	$ 1,407.00	$ 703.50	$ 914.55
$ 92,001.00	$ 93,000.00	$ 1,417.50	$ 708.75	$ 921.38
$ 93,001.00	$ 94,000.00	$ 1,428.00	$ 714.00	$ 928.20
$ 94,001.00	$ 95,000.00	$ 1,438.50	$ 719.25	$ 935.03
$ 95,001.00	$ 96,000.00	$ 1,449.00	$ 724.50	$ 941.85
$ 96,001.00	$ 97,000.00	$ 1,459.50	$ 729.75	$ 948.68
$ 97,001.00	$ 98,000.00	$ 1,470.00	$ 735.00	$ 955.50
$ 98,001.00	$ 99,000.00	$ 1,480.50	$ 740.25	$ 962.33
$ 99,001.00	$ 100,000.00	$ 1,491.00	$ 745.50	$ 969.15

- $100,001 - $500,000: $1491.00 for the first $100,000, plus $6.40 for each additional $1,000 or portion thereof.
- $500,001 - $1,000,000: $4,051.00 for the first $500,000 plus $5.47 for each additional $1,000 or portion thereof.
- $1,000,000 and up: $6,239.00 for the first $1,000,000 plus $4.58 for each additional $1,000 or portion thereof.
- Residential Plan Review = 50% of Permit Fee
- Commercial Plan Review = 65% of Permit Fee
- If work has started prior to issuance of a permit, the Building Permit Fee will double.
- Basements
    - Finished - $50 per sq.ft.
    - Unfinished – refer to the most recent ICC Building Valuation Table

RESOLUTION NO. R25-49

RESOLUTION OF CITY COUNCIL APPROVING FINAL ANNEXATION FOR A PORTION OF LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA.

WHEREAS, a Petition for Annexation was submitted to the City of Laurel by Michael Stitzinger, Hans Stitzinger, and James F. Stitzinger Jr., who were the previous property owners, and the Developer (hereinafter "Petitioner") of certain real property situated in Yellowstone County, Montana, on the 6th day of March 2024;

WHEREAS, the real property is generally described as follows:

A Portion of Lot 7A-1, of the Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision, Yellowstone County, Montana, according to the Official Plat on file in the Office of the Clerk and Recorder of said County, under Document No. 1684287, excepting therefrom that portion granted unto the State of Montana by virtue of Bargain and Sale Deed Recorded January 25, 1965, Book 807, under Document No. 747048; and excepting therefrom that portion granted unto the Montana Department of Transportation by virtue of Bargain and Sale Deeds Recorded September 13, 2017, under Document Nos. 3827294 and 3827295; and excepting therefrom that portion granted unto the Montana Department of Transportation by virtue of Warranty Deeds Recorded September 13, 2017 under Document Nos. 3827296 and 3827297.

The real property is generally reflected on the Exhibit attached hereto, which is incorporated by reference herein, and it includes all contiguous roadways and rights-of-way;

WHEREAS, Petitioner sought annexation of the property into the City of Laurel in order to access and utilize City of Laurel services, including, but not limited to, water, sewer, police, and fire;

WHEREAS, the Laurel City-County Planning Board held a duly advertised public hearing on Petitioner's Petition for Annexation on the 17th day of April 2024;

WHEREAS, at the conclusion of the hearing, the Planning Board voted to recommend approval to the City Council of the annexation request;

WHEREAS, the City Council held a duly advertised public hearing regarding Petitioner's Petition for Annexation on the 11th day of June 2024;

WHEREAS, at the conclusion of the hearing, the City Council determined that approval of the Petition for Annexation was in the best interests of the City at this time;

WHEREAS, the annexation of the property is subject to a Late-Comers and Development Agreement, by and between the City of Laurel and the Developer (Love's), which was executed by and between the City of Laurel and the Developer and was attached to Resolution No. R25-39 and thereto incorporated as part of the Resolution;

WHEREAS, the Property Owner will comply with all of the terms and conditions of annexation imposed by the Laurel City Council;

WHEREAS, all public water, sewer, streetways, and storm drainages will be extended by the Property Owner and thereafter approved by the Laurel Public Works Department;

WHEREAS, a Waiver of Right of Protest has been finalized, the appropriate Agreements have been executed, and all appropriate and necessary work will be completed; and

WHEREAS, the City is prepared to approve the Final Annexation of the property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The owner of record of the territory annexed to the City of Laurel has executed a Petition of Annexation.

2. Pursuant to Mont. Code Ann. § 7-2-46, the incorporated boundaries of the City of Laurel shall be and the same hereby is extended and/or expanded to include the territory described herein.

3. The following described territory is hereby annexed to the City of Laurel: A portion of Lot 7A-1, of the Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision, Yellowstone County, Montana, according to the Official Plat on file in the Office of the Clerk and Recorder of said County, under Document No. 1684287, excepting therefrom that portion granted unto the State of Montana by virtue of Bargain and Sale Deed Recorded January 25, 1965, Book 807, under Document No. 747048; and excepting therefrom that portion granted unto the Montana Department of Transportation by virtue of Bargain and Sale Deeds Recorded September 13, 2017, under Document Nos. 3827294 and 3827295; and excepting therefrom that portion granted unto the Montana Department of Transportation by virtue of Warranty Deeds Recorded September 13, 2017 under Document Nos. 3827296 and 3827297.

R25-49 Final Annexation of Love's Property

4. The owner of record of the territory annexed to the City of Laurel and the City of Laurel have executed a Late-Comers and Development Agreement, by and between the City of Laurel and the Developer (Love's), which was executed by and between the City of Laurel and the Developer and was attached to Resolution No. R25-39 and thereto incorporated as part of the Resolution.

5. That the conditions of the annexation and zoning, as conditioned as follows, have been or will be met:

   A. On all terms, conditions, and requirements of the Late Comer's and Development Agreement between the City of Laurel and Petitioner.

   B. The Waiver of Right to Protest, a copy of which is attached to Resolution No. R24-43 and incorporated by reference herein, and this Resolution, shall be recorded with the County Clerk and Recorder within ninety (90) days after the adoption of this Resolution.

   C. Connections to the City of Laurel Water and Sewer Systems, once completed, will require approval by the City of Laurel's Public Works Department.

   D. All improvements and infrastructure connections will be completed.

6. This Resolution shall be incorporated into the official minutes of the City Council, and upon said incorporation, the City Clerk-Treasurer shall file a true and correct certified copy of this Resolution and Meeting Minutes with the Yellowstone County Clerk and Recorder.

7. From and after the date that the City Clerk-Treasurer files such certified copy of this Resolution and of the City Council Meeting Minutes with the Yellowstone County Clerk and Recorder, this Annexation of the above-described territory to the City of Laurel shall be deemed complete and final.

8. Annexation and the City's responsibility for providing service to the property shall become null and void upon Petitioner's failure to satisfy the conditions imposed by the City Council by and through this Resolution, the Petition for Annexation, and the Late Comer's and Development Agreement by and between the City of Laurel and the Petitioner.

Introduced at a regular meeting of the City Council on the 8th day of July, 2025, by Council Member Canape.

R25-49 Final Annexation of Love's Property

PASSED and APPROVED by the City Council of the City of Laurel the 8th day of July, 2025.

APPROVED by the Mayor the 8th day of July, 2025.

CITY OF LAUREL

Dave Waggoner, Mayor

ATTEST:

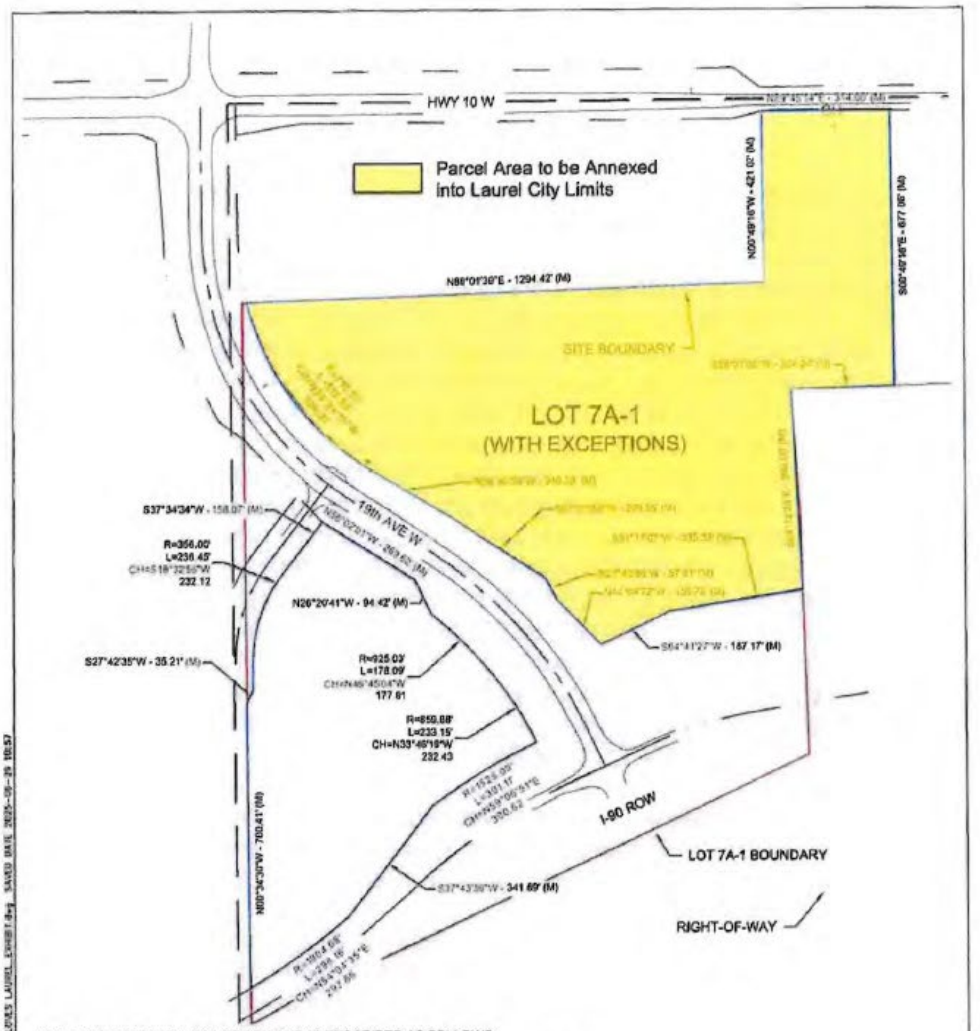
Kelly Strecker, Clerk-Treasurer

CITY OF LAUREL • MONTANA • YELLOWSTONE COUNTY • SEAL

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

R25-49 Final Annexation of Love's Property



THE LAND REFERRED TO HEREON AND IS DESCRIBED AS FOLLOWS:

LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK

AND

RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287.
EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED
RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048;

AND

EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF
BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO.

3827294 AND 3827295;

AND

EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF
WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297.

NOTES:

1. This exhibit is for graphical purposes only to define the boundary of subject parcel.
2. For detailed geometry please refer to the ALTA survey performed by Fremont Engineering and Surveying dated 11/10/2023

FREMONT ENGINEERING	FREMONT ENGINEERING & SURVEYING 155 1st St., STE A Lander, WY 82520 Phone: 307-206-1007	N 0 150' 300' Scale: 1" = 300'	PARCEL EXHIBIT SECTION 17 T.1S., R.1W., PMM YELLOWSTONE COUNTY, MONTANA	LOVES TRUCK STOPS TRACT 7A-1 WESTBROOK'S SUBDIVISION

RESOLUTION NO. R24-43

A RESOLUTION OF THE CITY COUNCIL FOR ANNEXATION OF PROPERTY LEGALLY DESCRIBED AS A PORTION OF LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287. EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827294 AND 3827295; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297.ADJACENT TO THE CITY OF LAUREL, AS AN ADDITION TO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA, WITH CONCURRENT APPROVAL OF ZONING DESIGNATION UPON ANNEXATION OF THE PROPERTY.

WHEREAS, a Petition for Annexation was submitted to the City of Laurel by Michael Stitzinger, Hans Stitzinger, and James F. Stitzinger Jr., who are the property owners (hereinafter "Petitioner") of certain real property situated in Yellowstone County, Montana;

WHEREAS, the real property is generally described as a portion of The real property is generally reflected on the Exhibits to the Petition for Annexation, which is incorporated by reference herein, and it includes all contiguous roadways and rights-of-way;

WHEREAS, the property is currently unzoned, and Petitioner intends to utilize the property, if annexed, for Highway Commercial purposes;

WHEREAS, the property is currently outside of City of Laurel City limits, and Petitioner seeks annexation of the property and a concurrent Zoning Designation as "Highway Commercial";

WHEREAS, pursuant to the City of Laurel's Annexation Policy, the City Council shall consider various criteria when it receives a written Petition for Annexation, which are fully incorporated by reference herein;

WHEREAS, further pursuant to the City of Laurel's Annexation Policy, the City Council may decide to either condition the approval of the annexation in order to meet the criteria listed in the City of Laurel's Annexation Policy or require an Annexation Agreement;

WHEREAS, Petitioner currently seeks annexation of its property into the City of Laurel, contingent upon completion of the terms of the Annexation Agreement, attached hereto and fully incorporated herein, which identifies required off-site infrastructure improvements and guarantees of those improvements;

WHEREAS, in addition to annexation contingent upon completion of the terms of the Annexation Agreement, the City of Laurel's Annexation Policies require the mutual-approval of a Development Agreement prior to issuance of a building permit between the City and Petitioner; and

WHEREAS, an amended survey for the portion of the Petitioner's property that will be annexed shall be prepared and filed with Yellowstone County as part of this annexation; and

WHEREAS, the Laurel City-County Planning Board held a duly advertised public hearing on Petitioner's Petition for Zoning Designation on April 17, 2024. At the conclusion of the hearing, the Planning Board voted to recommend approval to the City Council of the Zoning Designation, conditioned upon approval of the proposed annexation; and

WHEREAS, the City Council held a duly advertised public hearing regarding Petitioner's Petition for Annexation and Concurrent Approval of Zoning Designation on June 11, 2024. At the conclusion of the hearing, the City Council determined that approval of the Petition for Annexation and Concurrent Approval of Zoning Designation is in the best interests of the City at this time;

WHEREAS, the annexation of the property and zoning is subject to an Annexation Agreement by and between the City of Laurel and the Petitioner, which will be executed by and between the Petitioner and the City of Laurel and will be attached hereto and fully incorporated as part of this Resolution. In addition, the final annexation of the property and zoning may be subject to Laurel Municipal Code Chapter 12.38 - developer reimbursement of water and wastewater extension costs by and between the City of Laurel and the Petitioner, which will be executed by and between the Petitioner and the City of Laurel and will be attached to all final annexation documents and Resolution(s), once all conditions of approval, including execution and completion of a Late Comers Agreement, are completed by the Petitioner and the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, as follows:

1. The owner of record of the territory annexed to the City of Laurel has executed a Petition of Annexation.

2. Pursuant to Mont. Code Ann. § 7-2-46, the incorporated boundaries of the City of Laurel shall be and the same hereby is extended and/or expanded to include

the territory described in Petitioner's Petition for Annexation and all attached Exhibits.

3. The following described territory is hereby annexed to the City of Laurel: A PORTION OF LOT 7A-1, OF THE AMENDED PLAT OF TRACTS 6A AND 7A, OF THE AMENDED PLAT OF TRACTS 6 AND 7, OF WESTBROOKS SUBDIVISION, YELLOWSTONE COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, UNDER DOCUMENT NO. 1684287. EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE STATE OF MONTANA BY VIRTUE OF BARGAIN AND SALE DEED RECORDED JANUARY 25, 1965, BOOK 807, UNDER DOCUMENT NO. 747048; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF BARGAIN AND SALE DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827294 AND 3827295; AND EXCEPTING THEREFROM THAT PORTION GRANTED UNTO THE MONTANA DEPARTMENT OF TRANSPORTATION BY VIRTUE OF WARRANTY DEEDS RECORDED SEPTEMBER 13, 2017 UNDER DOCUMENT NO. 3827296 AND 3827297.ADJACENT TO THE CITY OF LAUREL, AS AN ADDITION TO THE CITY OF LAUREL, YELLOWSTONE COUNTY, MONTANA, WITH CONCURRENT APPROVAL OF ZONING DESIGNATION UPON ANNEXATION OF THE PROPERTY. The real property is generally reflected on the Exhibits to the Petition for Annexation, which is incorporated by reference herein, and it includes all contiguous roadways and rights-of-way.

4. The owner of record of the territory annexed to the City of Laurel and the City of Laurel will execute an Annexation Agreement, which terms and conditions are made a part of this Resolution and the Petition for Annexation.

5. The owner of record of the territory annexed to the City of Laurel and the City of Laurel will execute a Development Agreement prior to the issuance of a building permit.

6. That the approval of the annexation is conditioned as follows:

   A. On all terms, conditions, and requirements of the Annexation Agreement and between the City of Laurel and Petitioner.

   B. The Waiver of Right to Protest, a copy of which is attached hereto and incorporated by reference herein, and this Resolution, shall be recorded with the County Clerk and Recorder within ninety (90) days after the adoption of this Resolution.

R24-43 Annexation of Love's

C. Connections to the City of Laurel Water and Sewer Systems shall be approved by the City of Laurel's Public Works Department.

D. Any Late Comers Agreement must be agreed upon and approved by the City prior to the water and sewer service lines being put to use and will terminate no sooner than 7 years from the date of any late comers agreement by the developer and the City.

E. All improvements and infrastructure connections shall be completed within one calendar year from the date this Resolution is approved, unless an extension is otherwise approved by the City

7. That the approval of the zoning designation is conditioned upon approval of the annexation, and upon approval of the annexation, the property shall be zoned as "Highway Commercial."

8. This Resolution shall be incorporated into the official minutes of the City Council, and upon said incorporation, the City Clerk-Treasurer shall file a true and correct certified copy of this Resolution and Meeting Minutes with the Yellowstone County Clerk and Recorder.

9. From and after the date that the City Clerk-Treasurer files such certified copy of this Resolution and of the City Council Meeting Minutes with the Yellowstone County Clerk and Recorder, this Annexation of the above-described territory to the City of Laurel shall be deemed complete and final.

10. Annexation and the City's responsibility for providing service to the property shall become null and void upon Petitioner's failure to satisfy the conditions imposed by the City Council by and through this Resolution, the Petition for Annexation, and the Annexation Agreement by and between the City of Laurel and the Petitioner.

Introduced at a regular meeting of the City Council on the 11th day of June 2024, by Council Member Sparks.

PASSED and APPROVED by the City Council of the City of Laurel the 11th day of June 2024.

APPROVED by the Mayor the 11th day of June 2024.

R24-43 Annexation of Love's

CITY OF LAUREL

Dave Waggoner, Mayor

CITY OF LAUREL SEAL YELLOWSTONE COUNTY, MONTANA

ATTEST:

Kelly Strecker, Clerk-Treasurer

APPROVED AS TO FORM:

Michele L. Braukmann, Civil City Attorney

R24-43 Annexation of Love's

AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA

FOR THE ANNEXATION OF THE HEREIN DESCRIBED PROPERTY AND CREATION OF ANY FUTURE SPECIAL IMPROVEMENT DISTRICT

The undersigned hereby waives protest to the annexation of the property described below by the City of Laurel. Undersigned also waives their right to seek judicial review under M.C.A. § 7-2-4741 (2007), subsequent to the City's annexation of the below described property.

The undersigned hereby additionally waives protest to the creation of future Special Improvement District(s) created and/or formed for future street improvements including, but not limited to, paving, curb, gutter, sidewalk and storm drainage or any other lawful purpose.

This Affidavit is submitted pursuant to and as a part of the Annexation Agreement and future contemplated Subdivision Improvement Agreement (SIA) with the City of Laurel.

This Affidavit of Waiver shall run with the land and shall forever be binding upon the Grantee, their transferees, successors and assigns.

LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD. S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 12 day of March, 2024.

Grantee Name: Michael Stitzinger

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this 12 day of March, 2024, personally appeared before me, Michael Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

Michael Stitzinger Michael Stitzinger 3/12/24
Signature Date

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this 12th day of March, 2024, personally appeared before me, Michael Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA

FOR THE ANNEXATION OF THE HEREIN DESCRIBED PROPERTY AND CREATION OF ANY FUTURE SPECIAL IMPROVEMENT DISTRICT

The undersigned hereby waives protest to the annexation of the property described below by the City of Laurel. Undersigned also waives their right to seek judicial review under M.C.A. § 7-2-4741 (2007), subsequent to the City's annexation of the below described property.

The undersigned hereby additionally waives protest to the creation of future Special Improvement District(s) created and/or formed for future street improvements including, but not limited to, paving, curb, gutter, sidewalk and storm drainage or any other lawful purpose.

This Affidavit is submitted pursuant to and as a part of the Annexation Agreement and future contemplated Subdivision Improvement Agreement (SIA) with the City of Laurel.

This Affidavit of Waiver shall run with the land and shall forever be binding upon the Grantee, their transferees, successors and assigns.

LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 13th day of March, 2024.

Hans Stitzinger

Grantee Name: Hans Stitzinger

STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13 day of MARCH, 2024, personally appeared before me, Hans Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Maureen A. Brinsfield

Notary Public for the State of Pennsylvania
Residing at: Horsham PA
My Commission Expires: 2/28/26

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
MAUREEN A. BRINSFIELD - Notary Public
Montgomery County
My Commission Expires February 28, 2026
Commission Number 1416386

March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

Hans Stitzinger Hans Stitzinger 3/13/24
Signature Date

STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13 day of March, 2024, personally appeared before me, Hans Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Maureen A. Brinsfield
Notary Public for the State of Pennsylvania
Residing at: Horsham, PA
My Commission Expires: 2/28/26

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
MAUREEN A. BRINSFIELD - Notary Public
Montgomery County
My Commission Expires February 28, 2026
Commission Number 1416386

Return to:
Love's Travel Stops & Country Stores, Inc.
10601 N Pennsylvania Avenue
Oklahoma City, OK 73120

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT is made this 11th day of June, 2024, by and between **LOVE'S TRAVEL STOPS & COUNTRY STORES, INC**, with a mailing address at 10601 N Pennsylvania Avenue, Oklahoma City, OK 73120, (the "Developer"), and the **CITY OF LAUREL, MONTANA**, a municipal corporation with a mailing address at 115 West 1st Street, Laurel, MT, 59044 (the "City").

WHEREAS, the Developer is the owner of certain real property situated in Yellowstone County, Montana, more particularly described as follows:

A portion of Lot 7A-1, of the Amended Plat of Tracts 6A and 7A, of the Amended Plat of Tracts 6 and 7, of Westbrooks Subdivision, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said County, under Document No. 1684287.
EXCEPTING THEREFROM that portion granted unto The State of Montana by virtue of Bargain and Sale Deed recorded January 25, 1965, Book 807, Under Document No. 747048; and EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Bargain and Sale Deeds recorded September 13, 2017 Under Document No. 3827294 and 3827295; and EXCEPTING THEREFROM that portion granted unto The Montana Department of Transportation by virtue of Warranty Deeds recorded September 13, 2017 Under Document No. 3827296 and 3827297.

WHEREAS, the Developer has submitted to the City a Petition for Annexation to the City for Developer Tract; and

WHEREAS, the Developer desires to annex Developer Tract to the City; and

WHEREAS, the City has approved the Petition for Annexation by Resolution No. R24-43 for the Developer Tract contingent that a Development Agreement, be executed between the City and the Developer to identify required off-site infrastructure improvements and guarantees of those improvements.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties do hereby agree as follows:

1. Roads and Access. The Developer Tract shall be accessible by 19th Avenue (I-90 Business) and Old HWY 10. No improvements to 19th Avenue (I-90 Business) or Old HWY 10 will be constructed upon annexation. Future development or subdivision of the Developer Tract may require 19th Avenue (I-90 Business) and/or Old HWY 10 to be improved to Montana Department of Transportation standards in a Subdivision Improvements Agreement or Development Agreement at the time of subdivision or lot development.

2. Sanitary Sewer. Developer Tract shall be served by the City wastewater system. The Developer shall extend a new main from the existing 8-inch sanitary sewer main in Old HWY 10 at 8th Street. Plans and specifications shall be approved by the Public Works Department.

3. **Water.** Developer Tract shall be served by the City water system. The Developer shall extend a new water main from the existing 12" water main in Old HWY 10 at 8th Street. Plans and specifications shall be approved by the Public Works Department.

4. Storm Drain. The property shall tie into the stormwater drainage system wherever possible. If a connection is not possible, the property shall manage stormwater on the property.

5. Right-of-Way. No right-of-way is to be dedicated upon annexation. Rights-of-way shall be dedicated upon future subdivision of the Developer Tract for any proposed public streets.

6. **Future Intersection Contributions.** No intersection contributions are required upon annexation. Future development or subdivision of the Developer Tract may require intersection contributions that shall be defined in a Subdivision Improvements Agreement or Development Agreement based on the recommendations of an approved traffic impact study (if required).

7. Late Comers Agreement. To be determined separately from this agreement but consistent with Laurel Municipal Code Chapter 12.38
- DEVELOPER REIMBURSEMENT OF WATER AND WASTEWATER EXTENSION COSTS. Developer retains the option to utilize this late comers agreement until the final acceptance of the water and sewer extensions to developers property.

8. Land Survey Amendment. Developer will prepare an amended survey indicating the portion of the property to be annexed in an approved form that is recordable with Yellowstone County.

9. Zoning. The Property is to be zoned as Highway Commercial.

10. Compliance. Nothing herein shall be deemed to exempt the Developer Tract from compliance with any current or future City laws, rules, regulations, or policies that are applicable to the development, redevelopment, or use of the subject property.

11. **Runs with Land.** The covenants, agreements, and all statements in this Agreement and in the incorporated and attached Waiver shall run with the land and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.

12. Attorney's Fees. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs, including those fees and costs of in-house counsel.

13. **Amendments and Modifications.** Any amendments or modifications of this Agreement shall be made in writing and executed in the same manner as this original document and shall after execution become part of this Agreement.

IN WITNESS HEREOF, the parties have executed this Agreement as of the day and year first above written.

LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

By: _____

Title: Tim Doty, Vice President

"Developer"

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

On this 14th day of April, 2025, personally appeared before me, Tim Doty, Vice President proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

_____
Notary Public for the State of Oklahoma
My Commission Expires: 2/10/2029

(SEAL)

This Agreement is hereby approved and accepted by the City of Laurel, this 11 day of June, 2024.

CITY OF LAUREL, MONTANA

By: David Waggoner
Mayor

Attest: Kelly Strecker
City Clerk

"City"

STATE OF MONTANA)
) ss.
County of Yellowstone)

On this 11 day of June, 2024, before me, a Notary Public for the State of Montana, personally appeared David Waggoner, and Kelly Strecker, known to me to be the Mayor and City Clerk, respectively, of the City of Laurel, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Laurel, Montana.

AMBER HATTON
NOTARY PUBLIC for the
State of Montana
Residing at Billings, Montana
My Commission Expires
May 31, 2026

Amber Hatton
Notary Public for the State of MT
Residing at: Billings MT
My Commission Expires: May 31, 2026

Approved as to Form:

Michael B
City Attorney

CITY OF LAUREL, MONTANA
REQUEST FOR ANNEXATION
AND PLAN OF ANNEXATION

Applicant is required to meet with the City Planner prior to filling out this application. All blanks of this application are to be filled in with explanation by the applicant. Incomplete applications will not be accepted.

1. Only parcels of land adjacent to the City of Laurel municipal limits will be considered for annexation. "Adjacent to" also includes being across a public right of way. If the parcel to be annexed is smaller than one city block in size (2.06 acres), the city council must approve consideration of the request; the applicant must make a separate written request to the city council stating their wish to annex a parcel of land less than one city block in. Once the council approves the request, the applicant can apply for annexation.

2. Applicant landowner's name: Michael Stitzinger, Hans Stitzinger, James F. Stitzinger, Jr.
Address: Michael Stitzinger, 5931 Ridgeview Dr. Doylestown, PA 18902-1379
Phone: _____

3. Parcel to be annexed: (If it is not surveyed or of public record, it must be of public record PRIOR to applying for annexation.)
Legal description: WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)
Lot size: +/- 23.17 Acres
Present use: Vacant/Undeveloped
Planned use: HC – Highway Commercial for Love's Travel Stop Development
Present zoning: HC – Highway Commercial
(Land which is being annexed automatically becomes zoned R-7500 when it is officially annexed [City ordinance 17.12.220])

4. City services: The extension of needed city services shall be at the cost of the applicant after annexation by the city has been approved. As part of the application process, each of the following city services must be addressed with an explanation:

Water Service:
Location of existing main: 8th Avenue & Old Hwy 10 W Intersection
Cost of extension of approved service: $488,000
How cost determined: Engineer's estimate of probable cost
Timeframe for installation: Spring 2025

Sewer Service:
Location of existing main: 8th Avenue & Old Hwy 10 W Intersection
Cost of extension of approved service: $511,800

1

How cost determined: Engineer's estimate of probable cost
Timeframe for installation: Spring 2025
How financed: Private

Streets:

Is there any adjoining County ROW to the proposed annexation: the site fronts Old Hwy 10 W and 19th Ave W
Location of existing paved access: there are currently no paved accesses
Cost of paving: N/A
How cost determined: N/A
Timeframe for construction: N/A

Other required improvements: Provide above information on attached pages.

5. A map suitable for review of this application of the proposed area to be annexed must be submitted with this application.

6. A written Waive of Protest must accompany this application, suitable for recording and containing a covenant to run with the land to be annexed, waiving all right of protest to the creation by the city of any needed improvement district for construction or maintenance of municipal services. This Waiver of Protest must be signed by the applicant **prior** to annexation by the city.

7. Requests for annexations are referred to the City-County Planning Board for recommendation to the City Council. Within 30 days after receiving the properly filled out application with all required accompaniments and after conducting a duly advertised public hearing, the City-County Planning Board shall make recommendation to the City Council as to this Request for Annexation. If more information is needed from the applicant during the review of the application, such application shall be deemed incomplete and the timeframe for reporting to the City Council extended accordingly, in needed.

8. A **non-refundable** application fee of $300 + $25.00 per acre (80 acres or less); $300 + $35.00 per acres (81 acres or more) must accompany the submission of this application.

The City Council of the City of Laurel, Montana, after review and consideration of this Application for Annexation, found such to be in the best interest of the City, that it complied with state code, and approved this request at its City Council meeting of _____ _____.

Form revised by City Attorney April 2008

**AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA**

FOR THE ANNEXATION OF THE HEREIN DESCRIBED PROPERTY AND CREATION OF ANY FUTURE SPECIAL IMPROVEMENT DISTRICT

The undersigned hereby waives protest to the annexation of the property described below by the City of Laurel. Undersigned also waives their right to seek judicial review under M.C.A. § 7-2-4741 (2007), subsequent to the City's annexation of the below described property.

The undersigned hereby additionally waives protest to the creation of future Special Improvement District(s) created and/or formed for future street improvements including, but not limited to, paving, curb, gutter, sidewalk and storm drainage or any other lawful purpose.

This Affidavit is submitted pursuant to and as a part of the Annexation Agreement and future contemplated Subdivision Improvement Agreement (SIA) with the City of Laurel.

This Affidavit of Waiver shall run with the land and shall forever be binding upon the Grantee, their transferees, successors and assigns.

LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 13th day of March, 2024.

Hans Stitzinger

Grantee Name: Hans Stitzinger

STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13th day of MARCH, 2024, personally appeared before me, HANS Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Maureen C. Brinsfield

Notary Public for the State of Pennsylvania
Residing at: Horsham PA
My Commission Expires: 2/28/26

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
MAUREEN A. BRINSFIELD - Notary Public
Montgomery County
My Commission Expires February 28, 2026
Commission Number 1416386

March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

Hans Stitzinger _____ 3/13/24
Signature Date

STATE OF Pennsylvania)
) ss.
County of Montgomery)

On this 13 day of March, 2024, personally appeared before me, Hans Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hercunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Maureen A. Brinsfield
Notary Public for the State of Pennsylvania
Residing at: Hatfield, PA
My Commission Expires: 2.28.26

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
MAUREEN A. BRINSFIELD - Notary Public
Montgomery County
My Commission Expires February 28, 2026
Commission Number 1416386

AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA

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LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 12 day of March, 2024.

James F. Stitzinger Jr.
Grantee Name: James F. Stitzinger, Jr.

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this day of March 12, 2024, personally appeared before me, James F. Stitzinger, Jr. proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

James F. Stitzinger, Jr. James F. Stitzinger, Jr. 3-12-24
Signature Date

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this 12th day of March, 2024, personally appeared before me, James F. Stitzinger, Jr. proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

**AFFIDAVIT OF WAIVER OF PROTEST
BEFORE THE CITY COUNCIL
OF THE CITY OF LAUREL, MONTANA**

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LEGAL DESCRIPTION OF THE PROPERTY:

"WESTBROOKS SUBD, S17, T02 S, R24 E, Lot 7A1, AMND TR 6A & 7A & POR TR 5 LESS HWY ROW (18)"

DATED this 12 day of March, 2024.

Grantee Name: Michael Stitzinger

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this day of March 12, 2024, personally appeared before me, Michael Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

March 6, 2024

Kurt Markegard, Planning Director
City of Laurel
115 West 1st Street
Laurel, MT 59044

Re: Letter of Authorization
Laurel, MT Love's Development Project

Dear Mr. Markegard:

This letter will serve as authorization for Love's Travel Stops and Country Stores, Inc. (Love's), and their Agent, JSA Civil, LLC, to prepare and process the necessary documents relative to the annexation, zoning assignment, utility extensions, and site development permitting for Tract 7A-1 of the Westbrook's Subdivision (Yellowstone County TPN 03082117207010000).

Signed:

Michael Stitzinger — Signature — 3/12/24 — Date

STATE OF Pennsylvania)
) ss.
County of Bucks)

On this 12th day of March, 2024, personally appeared before me, Michael Stitzinger proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to this instrument, and acknowledged the he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.

