

DEPARTMENT OF STATE LANDS



STAN STEPHENS, GOVERNOR

CAPITOL STATION

STATE OF MONTANA

(406) 444-2074

1625 ELEVENTH AVENUE
HELENA, MONTANA 59620

August 6, 1992

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AUG 10 1992
ENVIRONMENTAL
QUALITY COUNCIL

Dear Reader:

Enclosed is a copy of the Final Environmental Assessment (FEA) prepared by the Department of State Lands. This FEA is for Cable Mountain's proposal to expand their permit area from 34 to 58 acres.

This FEA adopts the draft and provides responses to written and verbal comments received by the DSL on the Draft Environmental Assessment (DEA). It is necessary to keep and use your DEA copy with this FEA in order to have a complete package.

The agencies thank you for your time and effort in working with the issues through the environmental analysis process.

Sincerely,

Bob Winegar

Robert C. Winegar
Program Supervisor
Hard Rock Bureau
Reclamation Division

BW/ra

Enclosure

RECEIVED
AUG 10 1992
ENVIRONMENTAL
QUALITY COUNCIL

ENVIRONMENTAL ASSESSMENT

for

CABLE MOUNTAIN MINING, INC.

Application for Amendment No.003 to

State Operating Permit No. 00134

Operating and Reclamation Plan

Prepared by

Montana Department of State Lands
Hard Rock Bureau
Helena, Montana

Pursuant to

Montana Environmental Policy Act

and

National Environmental Policy Act

August 6, 1992

CABLE MOUNTAIN MINING, INC.
Responses to Comments on Environmental Assessment
for Amendment 003

The following public comments were received during a public meeting held to discuss the Environmental Assessment for amendment 003 to CMMI's operating permit #00134:

Mr. Tom White, local property owner:

1. COMMENT: Did the state notify all private land owners in the area of this pending amendment? Many are absentee landowners.

RESPONSE: Receipt of the application for this amendment was announced in the public notice sections of the Anaconda Leader and Montana Standard weekly for three weeks. Copies of the E.A. were sent to all citizens who had previously requested to be placed on the mailing list for CMMI.

2. COMMENT: Is the proposed amendment area all owned or leased by CMMI?

RESPONSE: All of the land within the permit boundary is patented mining claims, and is owned by CMMI. See E.A., page 3.

3. COMMENT: Was Deer Lodge County notified?

RESPONSE: The mailing list includes all county commissioners and legislators. These people were notified.

4. COMMENT: Are there any springs in the area of proposed disturbance? How much groundwater is there?

RESPONSE: Baseline studies revealed no springs in this area. Inspections by DSL personnel have confirmed this. Perennial discharge from the historic Cable Mine adit does occur. This adit is located northeast of CMMI's operation. Other springs are located approximately one half mile west of the operation. Five to ten gallons per minute of groundwater enter the current mine pit from the north. This water may be derived from the proposed expansion area, and is currently used in the mining operation.

5. COMMENT: Why is the flow of Cable Creek lower than usual this year?

RESPONSE: Drought conditions in the area in recent years have lowered the regional groundwater table and have reduced surface flows. This past winter's snowfall was significantly less than normal, and snowmelt occurred much earlier than it typically does. The early snowmelt resulted in low streamflows throughout the region this summer.

CMMI's water use is nonconsumptive, except for evaporation. Most water used in the wash plant is recycled. CMMI has stated that they possess the water rights on Cable Creek. Therefore, they could use water from Cable Creek in the event that they need additional make up water. The mine is located up gradient of the flowing portion of Cable Creek.

6. COMMENT: Will the water quality of Cable Creek be maintained?

RESPONSE: Surface and ground water quality has been monitored immediately downstream of CMMI's operation since before mining began. No changes in water quality have been observed to date (see E.A., page 5). No water quality impacts are anticipated as a result of this amendment, as the amendment area contains less groundwater than the current mine area does and is farther away from Cable Creek.

7. COMMENT: What will be the effect on area property values if this mining proposal is allowed to proceed?

RESPONSE: Property adjacent to the amendment area, or from which the area would be visible, is owned by either CMMI or the US Forest Service. The operation is not visible from the communities of Southern Cross and Old Georgetown, and does not lie along the main access road to these communities. No impact on property values is foreseen.

8. COMMENT: What will be the effect on county roads in the area?

RESPONSE: The county road which connects the Cable Creek drainage to the town of Southern Cross by-passes CMMI's operation and the amendment area. Some activity in the amendment area would be visible from this road.

9. COMMENT: What sort of wildlife impacts analysis was done? Did Mt. Fish, Wildlife & Parks examine elk winter range in the proposed disturbance area? Could I get a copy of FWP's comments on the application?

