



Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

October 24, 2006

RE: Final EIS for Plum Creek Operating Permit Application

Dear Reader:

Enclosed for your review are the Responses to Public Comments on the Draft Environmental Impact Statement (EIS) for an operating permit requested by Plum Creek Timberlands, Inc. (Plum Creek) of Kalispell, MT (See Attachment 5). Plum Creek applied for an operating permit to quarry and collect rock products on 94 sites on January 24, 2003. The operating permit application has been modified several times since 2003 to address Montana Department of Environmental Quality (DEQ) and public concerns and to add as many sites as possible so the environmental review process could analyze the potential maximum number of acres of disturbance over the life of the permit. The Draft EIS evaluated the potential impacts from the 94 rock products operations.

The Draft EIS addressed issues and concerns raised during public involvement and from agency scoping. DEQ received several letters, emails, and a phone call with comments on the Draft EIS. DEQ's responses to those comments are attached (See Attachment 5). The comments did not result in any modifications to the permit.

DEQ inspected some sites in response to public comments and talked to some local landowners and neighbors near the Little Loon Lake sites. No new modifications to the permit are required as a result of the discussions with the citizens. Some of the citizens requested that they receive a copy of the Draft EIS and be allowed to comment on the EIS. DEQ did copy some of the local landowners, published a legal notice, and issued a press release in the local newspapers. DEQ has decided not to reopen the comment period on the Draft EIS. DEQ has decided to adopt the Draft EIS as the Final EIS and approve the operating permit with only one modification as discussed below.

As discussed in Attachment 5, the property that includes the Porter Creek Site #17 has been sold by Plum Creek. The Porter Creek Site, Site # 17, in the west $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 21, Township 27 North, Range 23 West in Flathead County has been reclaimed. DEQ inspected the site on July 10, 2006. The site is properly reclaimed with the talus brought back to contour and with vegetation reestablished. The operator is released from liability under the Metal Mine Reclamation Act. This site has been removed from consideration under the operating permit. As a result, only 93 sites are approved at this time under the operating permit.

Copies of this Final EIS cover letter, Attachment 5 and the Draft EIS can be obtained by writing or calling the Montana Department of Environmental Quality, c/o Herb Rolfes, P. O. Box 200901, Helena, MT 59620, telephone (406) 444-3841; e-mail address hrolfes@mt.gov. The Final EIS will also be posted on the DEQ web page: www.deq.mt.gov. DEQ will issue a Record of Decision after 15 days.

Warren D. McCullough
Warren D. McCullough, Chief
Environmental Management Bureau

10/24/06
Date

File pending Plum Creek.70
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ATTACHMENT 5

RESPONSES TO PUBLIC COMMENTS ON THE DRAFT EIS

Response to April 24, 2006 Lynn Tripp comment about sites closer than 100 feet to surface water and rocks piled in the stream:

1) *As stated in Section XI.2 of the Draft EIS, none of the 94 sites analyzed in the Draft EIS is closer than 100 feet to surface water. Mr. Tripp is probably referring to a site called Bitter Falls Rock on the Little Bitterroot River which is being operated under a Small Miner Exclusion Statement (SMES). This site did not comply with General Quarry Permit requirements because there was a historic road within 100 feet of the river. The rock was to be removed and the old road reclaimed as part of the operation. The new road would be relocated farther from the river.*

DEQ inspected the site on April 9, 2003 after a complaint was received about rocks in the river. No rocks from the quarry were found in the river. DEQ reinspected the site on June 1, 2006 in response to Mr. Tripp's call. The road has been relocated farther away from the river and some of the site has been reclaimed. No rocks from the quarry were found in the river.

2) Mr. Tripp may also be referring to sites on the Flathead Indian Reservation. Mr. Tripp was going to tell the tribes where the sites were.

There are some other rock picking operations on the Flathead Indian Reservation that are not owned by Plum Creek. DEQ is working with the tribes to get these operations on private inholdings permitted within the reservation boundary.

