

## PUBLIC NOTICE

Clearwater Energy Resources LLC (CER) is proposing to construct a new single or double circuit electric transmission line up to 345 kV and approximately 70 to 95 miles in length through Rosebud and Custer Counties. The proposed transmission line will interconnect CER's proposed energy project located north of Miles City, MT to an existing substation north of Colstrip, MT.

CER plans to build the transmission line under a statutory exclusion from the Major Facility Siting Act (MFSA). Under Section 75-20-104(8)(a)(ii), Montana Code Annotated (MCA), the siting of the transmission line is not subject to the MFSA if CER obtains right-of-way agreements or options for a right-of-way from more than seventy-five percent (75%) of the landowners who collectively own more than seventy-five percent (75%) of the property along which the new line is to be located. Section 75-20-207, MCA, requires an owner proposing to construct a transmission line under this statutory exclusion to provide public notice to persons residing in the area in which any portion of the transmission line may be located no less than 60 days prior to the commencement of acquisition of the right-of-way. The notice must contain a description of the project and inform property owners of their rights under MFSA. The public notice provided herein constitutes the notice required under Section 75-20-207, MCA.

The transmission line will commence at a proposed new substation located approximately 35 miles north of Miles City, MT in either Rosebud or Custer County. From the proposed substation, it will continue in a south and westerly direction across the Yellowstone River at a single crossing between Forsyth, MT and Miles City, MT terminating at a point in Section 27, Township 2 North, Range 41 East, MPM, Rosebud County, Montana. The transmission line will be located within the study area shown on the accompanying map. Information on the location of specific routing options CER has identified to date may be obtained from the CER contact set forth below. CER may identify additional routing options within the study area at a later date.

CER is considering use of either steel or wood two-pole "H-frame" structures with an average span length of up to approximately 900 feet. The project might also utilize a single steel-monopole structure. The height of the new structures will vary from approximately 90 feet above ground to 200 feet above ground, depending on terrain and structure type.

The right-of-way width for the 345 kV transmission line will range from 60 to 150 feet and up to 250 feet temporarily during construction.

If CER is unable to obtain the statutory exclusion, siting of the transmission line would be subject to the MFSA. DEQ would conduct an environmental review of the proposed facility, including an opportunity for public comment. DEQ would approve the facility as proposed or as modified or an alternative to the proposed facility if DEQ makes the findings required under Section 75-20-301, MCA. DEQ's siting decision may be subject to administrative and judicial review. More information concerning the rights of property owners under MFSA may be obtained from DEQ.

CER began the process of acquiring right-of-way rights without providing the notice required under Section 75-20-207, MCA. If property owners wish to renegotiate their conveyance of right-of-way to CER after being informed of their rights under MFSA, they may do so by contacting CER within 75 days of the date of publication of this notice. The property owners should also contact DEQ at the contact information set forth below.

**Requests for additional information on the project, including information on routing options or design, may be directed to:**

Michael Cressner, Project Manager  
Clearwater Energy Resources LLC  
Email: [info@clearwaterenergy.info](mailto:info@clearwaterenergy.info)  
Telephone: (406) 201-9756 or (510) 338-4998

**Property owners' requests for additional information concerning their rights under the Major Facility Siting Act may be directed to:**

Craig Jones  
Facility Siting Section  
Department of Environmental Quality  
1520 East Sixth Avenue  
Helena, MT 59620  
Email: [craigjones@mt.gov](mailto:craigjones@mt.gov)  
Telephone: (406) 444-0514

