

AMENDMENT TO:

PRELIMINARY ENVIRONMENTAL REVIEW/ENVIRONMENTAL ASSESSMENT;  
WESTERN ENERGY COMPANY, AREA B  
DECEMBER 1986

AND

PRELIMINARY ENVIRONMENTAL REVIEW/ENVIRONMENTAL ASSESSMENT  
WESTERN ENERGY COMPANY, AREA C LIFE-OF-MINE  
NOVEMBER 1988

For

Temporary Relocation of County Road 401

Prepared By

Montana Department of Environmental Quality  
Industrial and Energy Minerals Bureau

Pursuant to the  
Montana Environmental Policy Act

March 1999

## **INTRODUCTION**

Western Energy Company (WEC) proposes to temporarily relocate a portion of the South Fork of the East Fork Armells Creek County Road, County Road 401, from its existing location in Area B-Extension into the southern portion of Area C. The existing Area B Surface Mining Permit (SMP 84003B) addresses the relocation of the county road within the mine permit area. The current proposal by WEC is to relocate the county road to the north of the East Fork Armells Creek into Area C (SMP 85003C). After mining is complete in Area B-Extension (approximately 20 years), the county road would be relocated back into Area B. The relocated segment through Area C would be abandoned and reclaimed as per the approved reclamation plan. There is a possibility that the road may be proposed to be left permanently in its temporary location.

Only two alternatives are considered: Alternative One - Proposed Action; and, Alternative Two - No Action.

## **DESCRIPTION OF PROPOSED ACTION**

The proposed action calls for approximately 3 miles of County Road 401 to be relocated to accommodate continued mining in a portion of Area B-Extension (SMP 84003B). This relocation would involve moving that portion of the road from its current location in Sections 10, 11, 15, 16 and 17, T1N, R40E (primarily south of East Fork Armells Creek) to a new route in Sections 8, 9, 10, 11, 15, 16 and 17, T1N, R40E (substantially north of East Fork Armells Creek). The relocated route would be routed north across native habitats onto reclaimed agricultural lands (approximately 7 acres) along the southern boundary of Area C. After leaving the reclaimed agricultural fields, the route would traverse an area disturbed by mining but not reclaimed. The route then would swing to the south (outside of Area C), crossing East Fork Armells Creek and its associated habitats, as well as an existing agricultural field before rejoining the existing county road. The East Fork Armells Creek crossing would be constructed to approved county road standards. The route would result in the redisturbance of reclaimed agricultural fields and the delayed reclamation of a portion of the mine-related disturbance along the southern edge of Area C.

WEC proposes to complete the county road relocation in two stages. The eastern segment of the road would be constructed first. During this period, the county road would be closed to all public traffic and WEC would initiate mining into the portion of the county road at its eastern intersection with Area B-Extension. During the first construction phase, public traffic would be routed north along the Castle Rock County Road and then south and east along the western segment of County Road 401. Upon completion of the eastern segment (approximately 2 months), a temporary access across the existing dragline crossing between Areas C and B-extension would be provided. Public access would then be provided along the eastern segment, across the dragline corridor and onto the existing county road. With the completion of the western segment, public traffic would be routed along the entire relocated portion of the county

road and the former location would be abandoned and eventually mined through. It is estimated that the construction of the entire relocated route would take approximately 3 months.

The road would be constructed to standards approved by Rosebud County. The East Fork Armells Creek crossing would be constructed using a culvert sized to county standards. Approximately 200,000 yds<sup>3</sup> of spoil material would be used as road material. The road would be surfaced with bottom ash from the Colstrip 3 and 4 power plants. If the road is constructed as proposed, mine reclamation operations (i.e., regrading, resoiling and reseeding) and maintenance of sediment control structures would be conducted within 100 feet of the new alignment. The entrances to the mine permit area would be properly marked with appropriate mine entrance and "Warning! Explosives in Use" signs. WECO would adequately control or warn against unauthorized public access from the county road onto lands included in the surface mining permits for Areas B and C.

After the completion of mining in Area B-Extension, County Road 401 would be relocated to an alignment just south of the East Fork Armells Creek. The disturbed areas for the temporary county road within Area C would be reclaimed at that time to the approved reclamation plan. Similarly disturbed areas outside of the permit boundary would be reclaimed to standards agreed to between WECO and the appropriate landowner [T1N, R40E, Sec. 9 and 11, Great Northern Properties; T1N, R40E, Sec. 8 and 17, Booth Brothers Land and Livestock], or the road or portions thereof could be left also as agreed upon between these parties.

There is a possibility that the road may be proposed to be left permanently in its temporary location, in which case WECO would need to submit an application for alternate reclamation (change in land use) to the Department of Environmental Quality for review and approval.

## **DESCRIPTION OF THE NO ACTION ALTERNATIVE**

The county road would remain in its current location. WECO would mine the coal reserves on both sides of the road. With Department approval, the company would not mine those reserves under the road and associated right-of-way. No disturbance of reclaimed areas within Area C would occur. There would be no additional delay of reclamation of the area along the southern boundary of Area C. No native habitats would be disturbed along the East Fork Armells Creek.

## **EXISTING ENVIRONMENT**

The existing environment was adequately described in the two original PER/EA's.