Response to Jim Dufour's May 4, 2006 comments:

1) Impacts on Herrig Creek from siltification, and on bull trout and westslope cutthroat trout:

As discussed in the Draft EIS in Section XI.2, no rock picking site is within 100 feet of surface water to limit impacts of sediment reaching surface water and fisheries. As stated in the Draft EIS in Section XI.2, some sediment production is an unavoidable impact of new road construction and maintenance activities over time on existing access roads. Only two new roads totaling 2,000 feet are being built to access the 94 rock picking sites and those new roads are not in the Herrig Creek drainage. The only new roads in rock picking sites in the Herrig Creek drainage are quarry development roads. As discussed in the Draft EIS, these roads built with rocks have little potential for erosion and sediment production because of the rocky soils in the quarry areas. These quarry development roads would be reclaimed after rock picking is completed.

As stated in the Draft EIS in Section XI.2, Plum Creek would use special measures to control sediment in drainages with bull trout and westslope cutthroat trout because of Plum Creek's Native Fish Habitat Conservation Plan. Plum Creek uses Forestry Best Management Practices (MSU Extension Service 2001) on its existing roads. Plum Creek adheres to its Habitat Conservation Plan (HCP) to limit sediment production and protect fishery resources in drainages with bull trout and westslope cutthroat trout. BMPs have been shown to be over 90% effective (DNRC 2004). Plum Creek's compliance with the HCP is monitored by the US Fish & Wildlife Service. Herrig Creek is not a bull trout stream.

Plum Creek has no control of sediment reduction practices on other roads not owned by Plum Creek. These other roads are used to access the sites and haul rock products once the operators leave Plum Creek lands. As stated in the Draft EIS in Section XI.2, sediment production would increase in some areas near the proposed rock product sites due to increased traffic from the rock product sites and continued subdivision and road building activity on private lands in the five county area over the proposed 20-year permit life.

- 2) The Herrig Creek valley is overrun by noxious non-native weeds caused by logging and rock picking:

As stated in the Draft EIS in Section XI.4, noxious weeds have been documented on most of the sites as a result of past land management activities. Noxious weeds are present along most access roads and are spreading in the area as in the rest of western Montana. Any disturbance including logging, road building, rock picking, new home construction, and other traffic, etc. increases the potential for noxious weed invasion.

As stated in the Draft EIS in Section XI.4, noxious weeds would increase on the disturbed sites as in any disturbed area. Plum Creek has committed to control weeds on the sites as part of regular operations. Plum Creek has noxious weed control plans which are approved by the local County Weed Control Districts. DEQ would monitor weed control activities during its inspections of the sites.

The rock picking sites have less potential for weed invasion because of the dominance of rocks in the areas. This does not lessen the need to spray weeds by Plum Creek. The sites in Herrig Creek and off the Griffin Creek road have not been sprayed to date. Plum Creek has been concentrating on spraying sites with extensive knapweed populations and new invasions of tansy ragwort. Plum Creek uses a licensed weed spraying contractor. Plum Creek sprayed weeds in the ACM 58 Mile Site #25, the Thin Line Site #38, the Rocky Surprise Site #37, the Locust Hill Site #48, the Jungle Rock Site # 47 and the Kavalla Ridge Site #30 quarry

Sites in 2005. The Kavalla Ridge Site #30 and Thin Line Site #38 were sprayed again in 2006 for tansy ragwort. As DEQ inspects the sites, the inspector will recommend which sites need to be sprayed.

- 3) Impacts from dust, speeding trucks, dead animals, and irreparable scarring of the land:

As stated in the Draft EIS in Section XI.3, road dust has always been an issue in rural areas across Montana on unpaved roads. Rock product activities would increase traffic and dust over the 20-year life of the permit. Minimal changes in overall air quality would result from the many sites on Plum Creek lands. The rocky nature of the sites would limit dust impacts from the sites. Plum Creek has committed to use water trucks to control dust if necessary in the rock product sites on a case by case basis. Plum Creek can control dust if needed along its privately owned access roads off the rock product sites.

