

AMENDED CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Clouse Site Proposed Implementation Date: Upon Approval
 Proponent: R Lazy M Enterprises
 Type and Purpose of Action: The applicant proposes to mine 20,000 cubic yards of gravel (screening and/or crushing a portion) over a 10 year period from a site located 7 miles north of Bigfork. There will be 1.5 acres mined with an additional .5 acres for facilities and roads. The estimated start-up date is June 25, 1993, and will result in a pit no deeper than 20 feet. The site will be reclaimed to grassland after grading all slopes to a 4:1 and replacing salvaged topsoil.
 Location: N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 26, T28N, R20W County: Flathead

N = Not present or No Impact will occur.

Y = Impacts may occur (explain under Potential Impacts).

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactible or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?	[N] Up to 12" of sandy clay loam exists over the area to be affected. All soils would be salvaged, stockpiled and seeded to prevent erosion. Following mining, grading, and ripping, the salvaged soils would be replaced, disked, and seeded. Microbes would recolonize the soils.
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] There is no surface water within 1,000 feet that could be impacted by this operation. Several domestic water wells exist within $\frac{1}{2}$ mile, but the operation will not intercept groundwater which is at least 60 feet deep.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[Y] Crushers, screens, and truck traffic typically create dusty conditions in disturbed soil sites. The applicant would be required to secure an air quality permit and operate within state guidelines.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?	[N] Primary vegetation on the site consists of native and non-native grasses, with orchard grass and smooth brome the dominant species. Numerous forbs and shrubs exist and does Douglas fir, and western larch, and apples. There is no record of rare or endangered plant species. While all of the species may be destroyed by the operation, they can be re-established following mining, and may also re-invade the site.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] Although the area sees transitional use by any different mammals and birds, the site is small and presents no unique habitat.
6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	[N] The Montana Natural Heritage Program has not identified any threatened or endangered species at this site.
7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] Historic agricultural buildings have been identified in the area but not at this site.
8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] The site is visible by homes, but strategic placement of vegetated topsoil berms could screen the majority of objectionable view. Mining and crushing will generate additional noise. A berm would absorb and deflect some, and if the equipment were placed low in the pit area, noise would be further diminished. Operating hours would be restricted to 6 a.m. - 7 p.m. Monday through Saturday.
9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?	[N]
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other studies, plans or projects on this tract?	[N]
IMPACTS ON THE HUMAN POPULATION	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES

11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[Y] There will be increased hazards because of the equipment activity and hauling of gravel. The applicant must comply with OSHA and MSHA regulations however, and proper precautions would be taken to avoid accidents. If trespass onto the site becomes a problem, the applicant would gate and padlock the entry point, and post no trespassing signs at logical points. The applicant would also exercise caution when school busses and children are on the road.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[Y] The action would temporarily eliminate utilization of the area for grazing on 2 acres. The site would be reclaimed to support that use within 10 years.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N]
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N]
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?	[Y] The site will require periodic evaluations by DSL staff until such time as the post-mine land use has been achieved. These visits may be conducted in conjunction with other area operations however. The applicant projects an average of 15 truck loads per day leaving the site. The proposed operation should not increase fire danger, and in fact, earth moving equipment on site may aid in local grass fire protection if fire line construction is necessary.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[Y] County zoning clearance has been obtained.
17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N]
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N]
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[Y] Placement of an industrial use in an agricultural-rural residential area creates some conflicts. Zoning in this area does not prohibit sand and gravel mining however. By screening the operation with vegetated topsoil berms and limiting hours of operation, many of the perceived impacts can be minimized, and compliance with state air quality standards would limit degradation.
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N]
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] See 19 above.

22. Alternatives Considered:

No Action: Pit would not be permitted and impacts would not occur at this location.

23. Public Involvement, Agencies, Groups or Individuals contacted:

State Historic Preservation Office, Montana Heritage Program, and the Flathead Regional Development Office. Public meeting was held July 22, 1993 at the Grange Hall in Creston. Written comments were accepted through July 30, 1993.