Kyle Ann Francis
Notary Public for the State of Pennsylvania
Residing at: Willow Grove, PA
My Commission Expires: 4-18-25

(SEAL)

Commonwealth of Pennsylvania - Notary Seal
KYLE ANN FRANCIS - Notary Public
Bucks County
My Commission Expires April 18, 2025
Commission Number 1052987

JSA

Engineering | Planning | Management

Technical Memorandum

To: City of Laurel

From: Nick Wheeler | JSA Civil, LLC

Date: March 13, 2024

Subject: Annexation Request – Project Narrative

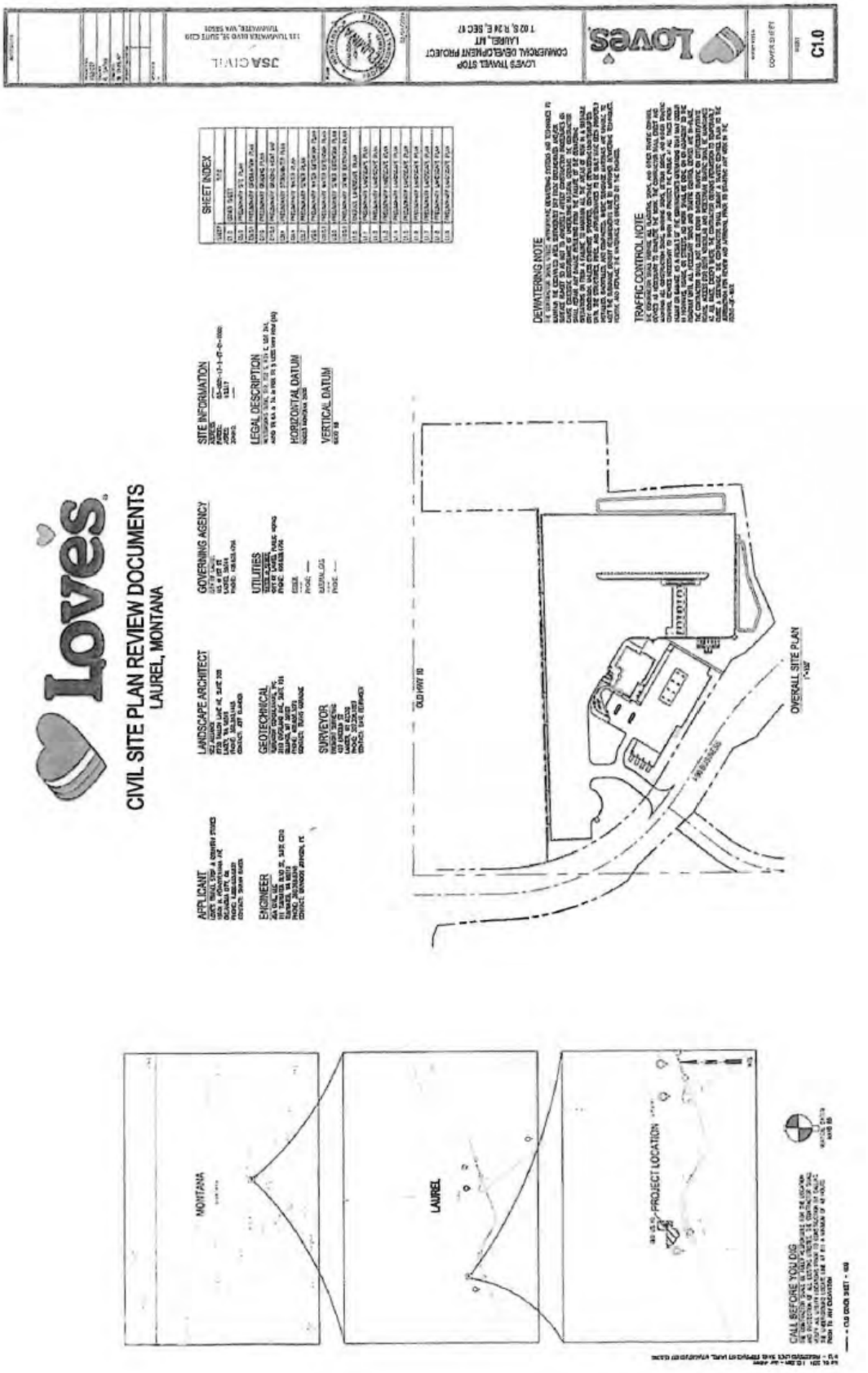
Project: Laurel, MT Love's Travel Stop

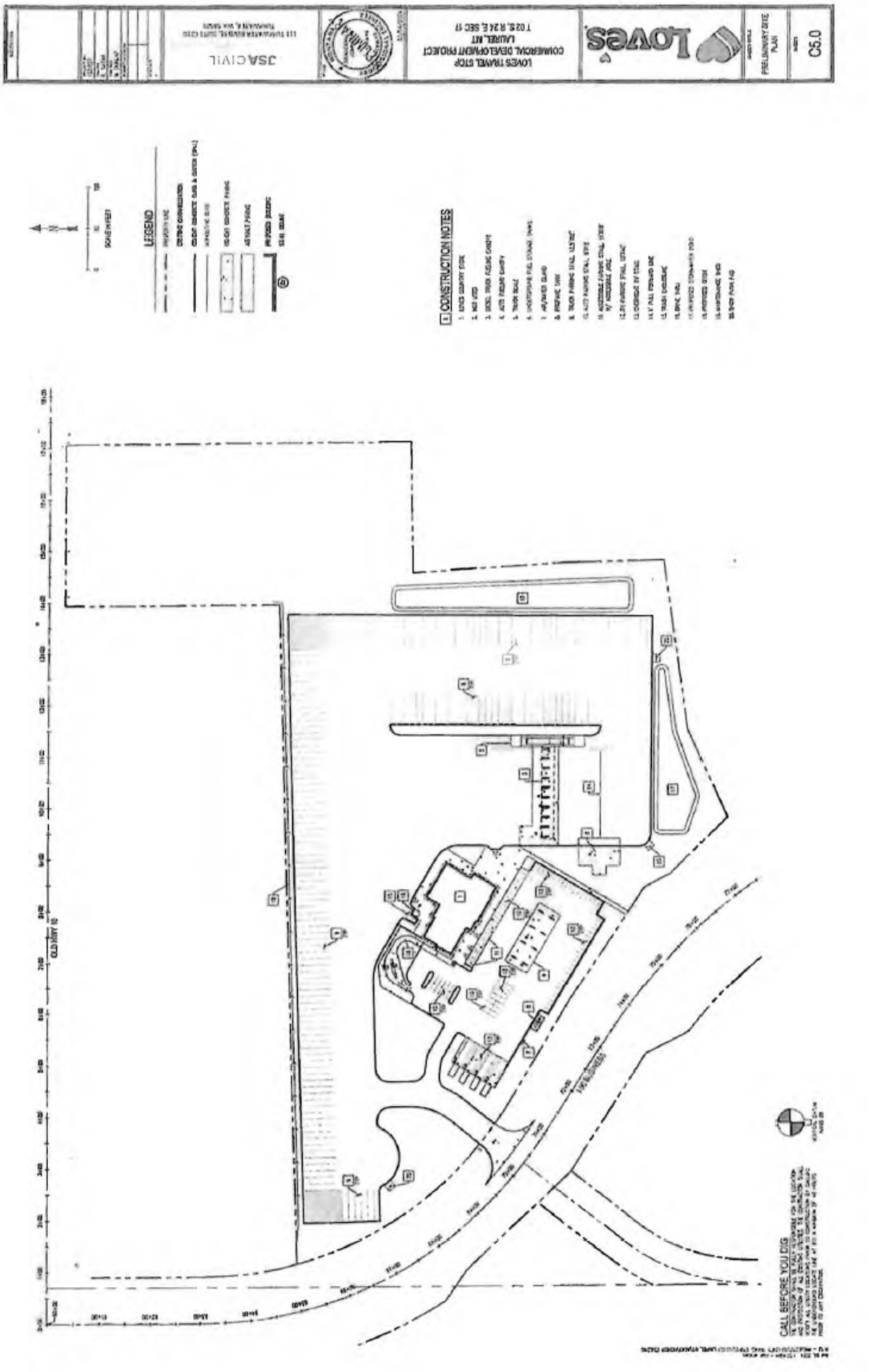
Project Narrative

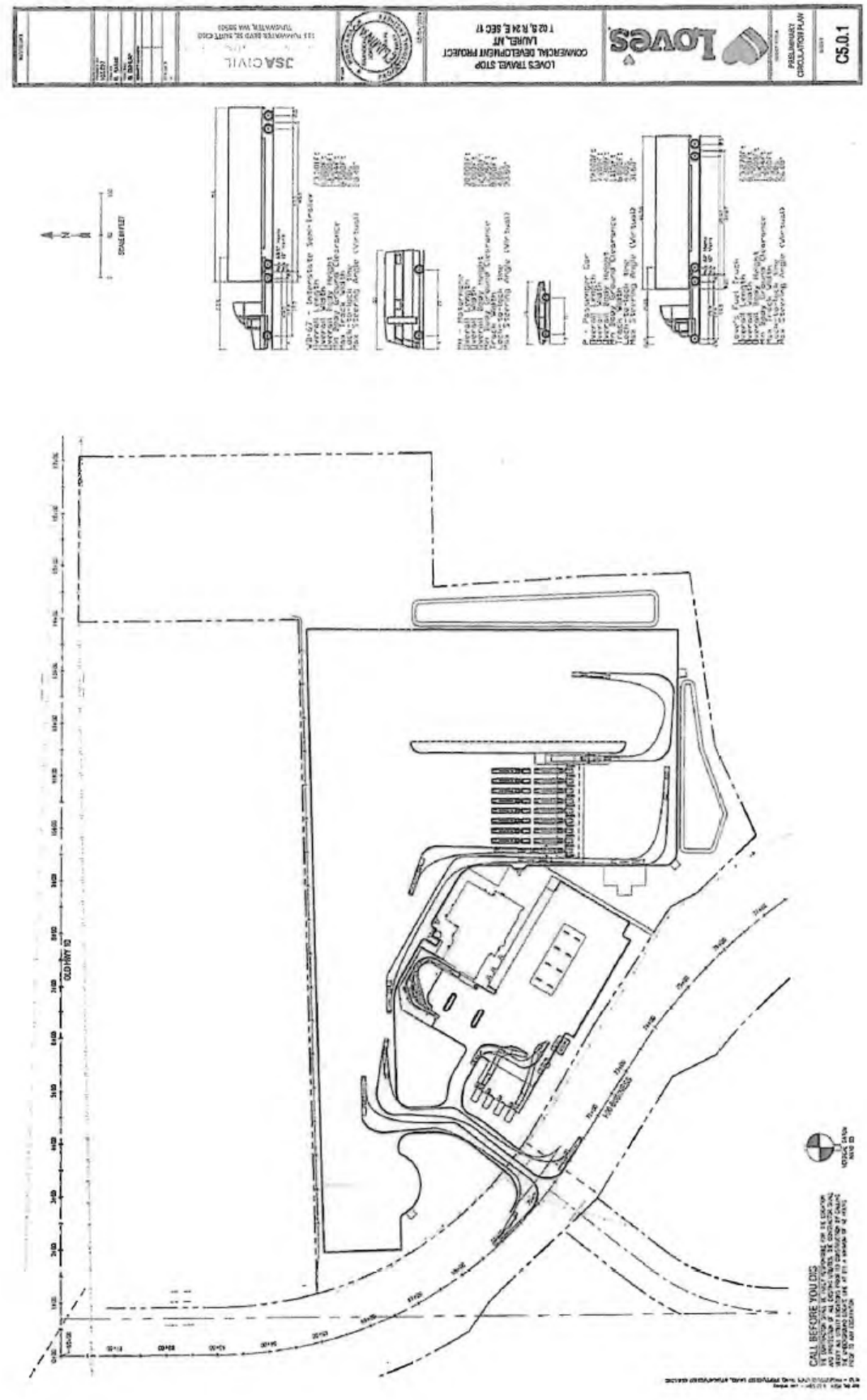
Annexation Overview:
Love's Travel Stops & Country Stores, Inc. (Love's) is requesting the annexation of approximately 23.17 acres into the City of Laurel, Montana city limits as shown on the enclosed preliminary civil engineering plans. The subject site is a portion of Yellowstone County Tax Parcel Number 0382117207010000, legally described as Tract 7A-1 of Westbrook's Subdivision.

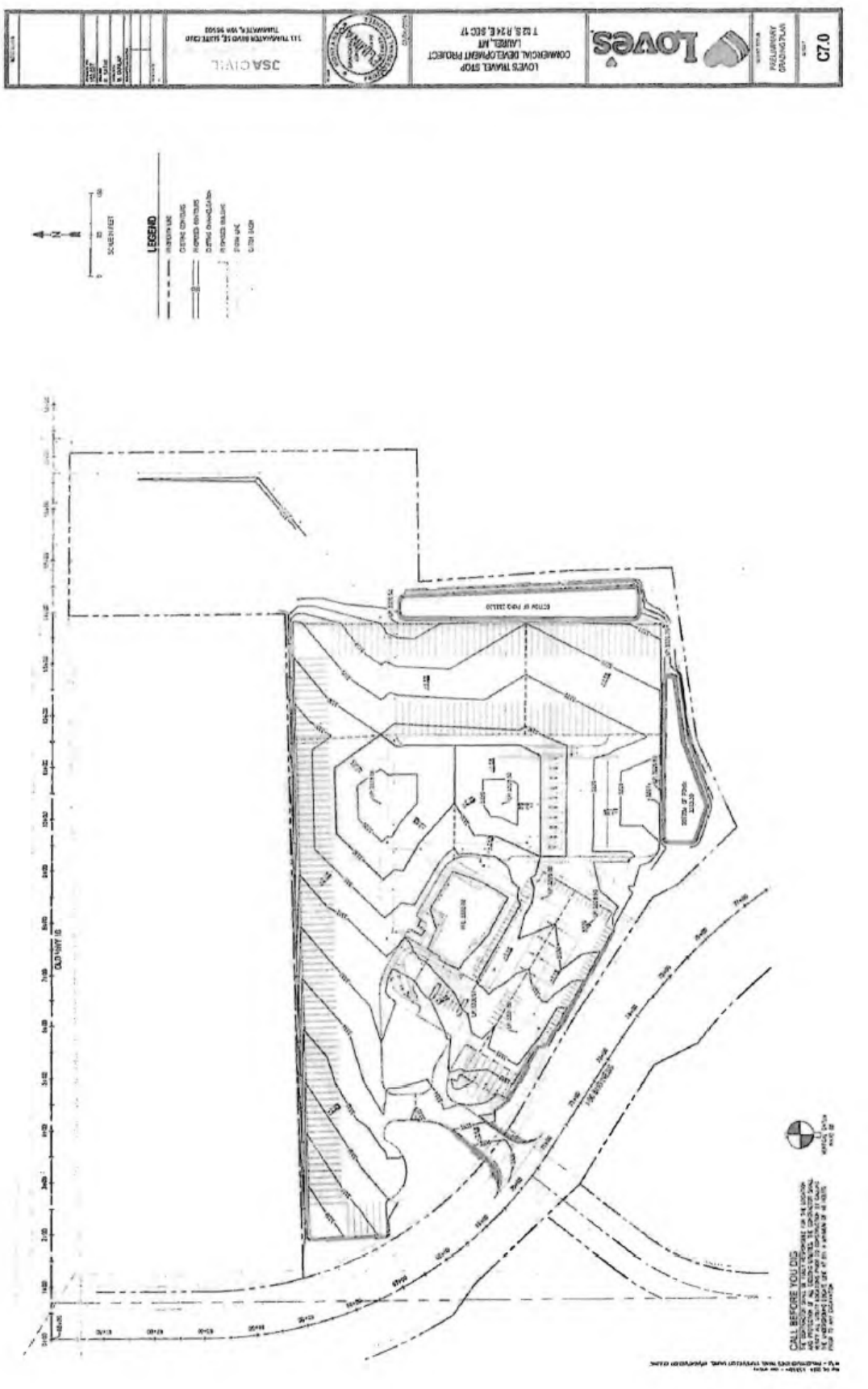
The area to be annexed includes the northern limits of the tax lot, located north of 19th Avenue/I-90 Business. The site is located west of the Laurel city limits, with roadway frontages along Old Hwy 10 to the north and 19th Avenue/I-90 Business to the southwest. The property is currently assigned a zoning designation of HC – Highway Commercial; we are requesting annexation into the Laurel city limits under the City's HC zoning designation.

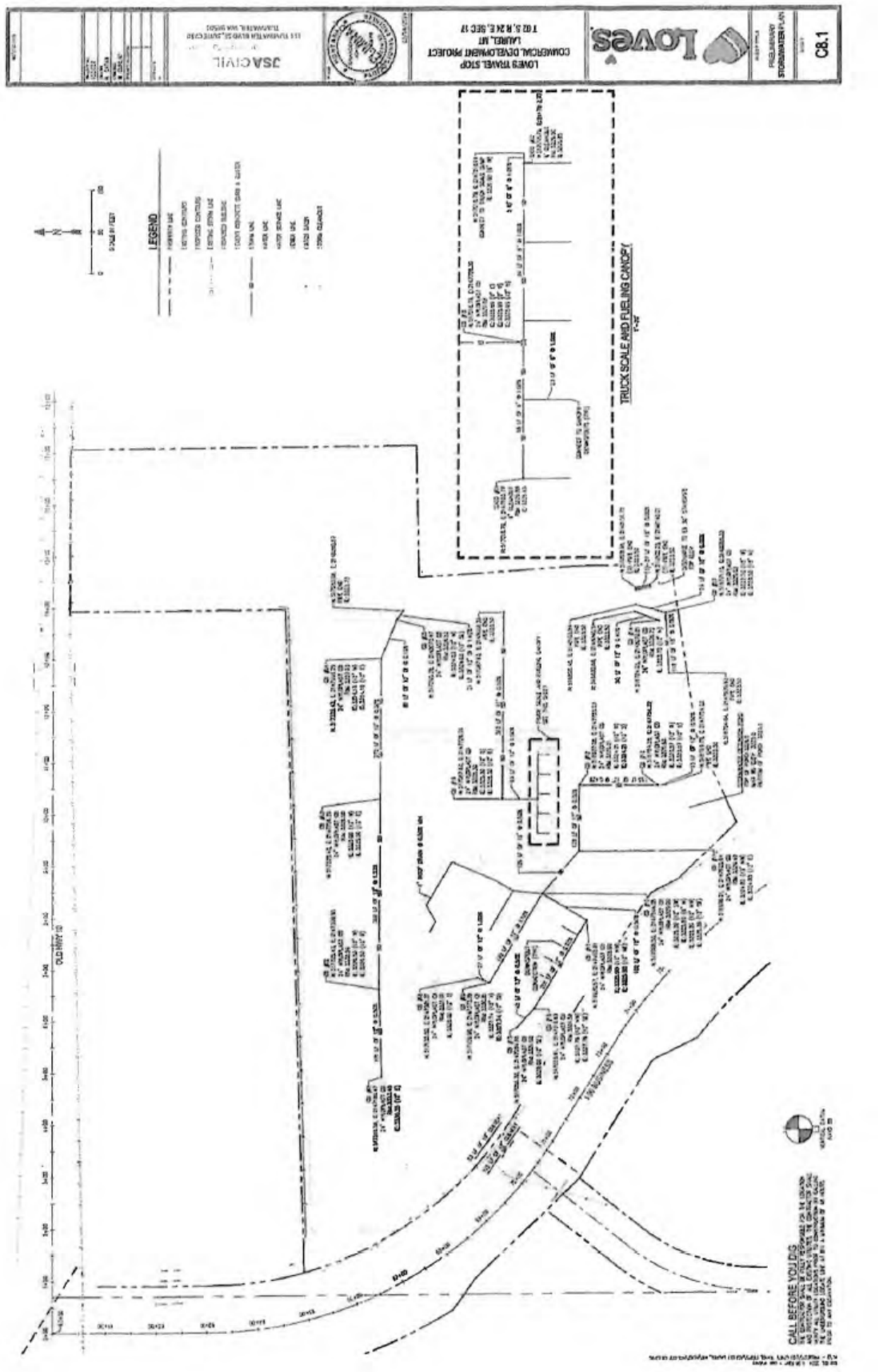
Utilities:
Upon annexation, City of Laurel (City) public water and sanitary sewer services will be extended to the site via utility main extensions along Old Hwy 10, within Montana Department of Transportation (MDT) right-of-way. New service connections will be extended to the Love's property from the new utility mains along Old Hwy 10 to serve the proposed Love's Travel Stop development. The new utility mains along Old Hwy 10 will be dedicated to the City as public infrastructure following the construction of the improvements within MDT right-of-way. It is understood that right-of-way and utility permit approvals from MDT, and City utility permit approval must be secured before construction of the new utility mains. Please refer to the enclosed preliminary civil engineering plans for additional information.

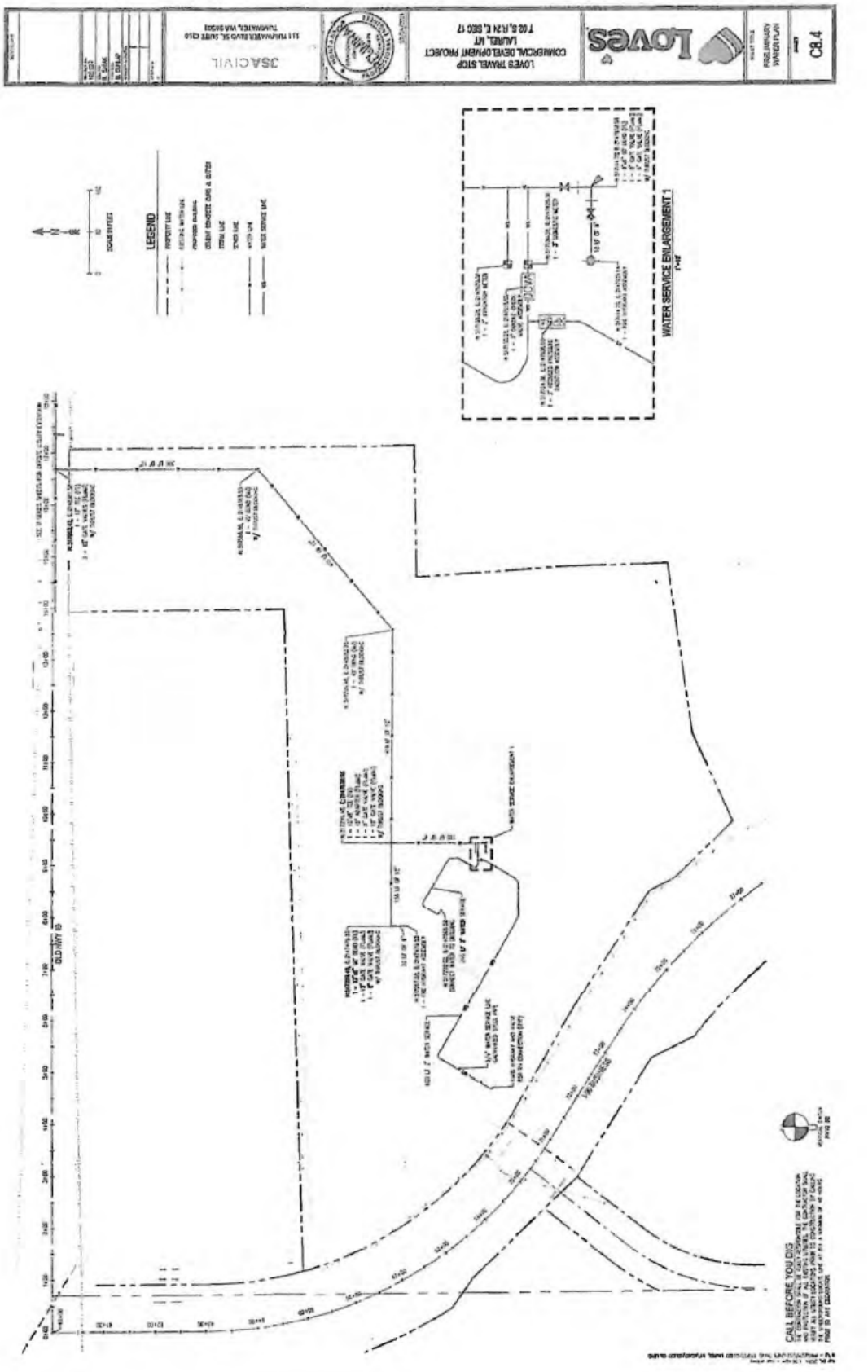

Loves
CIVIL SITE PLAN REVIEW DOCUMENTS
LAUREL, MONTANA
SHEET INDEX
SITE INFORMATION
LEGAL DESCRIPTION
HORIZONTAL DATUM
VERTICAL DATUM
GOVERNING AGENCY
UTILITIES
APPLICANT
ENGINEER
LANDSCAPE ARCHITECT
GEOTECHNICAL
SURVEYOR
DEWATERING NOTE
TRAFFIC CONTROL NOTE
OVERALL SITE PLAN
MONTANA
LAUREL
PROJECT LOCATION
CALL BEFORE YOU DIG
C1.0

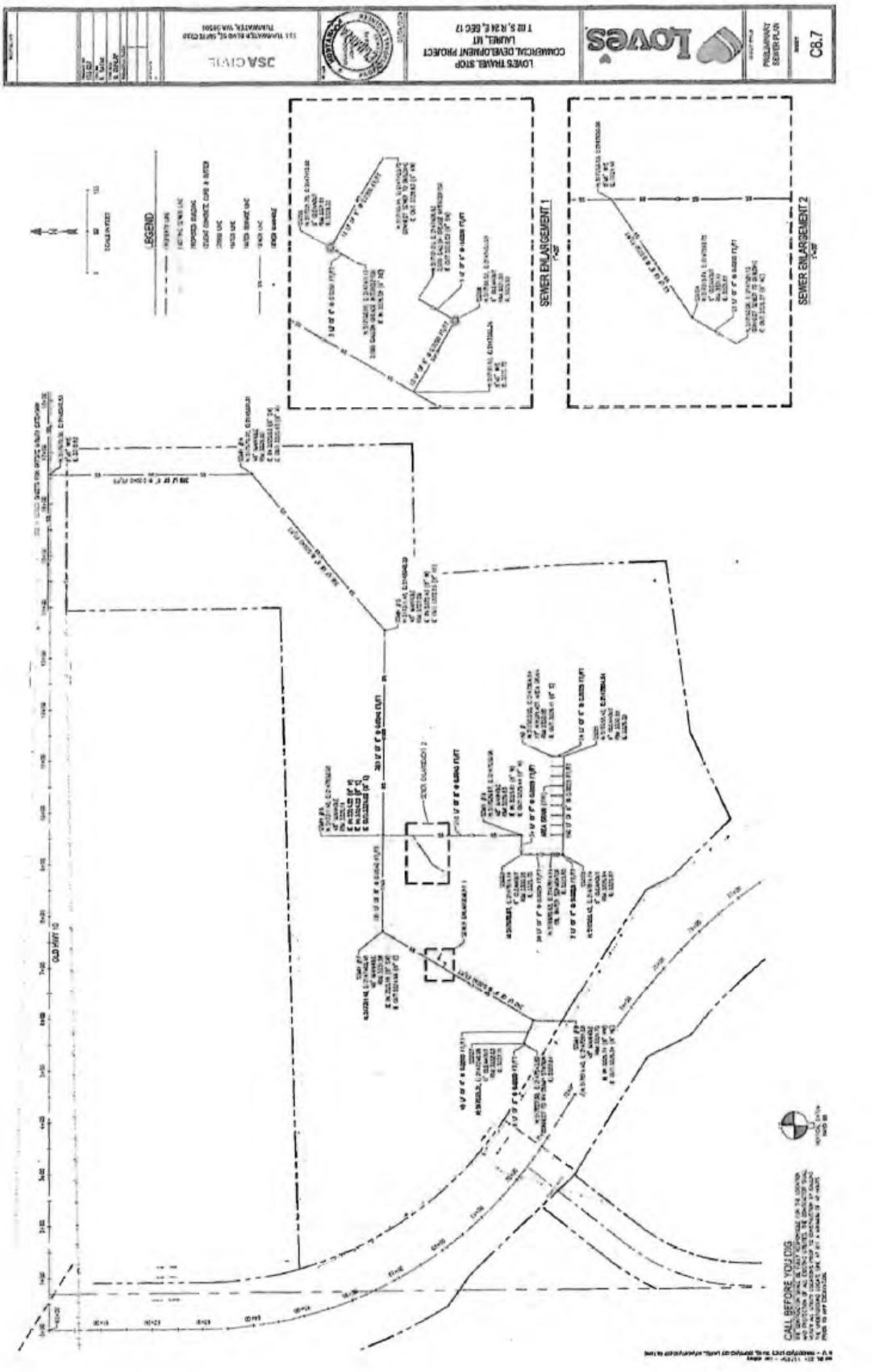


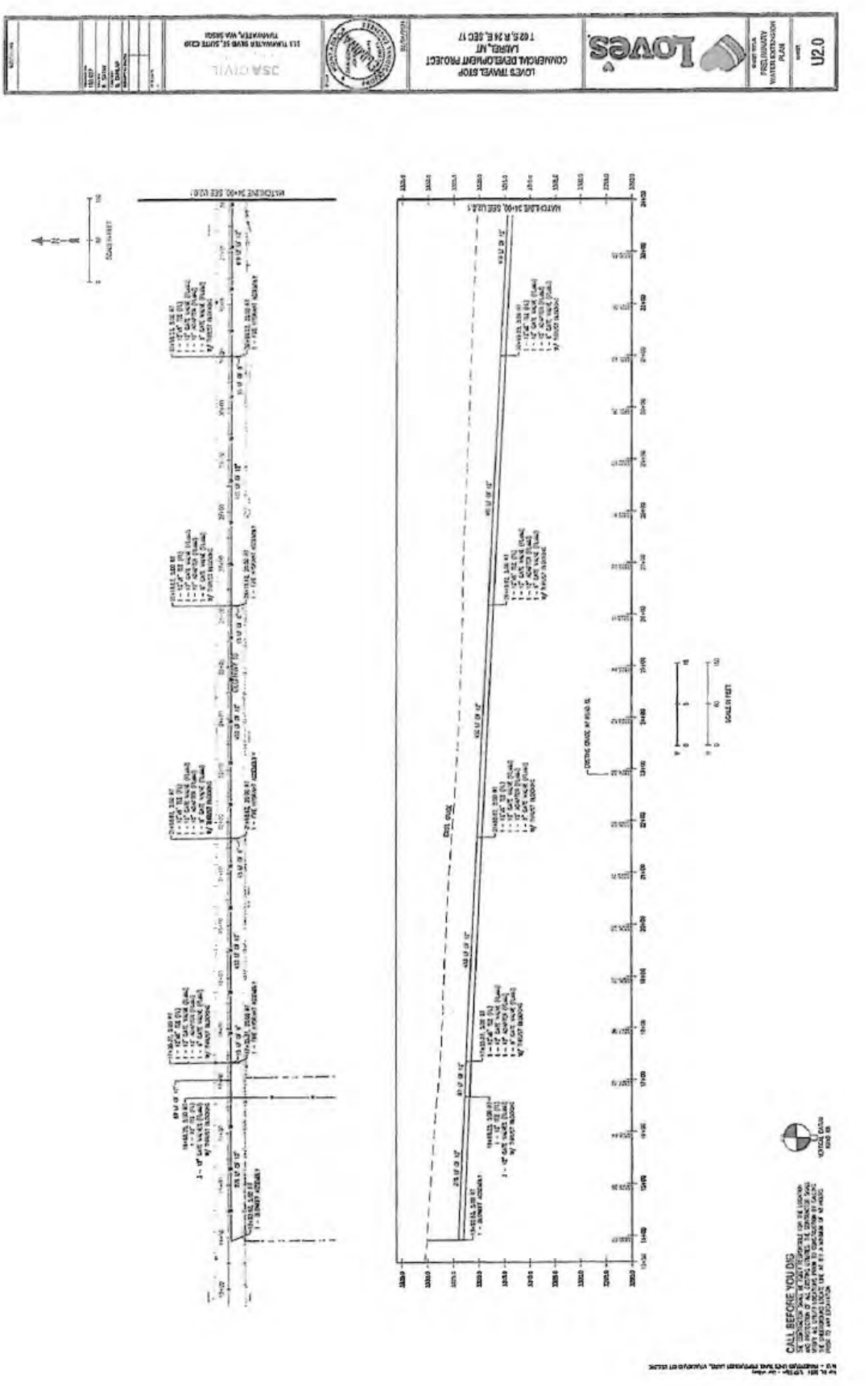

LOVES TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 17
Loves
PRELIMINARY CIRCULATION PLAN
C5.0.1
3SA CIVIL
SCALE IN FEET
CALL BEFORE YOU DIG

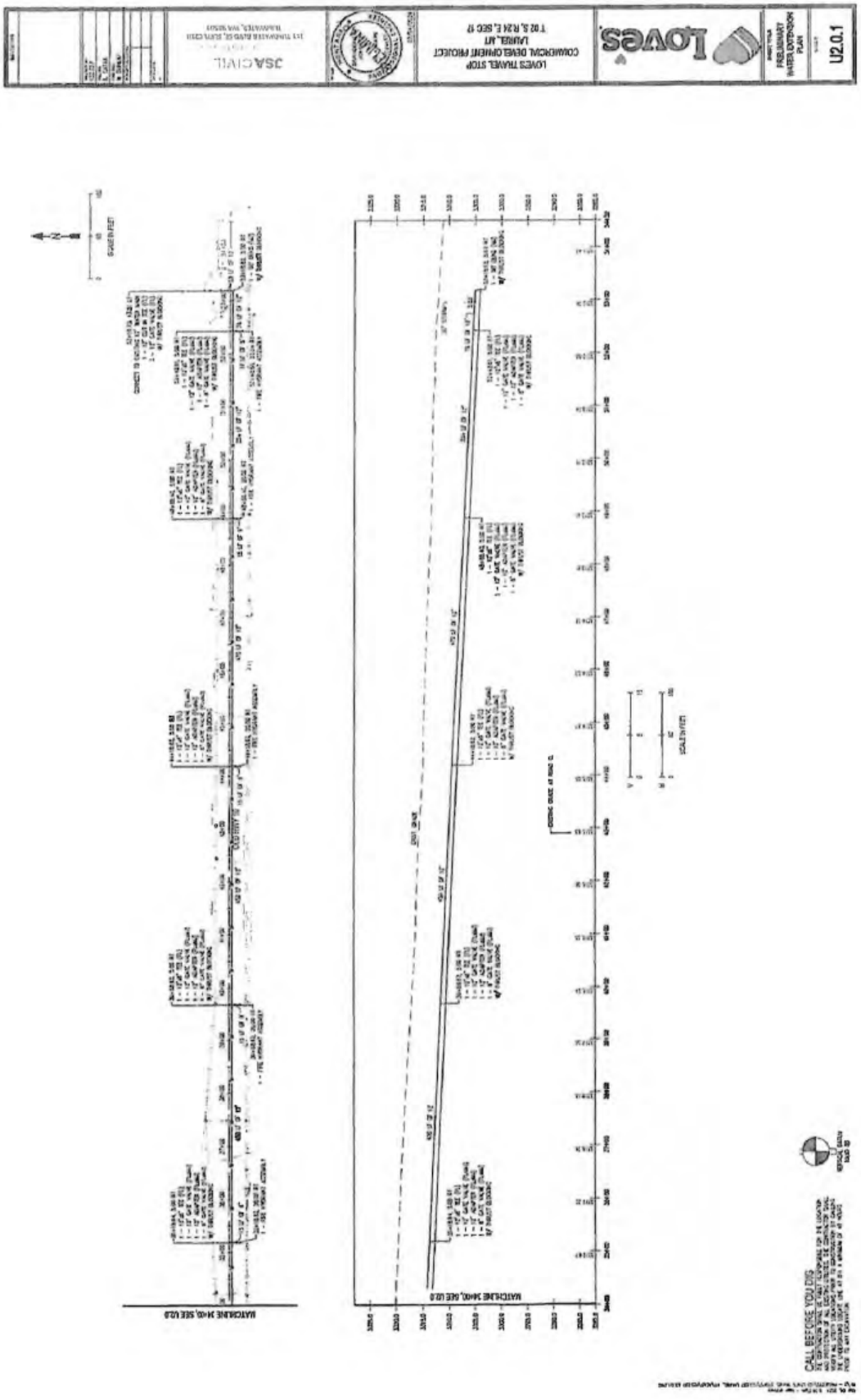

C7.0
LOVE'S TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 17
LEGEND
CALL BEFORE YOU DIG

