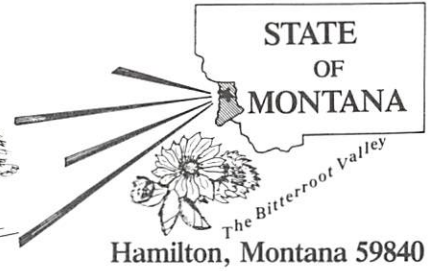
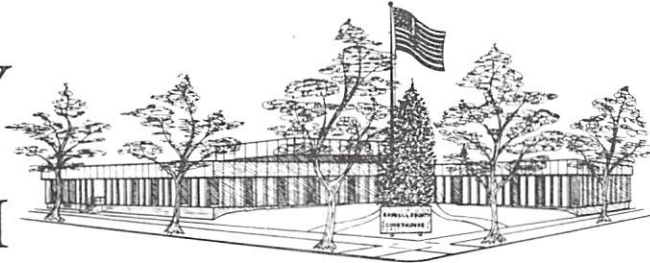


COUNTY OF RAVALLI



Ravalli County Commissioners
215 S. 4th Street, Suite A
Hamilton, MT. 59840
406-375-6500
commissioners@rc.mt.gov

April 10, 2017

Jason Shorten
Department of Transportation, Maintenance Division
Email at jshorten@mt.gov
PO Box 7039
Missoula, MT. 59807-7039

Dear Mr. Shorten;

Please allow this to serve as a letter endorsing the recent Montana Department of Transportation Encroachment Application by the Bitterroot Trail Alliance for the installment of a bench near the kiosk at Highway 93 and North Kootenai Road, just north of Stevensville.


Roger DiBrito, Secretary of the Bitterroot Trail Alliance met with the Board of Ravalli County Commissioners in a duly published meeting to discuss this encroachment application submitted to the Department of Transportation. The Board of County Commissioners voted unanimously to support this application by the Bitterroot Trail Alliance.

If you need further information, please feel free to contact our office at the above number.


Sincerely,
BOARD OF RAVALLI COUNTY COMMISSIONERS



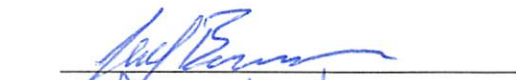
Greg Chilcott, Chairman



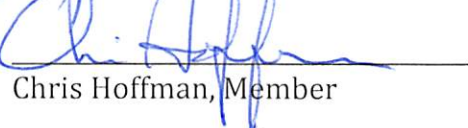
Ray Hawk, Member



Doug Schallenberger, Member



Jeff Burrows, Member



Chris Hoffman, Member

CC: Maintenance Chief Steve Felix, Missoula Division MDOT; Roger Dibrito



MDT-MAI-007 07/14

Page 1 of 3

Montana Department of Transportation Encroachment Application

2701 Prospect Avenue
PO Box 5895
Helena, MT 59604-5895
Phone: (406) 444-7220
Fax (406) 444-7684
TTY: (406) 444-7696
www.mdt.mt.gov

To be filled in by Department of Transportation Personnel

Print Form

Agreement Number: <input type="text"/>	Project Number: <input type="text"/>	Project Name: <input type="text"/>	ID Number: <input type="text"/>	County: <input type="text"/>
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Maintenance Section: <input type="text"/>	Corridor: <input type="text"/>	Sign Route: <input type="text"/>	Milepost: <input type="text"/>	Roadbed: <input type="text"/>
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Montana Department of Transportation	Title	Signature	Date
--------------------------------------	-------	-----------	------

Subject to the terms and conditions shown on Page 2 hereof; this permit is hereby approved and granted. The "Permittee" agrees to the terms of this permit.

APPLICANT (PROPERTY OWNER)

NATURE OF PERMIT APPLICATION:

(Give sufficient detail to permit thorough understanding and submit blueprints or sketches in triplicate.)

*If work involves Environmental-Related cleanup or monitoring, also complete Section 7.

INSTALL A BENCH NEAR THE KIOSK AT HIGHWAY 93 AND NORTH KOOTENAI ROAD, JUST NORTH OF STEVENSVILLE.