Traffic on Herrig Creek road is from logging operations, dump trucks, concrete trucks, and recreationists' vehicles, as well as traffic from rock picking site employees and rock haul trucks. As stated in the Draft EIS, in Section XI.3, the most important dust impact from rock product sites would be fugitive dust from traffic on access roads to the sites. This is a common problem with any kind of development in rural Montana along gravel roads. Snow cover along the access roads would be covered with dust along the public roads as is common throughout any area in Montana with gravel roads in the wintertime and especially in the spring as snow begins to melt. Vegetation along gravel roads in the summer also becomes covered with dust. This is an unavoidable impact of traffic on gravel roads.

As stated in the Draft EIS in Section XI.3, no dust control is proposed on the public roads outside the rock product sites. Logs could be hauled on the roads at the same time if logging is occurring in the general area. It is expected that each rock product site would have 2-3 pickup trucks per day while the site is used. The sites would typically be operated from May to November. At times the sites would not be used at all for weeks depending on markets, etc. While the sites are being worked, Plum Creek would expect the contractors to work an average of eight hours per day, and five days per week unless a major contract needs to be filled. Trucks hauling rock products would be on the roads after they are loaded. Plum Creek predicts up to one truckload of rock products per day per site.

DEQ has little control over dust off the sites once the traffic meets a public road. DEQ has met with local residents and operators in the past to try and get voluntary dust controls in place on public roads. DEQ would be glad to do this if a dust issue results again near a landowner along access

roads to the rock product sites. DEQ would work with Plum Creek to develop traffic control plans to reduce speeds and try to encourage stipulations to Plum Creek's contract with operators to control dust using water trucks, etc. near residences along Plum Creek owned access roads.

For nuisance dust along access roads not owned by Plum Creek, if requested, DEQ and Plum Creek would consult with road owners to try and address dust concerns close to residences, such as speed controls or use of dust suppressants. DEQ and Plum Creek have no control over dust management practices on publicly owned roads. Plum Creek and its rock product operators have a right to use the public roads just like recreationists, local landowners and managers as long as they follow speed limits and observe seasonal road closures.

Herrig Creek road is a public road managed by the US Forest Service. Please contact the US Forest Service and Plum Creek. It may be possible that a cooperative cost-share agreement can be reached with you to treat the public road in front of your cabin with dust suppressant.

If vehicles are speeding on the road, please contact the US Forest Service or the local Sheriff's department.

Dead animals are common along many roads in Montana. This is an unavoidable impact of traffic on roads, especially at night. The increase in dead animals on Herrig Creek road due to rock picking site traffic would be minimal.

As stated in the Draft EIS in Section XI.8, the proposed rock collecting activities would create aesthetic impacts. The visual impacts from rock-collecting sites would be typical of activities that remove natural resources. Only 2,000 feet of new access road would be developed to access two of the proposed 94 rock product sites. These new access roads would be left at closure for timber management purposes. All permanent Plum Creek access roads in the area are maintained up to forestry BMP standards.

Quarry development roads would be needed inside the disturbance areas to remove the rock products. Recontouring at closure would reclaim these quarry development roads.

The proposed plan would impact rock outcrops, boulder fields, and talus slopes visible from other lands not owned by Plum Creek. The rock covered talus slopes and boulder fields would be disturbed in the process of sorting and loading rocks. The limited soil resources in the rocky areas would be disturbed. Thicker soils in level staging areas would be salvaged and stockpiled for reclamation. All these disturbances remove portions of the limited trees and other vegetation on the rock product sites. Other rocks not removed for commercial purposes would be disturbed and

overtaken revealing rock surfaces that have not weathered and are much more noticeable from a distance. As a result, the rock product sites would look disturbed and would be visible from various viewpoints, especially from higher elevations.