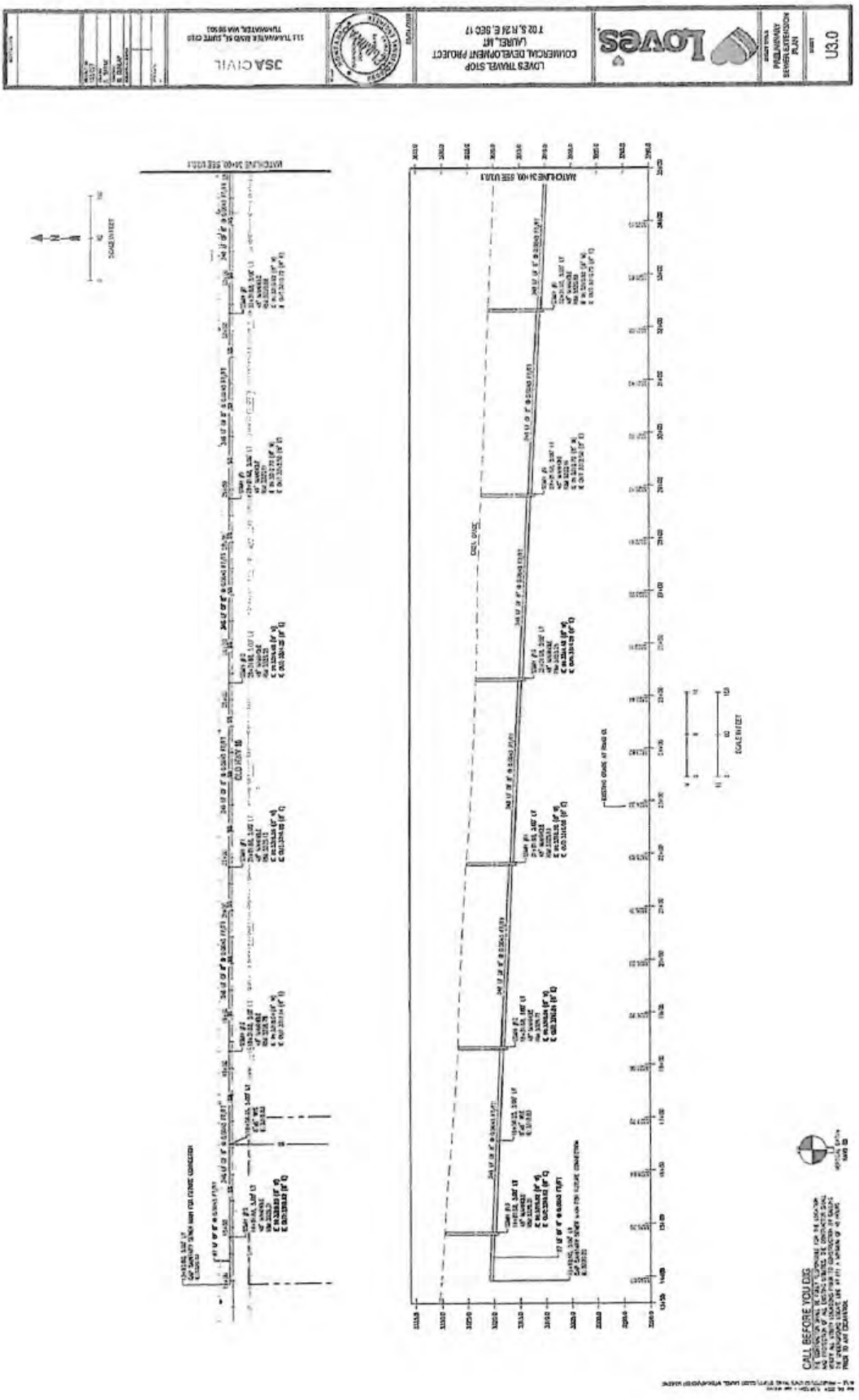

LOVE'S TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 17
C8.1
LEGEND
TRUCK SCALE AND FUELING CANOPY
CALL BEFORE YOU DIG

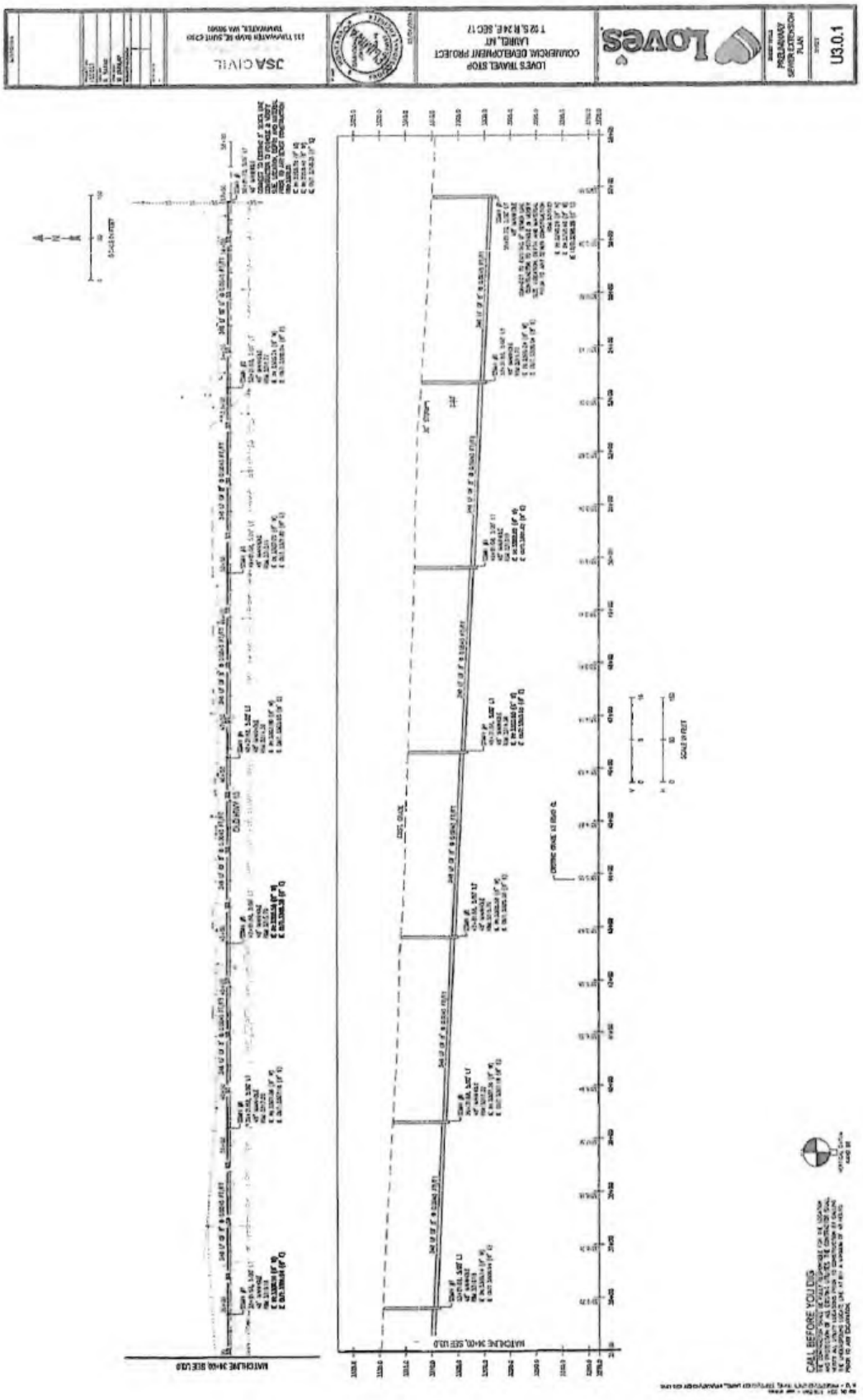

LOVES
C8.4
LEGEND
WATER SERVICE ENLARGEMENT 1
CALL BEFORE YOU DIG


LOVES TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
LAUREL, MT
T 02 S, R 24 E, SEC 12
LOVES
C8.7
LEGEND
SEWER ENLARGEMENT 1
SEWER ENLARGEMENT 2
OLD HWY 10
CALL BEFORE YOU DIG






LOVES TRAVEL STOP
COMMERCIAL DEVELOPMENT PROJECT
(LAUREL, MT
T 02 S, R 24 E, SEC 17
LOVES
PRELIMINARY SEWER EXTENSION PLAN
U3.0
JSA CIVIL
CALL BEFORE YOU DIG

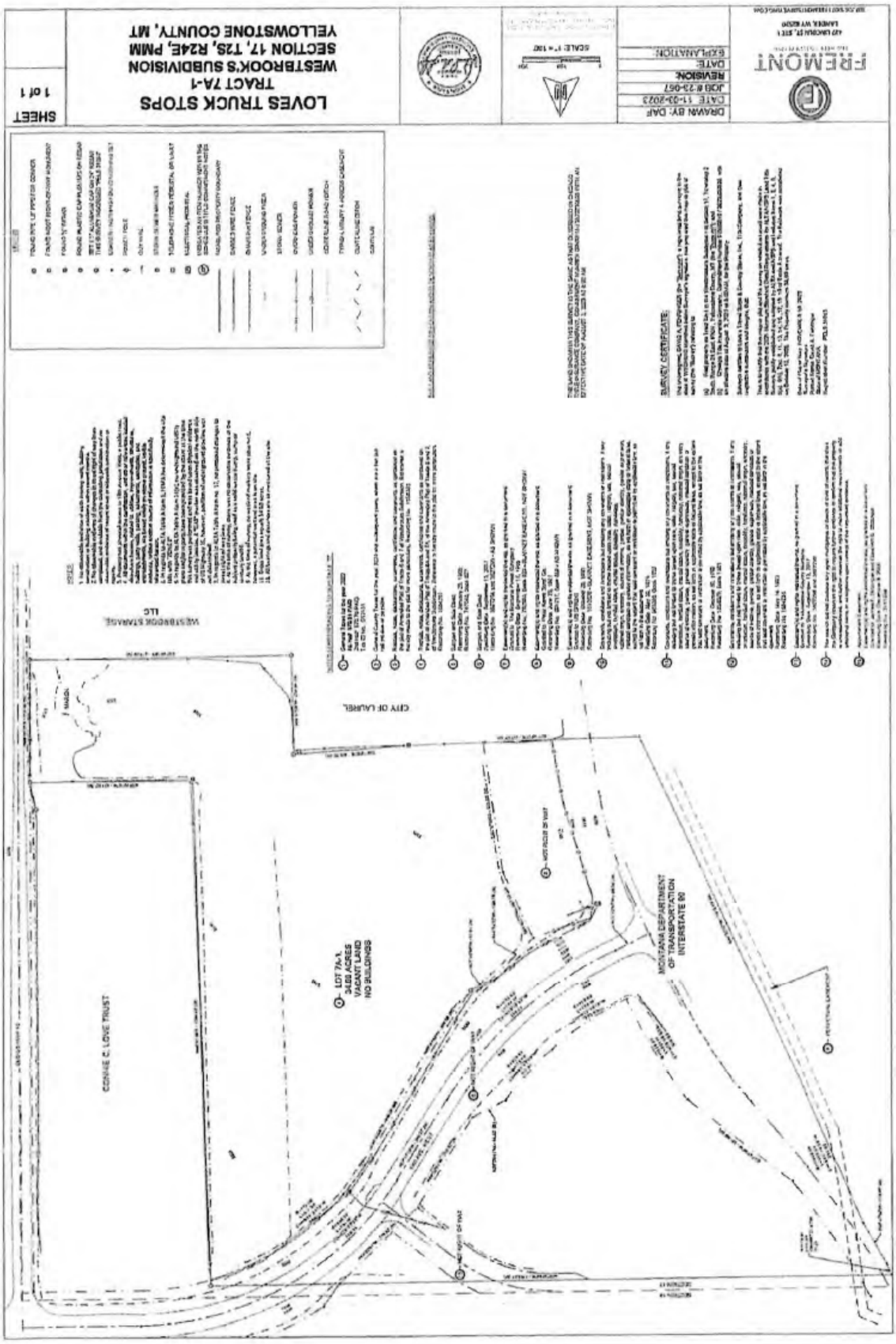


JSA

Engineering | Planning | Management

LOVE'S TRAVEL STOP
LAUREL, MT
ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COST - FOR WORK IN ROW

#	DESCRIPTION	QUANTITY	UNIT	UNIT COST	EXTENSION
SEWER EXTENSION					
1	PVC SANITARY SEWER PIPE 8 IN. DIAM., LESS THAN 10 FT. BELOW FINISHED GRADE	2655	LF	$65	$185,575
2	PVC SANITARY SEWER PIPE 8 IN. DIAM., 10 FT. - 14 FT. BELOW FINISHED GRADE	1,385	LF	$85	$117,725
3	SANITARY SEWER MANHOLE, 48 IN. DIAM.	13	EA	$4,500	$58,500
4	TRENCH RESTORATION (4" ASPHALT OVER 12" BASE COURSE)	1	LS	$150,000	$150,000
				SEWER SUBTOTAL	$511,800
WATER EXTENSION					
5	PVC 900 PIPE FOR WATER MAIN 12 IN. DIAM.	3,950	LF	$70	$276,500
6	GATE VALVE AND BLOCKING 12 IN.	15	EA	$2,000	$30,000
7	HYDRANT ASSEMBLY	9	EA	$3,500	$31,500
8	TRENCH RESTORATION (4" ASPHALT OVER 12" BASE COURSE)	1	LS	$150,000	$150,000
				WATER SUBTOTAL	$488,000
				TOTAL ESTIMATED CONSTRUCTION COST	$999,800


LOVES TRUCK STOPS
TRACT 7A-1
WESTBROOK'S SUBDIVISION
SECTION 17, T2S, R24E, PMM
YELLOWSTONE COUNTY, MT
SHEET
1 of 1
FREMONT
DRAWN BY: DAF
DATE: 11-03-2023
JOB #:23-057
REVISION
DATE:
EXPLANATION
SCALE: 1" = 100'
SURVEY CERTIFICATE
CITY OF LAUREL
MONTANA DEPARTMENT OF TRANSPORTATION INTERSTATE 90
CONNIE C. LOVE TRUST
LOT 7A-A
34.1 ACRES
VACANT LAND
NO BUILDINGS

Tasks

Results

Result layer name
Parcels _Query result

Displayed features:
41/41

Taxcode: D02587
Geocode: 03082108301180000
Recording number:
Property owner: ALLWIN, DENNIS D & GLORIA A
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: C12668
Geocode: 03082108360010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: C12667
Geocode: 03082108390010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02622
Geocode: 03082108402010000
Recording number:
Property owner: KNOP, KENNETH R & DEBORAH A
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02621

Geocode: 03082108402060000
Recording number:
Property owner: BECKER, WILLIAM THOMAS SR & MILA PODINO
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01744
Geocode: 03082108403030000
Recording number:
Property owner: WHITE, LYNET & CHARLES R
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01746
Geocode: 03082108403080000
Recording number: 3669831
Property owner: KNUTSON, CHRIS
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 13
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01746B
Geocode: 03082108403120000
Recording number: 3669831
Property owner: COMMERCIAL BUILDING DEVELOPMENT LLC
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 17
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01746A
Geocode: 03082108403150000
Recording number:
Property owner: HEALEY, JERRY J
Subdivision: VANBUREN SUB
Block number: 2
Lot number: 20
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01740
Geocode: 03082108404030000
Recording number:
Property owner: PARKS, LYLE F & LAURA GC
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01740A
Geocode: 03082108404040000
Recording number: 3848196
Property owner: BECKER, WILLIAM THOMAS SR & MILA PODINO
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 20
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01743
Geocode: 03082108404060000
Recording number:
Property owner: PARKS, LYLE F & LAURA GC
Subdivision: VANBUREN SUB
Block number: 1
Lot number: 19
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D12865
Geocode: 03082108405060000
Recording number: AB26
Property owner: BECKER, WARREN J & MARCHETA M
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02617
Geocode: 03082108405090000
Recording number:
Property owner: HERMAN, MICHAEL A
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 416 AM
Tract number: TR 1

Click for property tax detail

Taxcode: D02618
Geocode: 03082108405130000
Recording number:
Property owner: KRENELKA, PETER E & DORIS D
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 416 AM
Tract number: TR 2

Click for property tax detail

Taxcode: D02616A
Geocode: 03082108405150000
Recording number: 3743789
Property owner: TOWN AND COUNTRY SUPPLY ASSOCIATION
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 3590
Tract number: TR 1

Click for property tax detail

Taxcode: C14948
Geocode: 03082108410010000
Recording number: 3329877
Property owner: CITY OF LAUREL MONTANA
Subdivision: SOLID FOUNDATIONS SUB
Block number: 3
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: C12669
Geocode: 03082108490010000
Recording number: 3061180
Property owner: MILLER TROIS LLC
Subdivision: ROSSMOOR SUB
Block number: 1
Lot number: 3
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02801
Geocode: 03082117109010000
Recording number:
Property owner: WOOD'S POWR-GRIP CO INC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 2

Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02800
Geocode: 03082117109050000
Recording number:
Property owner: HORTON STORAGE LLC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02799
Geocode: 03082117109100000
Recording number:
Property owner: WOOD'S POWR- GRIP CO INC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01738
Geocode: 03082117112010000
Recording number:
Property owner: WOOD'S POWR-GRIP CO
Subdivision: STOUFFER SUB
Block number: 2
Lot number: 12
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B01736
Geocode: 03082117114010000
Recording number: AB26
Property owner: FISCHER, CLAYTON & DWIGHT
Subdivision: STOUFFER SUB
Block number: 1
Lot number: 11
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03040
Geocode: 03082117190010000
Recording number:
Property owner: EVERGREEN INVESTMENT PROPERTIES LLC
Subdivision: FIGGINS SUB

Block number: 1
Lot number: 2
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03046
Geocode: 03082117190040000
Recording number:
Property owner: KASTELITZ, TOM & ROSINA
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1B
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03047
Geocode: 03082117190060000
Recording number:
Property owner: ZIMMERER, STEVE
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1C
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03048
Geocode: 03082117190080000
Recording number:
Property owner: TORRES, JOAN
Subdivision: FIGGINS SUB AM L:1
Block number: 1
Lot number: 1D
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03041A
Geocode: 03082117190400000
Recording number: 3129124
Property owner: PETERSON FAMILY PROPERTIES LLC
Subdivision: FIGGINS SUB AM L:1A
Block number: 1
Lot number: 1A2
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: B03042
Geocode: 03082117190500000
Recording number:
Property owner: MATRIARCH CONSTRUCTION

INC
Subdivision: FIGGINS SUB
Block number: 1
Lot number: 3
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02802A
Geocode: 03082117190700000
Recording number:
Property owner: HUTSELL. WILLIARD E & PATSY A
Subdivision: WESTBROOKS SUB AM TR 2&3
Block number: NONE
Lot number: 3B
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D12151
Geocode: 03082117207010000
Recording number:
Property owner: STITZINGER. MICHAEL (50%)
Subdivision: WESTBROOKS SUB AM TR 6A,7A & PORTION 5
Block number: NONE
Lot number: 7A1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02804
Geocode: 03082117207200000
Recording number:
Property owner: CITY OF LAUREL
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 1055
Tract number: TR 1

Click for property tax detail

Taxcode: D12152
Geocode: 03082117207340000
Recording number:
Property owner: ROCK CREEK VENTURES LLC
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 3
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D12152A

Geocode: 03082117207360000
Recording number: AB-26
Property owner: ROBERTUS, TIMOTHY D (50%)
Subdivision: WESTBROOKS SUB
Block number: NONE
Lot number: 4
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02805
Geocode: 03082117207370000
Recording number: 3998692
Property owner: WESTBROOK STORAGE LLC
Subdivision: WESTBROOKS SUB AM L: 4-5
Block number: NONE
Lot number: 5A
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02805A
Geocode: 03082117207470000
Recording number: 3998692
Property owner: GROSHELLE, RUDY R &
Subdivision: WESTBROOKS SUB AM L: 4-5
Block number: NONE
Lot number: 4A
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: C12592
Geocode: 03082117290010000
Recording number:
Property owner: CONNIE C LOVE TRUST
Subdivision: STITZINGER-SMITH SUB
Block number: 1
Lot number: 1
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02830
Geocode: 03082118101010000
Recording number: 3812272
Property owner: CASE, KRISTINE M &
Subdivision: UNPLATTED
Block number:
Lot number:
Certificate of Survey:
Tract number:

Click for property tax detail

Taxcode: D02830B

Geocode: 03082118105010000
Recording number: 1297698
Property owner: BICKFORD, SARAH D &
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2091 AM
Tract number: TR B

Click for property tax detail

Taxcode: D02830A
Geocode: 03082118105070000
Recording number: 1297698
Property owner: KOCHER, MICHAEL
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2091 AM
Tract number: TR A

Click for property tax detail

Taxcode: D02830E
Geocode: 03082118110010000
Recording number:
Property owner: VAR DEVELOPMENT LLP
Subdivision:
Block number:
Lot number:
Certificate of Survey: CS 2361
Tract number: TR C

Click for property tax detail

Map for proposed annexation for a portion of Lot7A1 of the amended plat of Tracts 6 and 7 and a portion of tract 5 of West brook Subdivision and the adjoining highway rights of way.

PUBLIC HEARING NOTICE

The **Laurel-Yellowstone** City-County **Planning Board and Laurel's Zoning Commission** will conduct a public hearing on April 17, 2024.

Public Hearing for the annexation into the City of Laurel and assignment **of zoning "Highway** Commercial" for the property **described as Westbrook Subdivision** Lot 7A1 of the amended plat **of Tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision. The property is located approximately 3,000 feet west of Laurel City Limits on Old** Highway 10 West.

The hearing is scheduled for 6 P.M., in the Laurel City Council Chambers at City Hall, 115 West **1st Street, Laurel, Montana,** on **Wednesday, April 17th, 2024.**

Public comment is encouraged **and can be provided in person at the** public **hearing on April 17, 2024.** Public comments can also be made via email to the Planning Director, or via letter to the Planning Department office at 115 West 1st Street Laurel, MT 59044. **Emails or letters of** comments **should be received by** 2pm **MST** April 11, 2024, so they can **be transmitted** to the Planning Board members prior to the meeting. Copies of the documentation are available for review upon request at the Planning Department office. Questions regarding this public hearing may be directed to the Planning Director at 406-628-4796 ext. 5305, or via email at cityplanner@laurel.mt.gov

CITY HALL
115 W. 1ST ST.
PUB. WORKS: 628-4796
WATER OFC.: 628-7431
COURT: 628-1964
FAX 628-2241

City Of Laurel

P.O. Box 10
Laurel, Montana 59044

Office of the Planning Director

PLANNING BOARD AND ZONING COMMISSION
A portion of Westbrook's Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision less Highway ROW
Annexation and Initial Zoning

Applicant:

Michael Stitzinger
Hans Stitzinger
James Stitzinger
5931 Ridgeview Dr.
Doylestown, PA 18902-1379

The Stitzinger Family is 100% of the land ownership. Annexation pursuant to §7-2-4601 et. seq. MCA. (Annexation by Petition).

Request:

The applicants representing 100% of the ownership of lands involved, has Petitioned the City of Laurel for Annexation of approximately 23.17 acres of property adjacent to the City of Laurel with an initial Zoning Designation of Highway Commercial for concurrent review.

The subject property is generally described as a Lot 7A1, A portion of Westbrook's Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision less Highway ROW Section 17, Township 2 South, Range 24 East P.M.M., Yellowstone County, Montana, An annexation Exhibit, which is incorporated into this report by reference, has been submitted in support of the Petition and Requested Initial Zoning.

Process:

The annexation petition and requested initial zoning has been scheduled for consideration and a public hearing by the Laurel – Yellowstone City County Planning Board and Zoning Commission for 6 p.m. on Wednesday, April 17, 2024. The City Council will consider the annexation and zoning designation at a future council meeting.

Analysis of the Request

- The Stitzinger Family represents 100% of the land ownership involved in the petition.
- The 2020 Laurel Growth Policy designates the property as a 'growth area' of the city.
- The current use of the property is nonproductive agriculture as nothing has been planted on the property since the new highway interchange was constructed.
- The requested zone Laurel "Highway Commercial" provides uses compatible to lands adjacent to roads and is consistent with the requirements of R-08-22 that lands embraced by the city be assigned R-7500 or greater. This property is not conducive to residential development.
- The subject property was presumed to be zoned "Highway Commercial" and is now presumed to be not zoned but Yellowstone County is in the process to zone it "Highway Commercial".
- **Highway commercial (HC) district - The purpose of this district is to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist, or the general traveling public. Areas designated as highway commercial should be located in the vicinity of, and accessible from freeway interchanges, intersections in limited access highways, or adjacent to primary or secondary highways. The manner in which the services and commercial activities are offered should be carefully planned in order to minimize the hazard to the safety of the surrounding community and those who use such services; and to prevent long strips of commercially zoned property.**
- MCA 76-2-Part 46 annexation requires that the land use designation be 'consistent with the prevailing use of the property, consistent with the prevailing County Zoning Assignment, and/or consistent with the current growth policy'. All lands outside the City of Laurel were previously thought to have been extraterritorial zoned and Yellowstone County is now exercising zoning authority from 2024 and forward.
- In addition to the extension of urban scale services the City Zoning provides options for development that are not available to rural properties.
- The initial zoning must be considered under City Resolution R-08-22 (Annexation), the Laurel Municipal Code Title 17 (Zoning).
- The question of annexation and initial zoning must be heard by the Laurel – Yellowstone City County Planning Board and Zoning Commission to give a recommendation of the zoning assignment to the City of Laurel City Council.
- Is the requested annexation and initial zoning in the best interest of the City and Citizens of the City of Laurel.
- The property is situated such that street rights-of-way will need to be annexed to the subject property. The highways in the area are under the control of the Montana Department of Transportation.

Findings:

- ✓ The subject property is adjacent to the City of Laurel via a street connection.
- ✓ The City Council is not required to submit the question of annexation to the qualified electors of the area to be annexed as the petition is signed by 100% of the owners.
- ✓ The city may annex the property as 100% of the ownership of same has petitioned the city for annexation.
- ✓ The driver for the annexation request is to develop the property for commercial purposes. The agents working with the property owners want to have city water and sewer services.
- ✓ The property has been identified as a high priority area in Chapter 7.5, Annexation, of the 2020 Growth Policy and is included in the Planning Jurisdiction Map annexation priority boundaries. As such, the requested zoning is consistent with the Laurel Growth Policy.
- ✓ The proposed assignment of "Highway Commercial "meets all the statutory requirements of MCA 76-2-46 annexation and zoning assignment.
- ✓ The Laurel "Highway Commercial" Zone is determined to be a "greater than" R-7500 classification density.
- ✓ The extension of city services will be at the owner's expense (R-08-22) and in accordance with the Annexation Agreement or a development agreement as approved by the City Council and requirements of the Public Works Department and the Montana Department of Transportation
- ✓ The city can provide services to the property both existing and proposed if extension of water, sewer. Storm water will have to be stored on site.

12 Point Test for Zoning:

I. Is the zoning in accordance with the growth policy;

- The Growth Policy identifies all the property proposed for annexation as an annexation priority area.
- Resolution R-08-22 requires zoning assignment at annexation at R-7500 or greater.
- The Zone "Highway Commercial" meets the definition as 'greater than' R-7500 and is not a residential planned area.

Finding:
The requested zoning is in accordance with the Growth Policy.

II. Is the zoning designed to lessen congestion in the streets;

- The proposed zoning along with the annexation agreement will allow development of the property consistent with the adjoining interstate traffic.
- Proposed development that would potentially impact roads and a traffic impact analysis is being developed for the Montana Department of Transportation.
- Highways adjacent to this property are all within the Montana Department of Transportation. City streets are not in the area.

Finding:

The requested zoning will have a material impact on the State of Montana Department of Transportation. The City may see increased traffic as with any added development of property.

III. Is the zoning designed to secure safety from fire, panic, and other dangers;

- Fire hydrants and water supply should be adequate if they meet the requirements from the Public Works Department.

Finding:

The requested zoning will not have an adverse impact on safety from fire, panic, or other dangers.

IV. Is the zoning designed to promote health and the general welfare;

- The land is adjacent to the interstate highway system and "highway commercial" zoning allows for land uses to provide places for the traveling public to eat, fuel their vehicles, and rest.

Finding:

The requested zoning will promote the public health and the general welfare.

V. Is the zoning designed to provide adequate light and air;

- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
- The proposed "Highway Commercial" zone provides restrictions on structure height, setbacks, lot coverage. These standards exist to provide open spaces and adequate light and air.
- The existing development has more than adequate separation from surrounding uses.

Finding

The requested zoning will provide adequate light and air.

VI. Is the zoning designed to prevent the overcrowding of land;

- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.

Finding:

The proposed zoning will prevent the overcrowding of land.

VII. Is the zoning designed to avoid undue concentration of population;

- The existing zoning imposes building setbacks, height limits, limits on the number of buildings on a single parcel, and reasonable area limits on new development.
- The subject property is large enough to provide adequate separation from surrounding uses.
- The property is not going to be used for residential development with the "Highway Commercial" designation.

Finding:

The proposed zoning will prevent the undue concentration of population.

VIII. Is the zoning designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements;

- The requested zoning will allow for transportation services as defined in "Highway Commercial" designation in the Laurel Municipal Code.

Finding:

The requested zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

IX. Does the zoning give reasonable consideration to the character of the district and its peculiar suitability for particular uses;

- The requested zoning is consistent with the Growth Policy.
- The property is compatible with surrounding development and had been believe to be previously zoned "Highway Commercial" in the extraterritorial zoning for the City of Laurel.
- The water and sewer infrastructure with this annexation is for the intended use of the property and will need final approval from the City of Laurel City Council and the Public Works Department as well as the Montana Department of Transportation.

Finding:

The requested zoning is consistent with surrounding uses, the Growth Policy and provides for opportunities with suitable uses.

X. Does the zoning give reasonable consideration to the peculiar suitability of the property for its particular uses;

- The requested zoning is consistent with the Growth Policy.
- The property is compatible with surrounding development and is consistent with interstate highways adjacent to the property.
- The water and sewer infrastructure proposed with the annexation will have to meet infrastructure requirements by the Public Works Department and the Montana Department of Transportation.

Finding:

The requested zoning is in keeping with the character of the development in the area.

XI. Will the zoning conserve the value of buildings;

- The extension and availability of public water and sewer resultant from annexation and initial zoning will add value to buildings as the proposed use is substantially like or complementary to surrounding buildings and uses.
- The requested zoning is consistent with the Growth Policy.
- The proposed zoning is not anticipated that there would be any adverse effect on the value of surrounding buildings or lands.

Finding:

The value of existing buildings both on and adjacent to the requested zone will either be enhanced or not affected by the proposed zoning.

XII. Will the zoning encourage the most appropriate use of land throughout the municipality?

- The requested zoning is consistent with the Growth Policy.
- The requested zoning is consistent with the prevailing land uses and zoning surrounding the property.

Finding:

The requested zoning provides for the most appropriate use of land in the municipality which will keep non-residential traffic close to the interstate.

Conclusion:

The petition for annexation into the City of Laurel with the initial zoning assignment of Laurel "Highway Commercial" appears to be consistent with the requirements of City Council Resolution R-08-22. Additionally, the annexation, extension of services, and initial zoning assignment is in the best interest of both the City of Laurel and the property owners.

RECOMMENDATION

The Laurel – Yellowstone City County Planning Board should find that "Highway Commercial" zoning is an appropriate zoning designation and recommend that the Laurel City Council adopt the Findings of Fact outlined in this report. The City Council must annex the lands and can hold a joint Public Hearing allowed for in MCA 76-2-303 3(B)) A joint hearing authorized under this subsection (3) fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation. Laurel Municipal Code chapter 17.12.220(G) The hearing for annexation and zone change may be held at the same time.

- That an Amended Plat or Certificate of Survey suitable for filing with Yellowstone County that describes the tract of land to be annexed be submitted.
- That an Annexation Agreement or development agreement is submitted for acceptance by the City Council.

Map for proposed annexation for a portion of Lot7A1 of the amended plat of Tracts 6 and 7 and a portion of tract 5 of West brook Subdivision and the adjoining highway rights of way.

Recommendation for Zoning "Highway Commercial"

LAUREL - YELLOWSTONE CITY-COUNTY PLANNING BOARD

The Laurel- Yellowstone City - County Planning Board voted unanimously on April 17th, 2024, to recommend the assignment for zoning of "Highway Commercial" for property described as a Portion of Westbrook's Subdivision Tract 7A-1 of the amended plat of Tracts 6A and 7A of the amended plat of tracts 6 and 7 of Westbrook's Subdivision and a portion of Tract 5 of Westbrook's Subdivision less Highway ROW and adjacent right of way. The planning board moved, seconded, allowed for public comment, and then voted unanimously to recommend to the Laurel City Council to approve the zoning designation for the above-described property if the City Council approves of the annexation request.

Dated this 17th day of April 2024.

Laurel - Yellowstone City County Planning Board
Judy Goldsby, President

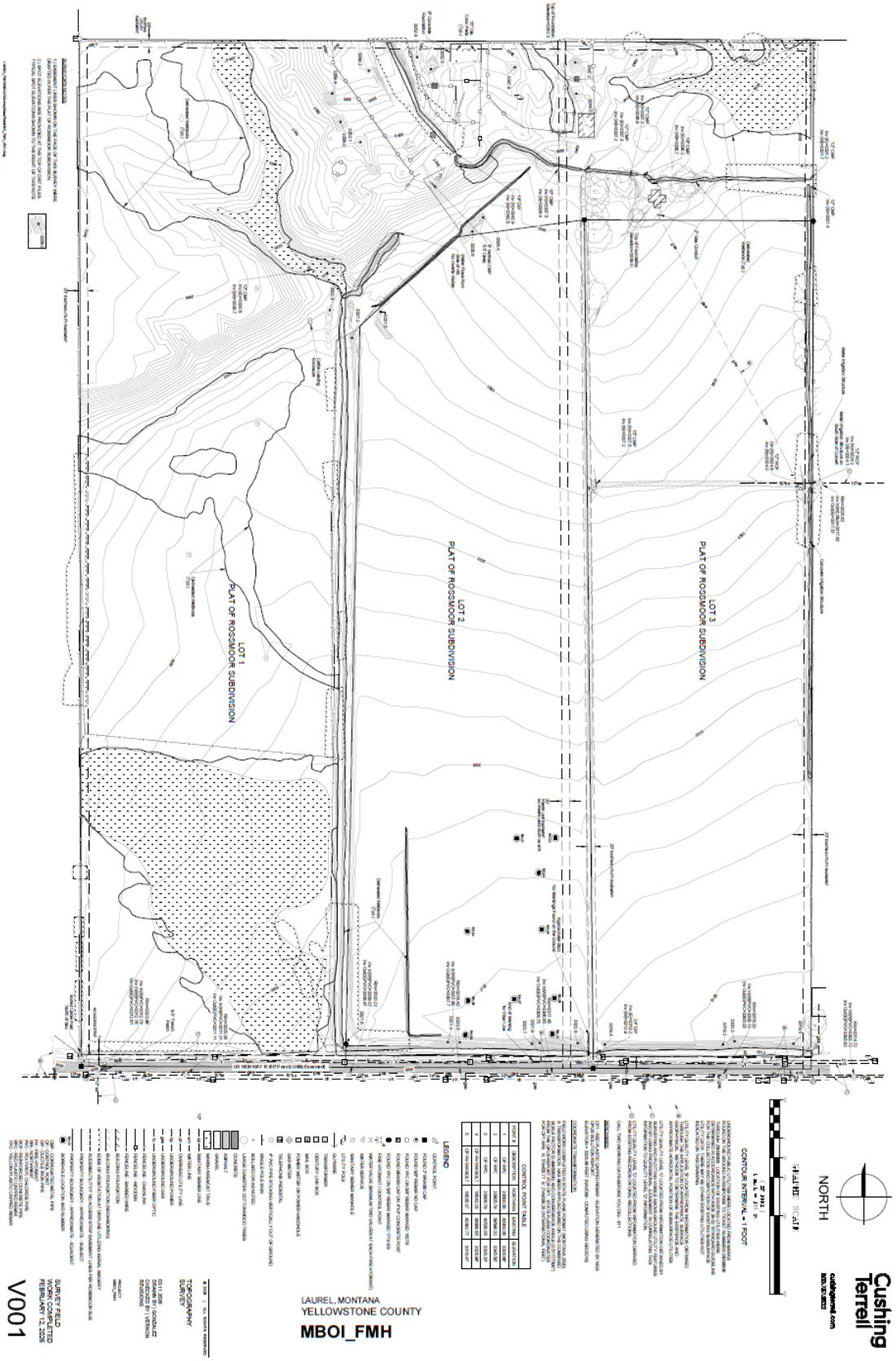
Kurt Markegard, Executive Secretary

APPENDIX B

GEOTECHNICAL AND SITE INVESTIGATION REPORTS

The following three reports are incorporated as Appendix B:

1. **Topographic Survey** — 24×36 topographic survey of the project site (Stahly Engineering & Associates, March 11, 2026).
2. **Geology and Logs Memorandum** — Geology, boring logs, and subsurface investigation results for the Laurel Mental Health Facility site (April 8, 2026).
3. **Aquatic Resource Delineation Report** — Wetland and waters-of-the-U.S. delineation, jurisdictional analysis, and supporting field data for the 1425 Old Highway 10 W site (March 16, 2026).