Township	Section	Range	/	Corridor	Sign Route	Mile Post
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="text"/>	<input type="text"/>	<input type="text"/>

Name	Phone\Fax Number
Bitterroot Trail Preservation Alliance ROGER DIBRTO	406-327-5645

Address	E-mail
4765 CAROLIN LANE	roger.dibrito@gmail.com

City	State	Zip Code
FLORENCE	MT	59833

If a Corporation, give State of Incorporation and names of President and Secretary

Montana: Bitterroot Trail Preservation Alliance Jean Belangie-Nye President, Roger DiBrito Secretary

Highway survey stations, milepost, distances to centerline, and distance from right-of-way line near which installations or structures will be installed:

On or near the sidewalk at the Kiosk site

For how long a period is the permit desired?: Indefinite. As long as the sidewalk and path are useable.

Are there environmental actions involving hazardous waste sites? (Superfund, Spills, Underground Storage Tanks, Old Mines, etc.) If Yes you will need to fill out additional environment questions. Yes (Complete Page 3) No

An environmental checklist must be filled out, signed and attached in order for this application to be considered complete.

[Link to Environmental Checklist](#)

Bitterroot Trail Preservation Alliance	Secretary		Mar 7, 2017
Company or Corporation	Title	Signature	Date



Montana Department of Transportation Encroachment Application

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Helena, MT 59604-5895
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(INSTRUCTIONS CONCERNING USE OF THIS FORM)

Applicant will complete this form along with plans, sketches and an environmental checklist and send to the appropriate District Maintenance Chief for review and approval.

If the proposed installation will result in significant, permanent or long term impacts to the transportation network in terms of substantial increase traffic volumes, weight or delays to traffic on state roadways, such as major mines greater than five acres, a railroad at -grade crossing, railroad under or overpass, or strip mines, or if the proposed action has permanent impacts to other forms of transportation (rail, transit, or air movement), the encroachment permit must be submitted to the transportation planning division for review prior to issuance of this permit.

Subject to the following terms and conditions, the permit applied for upon the reverse side hereof, is hereby granted:

1. TERM. This permit shall be in full force and effect from the date hereof until revoked as herein provided.
2. REVOCATION. This permit may be revoked by State upon giving 45 days notice to Permittee by ordinary mail, sent to the address shown herein. However, the State may revoke this permit without notice if Permittee violates any of its conditions or terms.
3. COMMENCEMENT OF WORK. No work shall be commenced until Permittee notifies the Maintenance Chief shown in application the date the Permittee proposes to commence work.
4. CHANGES IN HIGHWAY. If State highway changes necessitate changes in structures or installations installed under this permit, Permittee will make necessary changes without expense to State.
5. STATE SAVED HARMLESS FROM CLAIMS. As a consideration of being issued this permit, the Permittee, its successors or assigns, agrees to protect the State and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the State and arising out of, or by reason of, any of the above causes, the Permittee, its successors or assigns, will, upon notice to them of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the State in any such suit or action.
6. PROTECTION OF TRAFFIC. The Permittee shall protect the work area with traffic control devices that comply with the Manual of Uniform Traffic Control Devices. The Permittee may be required to submit a traffic control plan to the Maintenance Chief for approval prior to starting work. During work, the Maintenance Chief or designee may require the Permittee to use additional traffic control devices to protect traffic or the work area. No road closure shall occur without prior approval from the District Engineer.
7. HIGHWAY AND DRAINAGE. If the work done under this permit interferes in any way with the drainage of the State highway affected. Permittee shall, at the Permittee's expense, make such provisions as the State may direct to remedy the interference.
8. RUBBISH AND DEBRIS. Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and roadside left in a neat and presentable condition satisfactory to the State.
9. INSPECTION. The installation authorized by this permit shall be in compliance with the attached plan and the conditions of this permit. The Permittee may be required to remove or revise the installation, at sole expense of Permittee, if the installation does not conform with the requirements of this permit or the attached plan.
10. STATE'S RIGHT NOT TO BE INTERFERED WITH. All changes, reconstruction or relocation shall be done by Permittee so as to cause the least interference with any of the State's work, and the State shall not be liable for any damage to the Permittee by reason of any such work by the State, its agents, contractors or representatives, or by the exercise of any rights by the State upon the highways by the installations or structures placed under this permit.
11. REMOVAL OF INSTALLATIONS OR STRUCTURES. Unless waived by the State, upon termination of this permit, the Permittee shall remove the installations or structures installed under this permit at no cost to the State and restore the premises to the prior existing condition, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control, excepted.
12. MAINTENANCE AT EXPENSE OF PERMITTEE. Permittee shall maintain, at its sole expense, the installations and structures for which this permit is granted, in a condition satisfactory to the State.
13. STATE NOT LIABLE FOR DAMAGE TO INSTALLATIONS. In accepting this permit, the Permittee agrees that any damage or injury done to said installations or structures by a contractor working for the State, or by any State employee engaged in construction, alteration, repair, maintenance or improvement of the State highway, shall be at the sole expense of the Permittee.
14. STATE TO BE REIMBURSED FOR REPAIRING ROADWAY. Upon being billed, therefore, Permittee agrees to promptly reimburse State for any expense incurred in repairing surface of roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this permit.
15. The Permittee shall not discharge or cause discharge of any hazardous or solid waste by the installation or operation of the facility of a State Right-of-Way.
16. The Permittee will control noxious weeds within the disturbed installation area for two (2) years.
17. In accordance with Mont. Code Ann. § 76-3-403(2), Permittee shall, at Permittee's expense, employ the services of a Montana Licensed Professional Land Surveyor to re-establish all existing survey monuments disturbed by work contemplated under this permit.
18. The use of explosives is prohibited for the installation.
19. Any condition of this permit shall not be waived without written approval of the appropriate District Administrator.

