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The Montana Approach Manual can be found on the web at
https://www.mdt.mt.gov/publications/docs/manuals/approach_manual.pdf

Applicant Information**First Name *****Last Name *****Email *****Company****Mailing Address *****Contact Phone *****City *****State *****Zip *****Alternate Contact/Co-Applicant Information (Optional)**

First Name	Last Name	Email	Phone	Contact Type
				<input type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact
				<input type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact
				<input type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact
				<input type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact
				<input type="radio"/> Co-Applicant <input type="radio"/> Alternate Contact

Location Information**Sign Route *****Route Name****Mile Post Start *****Mile Post End****Physical Address *****City *****County *****Legal Description****Township****Range****Section**

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Permit Information

Nature of Permit (Give sufficient detail of anticipated build/structure/activities that the applicant is requesting to occur in MDT's right-of-way.) *

Apply Date *

For how long a period is the permit desired? (e.g. Permanent, 30 days, May 1-June 30, 202x)?

Project Scope (Please describe location of work and entire project scope. Include distance from existing highway survey station (if applicable), milepost, centerline, or right-of-way line near which installations of structures will be installed. Please attach a map depicting location.)

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

Estimated Trips/Day *

Side of Roadway *

- ☐ North
☐ South
☐ East
☐ West

Use of Property *

- ☐ Commercial
☐ Field Access
☐ Mutli Family Residence
☐ Single Family Residence
☐ Other. If 'Other' please enter Use of Property

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 ☐ No

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Additional Environment Questions

Only fill out this section if checking Yes to the Environmental Actions involving hazardous waste.

Facility Name

Facility ID

Address

City

State

Zip Code

Check the boxes that are applicable below and provide subsequent details. Please attach a Traffic Control Plan.

☐ **Leaking underground storage tank site?**

MDEQ Identification #

☐ **Petro Fund Eligible?**

☐ **Remediation Response Sites
(State Superfund Site)?**

State Identification # and/or site name

☐ **Federal Superfund Site?**

Federal Identification # and/or site name

☐ **Mine that Is Active**

Mine Site ID#

Mine Description or Name

☐ **Mine that is Abandoned**

☐ **Spill?**

Spill Site

Spill Description

Other Environmental Action

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Environmental Checklist

The Montana Environmental Checklist Help Guide can be found on the web at

<https://www.mdt.mt.gov/other/webdata/external/planning/forms/environmental-checklist-helphsheet.pdf>

Checklist Conditions and Required Approvals

- A. The applicant is not authorized to proceed with the proposed work until the checklist has been reviewed and approved, as necessary, and any requested conditions of approval have been incorporated.
- B. Complete the checklist items 1 through 16, indicating "Yes" or "No" for each item. Include comments, explanations, information sources, and a description of the magnitude/importance of potential impacts in the right hand column. Attach additional and supporting information as needed. The checklist preparer, by signing, certifies the accuracy of the information provided.
- C. If "Yes" is indicated on any of the items, the Applicant must explain the impacts as applicable. Appropriate mitigation measures that will be taken to avoid, minimize, and/or mitigate adverse impacts must also be described. Any proposed mitigation measures will become a condition of approval. Use attachments if necessary. If the applicant checks "No" and the District concludes there may in fact be potential impacts, the Environmental Checklist must be forwarded to Transportation Planning for review and approval.
- D. If "Yes" is indicated in item 11 a. (threatened or endangered species), the Applicant should provide information naming the particular species and the expected location, distribution and habitat use in the proposed action area, i.e. within the immediate area of the proposed action; or, in the general area on occasion (seasonally passes through) but does not nest, den or occupy the area for more than a few days.
- E. If the applicant checks "Yes" for any item, the approach permit, occupancy agreement or permit, along with the checklist and supporting information, including the Applicant's mitigation proposal, documentation, evaluation and/or permits must be submitted to Transportation Planning. Electronic format is preferred.
- F. When the applicant checks "Yes" to any item, the Applicant cannot be authorized to proceed with the proposed work until the MDT Environmental Services Bureau and/or Transportation Planning, as appropriate, reviews the information and signs the checklist.
- G. Applicant must obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the proposed action or activity. The Applicant is solely responsible for any environmental impacts incurred as a result of the project; obtaining any necessary environmental permits, notifications, and/or clearances; and ensuring compliance with environmental laws and regulations.