24. Other Governmental Agencies with Jurisdiction, List of Permits Needed:

Montana Department of Health and Environmental Science, Air Quality Bureau for Air Quality Permit and Water Quality Bureau for Stormwater Discharge Permit; Mine Safety and Health Administration for safety permit; Montana Department of Labor & Industry, Bureau of Safety for safety permit.

25. Magnitude and Significance of Potential Impacts:

Impacts are unlikely to be significant because of the small amount of disturbance, and mitigated measures proposed.

Recommendation for Further Environmental Analysis:

[] EIS [] More Detailed EA [] No Further Analysis

EA Checklist Prepared By: ROD SAMDAHL RECLAMATION SPECIALIST
Name Title

STEVE WELCH CHIEF OPERATING MINING BUREAU
Name Title

Approved By: Gregory P. Hallsten Environmental Coordinator
Name Title

Gregory P. Hallsten 8/9/93
Signature Date

RESPONSES TO WRITTEN, PUBLIC COMMENTS
(paraphrased and combined where possible)

1. **COMMENT:** Placement of a gravel pit in an agricultural-residential area will create a powerful negative impact, and affect property owners over a large area.

RESPONSE: Because this area is not zoned as residential, local zoning regulations may not prohibit this type of land use. Stipulations to the reclamation plan such as visual screening, and reduced hours of operation, although not eliminating, will effect a reduction of impacts.

2. **COMMENT:** Air quality would be degraded.

RESPONSE: Airborne particulates will be increased from an operation such as this, however, if the applicant meets state air quality standards he is in compliance with state law and must be allowed to operate. Arbitrary limits may not be imposed by this Department.

3. **COMMENT:** The operation would create an objectionable view for many residents and decrease the overall aesthetics of the area.

RESPONSE: The view would be altered by the establishment of a gravel operation as it has been with the construction of many man-made structures. Efforts would be made however, to shield this site by the placement of seeded topsoil berms. Coupled with the topography of the site, and the depth of the excavation into the hillside, these efforts would decrease negative visual perceptions.

4. **COMMENT:** The use of processing equipment such as screens and crushers would create unacceptable noise levels.

RESPONSE: The operation of a sand and gravel mine will generate additional noise from equipment motors, back-up horns, and screening equipment (if used). However, as in 3 above, the topsoil berms and depth of the excavation will deflect and absorb much of the noticeable noises. Because there are no local noise ordinances, this department is unable to place decibel limits on any operation; we can only attempt to reduce the level to a point that is tolerable.

5. **COMMENT:** The use of Lindsey Lane by heavy trucks will cause the road to deteriorate rapidly and the road is too narrow to accommodate those trucks and regular traffic. Also the approach is dangerous because of site distance from the hillcrest to the east.

RESPONSE: Lindsey lane is a county road that may be used by any licensed vehicle as long as they abide by county regulations. The applicant must secure an approach permit from the Flathead county road department and before one is issued, the county engineer will visit the site to determine if it is acceptable. If the applicant chose to use highway 35 as an access point, a permit from the state of Montana would be necessary.

6. COMMENT: Will this area have a night light system?

RESPONSE: A night light system is not planned at this time.

7. COMMENT: Will signs be posted warning of dangers, and will the gate be padlocked to prevent persons from using the site as a partying area?

RESPONSE: If trespass becomes a problem, the applicant will post "NO TRESPASSING" signs and install a padlocked gate.

8. COMMENT: Will the operation be monitored by OSHA?

RESPONSE: While this department does not have input into OSHA work schedules, the applicant is required to abide by their regulations.

9. COMMENT: Will the operating hours be restricted.

RESPONSE: The reclamation plan will stipulate that hours of operation be limited to 6am to 7pm, Monday through Saturday.

10. COMMENT: Will the operation be allowed to expand beyond that which has been indicated in the application?

RESPONSE: The Opencut Mining Act provides that an operator may submit an application to amend the reclamation contract to include additional acreage. Any such application would require updated information similar to the original, and it would also trigger further MEPA action and public input.

11. COMMENT: Mr. McKinley was not allowed to comment and answer questions, and DSL staff talked to much for him.

RESPONSE: As was stated at the meeting, questions could have been directed to Mr. Mckinley through the moderator. Too frequently, direct exchanges between those holding opposing viewpoints becomes an uncontrolled shouting match, and resolutions are few.