

ENVIRONMENTAL ASSESSMENT

Project Name: Wagner North

Proposed Implementation Date: Summer 1998

Proponent: Northern Line Layers, Inc.

Type and Purpose of Action: The proponent proposes to mine, stockpile and transport approximately 477,000 cu. yds. of sand and gravel on a 50-acre site to construct the Shiloh Interchange. Approximately 70,000 cubic yards would be crushed, stockpiled and hauled to the construction project as needed. Northern Line Layers would salvage and stockpile all soils and upon completion of mining would regrade, replace the soils and seed the site with a grass mixture. An asphalt plant would be associated with the operation. The reclaimed use would be pasture with reclamation concurrent with mining and final reclamation occurring in September of 2001

Location: NE¼, Sec. 28, T1S, R25E **County:** Yellowstone

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
<p>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?</p>	<p>[N] The proposed site is located on a bench overlooking the Yellowstone River to the South. The geology consists of Pleistocene Era sand and gravel.</p> <p>Test holes on the area show soils vary from 3-6 inches of gravelly silt loam overlying 18 inches of subsoil on the east end to 8-10 inches of silt loams on the western portion. All soil would be stripped and stockpiled and upon regrading the slopes to 3:1 or flatter would be evenly placed on the site. Microbes should recolonize the soils when they have been replaced. Reclamation would result in the site being daylighted to the Billings Bench Irrigation Canal to the east.</p> <p>There are no fragile, compactible or unstable soils present. There are no unusual geologic features or special reclamation considerations.</p>
<p>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?</p>	<p>[Y] The Billings Bench Water Association Canal runs adjacent to the east side of the bench, and there are small irrigation ditches in the hay field that flow water during the season and would be protected by silt fence.</p> <p>There are several water wells within 1,000 feet of the site and these should not be impacted as the proposed operation would not be mining into the water table. The average high water table is approximately 9.5 feet below the surface elevation of 3266 feet. Mining would cease 2 feet above the high water line.</p> <p>The applicant would construct an impermeable fuel storage area(s) according to DEQ guidelines. No asphalt or other refuse will be disposed of onsite. There should not be any impact to any surface or groundwater resources.</p>

<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[Y] There would be an increase in airborne particulates while the soil is being salvaged, the gravel being crushed and hauled, and soil replaced. The applicant must secure an Air Quality Permit for the crusher and asphalt plant from the Montana Dept. of Environmental Quality and must abide with all applicable air quality guidelines. The proponent has committed to use water to control dust on the haul road as necessary. All crushers would be equipped with spray bars.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?</p>	<p>[Y] Existing vegetation would be removed with the soil. Some roots may remain viable in the soil stockpile and regenerate upon replacement. The applicant would seed all affected land to species compatible with the post mine land use, which would be different from what is currently present on the site. No rare or threatened plants were identified during a ground search. A literature search was done by the Montana Natural Heritage Program and no rare plants or cover types were identified as present in the area of the proposed operation.</p>
<p>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>[N]. The use by wildlife is transient.</p>
<p>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?</p>	<p>[N] No threatened or endangered plant or animal species or habitats or species of special concern were identified as present on this site during a ground search. There is no wetland present on the site. A literature search was conducted by the Montana Natural Heritage Program and no endangered or threatened species or habitat types or species of special concern were noted as present on the proposed mine site.</p>
<p>7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?</p>	<p>[N] A cultural resource survey was conducted on the site and no cultural resources were discovered. Clearance has been obtained for the proposed operation. Should significant archaeological or historical values be found, the operation would be routed around the site of discovery for a reasonable time until salvage can be made. The State Historical Preservation Office would be promptly notified.</p>
<p>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?</p>	<p>[Y] The site is located on a bench which is visible to a limited degree by residents and vehicles traveling 56th Street West and Neibauer Road, but the soil stripped from the site would be stockpiled to act as a noise and sight screen to off set some of the impacts. The Yellowstone County Zoning Commission has limited the hours of mining and crushing to 7:00am - 8:00pm Monday - Saturday. The operation is of a short term with final reclamation to be completed by September of 2001.</p>
<p>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?</p>	<p>[N]</p>

10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other studies, plans or projects on this tract?	[N] The department is not aware of any studies, plans, or projects on this tract.
IMPACTS ON THE HUMAN POPULATION	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[Y] The use of heavy mining and hauling equipment increases the risk of accidents. However, the applicant must comply with OSHA and MSHA regulations and it is expected that safety considerations would be given the utmost attention. At times 180 round trips per day would be required to haul the material from the proposed operation to the construction site. The Yellowstone County Road Department and the proponent identified two different haul routes. One route would go west on Neibauer Road to 56th Street West and north to Hesper Road and south on Shiloh Road to the project. The other route, which is the shortest route, would go east on Neibauer Road and north on Shiloh Road to the construction project. The county road department and a study conducted for the proponent by an engineering firm has identified the preferred route as the shortest route, as less safety concerns were identified and there would be less wear and tear on the county roads. The proponent would post a bond with the county to assure that any damage to the county roads would be repaired.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] The proposed operation is of a short term and the site would be reclaimed to pasture.
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?	[N] The site will require periodic site evaluations by DEQ staff, however they would generally be conducted in conjunction with other regional sites.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] The site is zoned agricultural, but a variance has been granted by the Yellowstone County Zoning Commission with conditions.

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] There are no wilderness or recreational areas nearby or accessed through this tract and there is no recreation potential within this tract.
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?	[N]
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]

22. Alternatives Considered: Alternative # 1: Denial. The owner of the gravel resource would be denied utilization of his property at this time and the material would be mined from a different source. See discussions on safety (#11 above).

23. Public Involvement, Agencies, Groups or Individuals contacted: Yellowstone County Weed Board, Zoning Commission, Road Department and County Commissioners. The Yellowstone County Board of Commissioners and Zoning Commission has and will hold public meetings on the proposal.

24. Other Governmental Agencies with Jurisdiction, List of Permits Needed: Yellowstone County Zoning Commission for Zoning Compliance, MDEQ for Air Quality and Stormwater Discharge Permits, MSHA and OSHA for safety permits.

25. Magnitude and Significance of Potential Impacts: No significant impacts associated with the proposed operation are anticipated.

26. Regulatory Impact on Private Property: The analysis conducted in response to the Private Property Assessment Act indicates no impact.

27. Cumulative Effects: None

Recommendation for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

EA Checklist Prepared By: Jerry Burke

Name

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Title

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Name

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Title

Signature

Date