20. OTHER CONDITIONS AND/OR REMARKS:

21. See attached addendum



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Additional Environmental Questions Pertaining to Environmental actions involving hazardous waste sites (Superfund, Spills, Underground Storage Tanks, Old Mines, etc.)

Name of Facility:

Facility ID:

Address:

City

State

Zip Code

Check Boxes that are applicable below and provide subsequent details

Leaking underground storage tank site? MDEQ identification number Petro Fund Eligible?

Remediation Response Sites (State Superfund Site)? identification number and/or site name

Federal Superfund Site? identification number and/or site name

Is Mine Active or Abandoned? Mine Site ID# Mine Description or Name

Spill? Spill Site Spill Description

Other Environmental Action

Traffic Control Plan Attached? Yes
 No

For each well installed in MDT R/W, provide GPS coordinates in state plane coordinates (preferred) or well survey information in another format (continue on another sheet if necessary).

NOTE: Each well request needs to be submitted on a separate application form.

Add Well	Well Designation	Easting	Northing
X			
X			
X			

Glenda Wiles

From: Glenda Wiles
Sent: Monday, April 10, 2017 3:12 PM
To: 'jshorten@mt.gov'
Cc: 'sfelix@mt.gov'; 'Roger DiBrito'
Subject: Emailing: Encroachment Permit - 93 and N. Kootenai
Attachments: Encroachment Permit - 93 and N. Kootenai.pdf

Jason, please see the attached letter from the Ravalli County Commissioners. Thank you,
Glenda Wiles, Commissioners Adm. Assistant

Your message is ready to be sent with the following file or link attachments:

Encroachment Permit - 93 and N. Kootenai

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Glenda Wiles

From: Shorten, Jason <jshorten@mt.gov>
Sent: Thursday, April 13, 2017 12:53 PM
To: Glenda Wiles
Subject: RE: Emailing: Encroachment Permit - 93 and N. Kootenai

Thanks Glenda,
I will get this to the maintenance chief and see if he will need any other information.

-----Original Message-----

From: Glenda Wiles [mailto:gwiles@rc.mt.gov]
Sent: Monday, April 10, 2017 3:12 PM
To: Shorten, Jason <jshorten@mt.gov>
Cc: Felix, Steve <sfelix@mt.gov>; 'Roger DiBrito' <roger.dibrito@gmail.com>
Subject: Emailing: Encroachment Permit - 93 and N. Kootenai

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