

SHERIDAN COUNTY

AMENDMENT APPLICATION TO OPENCUT PERMIT 00200-20A

ENVIRONMENTAL ASSESSMENT

This Environmental Assessment (EA) is required under the Montana Environmental Policy Act (MEPA). An EA functions to identify, disclose, and analyze the impacts of a proposed action—in this case the addition of area to a permitted opencut mine site. This document may disclose impacts that have no legislatively required mitigation measures, or over which there is no regulatory authority.

The state law that regulates gravel mining operations in Montana is the Opencut Mining Act. This law and the rules adopted thereunder place operational guidance and limitations on a project during its lifetime, and provides for the reclamation of land affected by opencut mining operations.

Approval or denial of the application will be based on a determination of whether or not the proposed operation complies with the Opencut Mining Act, the Rules adopted thereunder, and local laws and regulations--not on the popularity of the project.

PROPONENT: Sheridan County

SITE NAME: Darvis

LOCATION: SESE Sec 19 & SWSW Sec 20, T35N, R55E

COUNTY: Sheridan County

TYPE AND PURPOSE OF ACTION: This opencut mine site is located on a low bench between the wide Muddy Creek valley floor to the south and a residential area to the north. The county originally permitted 3 acres on 11/16/83 and added 0.5 acre on 6/22/94. The current amendment would add 7.5 acres to the 3.5-acre permit for a total of 11 permitted acres. The purpose of the county's operation is to obtain an additional 10,000 cubic yards of gravel for county road maintenance. The amendment also updates permit materials including the Plan Of Operation.

Upon receipt of the current amendment application in June 2005, the Department asked Sheridan County to submit a revised Plan Of Operation and contact each residence within 200 feet of Lasater Street to sign a Resident Notification form for the purpose of informing nearby residents of the proposed amendment and to gather comments about the proposal. Sheridan County submitted a revised plan and five completed Resident Notification forms. Three residences indicated a desire to receive a copy of this EA.

The Department sent an application review letter dated 8/5/05 to Sheridan County. The focus of this letter was to have Sheridan County make certain commitments that would lessen the impact of the opencut operation on nearby residences. The Department is satisfied with Sheridan County's response which included:

1. Notification that the county expects that the next gravel crushing operation will exhaust the gravel resource at the site and that it will be reclaimed after the stockpiles are gone.
2. Confirmation of what the Montana Bureau of Mines and Geology water well information indicated, that mining will not affect water wells in the area.
3. The commitments under Section II(7)(A) of the Plan Of Operation that hours of operation will be limited to 7AM to 7PM, Monday through Friday for pit operations and hauling. Dust control measures will include using a water spray truck when conditions warrant its use, and not operating the crusher and screens when the wind conditions will carry dust into town.

Proponent has submitted all application materials required under the Opencut Mining Act and the Rules adopted thereunder. They propose to properly prepare the site, remove the mine material, and reclaim the site to a postmining land use of pasture. Proponent will be legally bound to properly conduct operations and reclaim the site to a useful condition.

A: Significant Unavoidable Impacts. B: Insignificant as a result of conditioned mitigation. C: Insignificant as proposed.