Impact Questions *			Comment, Explanation, and/or Information Source (Attach supporting information, as necessary.)
Actions that qualify for Categorical Exclusion under MEPA and/or NEPA (See ARM 18.2.261 and 23 CFR 771.117)			
1	Will the proposed action impact any known historical or archaeological site(s)?	<input type="radio"/> YES <input type="radio"/> NO	
2	Will the proposed action impact any publicly owned parkland(s), recreation area(s), wildlife or waterfowl refuge(s)?	<input type="radio"/> YES <input type="radio"/> NO	
3	Will the proposed action impact prime farmlands? (If "YES", attach a completed Farmland Conversion Impact Rating Ad-1006.)	<input type="radio"/> YES <input type="radio"/> NO	
4a	Will the proposed action have an impact on the human environment that may result from relocations of persons or businesses, changes in traffic patterns, changes in grade, or other types of changes?	<input type="radio"/> YES <input type="radio"/> NO	
4b	Has the proposed action received any preliminary or final approval from the local land use authority?	<input type="radio"/> YES <input type="radio"/> NO	
5	For the proposed action, is there documented controversy on environmental grounds? (For example, has the applicant received a letter of petition from an environmental organization?)	<input type="radio"/> YES <input type="radio"/> NO	
6	Will the proposed action require work in, across or adjacent to a listed or proposed Wild or Scenic River?	<input type="radio"/> YES <input type="radio"/> NO	

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7	Will the proposed action require work in a Class I Air Shed or nonattainment area?	<input type="radio"/> YES <input type="radio"/> NO	
8	Will the proposed action impact air quality or increase noise, even temporarily?	<input type="radio"/> YES <input type="radio"/> NO	
9a	Is the proposed action located within an MS4 area? (https://tinyurl.com/3h54cnmd)	<input type="radio"/> YES <input type="radio"/> NO	
9b	Will the proposed action have potential to affect water quality, wetlands, streams or other water bodies? If "YES", an environment-related permit or authorization may be required.	<input type="radio"/> YES <input type="radio"/> NO	
10	Are solid or hazardous wastes or petroleum products likely to be encountered? (For example, project occurs in or adjacent to Superfund sites, known spill areas, understorage tanks, or abandoned mines.)	<input type="radio"/> YES <input type="radio"/> NO	
11a	Are there any listed or candidate threatened or endangered species, or critical habitat in the vicinity of the proposed action?	<input type="radio"/> YES <input type="radio"/> NO	
11b	Will the proposed action adversely affect listed or candidate threatened or endangered species, or adversely modify critical habitat?	<input type="radio"/> YES <input type="radio"/> NO	
12	Will the proposed action require an environmental-related permit or authorization? If the answer is "YES", please list the specific permits or authorizations.	<input type="radio"/> YES <input type="radio"/> NO	
13	Is the proposed action within designated sage grouse habitat (https://sagegrouse.mt.gov). (If "YES", a consultation letter issued from the Montana Sage Grouse Habitat Conservation Program is required.)	<input type="radio"/> YES <input type="radio"/> NO	
14a	Is the proposed action on or within approximately 1 mile of an Indian Reservation?	<input type="radio"/> YES <input type="radio"/> NO	
14b	If "YES", will a Tribal Water Permit be required?	<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> N/A	
15	Will the proposed action result in increased traffic volumes, increased wait or delays on state highways, or have adverse impacts on other forms of transportation (rail, transit or air movements)?	<input type="radio"/> YES <input type="radio"/> NO	
16	Is the proposed action part of a project that may require other governmental permits, licenses or easements? If "yes," describe the full extent of the project and any other permits, licenses or easements that may be necessary for the applicant to acquire in the Project Scope Box above.	<input type="radio"/> YES <input type="radio"/> NO	
17	<p>Attach representative photos of the site(s) where the proposed action would be implemented. Photos are to include any structures, streams, irrigation canals, and/or potential wetlands in the project area.</p> <p>Attach map(s) showing the location(s) of the proposed action(s); Section, Township, Range; highway or route number and approximate route post(s).</p>	<input type="radio"/> YES <input type="radio"/> NO	

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Checklist preparer:

(Signature)

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Please make sure all necessary attachments are included prior to submitting the application. These may include traffic control plan, map of area, plans of project and images showing the existing area.