The forested environment, natural broken landscape, and scattered locations of the quarries would lessen the impacts from any one area. DEQ has asked Plum Creek to limit selection of rock sites that are visible from areas such as Little Loon Lake. DEQ cannot prevent Plum Creek from proposing these sites if it wants to develop the rock products there.

Visual impacts are an unavoidable impact of allowing development of the 94 proposed rock collecting operations analyzed in this Draft EIS. Visual impacts are an unavoidable impact of quarrying rock outcrops, talus slopes, and boulder fields in mountainous terrain.

Reclamation would limit visual contrast of reclaimed quarries with adjacent lands to acceptable levels as required by the Montana Metal Mine Reclamation Act. Even with recontouring and revegetation of the sites after closure, the sites would look disturbed for a long time. The rocks would weather and surrounding stands of trees would eventually regenerate, limiting visibility of the sites over time.

The Griffin 13 Rock Site #7, Herrig 15 Site #9, and Herrig 25 Site #10 are not visible from the Herrig Creek road.

4) As the lumber industry wanes, other natural resource industries are taking over:

Logging as well as the rock picking industry are market driven. DEQ has no control over the demand for timber or rock products on private or public lands or on Indian Reservations.

5) Plum Creek is unwilling to listen to land owners:

DEQ contacted the Plum Creek office in Kalispell. Plum Creek meets with landowners regularly to address issues surrounding their property. Please contact Steve Perrone at Plum Creek's Kalispell office at 751-2415. He may be able to help address some of your concerns with the rock picking operations in Herrig Creek. Plum Creek would meet with concerned land owners.

Response to John Kellenberger's May 4, 2006 comments:

1) Are the rock picking sites on private land or on public land?

As stated in the Draft EIS in Section VI.C, all 94 sites are located on Plum Creek owned lands.

- 2) Plum Creek does not give permits to the public to collect rock or firewood. They are watching out for themselves.

DEQ called the Plum Creek office in Kalispell. Plum Creek does not give out permits to the public to collect rocks but does for firewood. Plum Creek like any other landowner manages their property as they see fit, but they still must comply with federal, state, and local regulations.

Response to Chris Riebe's May 10, 2006 comments:

- 1) Impacts on Roger's Lake road are evident and maintenance should not be borne by the public as it is the heavy trucks that cause the damage.

The Porter Creek Rock Site #17 is located on Roger's Lake road. Roger's Lake road is a county road being used for logging, recreation and home access. The truckers pay taxes. Plum Creek is also a taxpayer as are the contractor's employees that worked at the rock picking site along the Roger's Lake county road. As stated in the Draft EIS in Section XI.2, 3 and 8, there will be impacts from traffic on the roads. This is an unavoidable impact of rock picking activities. Traffic from the rock picking activities on Porter Creek Rock Site #17 along the Roger's Lake road did not substantially increase the total traffic on the road. In 2005, the contractor hauled 218 tons of rock which is the equivalent of nine semi-truck loads. This equates to about two trucks per week for one month out of the year.

The site has been reclaimed in 2006, sold to a new owner, and has been removed from consideration in the operating permit. DEQ and Plum Creek do not know if the site would be used in the future for rock picking activities. If the landowner would like to pick rocks for commercial purposes, he would have to contact DEQ and obtain either a Small Miner Exclusion Statement, exploration license or operating permit just like Plum Creek.

- 2) Noise and dust are a concern.

Noise impacts are discussed in the Draft EIS in Section XI.8. Equipment and other vehicle noise including back-up beepers, noise from loading and unloading rocks, as well as noise from trucks hauling rock on Roger's Lake road is an unavoidable impact of allowing rock picking operations. The noise from the Porter Creek Rock Site #17 on Roger's Lake road was largely limited to activities during the daylight hours. The noise was also seasonal as no rock picking occurred in the winter. The site was ¼ mile from the nearest residence.