	POTENTIAL IMPACTS AND MITIGATION MEASURES					
	A	B	C	LONG TERM	SHORT TERM	EXPLANATION
PHYSICAL ENVIRONMENT						
1. <u>TOPOGRAPHY</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mining the proposed additional area would advance the approximate 20-foot deep pit to the east. Mining will alter the topography due to the removal of the gravel. The site will be graded and blended into the surrounding topography and drainageways. Slopes will be graded to 3:1 (horizontal:vertical) or flatter.
2. <u>GEOLOGY</u> : stability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Potential impacts due to the removal of mine material have been reviewed. The Department has determined that the site can be reclaimed to a stable condition.
3. <u>SOILS</u> : quality, distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Soil materials will be salvaged and placed on areas prepared for resoiling or stockpiled for later reclamation use. The average soil thickness at the site is about 6 inches, and the average overburden thickness is 0 to 6 inches.
4. <u>WATER</u> : quality, quantity; distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Surface water and ground water will not be affected by the operation. Well information from the Montana Bureau of Mines and Geology indicates that static water levels of local wells are at or below the maximum depth of mining. If fuel is stored on site it will be stored in accordance with current codes adopted by the State Fire Marshall.
5. <u>AIR</u> : quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There would be some degree of air quality degradation while operations are in progress. Sheridan County has committed to controlling dust as discussed above. Operators must comply with state air quality regulations.
6. <u>UNIQUE, ENDANGERED, FRAGILE, OR LIMITED ENVIRONMENTAL RESOURCES</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None identified.
BIOLOGICAL ENVIRONMENT						
1. <u>TERRESTRIAL, AVIAN, AND AQUATIC SPECIES AND HABITATS</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Montana Natural Heritage Program website shows no species of special concern. Abundant similar habitat exists in the area.
2. <u>VEGETATION</u> : quantity, quality, species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Montana Natural Heritage Program website shows no species of special concern. Abundant similar habitat exists in the area.
3. <u>AGRICULTURE</u> : grazing, crops, production	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A small amount of grazing land will be temporarily out of production. The site will be reclaimed to pasture.
HUMAN ENVIRONMENT						
1. <u>SOCIAL</u> : structures, mores	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. <u>CULTURAL</u> : uniqueness, diversity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

3. <u>POPULATION</u> : quantity, diversity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. <u>HOUSING</u> : quantity, distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. <u>HUMAN HEALTH & SAFETY</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. <u>COMMUNITY & PERSONAL INCOME</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. <u>EMPLOYMENT</u> : quantity, distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. <u>TAX BASE</u> : local and state tax revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. <u>GOVERNMENT SERVICES</u> : demand	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. <u>INDUSTRIAL, COMMERCIAL, & AGRICULTURAL ACTIVITIES</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. <u>HISTORICAL AND ARCHAEOLOGICAL</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No resources identified.
12. <u>AESTHETICS</u> : sight, sound	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site has been a gravel mine since at least 1983 and has been used from time to time since. This final phase of mining should not increase the visual impact of the site. The impact of sound will be minimized by Sheridan County's commitment to the 7AM to 7PM, Monday through Friday hours of operation. Having equipment set and operating on the pit floor 20 feet below the level of the residential area will also help buffer sound. In addition, this final mining and crushing phase should not take long since only about 10,000 cubic yards will be processed.
13. <u>ENVIRONMENTAL PLANS AND GOALS</u> : local, regional	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
14. <u>DEMANDS ON ENVIRONMENTAL RESOURCES</u> : land, water, air, energy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
15. <u>TRANSPORTATION</u> : networks, traffic flows	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	As for past operations at this site, the county will use city streets to haul mine material.

ALTERNATIVES CONSIDERED: The Department would deny an incomplete application or one that does not comply with the Act and Rules. The proponent could then submit a modified application or submit an application for another site.

PUBLIC INVOLVEMENT: Agencies and individuals involved in the process included the Montana Natural Heritage Program, State Historic Preservation Office, local zoning authority, county weed control board, and landowner.

OTHER GROUPS OR AGENCIES CONTACTED OR WHICH MAY HAVE OVERLAPPING JURISDICTION: DEQ's Air Resources Management Bureau regarding air quality, DEQ's Water Protection Bureau regarding water discharge, and MSHA and OSHA regarding mine safety.

REGULATORY IMPACT ON PRIVATE PROPERTY: The analysis done in response to the Private Property Assessment Act indicates no impact. The Department does not plan to deny the application or impose conditions that would restrict the use of private property.

RECOMMENDATION FOR FURTHER ENVIRONMENTAL ANALYSIS: No further analysis is required.

Approved By: _____ Date: _____
(Signature)

Prepared By: Mark Carlstrom