RESPONSE: Mt. FW&P received a copy of CMMI's application and reviewed it. Their analysis concluded that the proposal did not constitute any significant impact. Amendment 003 expands the current 34 acre permit boundary by 24 acres. The duration of disturbance in this area will be short-lived, and the area will be reclaimed to similar wildlife usage values after mining is completed. The operation is shut down during winter months; therefore, the impacts to winter elk range should be slight, and of short duration.

10. COMMENT: What kind of reclamation is proposed? Will trees be replanted? The hillside is currently forested, will it be returned to such condition to maintain habitat?

RESPONSE: After gold is recovered from the gravels on the hillside, the gravel will be backfilled into the mine pit. Overburden will then be replaced on top of this backfill, and will be regraded to approximate the original topography of the hillside. Salvaged topsoil will then be replaced and slash remaining from timber harvest will be spread over the surface to control erosion and accelerate the rate of vegetative regeneration. The reclaimed areas will be reseeded with a state-approved seed mixture. Although trees have not been replanted in reclaimed areas on the mine site in the past, natural reseeding has occurred, and forest regeneration is occurring. Should trees not regenerate in this area naturally, CMMI would plant them.

11. COMMENT: What does "No outstanding noncompliances" on page 2 of the E.A. mean?

RESPONSE: A noncompliance was previously issued to CMMI for unauthorized disturbance outside of a permitted area. CMMI reclaimed this disturbance and paid the fine for this violation, so it is no longer outstanding.

12. COMMENT: Have any complaints been filed against CMMI?

RESPONSE: Yes. A complaint (loss of water quantity) has been filed with the DSL under 82-4-355 MCA which cites both CMMI and an operator conducting an exploration program to the northwest of CMMI's operation. Upon conclusion of the DSL's investigation of this complaint, a written finding will be sent to the complainant. If the complaint is found to be valid, the company(s) responsible will be required to replace the complainant's water supply in like quantity, quality, and duration.

The following responses are for comments received by the DSL by mail. The letters are reproduced and the response number is referenced on the letter.

13. RESPONSE: CMMI states that the Jones water right was issued for mining purposes, and that this right was acquired by CMMI. CMMI also claims to have acquired a second water right on Cable Creek. Whether or not CMMI has the water rights on Cable Creek is not an issue of concern to this E.A., as CMMI does not currently draw water from Cable Creek, nor will they need to in order to conduct the proposed mining expansion. CMMI's operation is located above Cable Creek, and utilizes groundwater intercepted by their mining pits for ore processing.
14. RESPONSE: The public comment period for the E.A. lasted three (3) weeks, from completion and mailing of the E.A. on July 8th until July 29th. On July 10th, the Anaconda Leader was sent a news release announcing the completion of the E.A. and date of the public meeting. Copies of the E.A. were available to interested members of the public after July 8th by calling, writing to, or visiting the Department of State Lands. Prior to completion of the E.A., the DSL gave public notice of receipt of the application for amendment 003 during three consecutive weeks beginning March 27, 1992; these notices were published in both the Anaconda Leader and the Montana Standard at these times. Cable Mountain Mine Inc.'s application was available for review at the DSL from this time. See also response to comment #1.

In response to Mr. White's concerns, the DSL decided to extend the public comment period until August 7, 1992, thirty (30) days from the issuance of the Environmental Assessment.

15. RESPONSE: See Response to Comment #7. The proposed expansion would have little, if any, more visual impact than the existing operation does. Value of homes in the area will not be affected by a 23 acre expansion of an existing mine. DSL does not have funds for contracting an appraiser. Future changes in property value cannot be predicted, but would likely be influenced by much more significant factors than the Cable Mountain Mining operation.
16. RESPONSE: See also Responses to Comments #4, 5, and 6. The regional aquifer(s) in the Georgetown area could not be affected by this mining proposal, as CMMI is a placer mining operation, not an underground mine. CMMI will only disturb the upper 20 to 30 feet of surficial deposits, not the bedrock. No fracture-controlled groundwater will be impacted. Existing baseline studies and the operational monitoring program are adequate to assure that impacts to water supplies will not occur as a result of this operation.

17. RESPONSE: See Response to Comment #9. The Montana Department of Fish, Wildlife, and Parks has already reviewed this proposal. As noted on page 1 of the E.A., impacts to the biological environment from this mine expansion were determined to be "insignificant as proposed".

The Cable Mine area supports a relatively small population of elk, estimated at 20 - 30 head. This herd's population dynamics and movements have not been intensively studied, but observations indicate that most use occurs north of the project area. A few animals may winter above the mine in open parks, but most winter to the southwest or east at lower elevations. There may also be some claving in the general vicinity of the mine but this appears to be minimal. (Dan Hook, DFWP Personal Communication 8/4/1992).