Traffic on Roger's Lake road is from logging operations, dump trucks, concrete trucks, recreationists' vehicles as well as traffic from the rock picking employees and rock haul trucks. As discussed in the Draft EIS in Section XI.3, dust would increase from the additional traffic on the roads. This is a common problem on gravel roads throughout rural Montana. The additional traffic from the rock picking sites would be seasonal. The additional traffic from the Porter Creek Rock Site # 17 did not substantially increase traffic in the Roger's Lake road. Plum Creek can control dust and speed limits on its own roads. Roger's Lake road is a public road managed by the county.

3) Are there any rules regarding blasting?

Blasting is discussed in the Draft EIS in Section XI.8. DEQ has rules regarding blasting as part of the Montana Metal Mine Reclamation Act (MMRA). The Porter Creek Rock Site #17 on Roger's Lake road is ¼ mile from the nearest residence. Blasting conducted at any rock picking site must be done by a certified blaster. All sites are permitted to use blasting as needed to remove rock products from rock outcrops. Blasting used in rock product operations is not the same as blasting used in typical hard rock mining operations. Blasting destroys the rock integrity and creates multiple fractures if excessive explosives are used. This type of blasting would render the rock unusable for masonry and other building stone purposes. In the rock products industry, the rock is simply loosened by using minimal blasting. This also limits impacts from noise and overuse of explosives.

Blasting is controlled to loosen the rock so it can be sorted and sized. This limited blasting also limits the amount of noise and vibrations typically observed near blasting areas. The last time the operator blasted was in 2004. The quarry road was blocked for safety when the blasting occurred. Plum Creek has committed to have rock picking contractors contact local residents before each blast. If neighbors feel blasting on a site is excessive, DEQ can monitor a blast at a residence to document whether the blasting exceeds MMRA blasting rule threshold levels.

4) The cliffs being taken down are lynx and bobcat habitat.

Impacts to wildlife species are discussed in the Draft EIS in Sections XI.5 and 6. Lynx and bobcat may use the Porter Creek Rock Site #17 permit area near Roger's Lake. Lynx and bobcat have large home ranges of many square miles. In the case of the lynx, it can be 90 square miles (Squires, J.R. and T. Laurion. 2000. Lynx home range and movements in Montana and Wyoming: preliminary results. Pages 337-350 in L.F. Ruggiero, K.B. Aubry, S.W. Buskirk, et al. Ecology and conservation of lynx in the contiguous United States. University Press of Colorado,

Boulder). If lynx and bobcat are in the area of the rock picking site, it is only a small portion of the home range.

Recent studies in Montana have found lynx denning under downed logs, blown-down trees, and tree root wads, not in rock cliffs (Aubry, K.B., G.M. Koehler, J.R. Squires. 2000. Ecology of Canada lynx in southern boreal forests. Pages 373-369 in Ruggiero, L.F., K.B. Aubry, S.W. Buskirk, et al. Ecology and conservation of lynx in the contiguous United States. University Press of Colorado, Boulder, Colorado.) (Koehler, G.M. 1990. Population and habitat characteristics of lynx and snowshoe hares in north central Washington. Canadian Journal of Zoology 68:845-85). Reclamation of the site has retained some rock features at the site which will be rock habitat for small mammals including prey species for lynx and bobcat. The activity should not have a major impact on lynx or bobcat or their home ranges.

- 5) Why is Plum Creek being given such a large permit area (15,000 acres) and a maximum of 3,600 acres to be disturbed?

Plum Creek has a right to develop its private natural resources on its 1,300,000 acres of land as long as it complies with federal, state, and local regulations. As stated in the Draft EIS, DEQ has been working with Plum Creek to limit the potential impacts from the expanding rock picking industry on its property. Rather than have the potential for many contractors operating the sites under separate permits or Small Miner Exclusion Statements, DEQ and Plum Creek agreed that Plum Creek would apply for one operating permit and bond for reclaiming the multiple sites at closure. The Porter Creek Rock Site #17 along Roger's Lake road would have been permitted for 20 acres of which five acres could have been disturbed over the life of the permit.