PLAT OF ROSSMOOR SUBDIVISION
LOT 1
PLAT OF ROSSMOOR SUBDIVISION
LOT 2
PLAT OF ROSSMOOR SUBDIVISION
LOT 3
LEGEND
CONTROL POINT TABLE
NORTH
CONTOUR INTERVAL = 1 FOOT
LAUREL, MONTANA
YELLOWSTONE COUNTY
MBOI_FMH
Cushing Terrell
V001
SURVEY FIELD WORK COMPLETED FEBRUARY 12, 2026
TOPOGRAPHY SURVEY

TETRA TECH

Memo

To:	**Cynthia Brantley**
Cc:	**Cole Moller (CTA); Jeff Rupp (CTA); Sean Tharp (CTA); Nick Jaynes (TT)**
From:	**Brady Grove – Staff Geotechnical Engineer**
Date:	**April 8, 2026**
Subject:	**Laurel Mental Health Facility Geology and Logs Memo**

This memorandum has been prepared to provide geologic findings at the project site from the geotechnical investigation for the Laurel Mental Health Facility. Please feel free to share this memo with all interested and involved parties.

GEOTECHNICAL INVESTIGATION FINDINGS

Subsurface Conditions

The geologic setting consists of lean clay with varying amounts of sand from the surface to depths ranging from 14 to 20 feet below ground surface. Underlying the clay is a sand with varying amounts of clay, silt, and gravel encountered at depths ranging from 14 to 20 feet and continuing to the bottom of the boring when encountered. The lean clay material was identified to be part of the Quaternary glacial till while the sand material was identified to be part of the Quaternary alluvial deposits in the Scobey region. Total thickness of the sand material was not observed by Tetra Tech.

SPT N values (uncorrected) recorded in the clay generally ranged from 1 to 14 blows per foot, indicating very soft to stiff soil. The moisture content of split spoon samples ranged from 5 to 25% at the time of testing.

SPT N values (uncorrected) recorded in the clay generally ranged from 6 to over 50 blows per foot, indicating loose to very dense soil. The moisture content of split spoon samples ranged from 18 to 23% at the time of testing.

Lab testing

A series of corrosion tests were performed on samples from various depths within multiple borings across the site. The results of these tests are summarized below:

Table 3. Summary of Corrosion Testing

Sample Location	Sample Depth (ft)	Resistivity (Ω-cm)	pH	Soluble Sulfates (%)
BH-03	5' – 7'	76	7.8	0.89
BH-05	7.5' – 8.5'	82	7.8	0.79
BH-07	2.5' – 4.5'	80	7.9	0.85

Based on the above results and the simplified procedure outlined in AASHTO R27-19 (Standard Practice for Assessment of Corrosion of Steel Piling for Non-Marine Applications), the samples from each boring are considered to exhibit a low possibility of uniform or microcell corrosion for steel piling. The soil samples collected from each boring also exhibit moderate soluble sulfate concentrations. At the levels measured, ACI considers this soil to fall into Exposure Class S2, and the U.S. Bureau of Reclamation (USBR) considers it to have a severe degree of sulfate attack. As a result, Type V cement is acceptable for concrete in contact with these soils from both ACI and USBR.

Swell/Consolidation and Unconfined Compressive Strength (UCS) testing is being preformed at the time of memo creation and is expected to be done by April 17th, 2026.

IN CLOSING

Tetra Tech can provide additional preliminary information before the final Geotechnical Report is complete upon request. All provided information is subject to change depending on lab testing results. An anticipated timeline on completed lab testing has not provided to the project engineers at the time of this memo, but communication between Tetra Tech and Opportunity Bank will be maintained to manage the project schedule. Please contact me at brady.grove@tetratech.com, (208) 713-5368, Nick Jaynes at nick.jaynes@tetratech.com, (406) 565-0317, or Marco Fellin at marco.fellin@tetratech.com, (406) 241-4410 if you have any questions.

Attachments: Tetra Tech Boring Log Key

Exploratory Boring Logs (BH-01 through BH-10)

Tetra Tech Boring Log Descriptive Terminology

Key to Soil Symbols and Terms

01/15/2026

TETRA TECH

Soil Classification Chart

Major Divisions			Symbols: Graph	Symbols: Letter	Typical Descriptions
Coarse Grained Soils (More than 50% of material is larger than No. 200 sieve)	Gravel and Gravelly Soils	Clean Gravels		GW	Well graded gravels, gravel-sand mixtures, little or no fines.
				GP	Poorly graded gravels, gravel-sand mixtures, little or no fines.
		Gravels with fines		GM	Silty gravels, gravel-sand-silt mixtures.
				GC	Clayey gravels, gravel-sand-clay mixtures.
	Sand and Sandy soils	Clean Sands		SW	Well graded sands, gravelly sands, little or no fines.
				SP	Poorly graded sands, gravelly sands, little or no fines.
		Sands with fines		SM	Silty sands, sand-silt mixtures.
				SC	Clayey sands, sand-clay mixtures.
Fine Grained Soils (More than 50% of material is smaller than No. 200 sieve)	Silts and Clays (Liquid limit less than 50)			ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity.
				CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
				OL	Organic silts and organic silty clays of low plasticity.
	Silts and Clays (Liquid Limit greater than 50)			MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts.
				CH	Inorganic clays of high plasticity, fat clays.
				OH	Organic clays of medium to high plasticity, organic soils.

Note: Dual symbols are used to indicate borderline soil classifications. Symbols correlate with RSLog system.

Order of Descriptors

-Group Name
-Consistency or Relative Density
-Moisture Condition
-Color
-Particle size descriptor(s) (coarse grained soils only)
-Angularity of coarse grained soils
-Other relevant notes

Criteria For Descriptors

Consistency of Fine Grained Soils

Consistency	N-Value (uncorrected)
Very Soft	< 2
Soft	2 - 4
Medium Stiff	5 -8
Stiff	9 -15
Very Stiff	16 - 30
Hard	> 30

Apparent Density of Coarse Grained Soils

Relative Density	N-Value (uncorrected)
Very Loose	< 4
Loose	4 - 10
Medium Dense	11 - 30
Dense	31 - 50
Very Dense	> 50

Moisture Condition

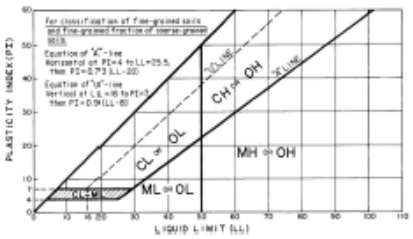
Dry	-Absence of moisture, dusty, dry to the touch.
Moist	-Damp, but no visible water.
Wet	-Visible free water.

Samples can have ranging moisture conditions between dry, moist, and wet and will be labeled as such.(i.e. Slightly Moist)

Definition of Particle Size Ranges

Soil Component	Size Range
Boulder	> 12 in (300 mm)
Cobble	3 in (75 mm) - 12 in (300 mm)
Gravel	No. 4 Sieve (4.75 mm) - 3 in (75 mm)
Sand	No. 200 Sieve (0.075 mm) - No. 4 Sieve (4.75 mm)
Silt	< No. 200 Sieve (0.075 mm)*
Clay	< No. 200 Sieve (0.075 mm)*

*Atterberg limits and chart below to differentiate between silt and clay.



Angularity of Coarse-Grained Particles

Angular	-Particles have sharp edges and relative plane sides with unpolished surfaces.
Subangular	-Particles are similar to angular description, but have rounded edges.
Subrounded	-Particles have nearly plane sided, but have no edges.
Rounded	-Particles have smoothly curved sides and well-rounded corne and edges.

Soil Example: Sandy FAT CLAY (CH), soft, wet, brown.
Rock Example: SANDSTONE, gray, fine grained, thickly bedded, hard field hardness

Notes:

See Soil Boring Information Special Provision.
SPT (Standard Penetration Test-ASTM D-1586):
The number of blows of a 140 lb (63.6 kg) hammer falling 2.5 ft (750 mm) used to drive a 2 in (50 mm) outside diameter slit spoon sampler for a total of 2 ft (0.6 m) of penetration.
Written as follows:
first 0.5 ft (0.15 m) - second 0.5 ft (0.15 m) - third 0.5 ft (0.15 m) - fourth 0.5 ft (0.15 m) (ex. 0-2-2-5)
Note: If the number of blows exceeds 50 before 0.5 ft (0.15 m) of penetration is achieved, or if the test is cut short due to very hard conditions, the actual penetration rounded to the nearest 0.1 ft (0.03 m) follows the number of blows after a forward slash (ex. 11-21-41-50/***0.3 ft***) or (25/***0.0 ft***). WR denotes a zero blow count with the weight of the rods only. WH denotes a zero blow count with the weight of rods and weight of hammer.

Abbreviations

MC = Moisture Content, OMC = Optimum Moisture Content, LL = Liquid Limit, PL = Plastic Limit, -200% = percent soil passing 200 sieve, MDD = Maximum Dry Density, UCS = Unconfined Compressive Strength, VWP = Vibrating Wire Piezometer, SAA = Shape Accel Array, SN = Serial Number, OD = Outside Diameter, CBR = California Bearing Ratio, pcf = pounds per cubic foot ppm = parts per million, ksi = kilo-pounds per square inch, psi = pounds per square inch

-Soil and Rock descriptions are based on visual observation except where they have been modified to reflect results of laboratory tests and deemed appropriate.

-Soil Classifications are based on the Unified Soil Classification System, ASTM D2487 and D2488. Descriptions are based on visual observation, except where they have been modified to reflect results of laboratory tests as deemed appropriate.

Tetra Tech Boring Log Descriptive Terminology

01/15/2026

TETRA TECH

Key to Rock Symbols and Terms

Rock Classification Chart

Rock Type	Symbol	Rock Type	Symbol	Rock Type	Symbol
Anhydrite		Gneiss		Rock Salt	
Argillite		Granite		Rhyolite	
Basaltic Flows		Gypsum		Sandstone	
Bedrock (other)		Limestone		Schist	
Breccia		Loess		Serpentine	
Clay/Clay Shale		Marble		Shale	
Claystone		Mudstone		Siltstone	
Conglomerate		Oil Shale		Slate	
Dolomite		Quartz		Soapstone/Talc	
Igneos Rock (General)		Quartzite		Tuff	

Note: Symbols correlate with RSLog system.

Notes:
See Soil Boring Information Special Provision

Order of Descriptors

-Rock Type
-Color
-Grain Size (if applicable)
-Stratification/Foliation
-Field Hardness
-Other relevant notes

Criteria For Descriptors

Grain size

Description	Characteristic
Coarse Grained	-Individual grains can be easily distinguished by eye.
Fine Grained	-Individual grains can be distinguished with difficulty.

Stratum Thickness

Thickly Bedded	3 - 10 ft (1 - 3 m)
Medium Bedded	1 - 3 ft (300 mm - 1 m)
Thinly Bedded	2 - 12 in (50 - 300 mm)
Very Thinly Bedded	<2 in (50 mm)

Rock Field Hardness

Very Soft	-Can be carved with knife. Can be excavated readily with point of rock hammer. Can be scratched readily by fingernail.
Soft	-Can be grooved or gouged readily by knife or point of rock hammer. Can be excavated in fragments from chips to several inches in size by moderate blows of the point of a rock hammer.
Medium	-Can be grooved or gouged 0.05 in (2 mm) deep by firm pressure of knife or rock hammer point. Can be excavated in small chips to pieces about 1 in (25 mm) maximum size by hard blows of the point of a rock hammer.
Moderately Hard	-Can be scratched with knife or pick. Gouges or grooves to 0.25 in (6 mm) can be excavated by hard blow of rock hammer. Hand specimen can be detached by moderate blows.
Hard	-Can be scratched with knife or pick only with difficulty. Hard hammer blows required to detach hand specimen.
Very Hard	-Cannot be scratched with knife or sharp rock hammer point. Breaking of hand specimens requires several hard blows of a rock hammer.

Miscellaneous Soil/Rock Symbols and Terms

Asphalt		Millings	
Bentonite		Peat	
Boulders and Cobbles		Till	
Coal		Topsoil	
Concrete		Water	
Fill			

Operation Types:

- Hollow-Stem Auger (HSA)
- Solid-Stem Auger (SSA)
- HQ3 Diamond Coring (HQ3)
- NQ3 Diamond Coring (NQ3)
- Air Rotary (AIR)
- Core Barrel (CORE)
- ODEX (ODEX)
- Hand Auger (HA)
- Convential Rotary (ROT)
- Sonic/Acoustic (SON)

Explanation of Text Fields in Boring Logs:

Material Description: Lithologic Description of soil or rock encountered.
Remarks: Comments on drilling, including instrumentation, water observations, and problems encountered.
Unless stated on logs as being surveyed by licensed surveyor, all locations are considered approximate

General Notes

-Descriptions on these boring logs apply only at the specific boring, and at the time the borings were made. These logs are not warranted to be representative of subsurface conditions at other locations or times.
-Water level observations apply only at the specific boring, and at the time the borings were made. Due to the variability of groundwater measurements given the type of drilling used, and the stratification of the soil in the boring, these logs are not warranted to be representative of groundwater conditions at other locations or times.
-Other terms may be used as descriptors, as defined by the profession.

Sample Types:

- Split Spoon (SS)
- Shelby (U)
- Bulk Sample (B)
- Core Sample (C)
- Other Sample (O)
- Bag Sample (BAG)
- Ring Set (R)
- Testpit (TP)
- Water Sample (W)
- Piston Sample (P)
- Grab Sample (G)
- Disturbed (D)
- Modified California (MC)
- Cone Penetrometer (CP)
- Vane Shear (VS)
- Special Samplers (S)
- Tetrachloroethene (PCE)
- Length of driven sample

TETRA TECH

CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES

ASTM Designation: D 2487 - 83

(Based on Unified Soil Classification System)

Major Divisions				Group Symbol	Group Name
Coarse grained soils More than 50% retained on No 200 sieve	Gravels More than 50% coarse fraction retained on NO. 4 sieve	Clean Gravels Less than 5% fines	Cu ≥ 4 and 1 ≤ Cc ≤ 3 [E]	GW	Well-graded gravel [F]
			Cu < 4 and 1 > Cc > 3 [E]	GP	Poorly graded gravel [F]
		Gravel with Fines More than 12% fines	Fines classify as ML or MH	GM	Silty gravel [FGH]
			Fines classify as CL or CH	GC	Clayey gravel [FGH]
	Sands 50% or more of coarse fraction passes No. 4 seive	Clean Sands Less than 5% fines	Cu ≥ 6 and 1 ≤ Cc ≤ 3 [E]	SW	Well-graded sand [I]
			Cu < 6 and 1 > Cc > 3 [E]	SP	Poorly graded sand [I]
		Sands with Fines More than 12% fines	Fines classify as ML or MH	SM	Silty sand [GHI]
			Fines classify as CL or CH	SC	Clayey sand [GHI]
Fine-grained Soils 50% or more pases the No. 200 sieve	Silts and Clays Liquid limit less than 50	Inorganic	PI > 7 and plots above "A" line	CL	Lean clay [KLM]
			PI < 4 or plots below "A" line	ML	Silt [KLM]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OL	Organic clay [KLMN] / Organic silt [KLMO]
	Silts and Clays Liquid limit 50 or more	Inorganic	PI plots on or above "A" line	CH	Fat clay [KLM]
			PI plots below "A" line	MH	Elastic silt [KLM]
		Organic	Liquid limit - oven dried / Liquid limit - not dried < 0.75	OH	Organic clay [KLMO] / Organic silt [KLMO]
Highly organic soils	Primarily organic matter, dark in color, and organic odor			PT	Peat

[A] Based on the material passing the 3-in. (75-mm) sieve.

[B] If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

[C] Gravels with 5 to 12% require dual symbols:
GW-GM well-graded gravel with silt
GW-GC well-graded gravel with clay
GP-GM poorly graded gravel with silt
GP-GC poorly graded gravel with clay

[D] Sands with 5 to 12% fines require dual symbols:
SW-SM well-graded sand with silt
SW-SC well-graded sand with clay
SP-SM poorly graded sand with silt
SP-SC poorly graded sand with clay

[E] $Cu = D_{60}/D_{10}$ $Cc = (D_{30})^2 / (D_{10} \times D_{90})$

[F] If soil contains ≥15% sand, add "with sand" to group name.

[G] If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

[H] If fines are organic, ass "with organic fines" to group name.

[I] If soil contains ≥15% gravel, add "with gravel" to group name.

[J] If Atterberg limits plot in hatched area, soil is a CL-ML, silty clay.

[K] If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel", whichever is predominant.

[L] If solid contins ≥ 30% plus No. 200, predominantly sand, add "sandy" to group name.

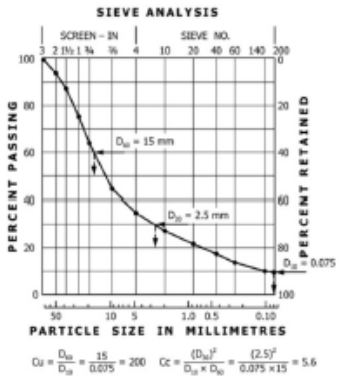
[M] If soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.

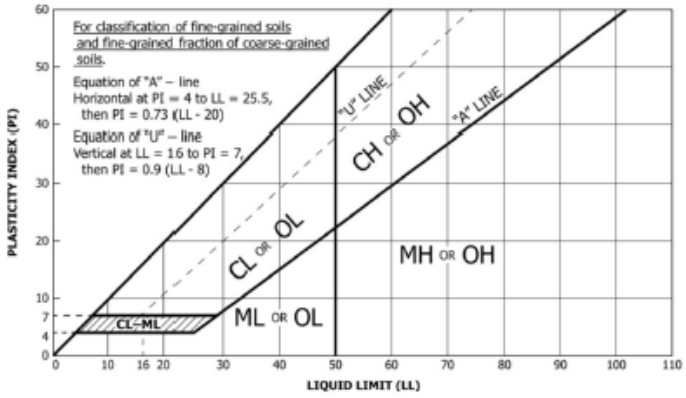
[N] PI ≥ 4 and plots on or above "A" line.

[O] PI < 4 or plots below "A" line.

[P] PI plots on or above "A" line.

[Q] PI plots below "A" line.





TETRA TECH

LOG OF BORING

BORING BH-01

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518562 ft Easting: 2149200 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,318.31 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located at northwest corner of proposed future addition building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3318.31 ft							3318.31
0			58		2-3-4-3		Lean CLAY (CL), medium stiff, dry to moist, brown, medium plastic; organics present.	18					Hollow Stem Auger	
							1.5 ft / EL 3316.81 ft							
			67		2-2-3-3		SANDY lean CLAY (CL), soft to medium stiff, moist, brown, medium to high plastic.	21						3315
5			46		1-2-1-2		6.5 ft / EL 3311.81 ft	5						
			100		0-1-2-3		Lean CLAY (CL), soft to medium stiff, moist, brown.	22						3310
10			67		1-2-3-3			20						
							14 ft / EL 3304.31 ft							3305
15			100		2-4-6-9		Poorly-graded SAND (SP), loose to medium dense, moist to wet, brown, fine SAND; trace clay.							3300
20							20 ft / EL 3298.31 ft Boring Depth 20 ft							
25														3295

Water Level Observations			
End of Drilling:	Not encountered	During Drilling:	Not encountered
		After Drilling:	Not encountered

Remarks:

RSLog / BG Template (Surveyed) / letra-tech / brady / 2026-04-06 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-02

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518564.3 ft, Easting: 2149300 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,318.06 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Piezometer Standpipe Finished.		

Location Details & Additional Comments: Located at northeast corner of proposed future addition building footprint. See Figure A-1 (Boring Location Map). 2-inch diameter standpipe installed with 2.54-foot stickup.

Depth (ft)	Sample Type	Recovery (%)	Blow Counts	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
				Ground Surface EL 3318.06 ft							3318.055
0				Lean CLAY (CL), dry to moist, brown, organics present.						Hollow Stem Auger	
				1.5 ft / EL 3316.56 ft							
		79		Lean CLAY (CL), soft, moist, brown, trace fine sand.	16				103.2		3315
5				5 ft / EL 3313.06 ft							
		100	2-1-2-3	Lean CLAY (CL), soft to stiff, moist, brown.	22						
		88	1-2-2-4								3310
10		92	1-2-3-4		21	48	23	86.2			
											3305
15		96	2-4-6-8		20						
											3300
20		96	2-3-5-7								
				22 ft / EL 3296.06 ft							3295
25				Boring Depth 22 ft							

Water Level Observations			
During Drilling:	Not encountered	Remarks:	
End of Drilling:	Not encountered	After Drilling:	17.7 ft

RSLog / BQ Template (Surveyed) / tetra tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-02A

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518564.2 ft Easting: 2149294.9 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,318.06 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Piezometer Standpipe Finished.		

Location Details & Additional Comments: Located at northeast corner of proposed future addition building footprint, moved ~5' from Boring BH-02 to collect Shelby tube samples. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3318.06 ft							3318.055
0							Lean CLAY (CL), dry to moist, brown, organics present						Hollow Stem Auger	
							1.5 ft EL 3316.56 ft							
							Lean CLAY (CL), moist, brown, fine SAND.							3315
5							5 ft EL 3313.06 ft							
			100				Lean CLAY (CL), soft to stiff, moist, brown.						6' to 8': Consolidation/Swell Test Completed	
														3310
10			100										10' to 12': UCS Test Completed	
														3305
15														
														3300
20														
							22 ft EL 3296.06 ft							
25							Boring Depth 22 ft							3295

Water Level Observations				Remarks:
End of Drilling:	Not encountered	During Drilling:	Not encountered	
		After Drilling:	Not encountered	

RSLog / BG Template (Surveyed) / tetra tech / brady / 2026-04-06 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-03

Sheet 1 of 2

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518474 ft, Easting: 2149258 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.77 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located near the approximate center of proposed future addition building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3317.77 ft							3317.77
0			50		1-3-6-5		[FILL] Lean CLAY with GRAVEL (CL), stiff, dry to moist, brown.	17					Hollow Stem Auger	
							1.5 ft / EL 3316.27 ft							
							Lean CLAY (CL), stiff, dry to moist, brown, organics present.							3315
			58		2-2-3-2		3.5 ft / EL 3314.27 ft	20						
5							Lean CLAY (CL), soft to medium stiff, moist, brown.							
			50		1-2-2-2			23					5' to 7': Corrosivity sample collected: pH = 7.8, Resistivity = 76 ohm-cm, Sulfate Content = 0.89%	
			71		1-2-2-3			20						3310
10														
			96		1-2-3-4			21						
							11.5 ft / EL 3306.27 ft							3305
							SANDY lean CLAY (CL), medium stiff to stiff, moist, brown.							
15			79		2-3-5-8			20						
														3300
							20 ft / EL 3297.77 ft							
20			79		2-2-4-6		CLAYEY SAND (SC), loose, moist, brown, fine SAND.	23						
														3295
25														

Water Level Observations

▽ End of Drilling:	*Not encountered*	▽ During Drilling:	*25.2 ft*
		▽ After Drilling:	*Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / tetra tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-03

Sheet 2 of 2

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518474 ft Easting: 2149258 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.77 ft
Date Started: 2026-02-28 **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located near the approximate center of proposed future addition building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
25														3290
			88		1-5-6-8		Poorly-graded SAND with SILT and GRAVEL (SP-SM), medium dense to very dense, wet, brown, coarse to fine SAND, subrounded to subangular.			NP	5.5		Approximately 8 inches of sand heave in split spoon at 25'.	
30			100		6-33-26-25									3285
							32 ft EL 3285.77 ft Boring Depth 32 ft							
35														3280
40														3275
45														3270
50														

Water Level Observations

End of Drilling: *Not encountered*

During Drilling: *25.2 ft*

After Drilling: *Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-04

Sheet 1 of 1

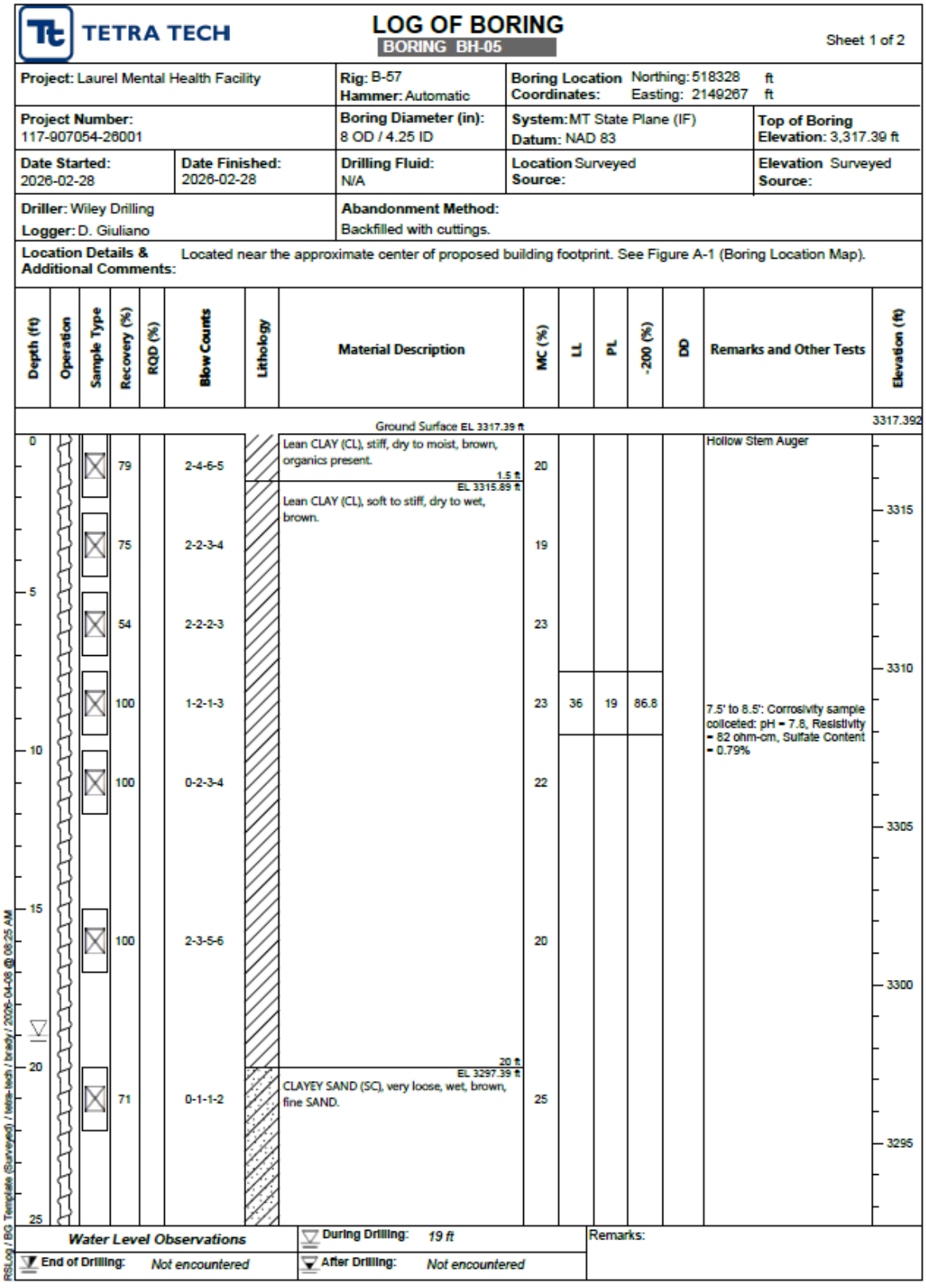
Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518321.7 ft Easting: 2149075 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.62 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		
Location Details & Additional Comments: Located near the north end of the proposed parking area. See Figure A-1 (Boring Location Map).			

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3317.62 ft							3317.623
0			67		2-4-3-2		SANDY lean CLAY (CL), medium stiff, dry to moist, brown, organics present.	19					Hollow Stem Auger	
							1.5 ft EL 3316.12 ft							
			100				SANDY lean CLAY (CL), soft to medium stiff, dry to moist, brown.	18	41	22	96		1' to 3.5': Bulk sample collected: MDD = 105.8 pcf, OMC = 14.2%, CBR = 1.7	3315
			58		2-1-2-2			23						
5			54		1-1-2-1			22						3310
			79		0-1-1-2			21						
10			50		1-2-3-5		12 ft EL 3305.62 ft							3305
							Boring Depth 12 ft							
15														3300
20														3295
25														

Water Level Observations			
End of Drilling:	Not encountered	During Drilling:	Not encountered
		After Drilling:	Not encountered

Remarks:

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-08 @ 08:25 AM



TETRA TECH

LOG OF BORING

BORING BH-05

Sheet 1 of 2

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518328 ft Easting: 2149267 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.39 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located near the approximate center of proposed building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3317.39 ft							3317.392
0			79		2-4-6-5		Lean CLAY (CL), stiff, dry to moist, brown, organics present.	20					Hollow Stem Auger	
							1.5 ft EL 3315.89 ft							
			75		2-2-3-4		Lean CLAY (CL), soft to stiff, dry to wet, brown.	19						3315
5			54		2-2-2-3			23						
			100		1-2-1-3			23	36	19	86.8		7.5' to 8.5': Corrosivity sample collceted: pH = 7.8, Resistivity = 82 ohm-cm, Sulfate Content = 0.79%	3310
10			100		0-2-3-4			22						
														3305
15			100		2-3-5-6			20						
														3300
20			71		0-1-1-2		20 ft EL 3297.39 ft CLAYEY SAND (SC), very loose, wet, brown, fine SAND.	25						
25														3295

Water Level Observations

End of Drilling: *Not encountered*

During Drilling: *19 ft*

After Drilling: *Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-05

Sheet 2 of 2

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518328 ft, Easting: 2149267 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.39 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located near the approximate center of proposed building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
25														3290
			67		1-22-33-48		Poorly-graded SAND with SILT and GRAVEL (SP-SM), very dense, wet, brown, coarse to fine SAND, subrounded to subangular.	18	0	NP	5.5		Approximately 6 inches of sand heave in split spoon at 25' 25' to 27': Composite SS Sample with BH-03: LL = NV, PL = NP Approximately 8 inches of sand heave in split spoon at 27.5'	
30			100		1-26-33-20									3285
							32 ft EL 3285.39 ft							
							Boring Depth 32 ft							3280
35														
														3275
40														
														3270
45														
50														

Water Level Observations

End of Drilling: *Not encountered*

During Drilling: *19 ft*

After Drilling: *Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / tetra tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-06

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518143.2 ft, Easting: 2149078 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,317.09 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located near the south end of the proposed parking area. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3317.09 ft							3317.087
0			67		1-1-2-2		Lean CLAY (CL), soft, dry to moist, brown, organics present.	21	39	22	88.1		Hollow Stem Auger	
			100					19	41	22	96		1' to 3.5': Bulk sample collected: MDD = 105.8 pcf, OMC = 14.2%, CBR = 1.7	3315
			29		1-2-1-2		4 ft EL 3313.09 ft	25						
5							Lean CLAY (CL), soft to medium stiff, dry to moist, brown.							
			79		1-1-1-2			25						3310
			96		1-1-2-4			22						
10							10 ft EL 3307.09 ft Boring Depth 10 ft							3305
15														3300
20														3295
25														

Water Level Observations				Remarks:
End of Drilling:	Not encountered	During Drilling:	Not encountered	
		After Drilling:	Not encountered	

RSLog / BG Template (Surveyed) / tetra tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-07

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518147.9 ft, Easting: 2149198 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,316.52 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located at southwest corner of the proposed building footprint. See Figure A-1 (Boring Location Map).

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3316.52 ft							3316.523
0			58		1-2-2-3		Lean CLAY (CL), soft, moist, brown, organics present.	18					Hollow Stem Auger	3315
							1.5 ft EL 3315.02 ft Lean CLAY (CL), very soft to medium stiff, dry to moist, brown.							
5			71		1-1-2-3			24					2.5' to 4.5': Corrosivity sample collected: pH = 7.9, Resistivity = 80 ohm-cm, Sulfate Content = 0.85%	
			54		0-0-1-2			25						3310
			96		1-2-2-5			21						
10			83		1-3-5-6		10 ft EL 3306.52 ft SANDY lean CLAY (CL), medium stiff to stiff, dry to moist, brown.	20						3305
							11.5 ft EL 3305.02 ft Lean CLAY (CL), stiff, dry to moist, brown.							
15			88		1-4-5-6			21						3300
20							20 ft EL 3296.52 ft Boring Depth 20 ft							3295
25														

Water Level Observations

During Drilling: *Not encountered*

End of Drilling: *Not encountered*

After Drilling: *Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-08 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-08

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518151.1 ft Easting: 2149301 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,315.86 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Piezometer Standpipe Finished.		

Location Details & Additional Comments: Located at the southeast corner or proposed building footprint. See Figure A-1 (Boring Location Map). 2-inch diameter standpipe installed with 1.53-foot stickup.

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3315.86 ft							3315.86
0			58				Lean CLAY (CL), dry to moist, brown.	19	33	20	94.9		Hollow Stem Auger	3315
5			50		2-1-1-2		5 ft EL 3310.86 ft SANDY lean CLAY (CL), soft to stiff, dry to moist, brown.	21						3310
			83		1-2-2-4			20						
			33		1-3-4-7			21						3305
15			83		1-3-4-5		15 ft EL 3300.86 ft CLAYEY SAND (SC), loose, moist to wet, brown, fine SAND.	24						3300
20			92		1-2-2-3									3295
25							22 ft EL 3293.86 ft Boring Depth 22 ft							

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-06 @ 08:25 AM

Water Level Observations			
End of Drilling:	Not encountered	During Drilling:	16.62 ft
		After Drilling:	10.3 ft

Remarks:

TETRA TECH

LOG OF BORING

BORING BH-08A

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518150.8 ft Easting: 2149295.9 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,315.86 ft
Date Started: 2026-03-01 / **Date Finished:** 2026-03-01	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Piezometer Standpipe Finished.		
Location Details & Additional Comments: Located at the southeast corner or proposed building footprint, moved ~5' from Boring BH-08 to collect Shelby tube samples. See Figure A-1 (Boring Location Map).			

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3315.86 ft							3315.86
0							Lean CLAY (CL), dry to moist, brown.						Hollow Stem Auger	
5			100				5 ft EL 3310.86 ft SANDY lean CLAY (CL), soft to stiff, dry to moist, brown.						6' to 8': UCS Test Completed	3310
10			100										10' to 12': Consolidation/Swell Test Completed	3305
15							15 ft EL 3300.86 ft CLAYEY SAND (SC), loose, moist to wet, brown, fine SAND.							3300
20							22 ft EL 3293.86 ft Boring Depth 22 ft							3295
25														

Water Level Observations

During Drilling: *16.62 ft*

End of Drilling: *Not encountered*

After Drilling: *Not encountered*

Remarks:

RSLog / BG Template (Surveyed) / letta-tech / brady / 2026-04-06 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-09

Sheet 1 of 1

Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518055 ft, Easting: 2149073 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,316.44 ft
Date Started: 2026-02-28 / **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		

Location Details & Additional Comments: Located at west end of proposed stormwater retention pond. See Figure A-1 (Boring Location Map). 6-inch diameter PVC installed for infiltration testing with 2.52-foot stickup.