Applicant Signature_____
Date**Review Signatures****Project Name****Review for completeness by:**_____
MDT Representative_____
Title_____
Date**Checklist approved by:**_____
Environmental Services Bureau

(When any of the items 1 through 16 are checked 'Yes')

Title_____
Date_____
Transportation Planning

(When any of the items 15 or 16 are checked 'Yes')

Title_____
Date_____
Access Control

(Anytime a project is proposed in an access control area)

Title_____
Date_____
FHWA Approval

(Anytime a TCP is submitted on an interstate)

Title_____
Date

Approach Permits are subject to the following terms and conditions:

TERM - This permit shall be in full force and effect from the date hereof until revoked as herein provided.

REVOCATION - This permit may be revoked by State upon giving thirty (30) days notice to Permittee by ordinary mail, directed to the address shown in the application hereto attached, but the State reserves the right to revoke this permit without giving said notice in the event Permittee breaks any of the conditions or terms set forth herein.

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.

CHANGES IN HIGHWAY - If the State changes the highway, or there are other changes to adjoining streets, alleys, etc., which necessitate alterations in structures or installations installed under this permit, Permittee shall make the necessary alterations at Permittee's sole expense or in accordance with a separate agreement.

STATE SAVED HARMLESS FROM CLAIMS - In accepting this permit the Permittee, its/his successors or assigns, agree 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/his successors or assigns, will upon notice to it/him of the commencement of such action, defend the same at its/his sole cost and expense and satisfy any judgment which may be rendered against the State in any such suit or action.

PROTECTION OF TRAFFIC - Submit a traffic control plan for review and approval prior to any work being performed in MDT Right-of-Way. Traffic control must meet current MUTCD and MDT standards and guidance. The approval shall in no way operate to relieve or discharge the Permittee from any of the obligations assumed by acceptance of this permit, and especially those set forth under Section 6 thereof.

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 its/his own expense, make such provisions as the State may direct to take care of said drainage.

RUBBISH AND DEBRIS - Permittee is responsible for debris that is carried onto the roadway by this construction with sweeping and cleaning done daily at permittee's expense. Upon completion of work contemplated under this permit, all rubbish and debris shall be immediately removed and the roadway and the roadside left in a neat and presentable condition satisfactory to the State.

WORK TO BE SUPERVISED BY STATE - All work contemplated under this permit shall be done under the supervision of and to the satisfaction of the authorized representative of the State, and the State hereby reserves the right to order the change of location or removal of any structure or installation authorized by this permit at any time, said changes or removal to be made at the sole expense of the permittee.

STATES RIGHT NOT TO BE INTERFERED WITH - All such changes, reconstructing or relocation shall be done by Permittee, in such a manner as will cause the least interference with any of the State's work, and the State shall in no way 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.

REMOVAL OF INSTALLATIONS OR STRUCTURES - Unless waived by the State, upon termination of this permit, the Permittee shall remove the installations or structures contemplated by this permit and restore the premises to the condition existing at the time of entering upon the same under this permit, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the Permittee has no control, excepted.

MAINTENANCE AT EXPENSE OF PERMITTEE - Permittee shall maintain, at its/his sole expense the installations and structures for which this permit is granted, in a condition satisfactory to the State.

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.

STATE TO BE REIMBURSED FOR REPAIRING ROADWAY - Upon being billed therefor Permittee agrees to promptly reimburse State for any expense incurred in repairing surface or roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this permit.

OTHER CONDITIONS:

All approach side slopes will preferably be constructed on 10 to 1 slope but not less than 6 to 1 slope, unless otherwise approved.