DEQ and Plum Creek agreed to analyze in an environmental document the maximum potential impacts that could occur over the 20 year life of the operating permit. Analyzing the impacts of one rock picking site at a time limits the potential to characterize the impacts of the many sites that could be permitted over the years on Plum Creek property.

As listed in the Draft EIS in Section VI.A. Plum Creek has agreed to permit sites that comply with all but one limit placed on operations under a General Quarry Permit. The operating permit would give Plum Creek permission to disturb and have unreclaimed over five acres at any one time on a site. Plum Creek has estimated that it cannot stay below this five acre limit on 23 of the proposed 94 sites as discussed in the Draft EIS. Other limits include staying over 100 feet from surface water, not exposing rock in areas below the water table, not removing rock with the potential for acid generation, etc. There are large volumes of rock on Plum Creek

land that could be developed that could impact surface water and ground water. Plum Creek has acted like a responsible land manager in agreeing to apply for this permit and place these limits on development on its property.

6) Will the consequence of lack of reclamation be strong enough to make Plum Creek reclaim the land or will they just pay the fines and sell the land as is?

Plum Creek is required to reclaim the land to comparable stability and utility under the Metal Mine Reclamation Act. A reclamation bond is held for that work. Plum Creek also holds a performance bond from its contractors on the sites. If the contractors do not reclaim the land, Plum Creek can legally pursue the contractors to get the land reclaimed. If the contractor does not reclaim the land, Plum Creek is liable under its operating permit with the state. If Plum Creek does not reclaim the land, DEQ would use the bond to reclaim the land whether Plum Creek sells the land or not. If a violation is pursued, penalty limits are set by DEQ following established policies.

Reclamation of the Porter Creek Rock Site #17 on Roger's Lake road was completed on May 17, 2006. There will be no further activity on the site unless a new operator wants the site in the future. In that case, the new owner would have to apply to DEQ for an operating permit or operate under a Small Miner's Exclusion Statement.

7) How do you reclaim a cliffside that has been removed?

Plum Creek is required to reclaim the land to comparable stability and utility under the Metal Mine Reclamation Act. The cliffs being removed at the Porter Creek Rock Site #17 would simply be moved back still leaving a cliff face when rock picking activities cease. Much of the rock on the talus slope below the cliff face would not be saleable for rock products. As discussed in the Draft EIS, Plum Creek would reclaim the land disturbed by rock picking activities by regrading the rocky areas as much as possible. Quarry development roads would be removed on the sites. Soil would be salvaged and replaced in areas where soil exists.

As stated in the Draft EIS in Section XI.8, even after reclamation, the site would look disturbed for a long time. This is an unavoidable impact of allowing the rock picking activities. Most of the cliff has not been removed.

8) Disturbance of the clay found in our area inevitably leads to knapweed and thistle. What are the plans for dealing with this?

Plum Creek and its contractors are required to control weeds in the rock picking areas. Plum Creek has weed control plans that are approved by County Weed Control Districts. The Porter Creek Rock Site #17 was not sprayed in 2006. Plum Creek and DEQ inspected the site and the site is vegetated with grasses. Plum Creek and DEQ found a few houndstongue plants.

9) Who will police the operations to assure there are no violations? What is the cost to the taxpayers for this policing? Is an annual report an efficient way of monitoring their activity?

DEQ has inspected each of the 94 sites discussed in the operating permit. DEQ must inspect any new sites proposed to be added to the operating permit over the life of the permit. Plum Creek has contracts with the operators of each rock picking site. If the operators of the site do not comply with conditions of the operating permit, Plum Creek would be liable as the operating permit holder. Plum Creek will be inspecting the sites to ensure the contractors are complying with Plum Creek's contract as well as with DEQ's operating permit. DEQ will also be inspecting the sites. No reclamation bond would be released until a legal notice and press release has been published and the public has had a chance to comment on the proposed bond release.