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3316.44 ft							3316.44
0							Lean CLAY (CL/ML), dry to moist, brown, organics present.						Hollow Stem Auger	
							1.5 ft EL 3314.94 ft							
							Lean CLAY (CL), dry to moist, brown.							
5							5 ft EL 3311.44 ft							
							Boring Depth 5 ft							
10														3310
15														3305
20														3300
25														3295

Water Level Observations			
End of Drilling:	Not encountered	During Drilling:	Not encountered
		After Drilling:	Not encountered

Remarks:

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-06 @ 08:25 AM

TETRA TECH

LOG OF BORING

BORING BH-10

Sheet 1 of 1

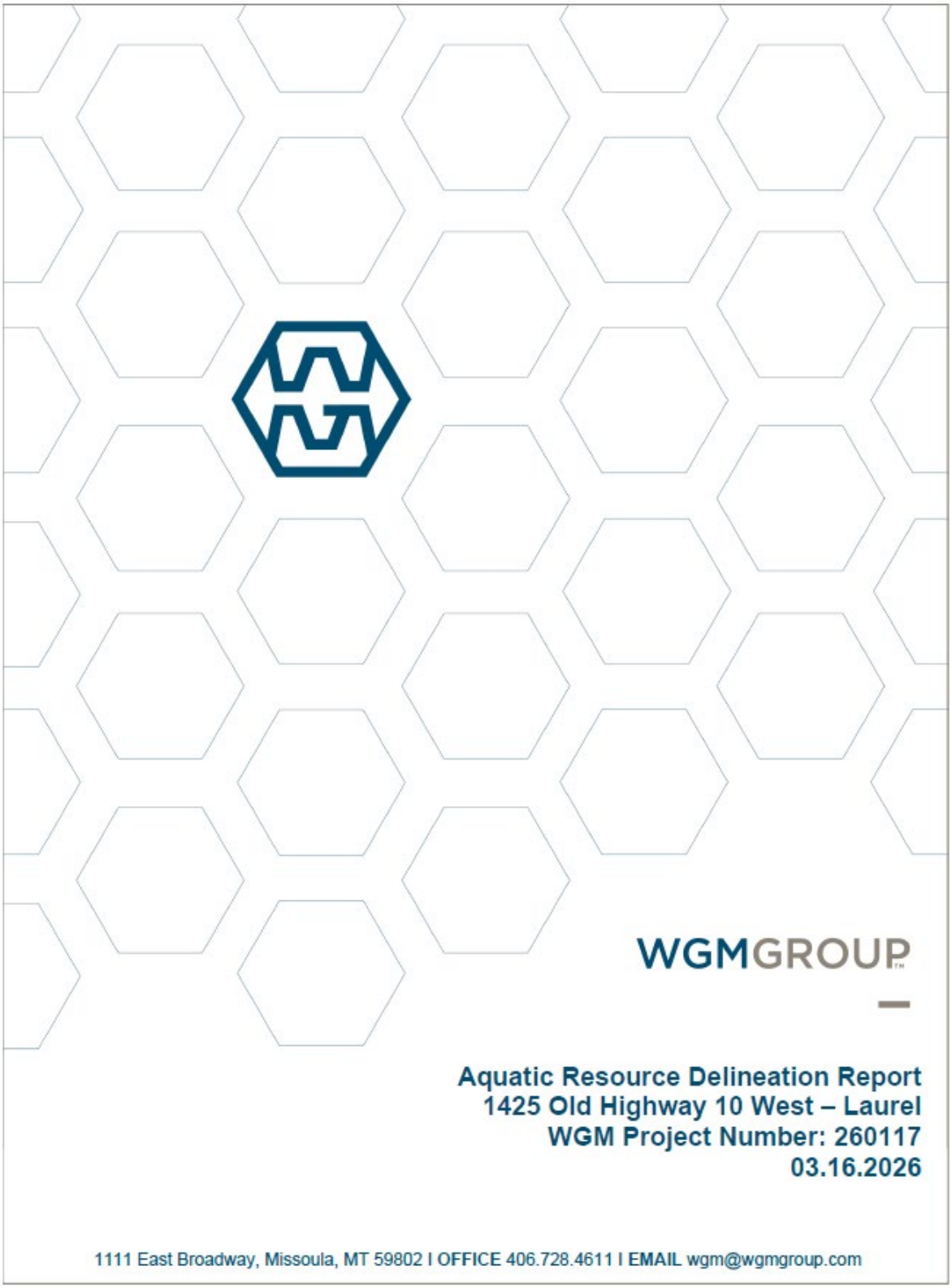
Project: Laurel Mental Health Facility	**Rig:** B-57 **Hammer:** Automatic	**Boring Location Coordinates:** Northing: 518059.1 ft Easting: 2149296 ft	
Project Number: 117-907054-26001	**Boring Diameter (in):** 8 OD / 4.25 ID	**System:** MT State Plane (IF) **Datum:** NAD 83	**Top of Boring Elevation:** 3,316.16 ft
Date Started: 2026-02-28 **Date Finished:** 2026-02-28	**Drilling Fluid:** N/A	**Location Source:** Surveyed	**Elevation Source:** Surveyed
Driller: Wiley Drilling **Logger:** D. Giuliano	**Abandonment Method:** Backfilled with cuttings.		
Location Details & Additional Comments: Located at east end of proposed stormwater retention pond. See Figure A-1 (Boring Location Map). 6-inch diameter PVC installed for infiltration testing with 2.55-foot stickup.			

Depth (ft)	Operation	Sample Type	Recovery (%)	RQD (%)	Blow Counts	Lithology	Material Description	MC (%)	LL	PL	-200 (%)	DD	Remarks and Other Tests	Elevation (ft)
							Ground Surface EL 3316.16 ft							3316.159
0							Lean CLAY (CL), dry to moist, brown, organics present.						Hollow Stem Auger	3315
							1.5 ft EL 3314.66 ft Lean CLAY (CL), dry to moist, brown.							
5							5 ft EL 3311.16 ft Boring Depth 5 ft							3310
10														3305
15														3300
20														3295
25														

RSLog / BG Template (Surveyed) / tetra-tech / brady / 2026-04-08 @ 08:25 AM

Water Level Observations			
End of Drilling:	Not encountered	During Drilling:	Not encountered
		After Drilling:	Not encountered

Remarks:



WGMGROUP

Aquatic Resource Delineation Report
1425 Old Highway 10 West – Laurel
WGM Project Number: 260117
03.16.2026

1111 East Broadway, Missoula, MT 59802 I OFFICE 406.728.4611 I EMAIL wgm@wgmgroup.com

PREPARED FOR:
Cushing Terrell

PREPARED BY:
Sarah Howell
Natural Resource Scientist
WGM Group, Inc.

REPORT DATE:
03.16.2026

CONTENTS

APPENDICES

1.0 INTRODUCTION

At the request of Cushing Terrell, WGM Group, Inc. (WGM) conducted an aquatic resource delineation of the property located at 1425 Old Highway 10 West in Laurel, Montana. The delineation was performed to document existing wetland and non-wetland waterway sizes and locations to help project planners minimize aquatic resource impacts from future development.

WGM conducted the field work portion of this aquatic resource delineation on February 4th and 16th, 2026.

1.1 DELINEATION EXTENT

The delineation extent encompasses 114 acres and includes all three parcels that make up the rectangular-shaped property. The delineation extents are located within the southern half of Section 08, Township 2 South, Range 24 East P.M.M. in Yellowstone County, Montana (see **Figure 1, Appendix A**).

1.2 PHYSICAL SITE DESCRIPTION

The delineation area is within the Montana Central Grasslands ecosystem, a subdivision of the Northwestern Great Plains ecoregion of Montana (Woods et al, 2002). This ecoregion is described as an unglaciated plain that is dissected by many small, ephemeral or intermittent streams. Potential natural vegetation is grama-needlegrass-wheatgrass and is distinct from that of the Sagebrush Steppe and Pine Scoria Hills. Land use in this ecoregion is mostly rangeland with some irrigated and unirrigated farms.

The subject property is located in the Yellowstone River Valley. Surrounding land use is a mix of rural and suburban residential as well as agriculture and industrial. The property is relatively flat with some small terraces in the northwest part of the property. Elevations range from 3,117 feet at the southeast corner of the property to 3,359 feet at the northern end of the property. Three farmed fields occupy a large portion of the eastern two-thirds of the property. Two main ditches convey water through the property. Some old corrals are located near the northern boundary, but do not appear to have been used for several years. Historic aerial images show that there were four structures in the northern portion of the property prior to 2013 but have been torn down.

Uplands within the delineation area are mainly grassland or grasses mixed with greasewood (*Sarcobatus vermiculatus*). Common grass species include smooth brome (*Bromus inermis*), creeping wild rye (*Elymus repens*), intermediate wheatgrass (*Thinopyrum intermedium*), cheatgrass (*Bromus tectorum*) and crested wheatgrass (*Agropyron cristatum*). Several large cottonwood trees are present around the old homestead and Russian Olive (*Eleagnus angustifolia*) is common along ditches and wetland boundaries. The noxious weed species Canada thistle (*Cirsium arvense*) was observed in small amounts in and near wetlands. Saline soils are common on the property with indicators such as salt crystals and concentrations observed in the soil matrix and salt crust observed on the soil surface. Calcium carbonate concentrations were also commonly observed in the soil matrix, more often in upland areas.

2.0 REGULATORY SETTING

The placement of dredged or fill material into Waters of the United States (WOTUS) is regulated by the U.S. Army Corps of Engineers (USACE) and Environmental Protection Agency (EPA) under Section 404 of the federal Clean Water Act (CWA).

2.1 WOTUS DEFINITION

Because the 2023 Rule is not operative in Montana (due to ongoing litigation), the agencies are interpreting WOTUS consistent with the pre-2015 regulatory regime and the *Sackett* decision until further notice. This report also follows pre-2015 regulations and the *Sackett* decision to determine the preliminary jurisdictional status of wetlands. In general, WOTUS includes all waters that are or could be used for interstate or foreign commerce, all interstate waters, the territorial seas and all tributaries to any of the above-described waters that are relatively permanent, standing or continuously flowing. Also included are waters adjacent (having continuous surface connection) to the above listed waters including wetlands, ponds, lakes, oxbows, impoundments and similar waters. As the regulatory authority, the USACE will make all final jurisdictional determinations.

2.2 WETLAND DEFINITION

Section 404 of the CWA defines wetlands as:

> "…those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." (40 CFR 230.3)

The Corps of Engineers Wetlands Delineation Manual provides guidelines and methods to determine whether an area is a wetland for purposes of Section 404 of the CWA. The manual states that the interaction of hydrology, vegetation, and soil results in the development of characteristics unique to wetlands (E.L., 1987). Except under certain circumstances, at least one positive indicator of each of these three parameters must be documented to determine that an area is a wetland.

2.3 REGULATORY JURISDICTION

The Rivers and Harbors Appropriation Act of 1899 made it a misdemeanor to discharge refuse matter of any kind into the navigable waters, and tributaries thereof, of the United States. The Clean Water Act of 1977 took over regulation of many activities covered by the Rivers and Harbors Act. Section 404 of the CWA requires that a discharger of dredged or fill material into WOTUS obtain a permit unless the activity is eligible for an exemption. On June 5, 2007, the EPA and USACE issued a memorandum requiring efficient coordination between the EPA and USACE on Jurisdictional Determinations (JDs) under the CWA Section 404 (EPA/USACE, 2007). On December 2, 2008, the EPA and USACE signed and released a joint memorandum that addressed the jurisdiction over waters of the U.S. under the CWA. The memorandum provides guidance to EPA regions and USACE districts implementing the Supreme Court's decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* (EPA/USACE, 2008).

On June 29, 2015, the EPA and USACE published the Clean Water Rule which provided clarification on the definition of the WOTUS. Federal district courts found that the rule suffered from certain errors and issued orders remanding the 2015 rule back to the agencies. The 2015 Rule was repealed when the EPA and USACE published the 2019 Rule which reinstated the 1980s regulations (EPA/USACE, 2019). On April 21, 2020, the EPA and USACE published the Navigable Waters Protection Rule to

finalize a revised definition of WOTUS. This rule became effective on June 22, 2020 (EPA/USACE, 2020), however on August 30, 2021 the U.S. District Court for the District of Arizona in *Pasuqa Yaqui Tribe v. EPA* vacated the Navigable Waters Protection Rule. On November 18, 2021, the agencies announced the signing of a proposed rule revising the definition of WOTUS. The agencies proposed to put back into place the pre-2015 definition of WOTUS, updated to reflect consideration of Supreme Court decisions. The final "Revised Definition of 'Waters of the United States'" rule was published in the Federal Register on January 18, 2023, and the rule took effect on March 20, 2023. However, the final rule was not operative in certain states (including Montana) and for certain parties due to litigation. The U.S. Supreme Court's May 25, 2023 decision in the *Sackett v. EPA* case invalidated parts of the January 2023 Rule. On August 29, 2023 the agencies issued a final rule to amend the final "Revised Definition of 'Waters of the United States'" rule to conform to the decision in the *Sackett v. EPA* case. (EPA, 2023)

3.0 WETLAND DELINEATION METHODS

3.1 REVIEW OF EXISTING MATERIALS

Existing literature, maps, and other materials were reviewed to identify potential wetland and non-wetland waterway locations. Materials included:

- National Wetland Inventory Mapping (USFWS, 2026)
- Montana Natural Heritage Program (MTNHP) Wetland Inventories (MTNHP, 2026)
- Soil Survey of Yellowstone County (NRCS, 2026)
- Hydric Soil Lists, Yellowstone County (NRCS, 2026)
- Aerial Imagery (National Agriculture Imagery Program [NAIP] and Google Earth)

3.2 FIELD METHODS

The wetland delineation was conducted in accordance with the *Corps of Engineers Wetlands Delineation Manual* (E.L., 1987) and the Great Plains Regional Supplement (USACE, 2010). Except under certain circumstances, these documents require simultaneous presence of wetland hydrology, hydric soils, and a dominance (greater than 50 percent) of hydrophytic vegetation during the growing season to positively delineate an area as a wetland. These parameters were assessed throughout the sites and documented at several sample points using USACE Wetland Determination Data Forms (**Appendix B**). Wetlands were mapped in the field using a sub-meter GPS unit. Photos of the sample points as well as representative photos of the sites and delineated wetlands are provided in **Appendix C**.

3.2.1 VEGETATION

Hydrophytic vegetation is present when the plant community is dominated by species that require or can tolerate prolonged inundation or soil saturation during the growing season (USACE, 2010). The *Great Plains: 2022 Regional Wetland Plant Lists* (USACE, 2023) provides the wetland indicator status of most wetland and upland species of this region. Plants may be categorized as obligate (OBL), facultative wetland (FACW), facultative (FAC), facultative upland (FACU) or upland (UPL). In general, if a species does not have an indicator status, it is assumed to be an upland species.

At each sample point, the percent aerial cover of plant species was visually estimated to determine plant species dominance. Herbaceous cover was assessed within a five-foot radius circular plot, shrubs within a 15-foot circular radius plot, and trees within a 30-foot radius circular plot (E.L., 1987; USACE, 2010). The presence of hydrophytic vegetation within a representative plant community is positively identified if more than 50 percent of the dominant species within the community have an indicator status of OBL, FACW, or FAC.

An alternative indicator of hydrophytic vegetation uses the prevalence index which is a weighted-average wetland indicator status of all plant species in the sampling plot. Numbers are assigned to the indicator statuses from one to five with OBL being one and UPL being five. Weighting is by abundance (absolute percent cover) of species of each indicator status. A prevalence index of three or less indicates that hydrophytic vegetation is present (USACE, 2010).

3.2.2 SOILS

The National Technical Committee for Hydric Soils (NTCHS) defines a hydric soil as a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop

anaerobic conditions in the upper part (Federal Register, 1994). The delineation manual regional supplement presents indicators of hydric soils developed specifically for wetland delineation purposes.

At each sample point, soils were typically inspected to a depth of at least 18 inches to determine the presence or absence of hydric soil indicators. The color of the soil matrix and redoximorphic features (when present) were determined using Munsell Soil Color Charts (Munsell, 2009). Soil texture was evaluated using field methods described by the USACE and NRCS.

A copy of the NRCS soil report for the delineation area is provided in **Appendix D**.

3.2.3 HYDROLOGY

Areas that have hydrophytic vegetation and hydric soils generally also have wetland hydrology unless the hydrologic regime has changed due to natural events or human activities (National Research Council, 1995). The delineation manual regional supplement provides several primary and secondary wetland hydrology indicators based on their estimated reliability in the region. One primary indicator is sufficient to conclude that wetland hydrology is present while two secondary indicators are required to conclude that wetland hydrology is present. Examples of wetland hydrology indicators include the presence of surface water, a high water table, soil saturation, water marks, sediment deposits, and surface soil cracks.

At each sample point, the surrounding area was inspected for wetland hydrology indicators. Factors such as time of year, recent precipitation or lack thereof and whether "normal circumstances" were present were taken into consideration when investigating hydrologic conditions. The delineation was conducted in the winter under warmer and drier climatic conditions compared to normal.

3.2.4 PRELIMINARY JURISDICTIONAL DETERMINATION RATIONALE

All areas having simultaneous presence of wetland hydrology, hydric soils and a dominance of hydrophytic vegetation within the project area were delineated as wetlands regardless of their preliminary jurisdictional status. As stated in the **Regulatory Setting** section, the definitions provided in Section 404 of the CWA and the guidance provided in the 2008 EPA/USACE Memorandum as well as the *Sackett* decision were used to determine the preliminary jurisdictional status of wetlands and non-wetland waterways. Wetlands and non-wetland waterways were inspected in the field for a continuous surface connection to a known WOTUS. As the regulatory authority, the USACE will make all final jurisdictional determinations.

4.0 RESULTS

Six wetlands totaling 17.31 acres and five bed-and-bank features totaling 1.84 acres were delineated during the February 2026 aquatic resource delineation. **Figure 2** in **Appendix A** shows the location and extent of the wetlands and bed-and-bank features.

4.1 WETLAND 1

The delineated portion of Wetland 1 (WL-1) is 1.56 acres and is a depression wetland located in the northeast corner of the property. The wetland is hydraulically supported by surface water from a small drainage to the north as well as high groundwater. Vegetation in Wetland 1 is dominated by broad-leaf cat-tail (*Typha latifolia*), and creeping meadow-foxtail (*Alopecurus arundinaceus*). Several Russian olive trees are growing near the edges of this wetland. The wetland continues onto the property to the east where it connects to another small channel. Surface water was present in the wetland at the time of the delineation. Soils met the criteria for redox dark surface (F6), depleted matrix (F3), and depleted below dark surface (A11).

4.2 WETLAND 2

The delineated portion of Wetland 2 (WL-2) is 0.25 acres and is in a swale that crosses the northern property boundary. This wetland is vegetated almost entirely with creeping meadow-foxtail. Soils had a high organic content in the upper seven inches and were mucky. A blocked culvert used to connect this swale to a small depression on the other side of a ranch road to the south. Soils were only moist at the time of the delineation, however this wetland met two secondary hydrology indicators: Geomorphic position (D2) and FAC-Neutral Test (D5). This wetland continues onto the property to the north but does not connect to any other aquatic resource features.

4.3 WETLAND 3

The delineated portion of Wetland 3 (WL-3) is 3.83 acres and is in a Y-shaped swale that crosses the northeastern property boundaries. Surface water was present in a portion of this wetland at the time of the delineation and was flowing out to the south into Bed-and-Bank-1 (BB-1). This wetland is vegetated with broad-leaf cat-tail, hard-stem club-rush (*Schoenoplectus acutus*), three-square (*Schoenoplectus pungens*), and clustered field sedge (*Carex praegracilis*) in the wettest areas and creeping meadow-foxtail and rough bent grass (*Agrostis scabra*) near the edges. Several Russian olive trees are growing near the edges of this wetland. Soils met the criteria for redox dark surface (F6) and depleted below dark surface (A11).

4.4 WETLAND 4

Wetland 4 (WL-4) is 0.08 acres and is a slope wetland located adjacent to Bed-and-Bank 2 where it turns to the east. Vegetation in this wetland is almost entirely broad-leaf cat-tail and reed canary grass (*Phalaris arundinacea*). It is likely that water seeps through the ditch in this location to support the wetland. There may be a low spot in the ditch in this location where water sits for a prolonged amount of time, allowing the water to seep through the ditch. This wetland does not connect to any other aquatic resource features.

4.5 WETLAND 5

The delineated portion of Wetland 5 (WL-5) is 3.24 acres and is a depression wetland located on the west-central portion of the property. The wetland continues onto the property to the west where there is a constructed pond. It seems that water seeps out of the hillslope to the north as well. Common

vegetation in Wetland 5 is creeping meadow-foxtail, broad-leaf cat-tail, tall false rye grass (*Schedonorus arundinaceus*), clustered field sedge, and long-style rush (*Juncus longistylis*). The wetland connects to BB-1 to the east. Surface water was present in a portion of the wetland at the time of the delineation. Soils met the criteria for redox dark surface (F6) and depleted below dark surface (A11).

4.6 WETLAND 6

The delineated portion of Wetland 6 (WL-6) is 8.35 acres and is a depression wetland located in the southwest corner of the property. The wetland is connected to a network of wetlands to the west of the property that generally drain to the southeast. The wetland is hydraulically supported by surface water from this wetland network as well as high groundwater. Vegetation in Wetland 1 is dominated by broad-leaf cat-tail, three square, and creeping meadow-foxtail. Several Russian olive trees are growing near the edges of this wetland. Surface water was present in the core of the wetland at the time of the delineation. Soils met the criteria for depleted matrix (F3). WL-6 connects to BB-1 at its eastern extent.

4.7 BED-AND-BANK 1

The delineated portion of Bed-and-Bank 1 (BB-1) is 1.29 acres and is the ditch that starts at the north-central portion of the property at a spring. A small (4-inch) pipe is stuck into the hillside at the spring location but does not appear to connect to any other water feature. The spring was flowing at the time of the delineation. Water was also flowing out of WL-3 into BB-1 at the time of the delineation. BB-1 is 5 to 15 feet wide and 2 to 5 feet deep with water depths ranging from a few inches to a foot. The ditch generally travels due south through the property, then turns to the east along Highway 10. The portion of the ditch along the highway had been cleaned out recently with excavated material piled alongside the ditch. The remaining portion of the ditch had vegetation growing in it.

4.8 BED-AND-BANK 2

The delineated portion of Bed-and-Bank 2 (BB-2) is 0.23 acres and is the ditch that enters the property near the middle of the northern boundary, flows southeast, then turns east and flows off the property. The ditch was not flowing at the time of the delineation, but some standing water and ice was present in portions of the ditch. BB-2 is 3 to 6 feet wide and 1 to 2 feet deep. Portions of this ditch appear to have been cleaned out recently with excavated material piled alongside the ditch. The northern portion of the ditch is heavily vegetated with Russian olive along both sides of the ditch.

4.9 BED-AND-BANK 3

The delineated portion of Bed-and-Bank 3 (BB-3) is 0.22 acres and is the ditch that runs along the eastern property boundary then turns east at a couple locations and flows off the property. The ditch is connected to BB-2 and is about 5 feet wide and 1 to 2 feet deep.

4.10 BED-AND-BANK 4

Bed-and-Bank 4 (BB-4) is 0.05 acres and is a small ditch that runs southwest just northwest of the fields. This ditch is about 1 foot wide and less than 1 foot deep and did not appear to have water flowing through it in recent years. It may have connected to BB-2 historically but no longer does. The ditch tapers off before reaching BB-1. The banks are primarily vegetated with upland grasses.

4.11 BED-AND-BANK 5

Bed-and-Bank 5 (BB-5) is 0.05 acres and is the small ditch southwest of the fields that may be used to drain excess water off the fields. Due to recent dredging in BB-1, it was difficult to determine if or where BB-5 connects to BB-1. BB-5 is 1 to 2 feet wide and less than 1 foot deep. This ditch was dry at the time of the delineation.

5.0 WETLAND INVENTORY MAPS

5.1 NATIONAL WETLAND INVENTORY

Figure 3, Appendix A shows the wetlands and bed-and-banks features mapped by the National Wetland Inventory (NWI). The NWI maps all wetlands except WL-2 and WL-4 however the boundaries are different from the boundaries delineated in the field. WL-1 and WL-6 as well as the inner core of WL-3 are classified as palustrine, emergent, persistent, seasonally flooded (PEM1C). The outer portion of WL-3 and all of WL-5 are classified as palustrine, emergent, persistent, temporarily flooded (PEM1A). NWI also maps BB-1 and BB-2 but does not map the other three bed-and-bank features. NWI connects BB-1 to BB-2, however this connection was not confirmed in the field. NWI classifies the bed-and-bank features as an excavated, seasonally flooded, intermittent streambed (R4SBCx). These maps are prepared from the analysis of high-altitude imagery and a margin of error is inherent (USFWS, 2026).

5.2 MONTANA NATURAL HERITAGE PROGRAM WETLAND MAPPING

Figure 4, Appendix A shows the wetlands mapped by the Montana Natural Heritage Program (MTNHP). The MTNHP map is considerably different than the NWI map. MTNHP maps a larger area for WL-1, however this additional area was found to be upland in the field. MTNHP also maps an area around BB-4 as wetland, but this area was found to be vegetated with smooth brome. These wetlands were classified as diked/impounded, palustrine, emergent, persistent, seasonally flooded (PEM1Ch). MTNHP only mapped the core of WL-3 and a smaller portion of WL-6 and did not map WL-2, WL-4, or WL-5. The only riverine feature mapped by MTNHP is BB-1 and it does not show the portion of the channel that extends past WL-3 to the spring. MTNHP wetland mapping is also prepared from the analysis of high-altitude imagery and a margin of error is inherent (MTNHP, 2026).

6.0 SUMMARY

Six wetlands totaling 17.31 acres and five bed-and-bank features totaling 1.84 acres were delineated during the February 2026 aquatic resource delineation. WL-3, WL-5 and WL-6 may be considered jurisdictional due to their connection to BB-1 which is likely to convey naturally sourced water for more than three months per year. BB-1 connects to a network of irrigation ditches that eventually outflow to the Yellowstone River, a WOTUS. WL-2 and WL-4 are likely non-jurisdictional features since they do not connect to another WOTUS. More research and field investigation will need to be performed to provide a preliminary jurisdictional determination for WL-1 as it is difficult to determine if it connects to another WOTUS somewhere off the property. BB-4 and BB-5 are all likely non-jurisdictional features since they are constructed wholly in upland and do not convey water for more than three months of the year. BB-2 and BB-3 are also likely non-jurisdictional features since they are constructed in upland, however they may convey water for more than 3 months of the year. The USACE will make all final jurisdictional determinations.

Additionally, irrigation ditches that flow beyond the property may require special consideration if the owners desire to relocate or pipe them. Ditch companies often have prescriptive easements on either side of their ditches that allow them to access private property to maintain the infrastructure. The ditch companies, if they exist in the area, need to be consulted before any changes can be made.

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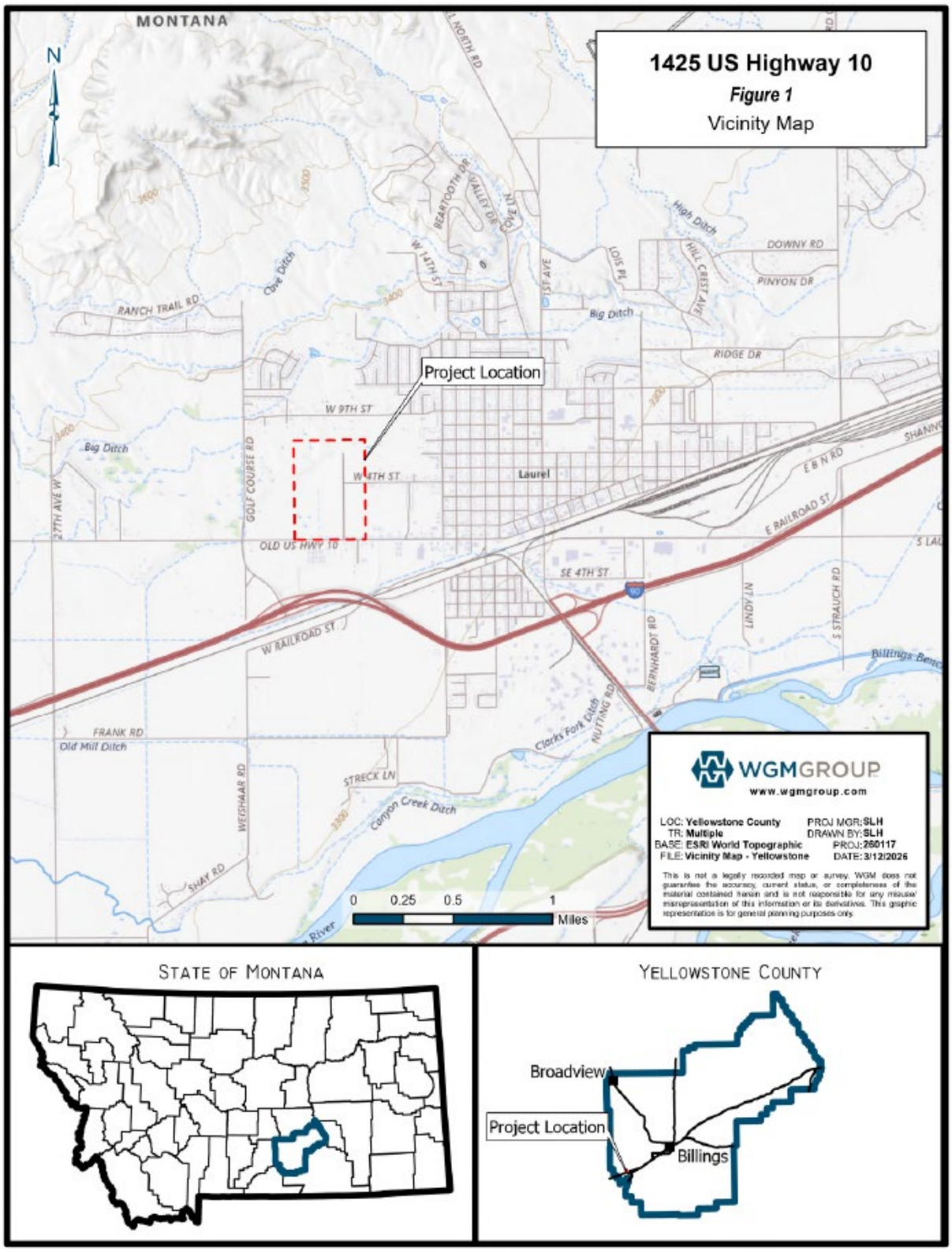
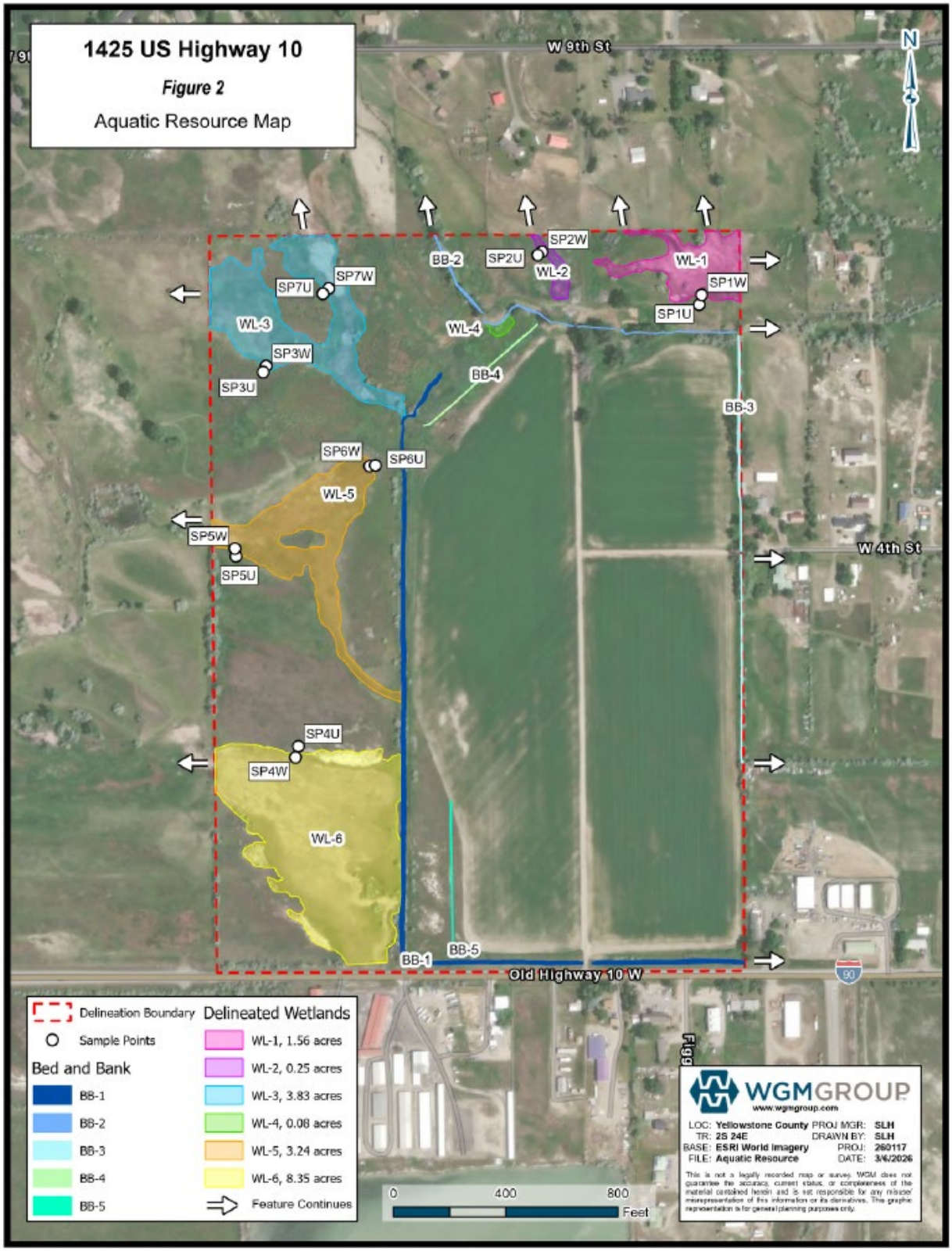
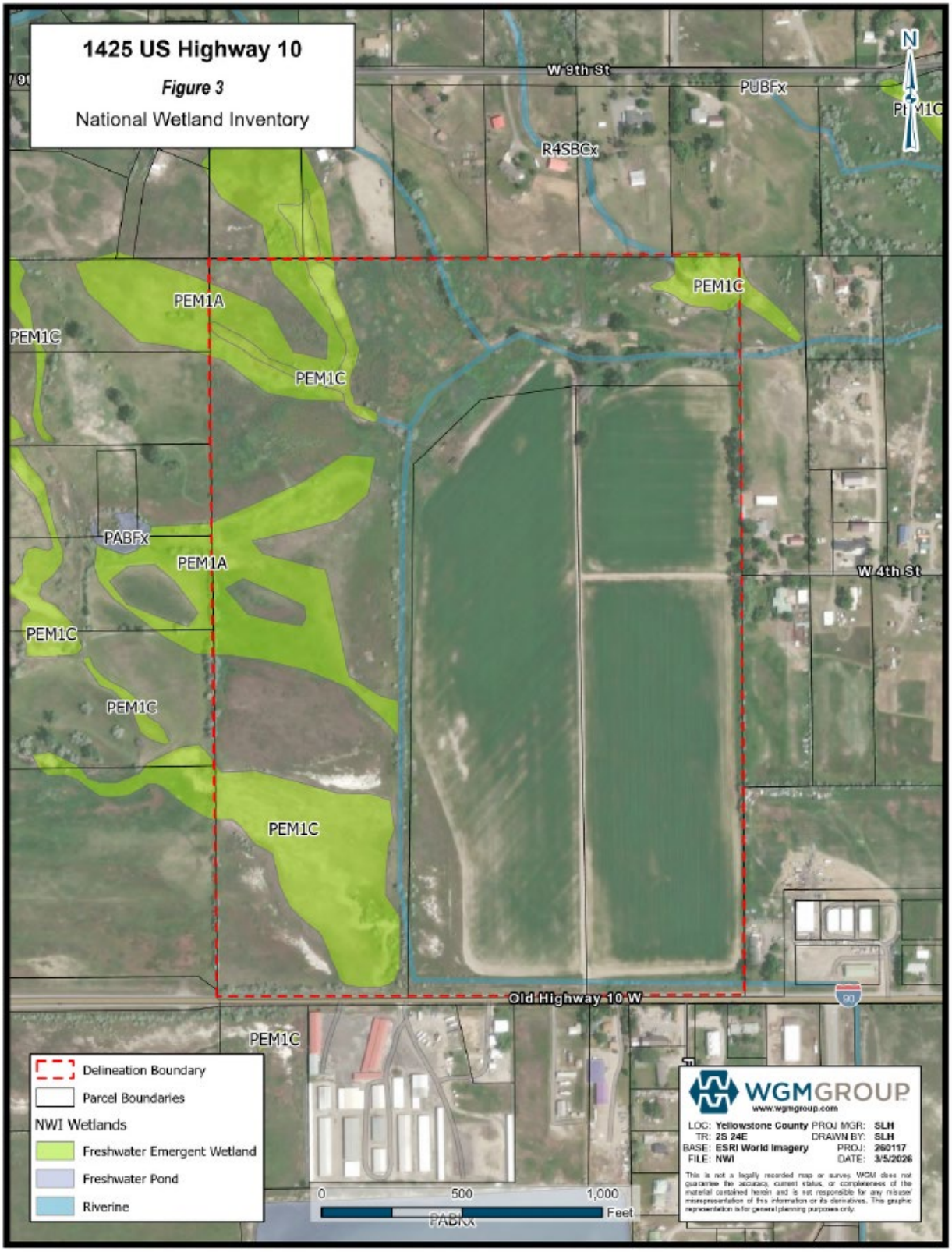
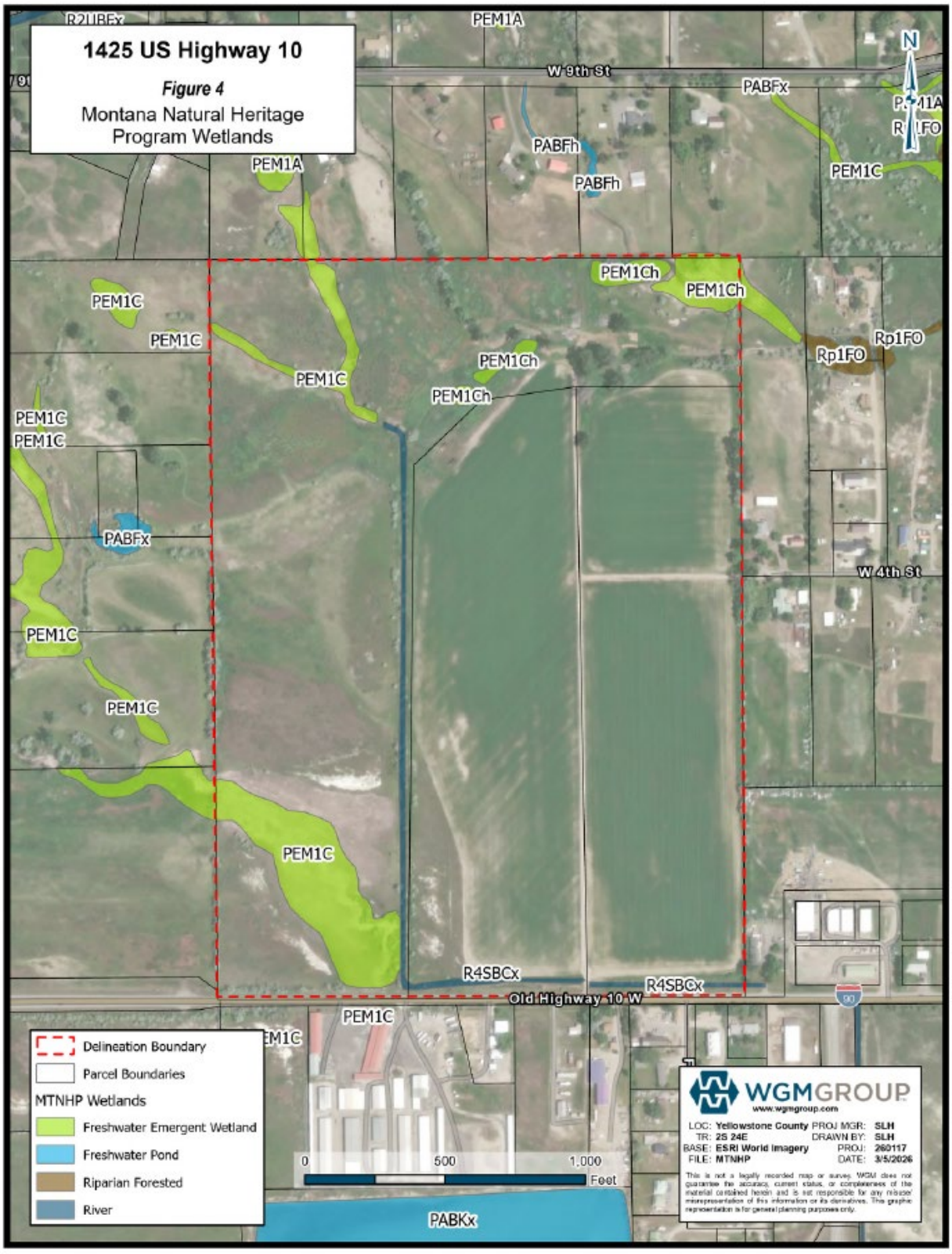
APPENDIX A
FIGURES