There has been some logging on private in land on Wraith Hill, about two miles southwest of the mine. This activity should have minimal impact on the local elk herd, because it is not in their primary activity area. The U.S. Forest Service has no logging plans for the area east of Georgetown Lake for at least the next ten years. (Kurt Knieval, USFS Personal Communication 8/4/1992).

There has been mineral exploration activity in the vicinity of Southern Cross and Hidden Lake over the preceeding several years, but this activity has decreased in 1992 and no new proposals are before the agencies at this time.

Therefore, as per Response # 9 , both the immediate and cummulative impacts to the elk are expected to be slight and of short duration.

The letter from Mr. Jack Scanlon was received by the DSL while completeness reviews of CMMI's application were still on going. Mr. Scanlon's concerns were considered when preparing the E.A. His concerns will again be addressed in the following responses.

18. RESPONSE: See responses to comments #7 and 15.
19. RESPONSE: See response to comment #8.
20. RESPONSE: See response to comment #6.
21. RESPONSE: See responses to comments #12 and 16.
22. RESPONSE: This placer mining operation is not visible from the Georgetown Lake area community. It is wholly located on patented mining claims, and therefore not subject to zoning ordinances, proposed or real.
23. RESPONSE; This mining operation has already been permitted; the currently proposed expansion is a minor change to the existing plan which has produced no significant impacts, and, therefore does not require an EIS. CMMI is the only

existing or proposed mining operation in the Georgetown Lake area. It is not possible to complete an environmental impact statement on mining operations which have not been proposed, or to predict what new economic deposits may be discovered in the future. See also "Related Actions" and "Cumulative Impacts" sections of the E.A., pp. 5-6.

24. RESPONSE: This application is only related to the existing operation by CMMI. The DSL knows of no plan for mining the entire area, and doubts that such a plan would be economically feasible. Historic mining operations and current exploration programs indicate the presence of small, isolated, potentially economic targets within the region. Continued exploration in the region may result in larger operations. If mining plans are submitted on another deposit near CMMI's operation, cumulative effects would be evaluated. See also pages 5 & 6 of E.A., Related Actions and Cumulative Impacts.

To the best of our knowledge, CMMI is an independant company, and is not operating in a joint venture with any other party.

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



STAN STEPHENS, GOVERNOR

LEE METCALF BUILDING
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699
TELEFAX NUMBER (406) 444-8721

HELENA, MONTANA 59620-2201

RECEIVED
JUL 28 1992
STATE LANDS

Thomas R. White
601 Locust Street
Anaconda, Mt. 59711

Homeowner Southern Cross, Deen Lodge County, Montana

BEFORE THE DEPARTMENT OF STATE
LANDS OF THE STATE OF MONTANA

IN THE MATTER OF APPLICATION)
FOR EXPANDED MINING)
MINING AMENDMENT NO. 003)
OPERATING PERMIT NO. 00134)

July 22, 1992

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JUL 23 1992

STATE LANDS

Bob Winegar
MT Dept of State Lands
Capital Station
Helena, MT 59620

Dear Mr. Winegar:

MOTION FOR EXTENSION OF TIME TO FILE
PUBLIC COMMENT ON ENVIRONMENTAL ASSESSMENT

13. Upon review of the Cable Mountain Mine, Inc. E.A. prepared by the State Lands, I also checked our records and was unable to find where Cable Mountain Mine Inc. has filed for any water right. Furthermore, this project is in the Clark Fork River Drainage Basin, which was closed to the issuance of any new permits to use surface water. The only water rights that we have of record are owned by Jones. I fail to see where State Lands has addressed the water rights in their E.A. The water right issues should be dealt with in the E.A., at least to the point of Cable Mountain Mine Inc. now that they will have to obtain a water right from the DNRC.

14. The time for review of the Department of Lands environmental assessment is too short for proper review and research of the conclusions. The hearing was held on the 23rd July 1992 and all comments must be filed by 29th. July 1992 that is only 16) days. That is not sufficient time.

If you have any questions on this matter or if I can be of further assistance, please contact my office.

I would like to request a twenty day extension in order for out of state land owners to have sufficient time to read and review the environmental assessment and make comments.

Sincerely,

July 26, 1992

Jim Beck for

T.J. Reynolds, Manager
Helena Water Resources Regional Office

Very truly yours,
Thomas R. White

TJR:wE

Thomas R. White

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JUL 28 1992

STATE LANDS

Thomas R. White
601 Locust St.
Anaconda, Mt. 59711

July 25, 1992

Bob Winegar
Montana Dept. of Lands
Capitol Station
Helena, Mt. 59620

RE: Cable Mountain Mine, Inc.
Amendment No. 003
Operating Permit No. 00134

Dear Mr. Winegar,

This letter is in regard to concerns which are not being addressed in the EA (Environmental Assessment) prepared by the Dept. of Lands.