## **ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION**

### **Habitats**

The proposed county road relocation would result in disturbance of the areas - both native and agricultural fields - outside of the permitted mine areas (Area B - SMP 84003B; Area

C -SMP 85003C). This disturbance is not regulated by the Montana Strip and Underground Mine Reclamation Act (MSUMRA). The proposal would result in the redisturbance of approximately 7 acres of reclaimed agricultural fields. Delayed reclamation would also occur in the area of the proposed relocation along the southern edge of Area C. A crossing of the East Fork Armells Creek would also be constructed. This would disturb the channel, as well as adjacent riparian habitats.

The proposal includes the use of bottom ash from the Colstrip 3 and 4 power plants as a surfacing material. This material is less abrasive than the scoria material that is currently used to surface roads in the area. Thus, tire wear should be reduced. Some monitoring of adjacent soils and water would be required by the Department to determine if any impacts would result from the high boron content of the ash.

### **Hydrology**

No disruption of the flow within the East Fork Armells Creek is anticipated. There is potential for increased sediment to be transported into the East Fork Armells Creek. WECO has committed to revising the Hydrologic Control Plan so that sediment is adequately controlled. WECO would have to take additional measures to control sediment if problems become evident after the construction of the road.

Water monitoring wells WR-136 and WA-215 are near the proposed relocation. If it appears the wells would be impacted, WECO would notify the Department prior to disturbance and determine the proper action to be taken.

### **Soils**

WECO would have to salvage the soils from the reclaimed agricultural fields, as well as from the native habitats to be disturbed within the buffer zone along the East Fork Armells Creek. These soils would be used in reclamation or stockpiled for use in the final reclamation of the temporary road relocation. MSUMRA does not allow the Department to require the salvage of soils outside of the permit area. The Department recommended and WECO has committed to the salvage 6 inches of topsoil from the disturbed areas outside of the permit areas. These soils would be stockpiled for use in the final reclamation of the temporary road relocation. In-place soils would be protected from degradation and contamination from runoff/sediment from the county road.

### **Revegetation and Land Use**

The temporary relocation of the county road into Area C would result in delayed reclamation of a small portion of the disturbed acreage within the permit area. The relocation would result in use of this small acreage as the temporary public road. Once Area B-Extension is mined through and reclaimed, the road would be returned to an alignment south of the East Fork Armells Creek. After the route is relocated to the southern alignment, the northern route would be abandoned and the disturbed area would be reclaimed as per the approved Reclamation Plan. Reclamation would include disposal of the 200,000 yds<sup>3</sup> of road fill material in Area B-Extension or Area C final pit or ramp road reclamation or at another location as approved by the

Department. The land would then support the approved post-mine use (livestock grazing, agricultural field and wildlife habitat).

### **Wildlife**

An insignificant portion of the riparian habitats along the East Fork Armells Creek would be disturbed by the relocation of the road. While these habitats are of high importance to wildlife, particularly a variety of landbirds, it is anticipated only minimal impacts would occur to the wildlife community inhabiting this area. The delay in reclamation would also create an impact which is considered to be insignificant.

### **Transportation**

The temporary closure during the construction of the eastern segment of the relocation (approximately 2 months) would result in greater travel distance for a small number of people residing in the area to the west of the relocation. These people, primarily from the Hidden Meadows area, have been contacted by WECO and have agreed to use the longer route along the Castle Rock County Road during the period when the southern route would be closed. The temporary closure would result in additional travel costs (gas and vehicle maintenance) and time for the residents to complete their normal tasks.

### **Air Quality**

No significant changes from the original preliminary environmental review/environmental assessments (PER/EA's) are anticipated.

### **Socioeconomics**

No significant changes from the original PER/EA's are anticipated.

### **Aesthetics**

The aesthetics were adequately addressed in the original documents.

### **Cultural and Historic Resources**

No cultural or historic sites will be impacted by the proposed relocation.

## **ENVIRONMENTAL IMPACTS OF NO ACTION ALTERNATIVE**

The anticipated impacts of maintaining the county road within the Area B-Extension permit area were adequately addressed in the original PER/EA's.

## **ISSUES OF PUBLIC CONCERN**

1. The temporary closure of County Road 401 would cause an inconvenience for the residents to the west of the relocation site. Additional travel costs and time would be incurred by these people as they would have to take a longer route via the Castle Rock County Road. However, the residents have assented to the proposal.

2. The Rosebud County Commissioners have also stated that the proposed reroute is their preferred alternative.

## **SUMMARY**

The proposed plan to reroute Rosebud County Road 401 from a location within the Area B-Extension permit area to an alignment which would be partially located within the Area C permit area would have no significant impact on the human environment and no EIS is necessary. This document is an amendment to the PER/EA's for both Area B (SMP 84003B) and Area C Life-of-Mine (SMP 85003C).

## **ADDENDUM (April 1999)**

Other parties affected or potentially affected by the proposed road relocation include several landowners in the area: Great Northern Properties (GNP), Booth Brothers, Gene Ashenhurst, and the state of Montana. GNP and Booth Brothers, Inc. have indicated their concurrence with the temporary road closure. Mr. Ashenhurst was given assurances by WECO that his needs to access his ranching operations would be accommodated. WECO has obtained a Land Use License for Public Road Use from the Montana Department of Natural Resources and Conservation to allow for the road relocation in Section 16, T1N, R40E, which is a state section. WECO's intent (April 16, 1999 verbal communication with Bob Montgomery, WECO) with which Rosebud County concurs (April 19, 1999 verbal communication with Joan Stahl, county commissioner) is to transfer the Land Use License to the county after construction of the relocation is completed, because the county would be responsible for maintenance of the road thereafter. None of these additional considerations change the analysis in this amended PER/EA.