1425 US Highway 10
Figure 1
Vicinity Map
MONTANA
N
Project Location
W 9TH ST
W 8TH ST
Laurel
OLD US HWY 10
W RAILROAD ST
E RAILROAD ST
SE 4TH ST
Big Ditch
Cove Ditch
High Ditch
Clarks Fork Ditch
Canyon Creek Ditch
Old Mill Ditch
RANCH TRAIL RD
GOLF COURSE RD
27TH AVE W
BEARTOOTH DR
VALLEY DR
DOWNY RD
PINYON DR
RIDGE DR
HILL CREST AVE
LOIS PL
1ST AVE
E B N RD
BERNHARDT RD
NUTTING RD
S STRAUCH RD
FRANK RD
STRECK LN
WEISHAAR RD
SHAY RD
0 0.25 0.5 1
Miles
WGMGROUP
www.wgmgroup.com
LOC: Yellowstone County
TR: Multiple
BASE: ESRI World Topographic
FILE: Vicinity Map - Yellowstone
PROJ MGR: SLH
DRAWN BY: SLH
PROJ: 250117
DATE: 3/12/2026
This is not a legally recorded map or survey. WGM does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse/misrepresentation of this information or its derivatives. This graphic representation is for general planning purposes only.
STATE OF MONTANA
YELLOWSTONE COUNTY
Broadview
Project Location
Billings


1425 US Highway 10
Figure 2
Aquatic Resource Map
W 9th St
W 4th St
Old Highway 10 W
N
SP2W
SP2U
WL-2
BB-2
WL-1
SP1W
SP1U
SP7U
SP7W
WL-3
WL-4
SP3W
SP3U
BB-4
BB-3
SP6W
SP6U
WL-5
SP5W
SP5U
SP4U
SP4W
WL-6
BB-1
BB-5
Delineation Boundary
Sample Points
Bed and Bank
BB-1
BB-2
BB-3
BB-4
BB-5
Delineated Wetlands
WL-1, 1.56 acres
WL-2, 0.25 acres
WL-3, 3.83 acres
WL-4, 0.08 acres
WL-5, 3.24 acres
WL-6, 8.35 acres
Feature Continues
0
400
800
Feet
WGMGROUP
www.wgmgroup.com
LOC: Yellowstone County PROJ MGR: SLH
TR: 2S 24E DRAWN BY: SLH
BASE: ESRI World Imagery PROJ: 260117
FILE: Aquatic Resource DATE: 3/6/2026
This is not a legally recorded map or survey. WGM does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse/misrepresentation of this information or its derivatives. This graphic representation is for general planning purposes only.


1425 US Highway 10
Figure 3
National Wetland Inventory
N
W 9th St
PUBFx
R4SBCx
PEM1C
PEM1A
PEM1C
PEM1C
PEM1C
PABFx
PEM1A
W 4th St
PEM1C
PEM1C
PEM1C
PEM1C
Old Highway 10 W
PABFx
Delineation Boundary
Parcel Boundaries
NWI Wetlands
Freshwater Emergent Wetland
Freshwater Pond
Riverine
0
500
1,000
Feet
WGMGROUP
www.wgmgroup.com
LOC: Yellowstone County PROJ MGR: SLH
TR: 2S 24E DRAWN BY: SLH
BASE: ESRI World Imagery PROJ: 260117
FILE: NWI DATE: 3/5/2026
This is not a legally recorded map or survey. WGM does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse/misrepresentation of this information or its derivatives. This graphic representation is for general planning purposes only.


1425 US Highway 10
Figure 4
Montana Natural Heritage Program Wetlands
N
W 9th St
W 4th St
Old Highway 10 W
PEM1A
PABFx
PABFh
PEM1C
PEM1Ch
Rp1FO
R4SBCx
PABKx
Delineation Boundary
Parcel Boundaries
MTNHP Wetlands
Freshwater Emergent Wetland
Freshwater Pond
Riparian Forested
River
0
500
1,000
Feet
WGMGROUP
www.wgmgroup.com
LOC: Yellowstone County PROJ MGR: SLH
TR: 2S 24E DRAWN BY: SLH
BASE: ESRI World Imagery PROJ: 260117
FILE: MTNHP DATE: 3/5/2026

APPENDIX B
WETLAND DETERMINATION DATA FORMS

1425 OLD HIGHWAY 10 W - LAUREL
Aquatic Resource Delineation Report

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP1U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley bottom Local relief (concave, convex, none): none Slope (%): 1-2

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6748757°N Long: 108.7905393°W Datum: WGS84

Soil Map Unit Name: Lohmiller soils, seeped, 0 to 2 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Sample point is in different community type surrounding south edge of wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Elymus repens*	50	Yes	FACU
2. *Bromus inermis*	50	Yes	UPL
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 10

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	50	x 4 =	200
UPL species	50	x 5 =	250
Column Totals:	100 (A)		450 (B)
Prevalence Index = B/A =			4.50

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Vegetation is all introduced grass species.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP1U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-1	10YR 2/1	100					Loamy/Clayey	High organics. Loam
1-6	2.5Y 3/2	98	2.5Y 7/1	2	C	M	Loamy/Clayey	Fine roots present. SiC
6-12	2.5Y 3/2	98	2.5Y 7/1	2	C	M	Loamy/Clayey	Less roots. SiC
12-18	2.5YR 4/2	100					Loamy/Clayey	Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ____ **No** X

Remarks:
Light colored concentrations are likely calcium carbonate concentrations, not redox features.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are moist throughout.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP1W

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): depression Local relief (concave, convex, none): concave Slope (%): 1

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6749711°N Long: 108.7905034°W Datum: WGS84

Soil Map Unit Name: Lohmiller soils, seeped, 0 to 2 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? Yes X No ____

Remarks:
SP near edge of cattail wetland. Representative of veg in wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Typha latifolia*	30	Yes	OBL
2. *Alopecurus arundinaceus*	70	Yes	FACW
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 10

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	30	x 1 =	30
FACW species	70	x 2 =	140
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		170 (B)
Prevalence Index = B/A =			1.70

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Vegetation is taller in wetland.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP1W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-2	10YR 2/2	100					Loamy/Clayey	Loam, High organics
2-10	10YR 4/1	95	10YR 3/6	5	C	M	Loamy/Clayey	SiC, Prominent redox concentrations
10-18	10YR 4/1	85	10YR 3/6	15	C	M	Loamy/Clayey	Clay, Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- X Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:
Relatively uniform color and texture. Fine roots are present in the top two layers, fewer roots are present below 10 inches.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- X Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___
Water Table Present?	Yes x	No ___	Depth (inches): 14
Saturation Present? (includes capillary fringe)	Yes x	No ___	Depth (inches): 11

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Water table present at 14 inches. Saturation present at 11 inches.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP2U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley bottom Local relief (concave, convex, none): convex Slope (%): 5

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6753751°N Long: 108.7927862°W Datum: WGS84

Soil Map Unit Name: Arvada-Bone silty clay loams, 0 to 1 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X
Hydric Soil Present?	Yes ____	No X
Wetland Hydrology Present?	Yes ____	No X

Is the Sampled Area within a Wetland? Yes ____ No X

Remarks:
Sample point is on slight hillslope above swale wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Bromus inermis*	80	Yes	UPL
2. *Chenopodium album*	20	Yes	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 5

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	20	x 4 =	80
UPL species	80	x 5 =	400
Column Totals:	100 (A)		480 (B)

Prevalence Index = B/A = 4.80

Hydrophytic Vegetation Indicators:

____ 1 - Rapid Test for Hydrophytic Vegetation
____ 2 - Dominance Test is >50%
____ 3 - Prevalence Index is ≤3.0[1]
____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Distinct change in community type between wetland and upland.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP2U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/3	100					Loamy/Clayey	Many fine roots. Loam
6-12	10YR 4/2	100					Loamy/Clayey	Few fine roots. SiL
12-18	10YR 4/2	98	2.5Y 7/2	2	C	M	Loamy/Clayey	Cacium Carbonate. SiCL

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

___ Histosol (A1)
___ Histic Epipedon (A2)
___ Black Histic (A3)
___ Hydrogen Sulfide (A4)
___ Stratified Layers (A5) **(LRR F)**
___ 1 cm Muck (A9) **(LRR F, G, H)**
___ Depleted Below Dark Surface (A11)
___ Thick Dark Surface (A12)
___ Iron Monosulfide (A18)
___ Sandy Mucky Mineral (S1)
___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
___ Sandy Gleyed Matrix (S4)
___ Sandy Redox (S5)
___ Stripped Matrix (S6)
___ Loamy Mucky Mineral (F1)
___ Loamy Gleyed Matrix (F2)
___ Depleted Matrix (F3)
___ Redox Dark Surface (F6)
___ Depleted Dark Surface (F7)
___ Redox Depressions (F8)
___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

___ 1 cm Muck (A9) **(LRR I, J)**
___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
___ Reduced Vertic (F18)
___ Red Parent Material (F21)
___ Very Shallow Dark Surface (F22)
___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____
Depth (inches): _____

Hydric Soil Present? **Yes** ____ **No** X

Remarks:
Few gravels in pit. Concentrations in lowest layer are likely calcium carbonate.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

___ Surface Water (A1)
___ High Water Table (A2)
___ Saturation (A3)
___ Water Marks (B1)
___ Sediment Deposits (B2)
___ Drift Deposits (B3)
___ Algal Mat or Crust (B4)
___ Iron Deposits (B5)
___ Inundation Visible on Aerial Imagery (B7)
___ Water-Stained Leaves (B9)
___ Salt Crust (B11)
___ Aquatic Invertebrates (B13)
___ Hydrogen Sulfide Odor (C1)
___ Dry-Season Water Table (C2)
___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
___ Presence of Reduced Iron (C4)
___ Thin Muck Surface (C7)
___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

___ Surface Soil Cracks (B6)
___ Sparsely Vegetated Concave Surface (B8)
___ Drainage Patterns (B10)
___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
___ Crayfish Burrows (C8)
___ Saturation Visible on Aerial Imagery (C9)
___ Geomorphic Position (D2)
___ FAC-Neutral Test (D5)
___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present? Yes ____ No x Depth (inches): ____
Water Table Present? Yes ____ No x Depth (inches): ____
Saturation Present? (includes capillary fringe) Yes ____ No x Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are moist throughout.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP2W

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): swale Local relief (concave, convex, none): concave Slope (%): 1

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6754066°N Long: 108.7927245°W Datum: WGS84

Soil Map Unit Name: Arvada-Bone silty clay loams, 0 to 1 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? Yes X No ____

Remarks:
Sample point in swale wetland

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size: 30 ft)			
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Alopecurus arundinaceus*	100	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		200 (B)
Prevalence Index = B/A =			2.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Wetland is vegetated almost entirely with Alopecurus arundinaceus.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP2W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-7	10YR 3/3	100					Mucky Loam/Clay	High organic content. MSiL
7-13	10YR 3/2	100					Loamy/Clayey	Worms; gravels 10%. SiL
13-18	2.5Y 4/2	100					Loamy/Clayey	Few small gravels. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- X Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:
Layers are well defined

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are moist throughout, wetland is in swale feature.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP3U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): hillside Local relief (concave, convex, none): convex Slope (%): 2-5

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6742550°N Long: 108.7966335°W Datum: WGS84

Soil Map Unit Name: Keiser silty clay loam, 1 to 4 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes ____ No x

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Sample point is on slightly higher ground on the shoulder of a hill.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Poa pratensis*	80	Yes	FACU
2. *Bromus tectorum*	20	No	UPL
3. *Distichlis spicata*	1	No	FACW
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	101 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		
% Bare Ground in Herb Stratum ____			

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	1	x 2 =	2
FAC species	0	x 3 =	0
FACU species	80	x 4 =	320
UPL species	20	x 5 =	100
Column Totals:	101 (A)		422 (B)
Prevalence Index = B/A =			4.18

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
It is winter time, vegetation has senesced

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP3U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-2	10YR 2/2	100					Loamy/Clayey	High organics. Loam
2-9	2.5Y 4/2	100					Loamy/Clayey	Fine & med roots. SiC
9-18	2.5Y 4/2	90	2.5Y 7/1	10	C	M	Loamy/Clayey	Cacium Carbonate deposits. Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ____ **No** X

Remarks:
Few medium gravels in soil pit. Light colored concentrations are likely calcium carbonate concentrations, not redox features.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are slightly moist throughout profile.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26
Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP3W
Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E
Landform (hillside, terrace, etc.): swale Local relief (concave, convex, none): concave Slope (%): 1-5
Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6743140°N Long: 108.7965913°W Datum: WGS84
Soil Map Unit Name: Lohmiller soils, seeped, 0 to 2 percent slopes NWI classification: PEM1A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:
Sample point near edge of swale.

VEGETATION – Use scientific names of plants.

	Absolute % Cover	Dominant Species?	Indicator Status
Tree Stratum (Plot size: 30 ft)			
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Alopecurus arundinaceus*	100	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 5

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		200 (B)
Prevalence Index = B/A =			2.00

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:
Vegetation is representative of outer wetland community. See SP7W for a representation of the central community type.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP3W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	100					Loamy/Clayey	Fine roots & rhizomes. SL
4-11	10YR 4/1	95	10YR 3/6	5	C	M	Loamy/Clayey	Gravels 5%. SL
11-18	2.5Y 5/2	60	2.5Y 7/2	40	C	M	Loamy/Clayey	Few gravels. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:
CaCo concentrations in lower layer.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Near edge of swale. Soils are moist.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP4U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley Local relief (concave, convex, none): none Slope (%): 0-1

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6705819°N Long: 108.7961893°W Datum: WGS84

Soil Map Unit Name: Arvada-Bone silty clay loams, 0 to 1 percent slopes NWI classification: UPL

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Sample point in greasewood community type adjacent to wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. *Sarcobatus vermiculatus*	60	Yes	FAC
2.			
3.			
4.			
5.			
	60 =Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Bromus tectorum*	4	Yes	UPL
2. *Agrostis scabra*	2	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	6 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 20

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	62	x 3 =	186
FACU species	0	x 4 =	0
UPL species	4	x 5 =	20
Column Totals:	66 (A)		206 (B)
Prevalence Index = B/A =			3.12

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Winter season, vegetation has senesced.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP4U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	2.5Y 4/2	100					Loamy/Clayey	Many fine roots. SiC
6-18	2.5Y 4/2	100					Loamy/Clayey	Some fine & med roots. Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ____ **No** X

Remarks:
Salt crystals present throughout soil profile

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are slightly moist throughout profile.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26
Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP4W
Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E
Landform (hillside, terrace, etc.): valley bottom Local relief (concave, convex, none): none Slope (%): 0
Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6704742°N Long: 108.7962313°W Datum: WGS84
Soil Map Unit Name: Lohmiller soils, seeped, 0 to 2 percent slopes NWI classification: PEM1C
Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? Yes X No ____

Remarks:
Sample point near edge of cattails in wetland.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Typha latifolia*	45	Yes	OBL
2. *Schoenoplectus pungens*	30	Yes	OBL
3. *Poa pratensis*	15	No	FACU
4. *Schedonorus arundinaceus*	10	No	FACU
5. *Sonchus arvensis*	3	No	FAC
6. *Cirsium arvense*	3	No	FACU
7.			
8.			
9.			
10.			
	106 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		
% Bare Ground in Herb Stratum			

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	75	x 1 =	75
FACW species	0	x 2 =	0
FAC species	3	x 3 =	9
FACU species	28	x 4 =	112
UPL species	0	x 5 =	0
Column Totals:	106 (A)		196 (B)
Prevalence Index = B/A =			1.85

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Distinct wetland community type.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP4W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-3	10YR 4/2	100					Loamy/Clayey	Many fine roots. SiL
3-10	2.5Y 5/2	98	10YR 3/6	2	C	M	Loamy/Clayey	Fine/Med roots. SiCL
10-14	2.5Y 4/2	95	2.5Y 7/1	5	C	M	Loamy/Clayey	Calc.Carb present. SiC
14-18	2.5Y 4/2	92	2.5Y 7/1	8	C	M	Loamy/Clayey	More Calc.carb present. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:
Redox concentrations don't appear to be on living roots.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Salt crust in nearby areas

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP5U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley Local relief (concave, convex, none): none Slope (%): 0-1

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6724576°N Long: 108.7970366°W Datum: WGS84

Soil Map Unit Name: Arvada-Bone silty clay loams, 0 to 1 percent slopes NWI classification: PEM1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Sample point on slightly higher ground where smooth brome is growing.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
		=Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
		=Total Cover	
Herb Stratum (Plot size: 5 ft)			
1. *Bromus inermis*	90	Yes	UPL
2. *Sonchus arvensis*	3	No	FAC
3. *Schedonorus arundinaceus*	2	No	FACU
4. *Chenopodium album*	1	No	FACU
5. *Poa pratensis*	1	No	FACU
6.			
7.			
8.			
9.			
10.			
	97	=Total Cover	
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
		=Total Cover	

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	3	x 3 =	9
FACU species	4	x 4 =	16
UPL species	90	x 5 =	450
Column Totals:	97 (A)		475 (B)
Prevalence Index = B/A =			4.90

Hydrophytic Vegetation Indicators:

____ 1 - Rapid Test for Hydrophytic Vegetation
____ 2 - Dominance Test is >50%
____ 3 - Prevalence Index is ≤3.0[1]
____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
winter season, vegetation has senesced

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP5U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 2/2	100					Loamy/Clayey	Many fine roots. SiL
3-8	2.5Y 4/2	100					Loamy/Clayey	Fewer fine roots. SiL
8-18	2.5Y 5/2	100					Loamy/Clayey	Few fine roots. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ____ **No** X

Remarks:
Some worm castings in bottom layer

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? **Yes** ____ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are slightly moist throughout profile.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP5W

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley bottom Local relief (concave, convex, none): none Slope (%): 0

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6725334°N Long: 108.7970499°W Datum: WGS84

Soil Map Unit Name: Arvada-Bone silty clay loams, 0 to 1 percent slopes NWI classification: PEM1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** X **No** ____

Remarks:
Sample point in foxtail where surface water is present.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Alopecurus arundinaceus*	90	Yes	FACW
2. *Schedonorus arundinaceus*	5	No	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	95 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum 10

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	90	x 2 =	180
FAC species	0	x 3 =	0
FACU species	5	x 4 =	20
UPL species	0	x 5 =	0
Column Totals:	95 (A)		200 (B)
Prevalence Index = B/A =			2.11

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:
Bare ground mostly covered by litter.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP5W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 2/1	100					Mucky Loam/Clay	High organics. MSiL
3-18	2.5Y 3/2	95	10YR 3/6	5	C	M	Loamy/Clayey	Few fine roots. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:
Large cobble at 15" depth.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- X High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes x	No ____	Depth (inches): 0.5
Water Table Present?	Yes x	No ____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes x	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Water is weeping into soil pit throughout soil profile.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26
Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP6U
Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E
Landform (hillside, terrace, etc.): valley Local relief (concave, convex, none): none Slope (%): 0-1
Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6733334°N Long: 108.7950783°W Datum: WGS84
Soil Map Unit Name: Lohmiller soils, seeped, 0 to 2 percent slopes NWI classification: UPL
Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No X
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes ____ No X

Is the Sampled Area within a Wetland? Yes ____ No X

Remarks:
Sample point in intermediate wheatgrass past end of wetland lobe

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Thinopyrum intermedium*	95	Yes	UPL
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	95 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	95	x 5 =	475
Column Totals:	95 (A)		475 (B)
Prevalence Index = B/A =			5.00

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Dense stand of intermediate wheatgrass

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

SOIL

Sampling Point: SP6U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	2.5Y 3/2	100					Loamy/Clayey	Many fine roots. SiCL
4-18	2.5Y 3/1	95	10YR 3/6	5	C	M	Loamy/Clayey	CaCo3 contrentrations also present. Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- X Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:
No rocks present

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___
Water Table Present?	Yes ___	No x	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No x	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Soils are slightly moist throughout profile.

ENG FORM 6116-5, SEP 2024 Great Plains – Version 2.0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/4/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP6W

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): swale Local relief (concave, convex, none): concave Slope (%): 0

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6733263°N Long: 108.7951593°W Datum: WGS84

Soil Map Unit Name: Alluvial land, wet NWI classification: PEM1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes X No ____
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? Yes X No ____

Remarks:
Sample point at downslope end of wetland lobe

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Carex praegracilis*	95	Yes	FACW
2. *Juncus longistylis*	5	No	FACW
3. *Sonchus arvensis*	5	No	FAC
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	105 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	100	x 2 =	200
FAC species	5	x 3 =	15
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	105 (A)		215 (B)

Prevalence Index = B/A = 2.05

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Distinct change in vegetation community type at end of wetland lobe.

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SOIL

Sampling Point: SP6W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-1	10YR 2/2	100					Loamy/Clayey	High organics. SiL
1-7	2.5Y 4/2	98	10YR 3/6	2	C	M	Loamy/Clayey	Worms present. SiC
7-18	2.5Y 4/1	90	10YR 3/6	10	C	M	Loamy/Clayey	Prominent redox. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:
No rocks encountered.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___
Water Table Present?	Yes ___	No x	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No x	Depth (inches): ___

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
soils are moist

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U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP7U

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): valley Local relief (concave, convex, none): concave Slope (%): 2-5

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6750150°N Long: 108.7957900°W Datum: WGS84

Soil Map Unit Name: Toluca clay loam, 1 to 4 percent slopes NWI classification: PEM1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:
Sample point is near top of swale, appx 1' higher than SP7W.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
	=Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
	=Total Cover		
Herb Stratum (Plot size: 5 ft)			
1. *Elymus repens*	100	Yes	FACU
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 =Total Cover		
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
	=Total Cover		

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	100	x 4 =	400
UPL species	0	x 5 =	0
Column Totals:	100 (A)		400 (B)
Prevalence Index = B/A =			4.00

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Monoculture of quackgrass.

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SOIL

Sampling Point: SP7U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 2/2	100					Loamy/Clayey	High organics and fine roots. SiL
4-10	2.5Y 4/2	95	2.5Y 7/1	5	C	M	Loamy/Clayey	CaCo3 contrentrations. Clay
10-18	2.5Y 4/2	95	2.5Y 7/1	5	C	M	Loamy/Clayey	CaCo3 is linear (leaching?). Clay

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

Medium and small gravels make up 20% of soil matrix. Light colored concentrations are likely calcium carbonate concentrations, not redox features.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___
Water Table Present?	Yes ___	No x	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No x	Depth (inches): ___

Wetland Hydrology Present? **Yes** ___ **No** X

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Soils are slightly moist below 4"

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U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Great Plains Region
See ERDC/EL TR-10-1; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 9/30/2027
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1425 US Highway 10 City/County: Laurel / Yellowstone Co. Sampling Date: 2/16/26

Applicant/Owner: Miller Trois LLC State: MT Sampling Point: SP7W

Investigator(s): S. Howell, K. Krenik Section, Township, Range: Sec.08, T02S, R24E

Landform (hillside, terrace, etc.): swale Local relief (concave, convex, none): concave Slope (%): 2-5

Subregion (LRR/MLRA): LRR G, MLRA 58A Lat: 45.6750668°N Long: 108.7957077°W Datum: WGS84

Soil Map Unit Name: Toluca clay loam, 4 to 7 percent slopes NWI classification: PEM1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes x No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:
Sample point near edge of cattail at toe of slope in swale.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft)	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
		=Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft)			
1. None			
2.			
3.			
4.			
5.			
		=Total Cover	
Herb Stratum (Plot size: 5 ft)			
1. *Carex praegracilis*	60	Yes	FACW
2. *Typha latifolia*	15	No	OBL
3. *Schoenoplectus pungens*	15	No	OBL
4. *Sonchus arvensis*	10	No	FAC
5.			
6.			
7.			
8.			
9.			
10.			
	100	=Total Cover	
Woody Vine Stratum (Plot size: 30 ft)			
1. None			
2.			
		=Total Cover	

% Bare Ground in Herb Stratum ____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	30	x 1 =	30
FACW species	60	x 2 =	120
FAC species	10	x 3 =	30
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	100 (A)		180 (B)
Prevalence Index = B/A =			1.80

Hydrophytic Vegetation Indicators:

____ 1 - Rapid Test for Hydrophytic Vegetation
X 2 - Dominance Test is >50%
X 3 - Prevalence Index is ≤3.0[1]
____ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
____ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No ____

Remarks:
Vegetation is representative of central portion of wetland.

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SOIL

Sampling Point: SP7W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-1	10YR 2/2	100					Loamy/Clayey	High organics. MSiL
1-8	2.5Y 4/1	90	10YR 4/6	10	C	M	Loamy/Clayey	Many fine & med roots. SiL
8-18	2.5Y 4/1	90	10YR 3/6	10	C	M	Loamy/Clayey	CaCo3. SiC

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR F)**
- ___ 1 cm Muck (A9) **(LRR F, G, H)**
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Iron Monosulfide (A18)
- ___ Sandy Mucky Mineral (S1)
- ___ 2.5 cm Mucky Peat or Peat (S2) **(LRR G, H)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR F)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ High Plains Depressions (F16) **(MLRA 72 & 73 of LRR H)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR I, J)**
- ___ High Plains Depressions (F16) **(LRR H outside of MLRA 72 & 73)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes X No ___

Remarks:
Small and medium gravel make up 10% of soil matrix.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Dry-Season Water Table (C2)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where not tilled)**
- ___ Presence of Reduced Iron (C4)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Oxidized Rhizospheres on Living Roots (C3) **(where tilled)**
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- X FAC-Neutral Test (D5)
- ___ Frost-Heave Hummocks (D7) **(LRR F)**

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___		
Water Table Present?	Yes ___	No x	Depth (inches): ___		
Saturation Present? (includes capillary fringe)	Yes x	No ___	Depth (inches): 4	**Wetland Hydrology Present?**	Yes X No ___

Describe Recorded Data (stream gage, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Surface water is present adjacent to soil pit.

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APPENDIX C
REPRESENTATIVE PHOTOGRAPHS

REPRESENTATIVE PHOTOS
1425 OLD HIGHWAY 10 W, LAUREL, MONTANA
WETLAND DELINEATION
FEBRUARY 4 & 16, 2026

SP1U

SP1W

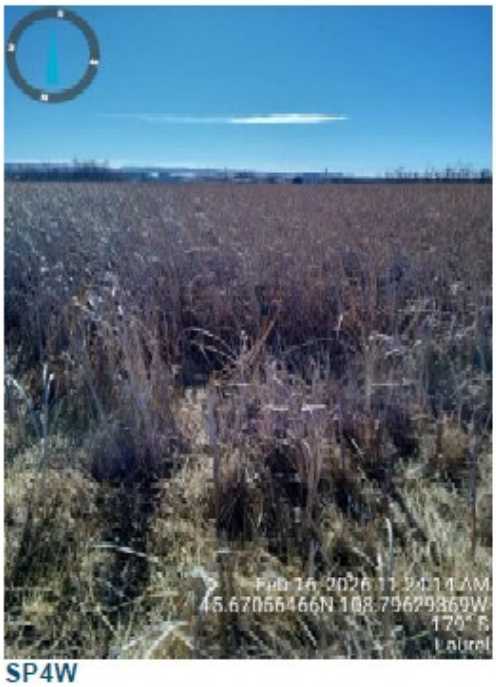
SP2U

SP2W

SP3U

SP3W

SP4U



SP4W

SP5U

SP5W

SP6U

SP6W

SP7U

SP7W

WETLAND 1, REPRESENTATIVE PHOTO, LOOKING NORTH

WETLAND 1, REPRESENTATIVE PHOTO, LOOKING WEST ALONG BOUNDARY

WETLAND 3, REPRESENTATIVE PHOTO, LOOKING NW ALONG SOUTHERN LOBE

WETLAND 5, REPRESENTATIVE PHOTO, LOOKING NORTHEAST

WETLAND 5, REPRESENTATIVE PHOTO, LOOKING SOUTH

WETLAND 6, REPRESENTATIVE PHOTO, LOOKING SOUTH

AREA MAPPED AS WETLAND BY MTNHP, ACTUALLY SMOOTH BROME. NOTE WETLAND 4 IS ON HILLSLOPE IN UPPER RIGHT OF PHOTO.