15. 1. This part of Montana is a recreational area where people have purchase land to build summer homes and year around residency. More consideration should be given to the affect on the people. The emotional and economical affect of this expanded mining operation will have on the people of this area should be the prime consideration.

(a) Any change in value of these properties is significant. A independent appraiser should be commission to have all private parcels of land appraised to determine the value of the property before any mining takes place. The area to be appraised should be a radius of two miles.

16. 2. The proposed mining expansion will be penetrating into an area which may provide the spring water to Georgetown Lake, and well water to Old Georgetown basin. This mining will be taking place close to a point where a fracture runs along the North Flint Creek side of Cable Mountain to Southern Cross by St. Timothy's church around the old Georgetown basin to a point between the Brown Derby and Steward's Landing. This fracture could be the main aquifer which feeds all of the natural springs in Georgetown Lake and maintains the ground water levels in the old Georgetown basin. If this fracture is penetrated and it is the underground aquifer the state Montana would have a disaster of the greatest magnitude. It's stated in the EA that the water quality, quantity and distribution is a short term impact and no implications in either surface or ground water.

(a) In order for the state to protect private land owners in the Cable Creek, Warm Springs drainage, Southern Cross, Old Georgetown basin, and the Flint Creek drainage. The state should require the recording of all natural springs, locations, flow rates, volume and water quality; to measure all wells and quality within a two mile radius.

(b) A independent hydrologist should be commission to develop the hydrology of this area.

17. Montana Department of Fish Wildlife should also require at your request a environmental impact statement on the Elk herd which winter at this proposed mining site. It is a long term impact on the Elk who are driven from there winter range; maybe even to return.

(a) Where do the Elk go to winter?

(b) What will be the true impact on the Elk?

This is not addressed in the (EA).

I have brought questions forward which were not cover completely in the (EA).

(a) Social, emotional and economical affects on the Georgetown Lake area.

(b) Water quality, quantity and distribution.

(c) Wildlife impact in this area to be mine.

To protect the people of Montana and the local land owners Cable Mountain Mine, Inc. should be required to file an environmental impact statement. The people of this area want beneficial mining but if we loose the benefits of life, water and wildlife mining is not beneficial. If Cable Mountain Mine, Inc. cares for Montana they will do the environmental impact statement. If not the state of Montana should deny their application for expanded mining.

"This is the last best place."

Very truly yours,
Thomas R. White
Thomas R. White

JACK M. SCANLON
ATTORNEY AT LAW
Suite JC, Arcade Building
111 North Last Chance Gulch
Helena, Montana 59601
(406) 443-2460

April 9, 1992

Mr. Bob Winegar, Program Supervisor
Hard Rock Bureau
Dept. of State Lands
Capitol Station
Helena, MT 59620

RE: Cable Mountain Mine, Inc.
Amendment No. 003
Operating Permit No. 00134

Dear Mr. Winegar:

Please consider this letter as a formal protest and demand for public hearing to the above application for expanded mining operations by Cable Mountain Mine, Inc. as recently published in the legal notices of the Anaconda Leader.

Protest is being made for the following reasons:

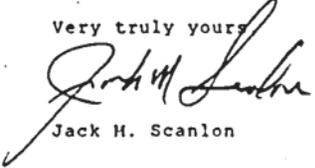
18. 1. That expanded mining operations will adversely affect property usage and values of other property owners in the area.
19. 2. That the proposed mining operation will result in the elimination or alteration of the existing public county road between the Cable and Southern Cross areas, thus depriving the other property owners in the area access to their properties.
20. 3. That the proposed mining operation will adversely affect the headwaters of the Cable Creek drainage by reducing its existing purity and quality in violation of the Montana Environmental Policy Act, Section 75-1-101, MCA, et. seq.
21. 4. That certain residents of the surrounding area have filed formal complaint pursuant to Section 84-4-344, MCA, with the Montana Department of State Lands for loss of domestic water supplies resulting from drilling exploration by the applicant Cable Mountain Mine, Inc.
22. 5. That the proposed mining operations are located in the Georgetown Lake area, a recognized recreational area that is the subject of proposed zoning ordinances that may affect operations.
23. 6. That no further mining operations should be permitted until a complete environmental impact statement of mining on the entire Georgetown Lake area is made.

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Mr. Bob Winegar
April 9, 1992
Page Two

24. 7. That the application is merely a portion of an overall plan for mining the entire area which includes the Southern Cross, Pyrennes, and Montana claims, in a joint venture with Magellan Resources, Inc.

Very truly yours


Jack H. Scanlon

JHS:slc