

Thank you for your interest in the private bridge crossing proposed by Mr. Daggett. I have received your comments and would like to update you briefly on where this proposal is at within the Department. As you probably know Mr. Daggett received a letter from me in February of this year stating in accordance with policy, where the applicant already has legal access, applications for easement are discouraged and presumed to be disadvantageous to the State. Based on that policy direction I let him know we would take no further action on his application.

A letter to me from Mr. Daggett's consultant last month renewed his request for authorization which has prompted a letter from the DNRC Director denying his application and informing Mr. Daggett of his option to appeal the Department's decision to the State Board of Land Commissioners (Land Board). The Land Board is comprised of the Governor, the Attorney General, the State Auditor, the Secretary of State, and the Superintendent of Public Instruction.

If Mr. Daggett chooses to schedule a hearing with the Land Board to appeal our decision I will let you know the date and time of that hearing. On request of our Helena Office, I'll be sending all of your comments to them to be part of the briefing packet for the Land Board in the event this comes before them.

If it does go to a Land Board hearing, the Board may decide to uphold the position of the Department and deny the application, or it may decide that the Department does in fact need to give the application further consideration and direct us to solicit public comment and complete an environmental assessment with a finding (decision notice) of whether there is significant impact.

Please know this proposal is in the very earliest stages of the process. It may end soon based on Mr. Daggett's decision to not appeal, or by the Land Board's decision to side with the Department, or it may go to "public scoping" (solicitation of public comments) and environmental assessment as required by the MT Environmental Policy Act (MEPA). Either way I will keep you apprised so you have the opportunity to stay involved. If I can answer any questions or provide more clarification please don't hesitate to contact me.

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