BED-AND-BANK-1, SPRING LOCATION

BED-AND-BANK-1, REPRESENTATIVE PHOTO

BED-AND-BANK-1, DREDGED SECTION

BED-AND-BANK-2, REPRESENTATIVE PHOTO

BED-AND-BANK-4, REPRESENTATIVE PHOTO

LOOKING SOUTH ALONG PLOWED FIELDS

LOOKING SOUTHWEST ALONG EDGE OF PLOWED FIELDS

APPENDIX D
NRCS SOIL REPORT

1425 OLD HIGHWAY 10 W - LAUREL
Aquatic Resource Delineation Report

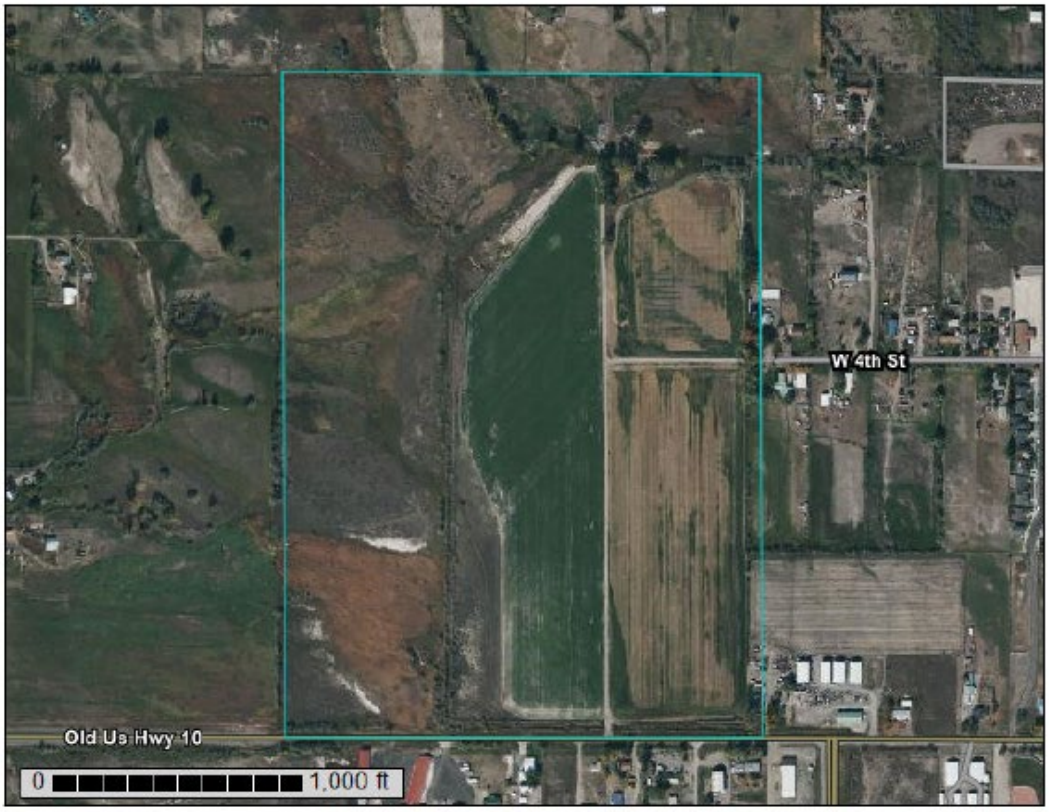
United States Department of Agriculture

NRCS Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Yellowstone County, Montana

1425 US Highway 10



February 14, 2026

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.


Custom Soil Resource Report
Soil Map
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Va
Old Highway 10 W
Va
Soil Map may not be valid at this scale.
Map Scale: 1:4,720 if printed on A portrait (8.5" x 11") sheet.
Meters
0 50 100 200 300
N
Feet
0 200 400 800 1200
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 12N WGS84

9

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MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yellowstone County, Montana
Survey Area Data: Version 24, Aug 29, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 22, 2021—Oct 4, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
An	Alluvial land, wet	2.5	2.1%
Ax	Arvada-Bone silty clay loams, 0 to 1 percent slopes	9.6	8.3%
Hd	Haverson silty clay loam, 0 to 1 percent slopes	23.5	20.3%
He	Haverson silty clay loam, 1 to 3 percent slopes	1.8	1.6%
Hy	Hysham-Laurel silty clay loams, 0 to 2 percent slopes	2.7	2.4%
Ke	Keiser silty clay loam, 1 to 4 percent slopes	2.8	2.4%
Lr	Lohmiller silty clay, 0 to 1 percent slopes	28.3	24.4%
Ls	Lohmiller soils, seeped, 0 to 2 percent slopes	32.8	28.3%
Sr	Shorey gravelly loam, 4 to 7 percent slopes	2.1	1.9%
Th	Toluca clay loam, 1 to 4 percent slopes	5.8	5.0%
Tm	Toluca clay loam, 4 to 7 percent slopes	2.3	2.0%
Va	Vananda silty clay, 0 to 1 percent slopes	1.5	1.3%
Totals for Area of Interest		**115.8**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Custom Soil Resource Report

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion

of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Custom Soil Resource Report

Yellowstone County, Montana

An—Alluvial land, wet

Map Unit Setting

National map unit symbol: clpt
Landscape: Plains
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Alluvial land and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Alluvial Land

Setting

Landscape: Plains
Landform: Channels
Down-slope shape: Linear
Across-slope shape: Concave
Parent material: Alluvium

Typical profile

A - 0 to 10 inches: loam
C1 - 10 to 40 inches: gravelly loam
C2 - 40 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: About 12 to 36 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.8 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
Hydrologic Soil Group: C
Ecological site: R058AC043MT - Wet Meadow (WM) RRU 58A-C 11-14" p.z.
Hydric soil rating: Yes

Minor Components

Haverson

Percent of map unit: 5 percent

Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Glenberg

Percent of map unit: 5 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Ax—Arvada-Bone silty clay loams, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: clq3
Landscape: Plains
Elevation: 2,500 to 4,700 feet
Mean annual precipitation: 12 to 15 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 115 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Arvada and similar soils: 60 percent
Bone and similar soils: 30 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Arvada

Setting

Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

E - 0 to 4 inches: loam
Btn - 4 to 28 inches: clay
Bkny - 28 to 60 inches: clay loam

Custom Soil Resource Report

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: 0 to 8 inches to natric
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 30.0
Available water supply, 0 to 60 inches: Very low (about 0.6 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Description of Bone

Setting

Landscape: Plains
Landform: Fans, Terraces, Lakebeds (relict)
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Btk - 0 to 3 inches: silty clay
C1 - 3 to 52 inches: silty clay
C2 - 52 to 62 inches: stratified loam to clay

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Strongly saline (16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 70.0
Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R058AC050MT - Saline Upland (SU) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Custom Soil Resource Report

Minor Components

Hydro

Percent of map unit: 10 percent
Landscape: Plains
Landform: Low hills, Fans
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Hd—Haverson silty clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: clrj
Landscape: Plains
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Haverson and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Parent material: Alluvium

Typical profile

A - 0 to 12 inches: clay loam
C - 12 to 68 inches: stratified fine sandy loam to clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 9.6 inches)

Interpretive groups
Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Haverson
Percent of map unit: 9 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Lohmiller
Percent of map unit: 6 percent
Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R058AY701MT - Clayey 10-14
Hydric soil rating: No

He—Haverson silty clay loam, 1 to 3 percent slopes

Map Unit Setting
National map unit symbol: clrk
Landscape: Plains
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 15 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 115 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition
Haverson and similar soils: 85 percent
Minor components: 15 percent

Custom Soil Resource Report

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Haverson

Setting

Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Parent material: Alluvium

Typical profile

A - 0 to 12 inches: clay loam
C - 12 to 68 inches: stratified fine sandy loam to clay loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 2e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Lohmiller

Percent of map unit: 9 percent
Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R058AY701MT - Clayey 10-14
Hydric soil rating: No

Grail

Percent of map unit: 6 percent
Landscape: Foothills
Landform: Fans, Terraces, Hills
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Custom Soil Resource Report

Hy—Hysham-Laurel silty clay loams, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: cls0
Landscape: Plains
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 37 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Hysham and similar soils: 55 percent
Laurel and similar soils: 35 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hysham

Setting

Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Parent material: Loamy alluvium

Typical profile

A - 0 to 7 inches: loam
C - 7 to 60 inches: stratified fine sandy loam to clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 13.0
Available water supply, 0 to 60 inches: Moderate (about 6.6 inches)

Interpretive groups

Land capability classification (irrigated): 6s
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: B
Ecological site: R058AC618MT - Saline Overflow (SOv) RRU 58A-C 11-14" p.z.

Custom Soil Resource Report

Hydric soil rating: No

Description of Laurel

Setting

Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy alluvium

Typical profile

Ayz - 0 to 10 inches: loam
C - 10 to 60 inches: stratified loam to fine sandy loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: About 12 to 36 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Strongly saline (16.0 to 32.0 mmhos/cm)
Sodium adsorption ratio, maximum: 30.0
Available water supply, 0 to 60 inches: Low (about 5.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7w
Hydrologic Soil Group: C
Ecological site: R058AC618MT - Saline Overflow (SOv) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Haverson

Percent of map unit: 5 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Lohmiller

Percent of map unit: 5 percent
Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R058AY701MT - Clayey 10-14

Hydric soil rating: No

Ke—Keiser silty clay loam, 1 to 4 percent slopes

Map Unit Setting

National map unit symbol: cls3
Landscape: Plains
Elevation: 1,900 to 4,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Keiser and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Keiser

Setting

Landscape: Plains
Landform: Low hills, Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

A - 0 to 3 inches: silt loam
Bt - 3 to 6 inches: silty clay
Bk - 6 to 23 inches: silty clay loam
C - 23 to 60 inches: silt loam

Properties and qualities

Slope: 1 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.2 inches)

Interpretive groups

Land capability classification (irrigated): 2e

Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Lambert

Percent of map unit: 9 percent
Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Wanetta

Percent of map unit: 6 percent
Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Lr—Lohmiller silty clay, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: clsn
Landscape: Plains
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

Map Unit Composition

Lohmiller and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lohmiller

Setting

Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread

Down-slope shape: Linear
Across-slope shape: Concave, linear
Parent material: Alluvium

Typical profile
A - 0 to 9 inches: silty clay
C1 - 9 to 42 inches: stratified clay to silty clay loam
C2 - 42 to 60 inches: stratified silty clay loam to fine sandy loam

Properties and qualities
Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to moderately saline (0.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 10.0
Available water supply, 0 to 60 inches: High (about 9.0 inches)

Interpretive groups
Land capability classification (irrigated): 4s
Land capability classification (nonirrigated): 4s
Hydrologic Soil Group: C
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Haverson
Percent of map unit: 6 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Hysham
Percent of map unit: 5 percent
Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Ecological site: R058AY708MT - Loamy 10-14
Hydric soil rating: No

Glenberg
Percent of map unit: 4 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread

Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Ls—Lohmiller soils, seeped, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: clsp
Landscape: Plains
Elevation: 900 to 6,000 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 34 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Lohmiller and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lohmiller

Setting

Landscape: Plains
Landform: Flood plains, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Concave, linear
Parent material: Alluvium

Typical profile

A - 0 to 3 inches: silty clay loam
C - 3 to 60 inches: stratified silty clay to silty clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 48 to 60 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Very slightly saline to slightly saline (2.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): 4w
Land capability classification (nonirrigated): 4w

Hydrologic Soil Group: C
Ecological site: R058AC618MT - Saline Overflow (SOv) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Haverson
Percent of map unit: 15 percent
Landscape: Plains
Landform: Terraces, Flood plains
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear, concave
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Hydro
Percent of map unit: 3 percent
Landscape: Plains
Landform: Low hills, Fans
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Lallie
Percent of map unit: 2 percent
Landscape: Plains
Landform: Oxbows
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: R058AE008MT - Subirrigated (Sb) RRU 58A-E 10-14" p.z.
Hydric soil rating: Yes

Sr—Shorey gravelly loam, 4 to 7 percent slopes

Map Unit Setting
National map unit symbol: cltv
Landscape: Plains
Elevation: 2,200 to 6,500 feet
Mean annual precipitation: 11 to 14 inches
Mean annual air temperature: 37 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition
Shorey and similar soils: 85 percent
Minor components: 15 percent

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Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Shorey

Setting

Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Ap - 0 to 7 inches: gravelly loam
Bk - 7 to 30 inches: gravelly loam
2C - 30 to 64 inches: very gravelly fine sandy loam

Properties and qualities

Slope: 4 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 60 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 7.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Wanetta

Percent of map unit: 4 percent
Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Toluca

Percent of map unit: 4 percent
Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.

Hydric soil rating: No

Clapper

Percent of map unit: 4 percent
Landscape: Plains
Landform: Terraces, Fans
Landform position (three-dimensional): Riser
Down-slope shape: Convex, linear
Across-slope shape: Linear
Ecological site: R058AC049MT - Silty-Steep (SiStp) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Keiser

Percent of map unit: 3 percent
Landscape: Plains
Landform: Low hills, Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Th—Toluca clay loam, 1 to 4 percent slopes

Map Unit Setting

National map unit symbol: cltz
Landscape: Plains
Elevation: 1,900 to 4,700 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Toluca and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Toluca

Setting

Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Ap - 0 to 5 inches: clay loam

Bt - 5 to 12 inches: clay loam
Bk - 12 to 35 inches: loam
2C - 35 to 60 inches: stratified very gravelly loam to very gravelly sand

Properties and qualities

Slope: 1 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Wanetta

Percent of map unit: 9 percent
Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Lambert

Percent of map unit: 6 percent
Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Tm—Toluca clay loam, 4 to 7 percent slopes

Map Unit Setting

National map unit symbol: clv0
Landscape: Plains

Elevation: 1,900 to 4,700 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 39 to 48 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Toluca and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Toluca

Setting

Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Ap - 0 to 5 inches: clay loam
Bt - 5 to 12 inches: clay loam
Bk - 12 to 35 inches: loam
2C - 35 to 60 inches: stratified very gravelly loam to very gravelly sand

Properties and qualities

Slope: 4 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 7.4 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Wanetta

Percent of map unit: 9 percent
Landscape: Plains
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.

Hydric soil rating: No

Lambert

Percent of map unit: 6 percent
Landscape: Plains
Landform: Fans, Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC040MT - Silty (Si) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Va—Vananda silty clay, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: clv8
Landscape: Plains
Elevation: 1,600 to 4,500 feet
Mean annual precipitation: 12 to 14 inches
Mean annual air temperature: 34 to 46 degrees F
Frost-free period: 120 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Vananda and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Vananda

Setting

Landscape: Plains
Landform: Fans, Lakebeds (relict), Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium

Typical profile

A - 0 to 3 inches: silty clay
B - 3 to 17 inches: clay
C - 17 to 62 inches: clay

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None

Custom Soil Resource Report

Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Moderately saline to strongly saline (8.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 20.0
Available water supply, 0 to 60 inches: Low (about 5.5 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R058AC041MT - Clayey (Cy) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Minor Components

Bone

Percent of map unit: 5 percent
Landscape: Plains
Landform: Fans, Terraces, Lakebeds (relict)
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R058AC050MT - Saline Upland (SU) RRU 58A-C 11-14" p.z.
Hydric soil rating: No

Mckenzie

Percent of map unit: 5 percent
Landscape: Plains
Landform: Depressions
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: R058AC045MT - Overflow (Ov) RRU 58A-C 11-14" p.z.
Hydric soil rating: Yes

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Hydric Rating by Map Unit (1425 US Highway 10)

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

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Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

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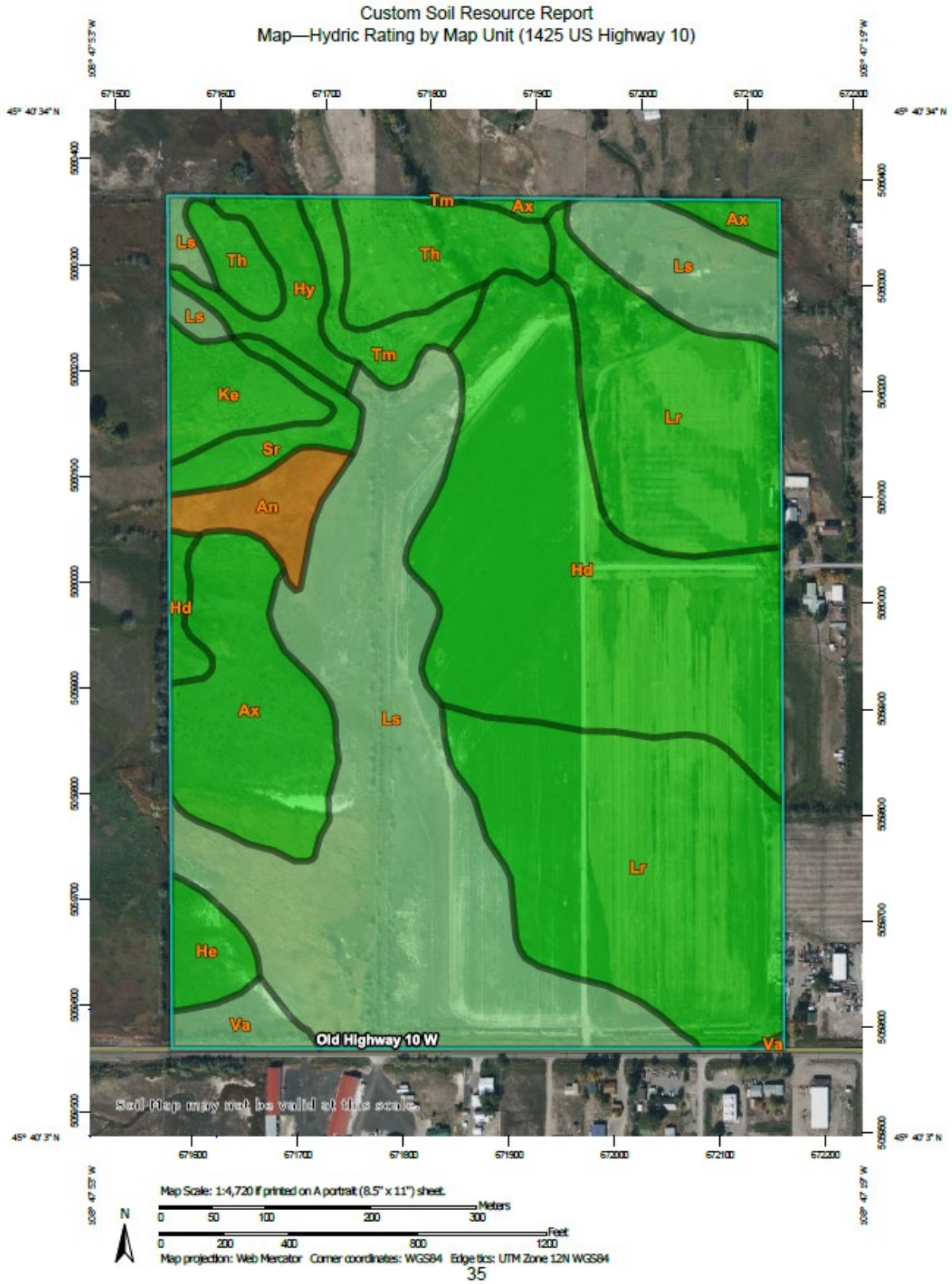
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Map—Hydric Rating by Map Unit (1425 US Highway 10)
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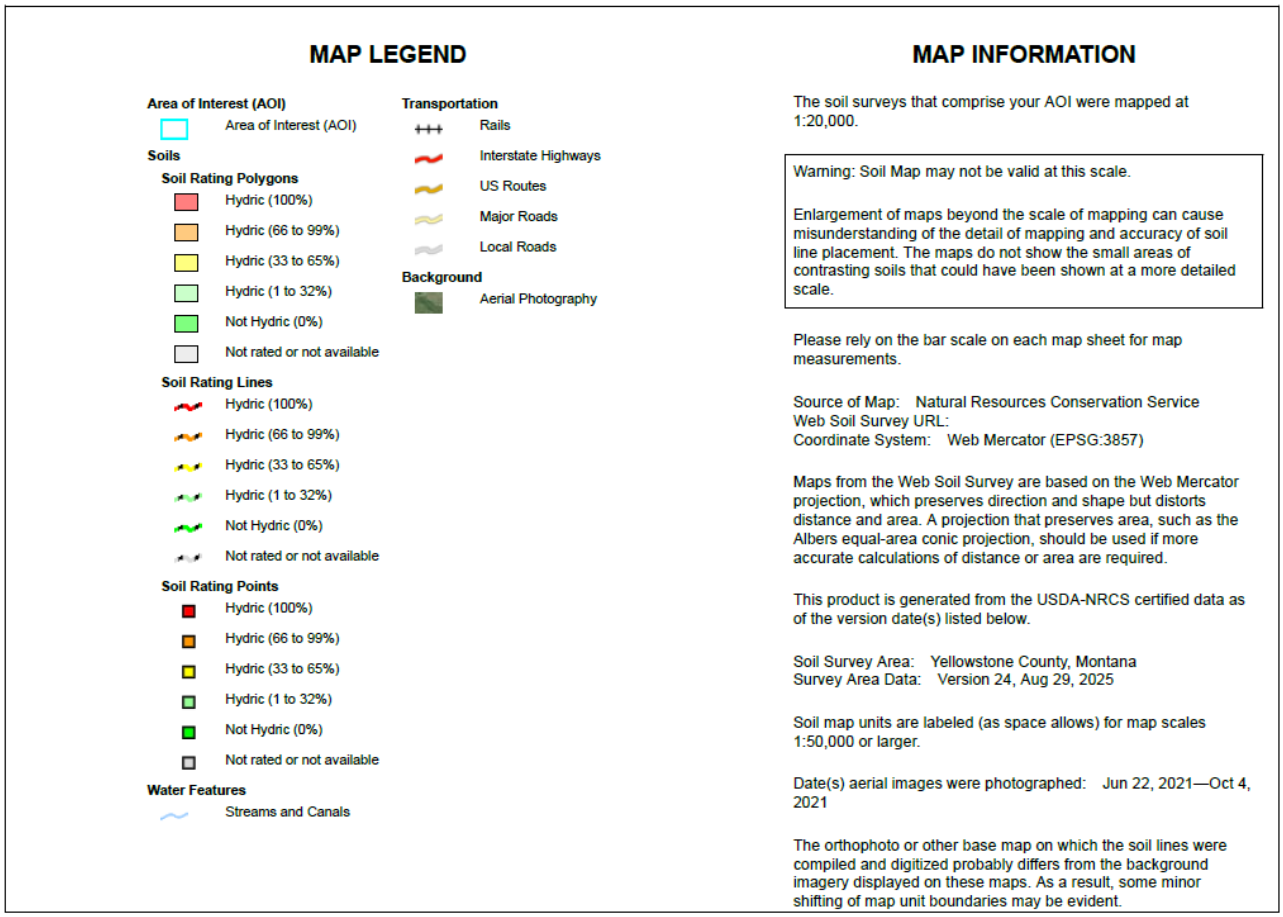
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 12N WGS84

35

Custom Soil Resource Report



Custom Soil Resource Report

Table—Hydric Rating by Map Unit (1425 US Highway 10)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
An	Alluvial land, wet	90	2.5	2.1%
Ax	Arvada-Bone silty clay loams, 0 to 1 percent slopes	0	9.6	8.3%
Hd	Haverson silty clay loam, 0 to 1 percent slopes	0	23.5	20.3%
He	Haverson silty clay loam, 1 to 3 percent slopes	0	1.8	1.6%
Hy	Hysham-Laurel silty clay loams, 0 to 2 percent slopes	0	2.7	2.4%
Ke	Keiser silty clay loam, 1 to 4 percent slopes	0	2.8	2.4%
Lr	Lohmiller silty clay, 0 to 1 percent slopes	0	28.3	24.4%
Ls	Lohmiller soils, seeped, 0 to 2 percent slopes	2	32.8	28.3%
Sr	Shorey gravelly loam, 4 to 7 percent slopes	0	2.1	1.9%
Th	Toluca clay loam, 1 to 4 percent slopes	0	5.8	5.0%
Tm	Toluca clay loam, 4 to 7 percent slopes	0	2.3	2.0%
Va	Vananda silty clay, 0 to 1 percent slopes	5	1.5	1.3%
Totals for Area of Interest			**115.8**	**100.0%**

Rating Options—Hydric Rating by Map Unit (1425 US Highway 10)

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

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APPENDIX C

CONCEPTUAL DESIGN PACKAGE — DLR GROUP / CUSHING TERRELL

Source: HB 5 Public Hearing Materials, pages 146–154 (HB 5.mt.gov)


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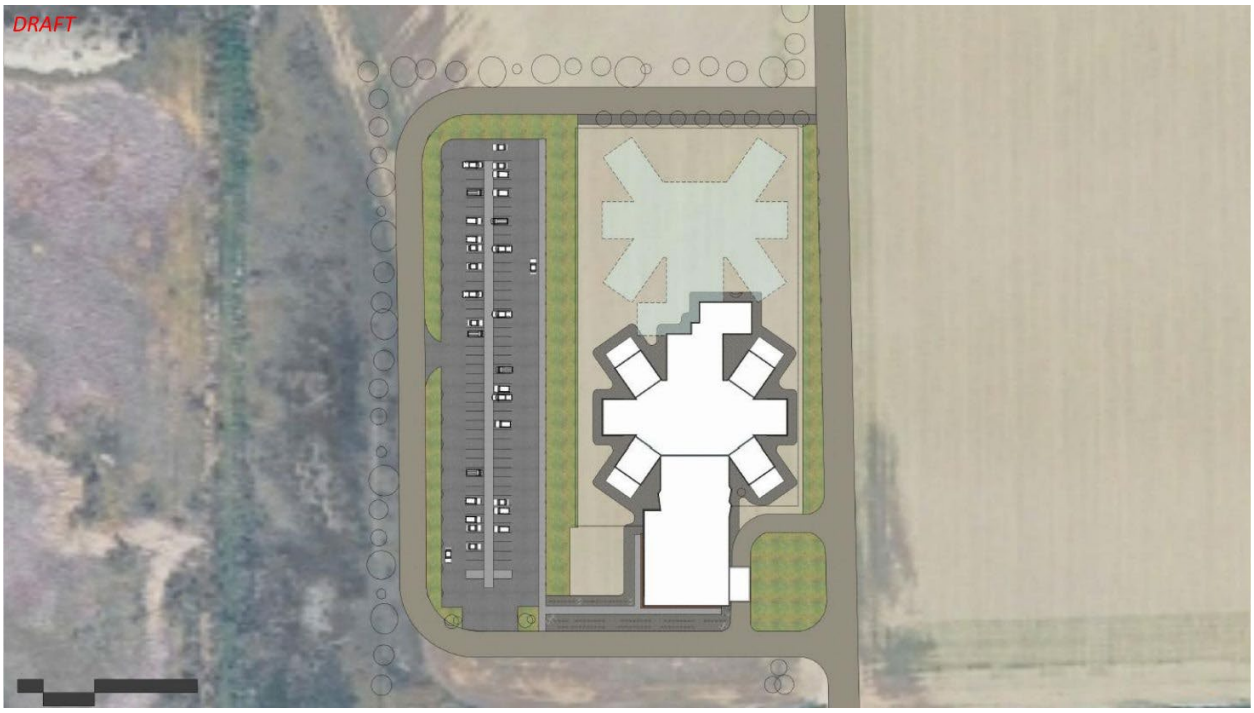
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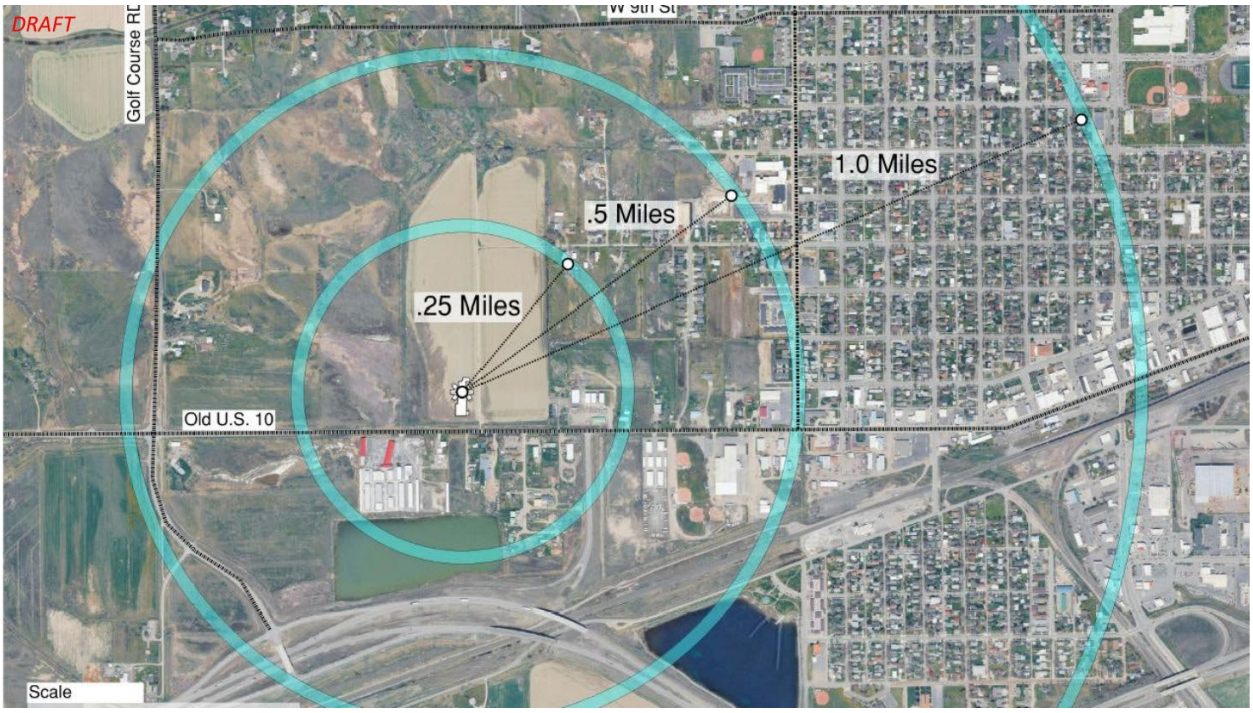
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1.0 Miles
.5 Miles
.25 Miles
Old U.S. 10
Scale

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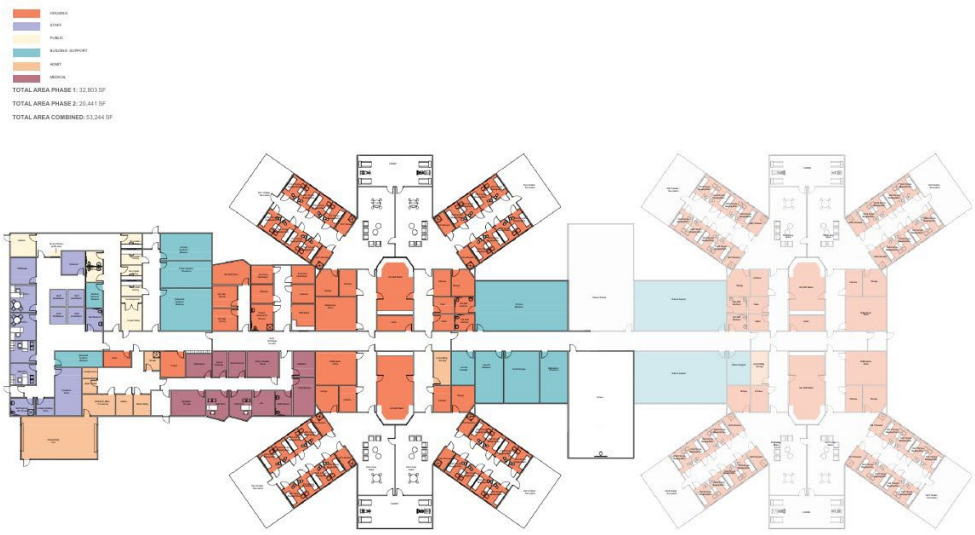

Cushing Terrell.
DLRGROUP

OVERALL FLOOR PLAN - WITH PHASE 2

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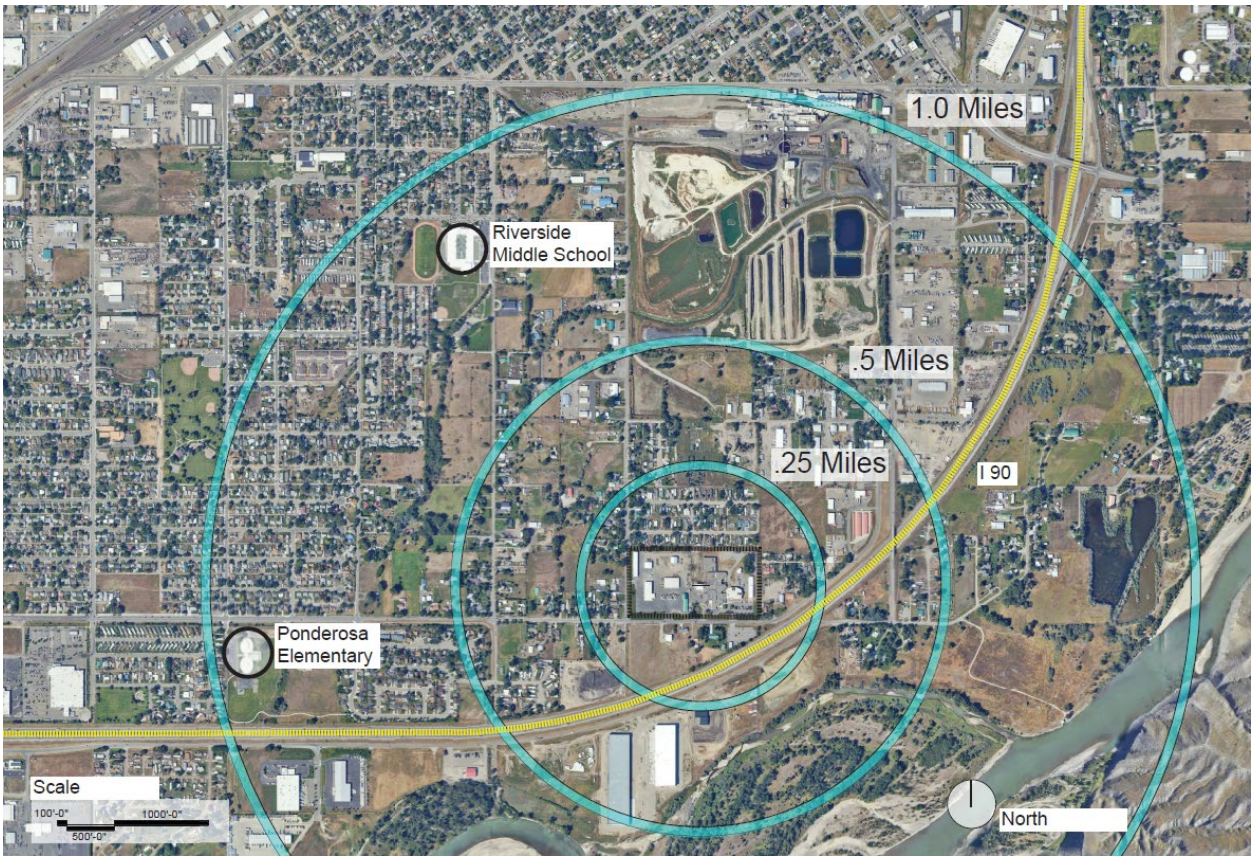
Cushing Terrell.
DLRGROUP

OVERALL FLOOR PLAN - PHASE 1


1.0 Miles
.5 Miles
.25 Miles
Billings Clinic
Scale
100'-0"
1000'-0"
500'-0"
North


1.0 Miles
.5 Miles
.25 Miles
Shodair Hospital
Scale
100'-0"
1000'-0"
500'-0"
North


1.0 Miles
Riverside Middle School
.5 Miles
.25 Miles
I 90
Ponderosa Elementary
Scale
100'-0"
1000'-0"
500'-0"
North

APPENDIX D

DPHHS SUPPORTING DOCUMENTATION OF NEED

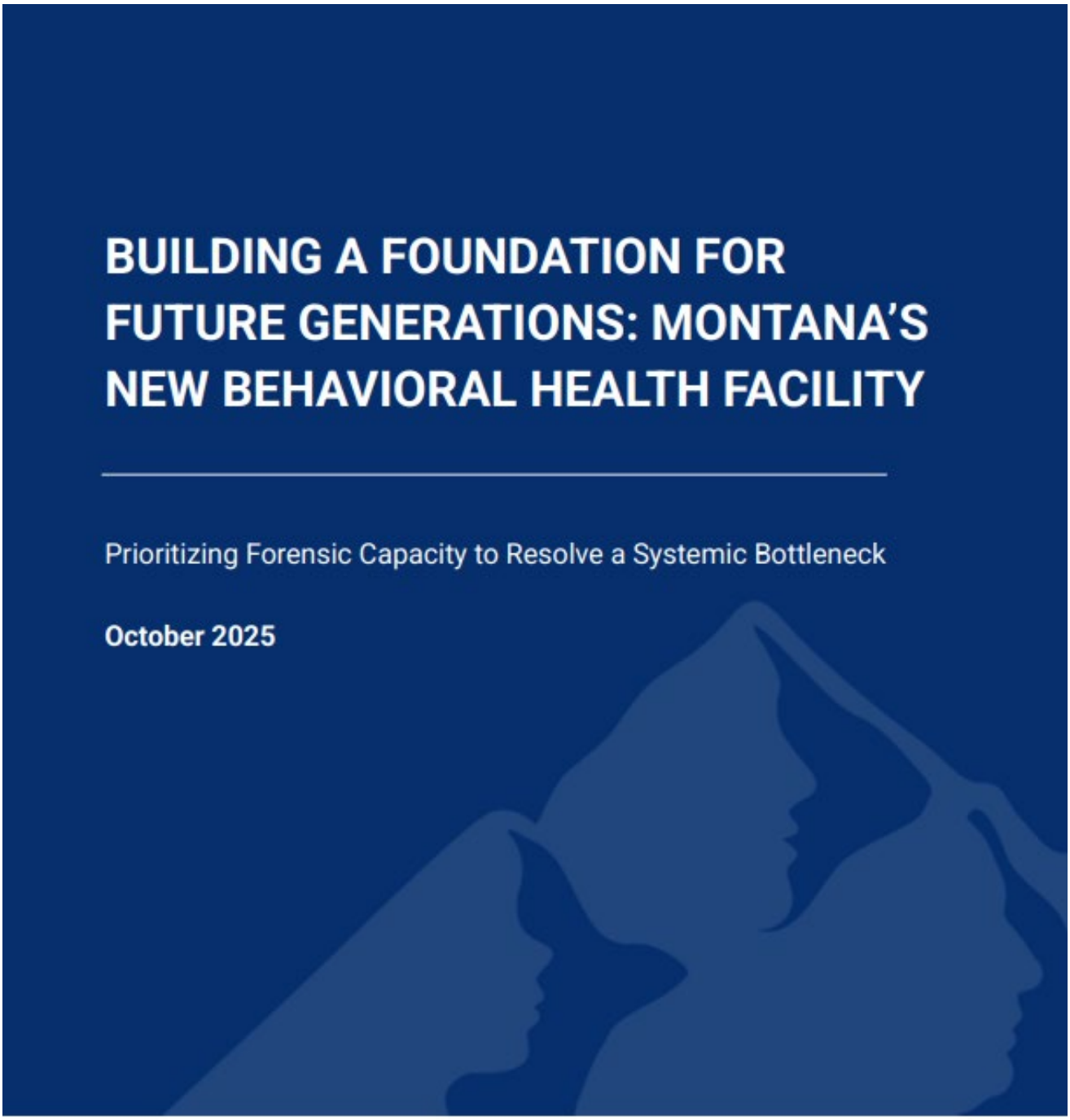

BUILDING A FOUNDATION FOR FUTURE GENERATIONS: MONTANA'S NEW BEHAVIORAL HEALTH FACILITY
Prioritizing Forensic Capacity to Resolve a Systemic Bottleneck
October 2025
DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Montana's behavioral health system is facing an ongoing and critical challenge: a growing forensic psychiatric population is overwhelming the state's limited capacity, resulting in delayed treatment and adjudication, as well as admission waitlists that adversely impact local detention facilities. In response to this issue, the Montana Department of Public Health and Human Services (DPHHS) seeks to prioritize the construction of a 32-bed forensic psychiatric facility in Eastern Montana. This expansion will address urgent legal, clinical, and operational needs while improving geographic equity and system efficiency. Importantly, the facility will be strategically designed to allow DPHHS to convert wings or pods for civil commitment use if demand shifts in the future.

BACKGROUND

DPHHS is responsible for providing inpatient psychiatric care to individuals who require involuntary treatment due to severe mental illness. These individuals fall into two primary categories: forensic and civil patients.

- **Forensic patients** are individuals who are involved in the criminal justice system. They may be:
  - Awaiting trial but in need of a mental health evaluation to determine if they are competent to stand trial.
  - Found Unfit to Proceed (UTP) and in need of inpatient restoration services.
  - Sentenced under Montana Code Annotated (MCA) 46-14-312, which mandates DPHHS to provide treatment for individuals found Guilty but Mentally Ill (GBMI) or Not Guilty by Reason of Mental Illness (NGMI).
- **Civil patients** are individuals who, due to a mental illness, pose a danger to themselves or others, and/or are unable to care for their basic needs. These individuals are typically admitted through civil commitment proceedings.

To meet the needs of both populations, the Gianforte administration has secured funding for renovations and expansions at Montana State Hospital (MSH), MSH Grasslands, and the Montana Mental Health Nursing Care Center (MMHNCC), which will increase total state psychiatric bed capacity to 307 beds, with a potential net increase of 40 beds.

In addition to funding provided to MSH during the 2025 Legislative Session, the Gianforte administration secured funding to reopen the D wing at MMHNCC. Reopening the D wing will add 24 civil beds to serve the geriatric psychiatric population, including some patients previously served on the Spratt Unit.

This ultimately maintains the existing number of civil beds in the civil care continuum.

Wing/Unit	Type	Current	Proposed	Difference
Alpha	Civil	31	41	10
Bravo	Civil	26	34	8
Echo	Civil	25	23	-2
Grasslands	Civil	0	20	20
Spratt	Civil	60	0	-60
MMHNCC-D-Wing	Civil	0	24	24
	TOTAL	**142**	**142**	**0**
Delta	Forensic	31	41	10
Galen	Forensic	54	54	0
Group Homes	Forensic	40	40	0
Former Spratt	Forensic	0	30	30
	TOTAL	**125**	**165**	**40**

SYSTEMS OF CARE

Forensic

At MSH, individuals involved in the criminal justice system may be admitted for forensic psychiatric evaluation or treatment. The typical process for a forensic patient includes the following steps:

1. **Fitness Evaluation/Court-Ordered Evaluation (COE)**
   A court may order a mental health evaluation, frequently referred to as a COE, to determine whether a defendant is fit to proceed to trial. This is an initial "fitness" evaluation and is restricted to a diagnosis of the mental condition of the defendant, including opinions as to: a) whether the defendant suffers from a mental disorder and may require commitment or is seriously developmentally disabled, and b) if the defendant suffers from a mental disease or disorder or developmental disability, whether the defendant has the capacity to: i) understand the proceedings against the defendant, and ii) assist in the defendant's own defense.
   - This evaluation can be conducted in the community through an investment made possible by the Behavioral Health System for Future Generations (BHSFG) Commission or may require inpatient admission to the Forensic Mental Health Facility (FMHF) in Galen.
   - If the individual is found competent, they are returned to the county of origin to proceed with trial.

2. **Unfit to Proceed (UTP)**
   If the initial fitness evaluation (COE) determines the individual is not fit to proceed to trial, they must be ordered to be admitted to the FMHF in Galen for inpatient restoration treatment.
   - These individuals do not go to the Delta Unit at this stage.
3. **Non-Restorable Cases**
   If the individual cannot be restored to fitness due to a persistent mental illness, their criminal case may be dismissed.
   - They may then be ordered to be civilly involuntarily committed for ongoing treatment.
4. **Pre-Sentence Evaluation (PSE)**
   In some cases, a PSE is ordered to determine whether the individual met the legal criteria for GBMI at the time of the offense as part of a sentencing proceeding.
5. **Sentenced Forensic Patients (GBMI)**
   Individuals found "Guilty but Mentally Ill" are initially admitted to the FMHF in Galen and placed on a waitlist for transfer to the Delta Unit, which houses sentenced forensic patients.
   - These patients progress through a Level 1–10 privilege system at MSH.
   - Those reaching Level 6 or higher may be eligible for placement in on-campus group homes or, in the future, the converted Spratt Unit.

Civil

MSH also serves individuals who are civilly involuntarily committed. These are individuals who, due to a mental illness, are considered a danger to themselves or others, and/or are unable to meet their basic needs.

The typical process for a civil patient at MSH or MSH Grasslands is as follows:

1. **Admission through Civil Commitment**
   A court orders the individual to receive inpatient psychiatric care based on clinical evidence of risk and/or inability to care for themselves.
2. **Evaluation and Stabilization**
   Upon arrival, the patient is admitted to the admissions wing (Echo) at MSH, where they undergo evaluation and receive initial stabilization treatment.
3. **Discharge or Continued Treatment**
   - If the patient stabilizes quickly, they may be discharged and returned to their home or community with appropriate supports.

- If further care is needed, the patient is transferred to a treatment wing (Alpha or Bravo) for continued therapy and rehabilitation, with the goal of eventual discharge.

Note: This is a simplified overview intended to illustrate the general continuum of care. Individual treatment plans and legal processes may vary based on clinical needs and statutory requirements.

WHY PRIORITIZE THE FORENSIC POPULATION VS. THE CIVIL POPULATION?

SYSTEM BOTTLENECK

The FMHF in Galen is currently the only facility in the state equipped to restore individuals who a court has determined are UTP. It also serves as the admission point for defendants sentenced as GBMI, and those committed to the custody of the director of DPHHS to be placed in an appropriate mental health facility for custody, care, and treatment after the court has determined they present a danger to themself or others. This set of defendants, as distinguished from GBMI defendants, is referred to as NGMI patients.

Since 2022, the FMHF in Galen has consistently maintained a waitlist of over 70 patients, creating a significant bottleneck that affects:

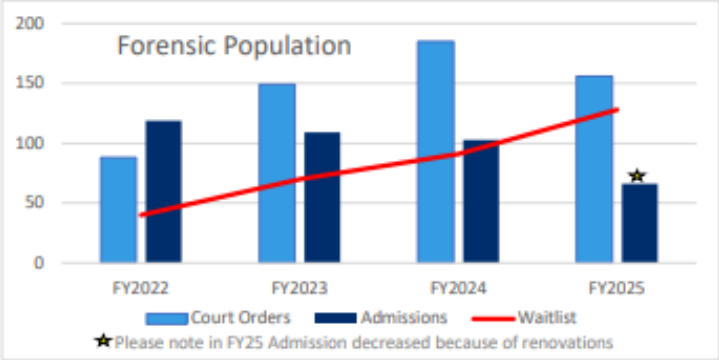
- County court proceedings
- Jail populations
- Local mental health systems

This backlog delays access to treatment, strains public safety systems, and increases the state's legal risk.

RAPID GROWTH IN FORENSIC DEMAND AND WAITLIST

Forensic court orders have surged 77% since FY 2022, with GBMI orders increasing 650%. In contrast, civil admissions have remained relatively stable, aided by the MSH Grasslands facility and other community-based supports. The forensic system, however, has no such relief valve, making the sought expansion urgent.

As noted above, Montana has experienced a sharp increase in forensic court orders over the past four years, which has consequently increased DPHHS's forensic waitlist. As the state's population grows, the number of individuals requiring forensic evaluation and treatment is expected to rise proportionally in accordance with national trends.



The following table reflects the court orders, by type, issued in each fiscal year.

TYPE	FY 2022	FY 2023	FY 2024	FY 2025	% Change FY 2022 to FY 2025	AAGR FY 2022-FY 2025
COE	55	93	81	67	21.80%	13.00%
UTP	23	42	52	43	86.90%	29.70%
PSE	6	7	13	20	333%	52.10%
GBMI	4	7	39	26	650%	166%
NGMI	0	0	0	0	N/A	N/A
TOTAL	**88**	**149**	**185**	**156**	**77.20%**	**25.90%**

Note: Not all COE orders result in admission to the FMHF in Galen. Some evaluations are being completed in the community through the aforementioned BHSFG initiative launched in 2024.

Forensic Waitlist Growth and Contributing Factors

The forensic waitlist for the FMHF in Galen has grown significantly in recent years; however, this growth is not a straightforward function of court orders minus admissions. The waitlist is shaped by a variety of operational and legal factors, including court orders from multiple fiscal years.

Why Waitlist Numbers Are Complex

Several factors contribute to the growing waitlist:

- **Community-Based Evaluations**: Some COEs and PSEs are completed by DPHHS-approved providers in the community, without requiring admission to the FMHF in Galen.
- **Dismissed Cases**: A defendant's case may be dismissed by a court due to a determination that a defendant cannot be made fit within the reasonably foreseeable future and that alternatives to forensic commitment are inappropriate, due to speedy trial violations, or due to other Constitutional considerations. This may remove the defendant from the system before admission, which is an outcome that DPHHS seeks to avoid through expanding forensic bed capacity.
- **Non-Court-Ordered/Emergency Admissions**: Some admissions are for patients who are held up to 72 hours in connection with an "emergency detention." An emergency detention is coordinated with a county attorney, the state hospital, and other mental health facilities for individuals who are experiencing acute crises, have rapidly decompensated, or require higher security, even if they are not tied to a court order.

The following table reflects the waitlist at the end of the fiscal year and the fiscal year in which the court order was initially issued.

FY	Waitlist	Year the Court Order was Issued				
		FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
2022	40	4	36			
2023	70		4	66		
2024	91		1	5	85	
2025	128*			1	26	101

**Note: FY 2025 totals were impacted by renovations and pod reconfigurations that temporarily reduced forensic admissions capacity.*

The waitlist is not just a backlog. It is a dynamic, multi-year accumulation of unmet forensic service needs. This underscores the importance of expanding capacity and building flexible infrastructure that can absorb fluctuations in demand and operational disruptions.

Conversely, DPHHS has not observed a corresponding rapid increase in the waitlist for the civil population. When operating at full capacity, MSH typically admits around 650 civil patients per year. While admissions declined in FY 2025 due to limited bed space associated with renovations required for CMS certification, by the end of FY 2025, only five individuals were on the civil waitlist, and they were ultimately cleared for admission.

While infrastructure upgrades have temporarily impacted civil admissions, the system is functioning effectively and has adapted through initiatives such as opening MSH Grasslands. This reinforces the need to prioritize forensic expansion, where the misalignment between demand and capacity is more acute.

OPERATIONAL CONSTRAINTS AT THE FMHF IN GALEN

Renovations, pod closures, and gender-based housing needs have further reduced forensic capacity. Internal transfers (e.g., from Delta Unit to Galen) consume bed space without reducing the waitlist, furthering the need for dedicated additional capacity.

The following table reflects the number of admissions and the fiscal year in which the known court order was issued.

FY	Number of Admissions	Year the Court Order was Issued					
		Unknown	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
2022	119	76	4	39			
2023	109	26		14	69		
2024	103			1	43	59	
2025	66*					47	19

Admissions Are Not Always Court-Driven

- Annual admissions include individuals with court orders from multiple fiscal years, not just the current one.
- Some admissions are not tied to new court orders. For example, patients from the Delta Unit may be temporarily transferred back to Galen if they decompensate and require a higher-security setting.

Gender-Based Pod Reconfiguration

The growth of Montana's forensic population is further complicated by the need to separate male and female patients, which is a requirement driven by both safety and clinical standards. Over the last five years, roughly 20% of forensic orders have been for female patients.

- The FMHF in Galen consists of two large pods and one small pod.
- This layout limits flexibility in managing gender-specific housing needs, especially when demand fluctuates.

To address a growing female waitlist, over the past four years, one pod has been converted from male to female housing twice. To safely complete the transition, overall male capacity is temporarily reduced, and new male admissions are paused, worsening one component of the statewide forensic waitlist.

LEGAL RISKS OF FORENSIC BED SHORTAGES

A shortage of forensic psychiatric beds poses **serious legal and constitutional risks** for the State of Montana and its counties. These risks stem from the inability to provide timely mental health treatment to individuals who are legally entitled to it.

Due Process Violations

- Defendants found incompetent to stand trial must receive treatment to restore their competency.
- Delays in admission can result in individuals spending more time in jail than they would have if convicted, violating their constitutional right to due process.
- Prolonged incarceration without treatment can lead to worsening mental health and increased suicide risk, potentially protracting treatment at the FMHF in Galen upon admission and worsening the existing bottleneck.

Risk of Federal Intervention and Litigation

- Other states, such as Washington, have faced class-action lawsuits and federal court oversight due to delays in forensic mental health services.
- Courts have required states to:
  - Expand forensic capacity
  - Improve access to treatment
  - Pay damages for constitutional violations

Montana's Current Exposure

While Montana has not yet faced federal intervention, Department leadership believes the risk is growing. The number of **court orders dismissed due to speedy trial violations** – a direct result of forensic bed shortages – demonstrates this legal vulnerability. In FY 2024 and 2025, the number of court orders dismissed totaled 12.

Why This Matters

- Forensic patients are often held in jails while awaiting admission, where they may not receive adequate psychiatric care.
- Delays in restoration can lead to constitutional violations, including speedy trial and due process concerns.
- Civil patients, while also in need, have more diversified treatment pathways (e.g., Grasslands, community-based services), whereas forensic patients rely most exclusively on the FMHF in Galen.

- Each dismissal represents a missed opportunity for treatment, a potential public safety concern, and a legal liability for the state.

ADDITIONAL RATIONALE

National and Regional Benchmarking

By early 2026, MSH is projected to operate with:

- 142 civil beds (including 24 at MMHNCC) – 13.10 civil beds per 100,000 residents
- 125 forensic beds (including those for sentenced patients) – 11.53 beds per 100,000 residents
- Total: 24.63 state psychiatric beds per 100,000 residents

National benchmarks recommend 20–40 state psychiatric beds per 100,000 population (TAC, KFF). Montana's current capacity places it at the lower end of the national benchmark for total civil and forensic beds. The Department's desired changes to system bed capacity, as described above, will ultimately increase state psychiatric beds to 339 in total, bringing Montana's per 100,000 rate to a midpoint of 31.27.

Note: Increase in capacity is a combination of changes referenced in the chart on page 4 and the proposed new forensic facility.

National Trends in Forensic Psychiatric Populations

Across the United States, states are experiencing a sustained surge in forensic psychiatric demand, particularly related to competency to stand trial evaluations and restorations.

Growth in Competency Cases

- From 1999 to 2014, there was a 76% increase in forensic patients in state hospitals.
- From 2017 to 2024, the number of individuals found incompetent to stand trial rose by 23%.
- National forensic waitlists have ballooned — from 883 in 2019 to approximately 2,400 by 2024 — leading to overcrowding in jails and emergency departments.

Other State Responses: Expanding Forensic Capacity

According to a July 2025 report by NRI, Inc., 11 states added over 1,300 forensic beds between 2022 and 2024, and an additional 317 beds were added in 2025 alone.

- Mississippi: Built an 83-bed maximum-security forensic unit, doubling capacity to 123 beds.
- Kansas: Constructed two new state psychiatric hospitals following a legal settlement.
- Pennsylvania: Built a 270-bed forensic facility at Norristown State Hospital.
- New York: Added 125 beds in four months, with 325 total added under the current governor's administration.

PROJECTED IMPACT OF THE 32-BED EXPANSION

- **DPHHS projects that adding 32 forensic beds would increase annual capacity to serve approximately 170 patients.**
- This represents a 60% increase in the availability of care, significantly reducing wait times and improving access to timely evaluation and restoration services.
- Montana's forensic system is under-resourced relative to national benchmarks and uniquely strained by legal sentencing practices.
- Expanding forensic capacity is a strategic, data-driven response to both current deficiencies and future needs.

WHY THE INTEREST IN EASTERN MONTANA?

Geographic Balance and Access

Because Eastern and Central Montana currently lack essential forensic infrastructure, counties are forced to transport patients long distances to the FMHF in Galen, which delays care and increases costs. Establishing a new facility in Eastern Montana would improve geographic balance.

Strategic Advantages

The proposed 32-bed forensic facility is being considered for Eastern Montana, a region with limited access to forensic psychiatric services and one that provides a growing share of the state's forensic admissions. This location is expected to:

- Improve geographic access for law enforcement, court systems, defendants, and families in Eastern and Central Montana.
- Reduce transportation burdens for counties that currently face long distances when transporting defendants to the FMHF in Galen.
- Support regional equity by expanding behavioral health infrastructure beyond the western corridor.

THE IMPORTANCE OF A FLEXIBLE DESIGN

The facility will be designed for medium- to low-security forensic care, which allows for conversion to civil use if future demand shifts and DPHHS determines a need to repurpose pods/units. Designing the new forensic facility with scalability and adaptability in mind offers significant long-term cost savings.

A modular layout and medium- to low-security infrastructure will allow the facility to be scaled up or down based on changing demand, whether that means expanding forensic capacity, converting pods/units for civil use, or adjusting gender-specific housing.

This flexibility reduces the need for costly new construction or major retrofits in the future. By investing in a facility that can evolve with Montana's behavioral health landscape, the state can maximize the return on capital investment, avoid duplication of infrastructure, and ensure that taxpayer dollars are used efficiently and effectively over time.

With the new facility, DPHHS will be better positioned to provide state psychiatric services regardless of what type of capacity (forensic or civil) is most strained in future years.

CONCLUSION

Montana's forensic psychiatric system is under significant and growing strain. Without immediate investment in expanded capacity, the state faces serious and far-reaching consequences not only for individuals with mental illness, but also for the legal system, public safety, and public finances.

County jails are increasingly housing individuals who require psychiatric care, not incarceration. These facilities are not equipped to provide appropriate treatment, leading to worsening symptoms, increased risk of self-harm, and potential violations of constitutional rights. Concurrently, the lack of available forensic beds has forced courts to dismiss charges or release individuals without treatment, contributing to a cycle of relapse, homelessness, and recidivism. These consequences often adversely impact the civil mental health system, which is not designed to manage forensic-level acuity.

The proposed 32-bed forensic facility in Eastern Montana offers a strategic, flexible, and future-ready solution. It will:

- Relieve pressure on local governments and jails, as well as reduce legal exposure
- Improve access to timely, appropriate treatment
- Expand geographic equity in behavioral health services

- Increase forensic evaluation capacity by 60%
- Boost annual forensic care delivery from 106 to 170 patients (estimated)
- Provide long-term adaptability for DPHHS to shift between forensic and civil use as needed

By designing the facility with scalability in mind, Montana can avoid costly retrofits or duplicative construction in the future. This investment not only addresses today's most pressing behavioral health challenge, but it also builds a more resilient, efficient, and balanced system for the future.

Inaction carries a high cost. DPHHS's desired expansion of forensic beds is a fiscally responsible, legally sound, and clinically necessary way to continue building a stronger statewide behavioral health system for future generations.

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

Frequently Asked Questions (FAQs): Montana's New Behavioral Health Facility

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1. What funding is the State of Montana using to build a new behavioral health facility?

House Bill 5, passed by the 2025 Montana Legislature and signed into law by Governor Gianforte on June 19, 2025, provides $26.5 million to build a behavioral health facility. House Bill 5 requires the Department of Public Health and Human Services (DPHHS) and Board of Investments (BOI) to jointly develop a plan identifying the type and location of the facility.

2. What is the type and purpose of the facility?

Based on a statewide needs assessment, this facility will provide secure, therapeutic care for individuals with serious mental illness who are in the criminal justice system. These individuals may include:

- A person awaiting trial who needs a mental health evaluation to determine if they are mentally fit to stand trial.
- A person found Unfit to Proceed (UTP) who requires inpatient treatment to restore their competency.
- A person found Guilty but Mentally Ill (GBMI) or Not Guilty by Reason of Mental Illness (NGMI) who is court-ordered to receive treatment in a secure psychiatric facility.

3. Who is responsible for this facility?

The facility will be managed and operated by DPHHS.

Under Montana Code Annotated (MCA) Title 53, Chapter 21, DPHHS is legally responsible for providing inpatient psychiatric care to individuals who are either civilly committed or involved in the criminal justice system due to serious mental illness.

This new facility will be part of the state's broader behavioral health system and will be staffed, licensed, and overseen in accordance with state law and clinical best practices.

4. Why is the facility focused on mental health treatment for individuals who are involved in the criminal justice system?

Montana is experiencing a growing crisis in forensic psychiatric care and lacks sufficient capacity to meet demand. At the end of Fiscal Year 2025, 128 individuals were on the waitlist for admission to the existing Forensic Mental Health Facility in Galen, which is managed and operated by DPHHS.

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Currently, this facility is the only facility in Montana that can serve this population, and the bed space is inadequate for current and projected demand.

Without timely access to treatment, individuals may be held in local jails for extended periods, which can worsen psychiatric symptoms and delay recovery.

This new facility will:

- Provide faster access to treatment, allowing for earlier patient stabilization, reducing the risk of harm to self or others.
- Help individuals regain competency and move through the legal system appropriately, reducing risks of recidivism, homelessness, or untreated mental illness.
- Create capacity for local jail, ensuring critical public safety resources are used effectively.

5. Why was Eastern Montana identified as the preferred location?

Eastern Montana was selected to improve geographic access to behavioral health services and reduce pressure on the existing DPHHS facility in Galen (Western Montana). A facility in Eastern Montana will:

- Reduce transportation burdens for counties in Eastern and Central Montana.
- Improve regional access for law enforcement, courts, and families.
- Expand necessary behavioral health infrastructure in an underserved part of the state.

6. Will the facility only serve forensic patients?

While the immediate need is to serve individuals in the criminal justice system who require psychiatric evaluation or treatment, the facility is being designed with flexibility and scalability in mind for future needs.

Its primary purpose is to address Montana's urgent shortage of forensic psychiatric beds. However, if future demand shifts, the facility can be adapted to serve civil patients.

By building a facility that can evolve with Montana's behavioral health needs, the state is making a smart, future-ready investment that avoids the cost of building new infrastructure down the road.

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7. Can patients voluntarily leave this facility?

No. All individuals admitted to this type of facility are either court ordered or sentenced to DPHHS. The facility will operate under strict security and clinical protocols to ensure the safety of patients, staff, and the broader community.

8. What security measures are implemented at this type of facility?

As a forensic facility, security is significantly tighter than in traditional locked psychiatric units.

Security features include:

- 'Sally port' doors, which ensure one door is closed before the other opens to prevent patient elopement
- Double-layer security fences around all outdoor areas
- A central command station that operates facility access control and manages patient and staff movements
- 24/7 interior and exterior live video monitoring

No firearms are on-site, and staff are trained in de-escalation and safe behavioral management techniques.

9. What is the anticipated length of stay for patients, and what criteria are used to determine their readiness for release?

Based on the model of the existing Forensic Mental Health Facility in Galen, DPHHS anticipates that patients ordered by the court for evaluation and restoration will stay for approximately 3 to 6 months. Their release depends on their treatment progress and usually involves returning to a county jail or being transferred to the Montana State Hospital.

For patients placed in the care of DPHHS, the length of stay depends on their sentence and behavior. Patients who complete their sentence while at the facility will collaborate with DPHHS discharge planners to develop a plan for their return to the community with suitable follow-up care. Release is also coordinated with Probation and Parole.

10. Will individuals be released into communities after treatment?

No one will be released from the facility, and from incarceration, without a structured discharge plan.

All individuals treated at this facility will be either court-ordered or sentenced to DPHHS. Discharge planning is coordinated with the courts and appropriate agencies to ensure

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that individuals return to their home jurisdictions or are transferred to appropriate settings such as the Montana State Hospital, supervised housing, community-based treatment, or another secure facility. Most evaluation patients will transfer back to the county detention facility from where they were originally transferred to await sentencing.

No one will be released without:

- A formal discharge plan
- Oversight or monitoring as required
- Coordination with local law enforcement, Probation and Parole, or behavioral health providers, when appropriate

It is important to note that DPHHS, in coordination with the judicial system, typically works to return individuals to their county of origin.

11. Who is responsible for the discharge planning?

DPHHS is ultimately responsible for the discharge planning of patients who have completed their sentence at the facility. Discharge planning is a dedicated function within the operations of the facility. It is carried out by trained staff who specialize in coordinating safe and appropriate transitions for individuals leaving care.

This process is done in close collaboration with:

- Medical and clinical professionals
- The court system
- Community-based providers
- Other relevant agencies (e.g., law enforcement, Probation and Parole, housing, or treatment programs)

Every discharge is guided by a structured plan that ensures individuals are placed in the right setting with the right supports whether that's returning to their home jurisdiction, entering a supervised program, or continuing care in another facility. Public safety and continuity of care are central to every decision.

12. What kind of staffing is required for a 32-bed forensic facility?

It is anticipated that 90-100 staff will be required to safely operate the facility across multiple shifts 24/7/365. The staffing model is based on best practices at the existing Forensic Mental Health Facility in Galen and will be largely comprised of clinical staff (RNs, LPNs, Psychiatric Technicians) as well as support staff. The staffing model will evolve as the facility design and operational models are finalized.

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

13. How is Montana addressing workforce challenges for this facility?

Montana is actively investing in workforce development strategies to ensure the facility is properly staffed. This includes training pipelines, recruitment incentives, and partnerships with educational institutions. Through the 406 Jobs Initiative, the Behavioral Health System for Future Generations Initiative, and the future Rural Health Transformation Program, the State is continuing to expand education, certification, and career advancement opportunities in critical behavioral health fields such as psychiatry, psychology, social work, and nursing.

14. How will the selected community be involved in the planning process for the facility?

Once a site and location for the facility is formally selected, there will be a series of local meetings to explain the process for designing, building, and operating the facility and gather feedback from community members and leaders.

15. What are the legal risks of not building this facility?

Montana and local jurisdictions are at risk of legal exposure if forensic capacity is not expanded. Delays in forensic psychiatric care can result in:

- Violations of constitutional rights, including due process and speedy trial protections
- Dismissed court cases due to prolonged detention without treatment
- Federal litigation or oversight, as seen in other states

APPENDIX E

ALTERNATIVE SITE ANALYSIS

MONTANA
BOARD OF INVESTMENTS

Alternative Locations Analyzed for Forensic Facility

BILLINGS:

Alternative A -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1033-29-3-04-04-0000&taxYear=2026

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1033-29-3-04-05-0000&taxYear=2026

Primary reason(s) for not selecting: Gradient

Alternative B -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1033-18-1-04-01-0000&taxYear=2026

Primary reason(s) for not selecting: Gradient, distance to infrastructure, State Land Board processes

Alternative C -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-0927-10-4-18-01-0000&taxYear=2026

Primary reason(s) for not selecting: Unclear ownership/commitments from current owner on future use

Alternative D -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1032-08-1-01-01-0000&taxYear=2026

Primary reason(s) for not selecting: Lack of infrastructure, State Land Board processes

LAUREL:

Alternative E -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1032-22-2-01-01-0000&taxYear=2026

Primary reason(s) for not selecting: Distance to infrastructure, State Land Board processes

Alternative F -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-0925-33-1-01-01-0000&taxYear=2026

Primary reason(s) for not selecting: Distance to infrastructure

Alternative G -

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-0821-17-1-09-01-0000&taxYear=2026

Primary reason(s) for not selecting: Price

Alternative H –

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-0821-18-1-01-01-0000&taxYear=2026

2401 COLONIAL DRIVE, FLOOR THREE, HELENA, MT 59602
P.O. BOX 200126, HELENA, MT 59620 - 0126
406-444-0001 | INVESTMENTMT.COM

Primary reason for not selecting: Outside water service area

LOCKWOOD:

Alternative I –

https://svc.mt.gov/msl/cadastral/?page=Map&geocode=03-1033-36-4-01-01-0000&taxYear=2026

Primary reason(s) for not selecting: Lack of access

Alternative J –

https://bigskyeconomicdevelopment.org/community-development/lockwood-tedd/

Primary reason(s) for not selecting: Tax exemption impacts on Targeted Economic Development District

CUSTER COUNTY:

Alternative K -

https://hb5.mt.gov/_shared/Custer_County.pdf

Primary reason(s) for not selecting: Distance from patient concentration, workforce availability, State Land Board Processes

BIG HORN COUNTY:

Alternative L -

https://hb5.mt.gov/_shared/Big_Horn_County.pdf

Primary reason(s) for not selecting: Distance from patient concentration, workforce availability, unclear path toward land ownership/acquisition

News articles regarding alternatives:

https://billingsgazette.com/news/local/government-politics/article_fc6b48ca-0507-4186-8852-136f4da473a3.html

https://billingsgazette.com/news/local/government-politics/article_02f84869-bb9c-461e-aac4-f2c7b2e2fe89.html

https://billingsgazette.com/news/state-regional/government-politics/article_55ec91eb-51fe-5858-a236-be4763bd1b67.html

https://billingsgazette.com/news/state-regional/government-politics/article_a4e07767-1e7c-54dd-97fc-9cc8725ba326.html

https://billingsgazette.com/news/state-regional/government-politics/article_f690fef7-a8d1-5f27-b01a-1fd506022f84.html

https://billingsgazette.com/news/local/government-politics/article_13d97e8c-6d39-4e3d-ae01-e1126ae82947.html

https://billingsgazette.com/news/local/government-politics/article_13d97e8c-6d39-4e3d-ae01-e1126ae82947.html

https://billingsgazette.com/news/local/government-politics/article_41e60a28-a03c-4618-8631-a3164c44605a.html

https://billingsgazette.com/news/local/government-politics/article_57f9e9c7-2ff2-4ac9-8c56-d18c9a67e3d5.html

https://billingsgazette.com/news/local/government-politics/article_c6e14c35-d0a1-47e0-bf18-e0f9f104a214.html

APPENDIX F

STUDIES SUBMITTED AND CONSIDERED

Montana Legislative Services Division Office of Research & Policy Analysis
Additional Demographic Information regarding Forensic Treatment Facility - South
May 7, 2026

Montana Legislative Services Division Office of Research & Policy Analysis
Verification of Demographic and Crime Statistics Regarding St. Louis Forensic Treatment Center
April 3, 2026

Yellowstone County Forensic Behavioral Health Facility Gap Analysis
September 22, 2025

Montana Department of Labor and Industry
Montana's Healthcare Workforce
January, 2024

Janjala Chirakijja
The Local Economic Impacts of Prisons
May 13, 2022

Kaherine A. Carlson, PhD
The Impacts of a New Prison on a Small Town: Twice Blessed or Double Whammy?
December, 1990

NOTE: An abstract from a "Sage Journals" was attached as a comment, but the actual study and date of the study were not included.

APPENDIX G

LINKS TO PUBLIC COMMENT AND AUDIO/VIDEO OF PUBLIC HEARINGS

Comments received after the public comment deadline of 5PM, June 5, 2025

Comments received during second public comment period from May 18, 2026, to June 5, 2026

Video recording of public hearing can be found at:

https://www.youtube.com/watch?v=Pyv0geW_hLs

Comments received during first public comment period from March 24, 2026, to May 6, 2026

Video recording of public hearing can be found at:

https://www.youtube.com/watch?v=_52jYVDrn2M

https://www.youtube.com/watch?v=eTRNgbIaxu0

https://www.youtube.com/watch?v=u7hD5on9gjY

https://www.youtube.com/watch?v=sIQ3lEUCH1U

https://www.youtube.com/watch?v=vIH54qITpA0

https://www.youtube.com/watch?v=a9JD9Xv2qoY

https://www.youtube.com/watch?v=eKL9QZrJzfc

APPENDIX H

TRAFFIC IMPACT STUDY

Love's Traffic Impact Study can be found here.

Lead Agency Certifying Official	Cooperating Agency Acknowledgment
Charles T. Brereton Director Montana Department of Public Health and Human Services (DPHHS)	DAN VILLA Executive Director Montana Board of Investments (BOI)
Signature: Signed by: 61408679875F473...	Signature: DocuSigned by: 21DF48F786AE4F4...
Date: 6/12/2026	Date: 6/12/2026

This Environmental Assessment was prepared in accordance with Title 75, Chapter 1, MCA (Montana Environmental Policy Act) and the Administrative Rules of Montana, ARM 17.4.601 et seq. Public comment on this document may be submitted to the Montana Department of Public Health and Human Services, 111 N. Sanders, Helena, MT 59601, or to the Montana Board of Investments, 2401 Colonial Drive, 3rd Floor, Helena, MT 59620. Please review public notices identifying comment periods and hearing dates and locations.