The Montana legislature approves a budget every two years for the Environmental Management Bureau to carry out regulation and inspection of hard rock mining operations. No additional funds are needed to inspect and review the Plum creek sites.

The annual report is just one way of monitoring Plum Creek's activity on the sites. Updating each site's map in the annual report allows DEQ to check if Plum Creek is still in compliance with the operating permit. The bond would be reviewed annually to ensure it covers all acres disturbed at each site. Site inspections supplement the annual report reviews.

10) The benefits of tax revenue and employment are minimal. A rock operation on adjacent land reduces the value of the property next to it.

Impacts from the rock picking sites on employment and taxes are discussed in the Draft EIS in Sections XI.13 and 14. DEQ disagrees that the benefits of tax revenue and employment are minimal. The rock picking industry has grown substantially in the last ten years in Montana and other areas in the US. Plum Creek would not be developing its rock

resources unless it could make a profit. Plum Creek pays taxes on the profits. The contractors make a profit and pay taxes. A couple of the largest rock product suppliers in the Kalispell area have over 100 employees each. These employees pick and work on the rock, sell the rock, or do administrative duties in offices. The rock is trucked to building sites or retailers creating more jobs. Masons and landscapers use the rock for various purposes.

Rock picking activities could reduce property values of adjacent areas. The Porter Creek Rock Site #17 on the Roger's Lake road is slightly visible from the county road. It is not visible from any houses. DEQ agrees that during operations there would be some noise, dust, and additional traffic as stated in the Draft EIS in Section XI.8. In addition, the disturbance created by rock picking activities would be visible for a long time even after reclamation is completed. The potential reduction in adjacent property values is an unavoidable impact of permitting the rock picking operations. In other areas of the country, land use controls such as zoning have been used to control the types of operations that can be permitted in a particular area. No zoning exists in the Roger's Lake road area where the rock picking site is located. As stated in the Draft EIS in Section XI.10 in the Cumulative Impacts section, land use conflicts are an unavoidable impact in areas without land use controls.

11) Twenty years is an unreasonable long permit time.

As stated above, Plum Creek has agreed to apply for as many possible sites on its property, so DEQ could analyze the potential impacts. As a result, DEQ has analyzed a 15,000 acre permit area of which 3,600 acres could be disturbed. Some of these sites would not be developed. Others may be operated for only a year or two such as the Porter Creek Rock Site #17 discussed above. Some sites might be used for the 20-year permit life. Many sites would be reclaimed during the 20-year permit life and proposed for bond release. Plum Creek has to do this to keep the maximum disturbance at any one time on all its sites to less than the proposed 800-acre limit.

Response to Robert Flansoas May 12, 2006 letter:

1) The rock is a source of income for Plum Creek, the contractor, and employees. Plum Creek will see to it that it doesn't degrade the streams. It is just rock.

DEQ agrees. The rock is a source of income for the parties listed in the letter. Plum Creek has agreed to stay at least 100 feet from surface water to try to limit potential impacts to streams. One of the provisions of the

operating permit is that the rock products must not have the potential to produce acid mine drainage or other pollutants.

Response to Ronald and Bonnie Dawson's May 16, 2006 letter:

- 1) Rock picking sites 68, 79, and 86 are in close proximity to a number of homes that are southwest of Little Loon Lake. Noise and dust from the operations would detract from the peace and quiet of the area.

As stated in the Draft EIS and in response to other comments above from the public on the Draft EIS, there will be noise, dust and traffic from the rock picking operations. The closest residence to sites 68, 79, and 86 is 600 feet. The rest of the residences are over 1000 feet from the sites.

Equipment and other vehicle noise including back-up beepers, noise from loading and unloading rocks, as well as noise from trucks hauling on Elk Creek road are unavoidable impacts of allowing rock picking operations. The noise from the three sites using Elk Creek road is currently limited to activities from 7:30 am to 4:00 pm. In the summer of 2006, the contractor worked from 6:00 am to 3:00 pm. The noise is also seasonal as limited rock picking occurs in the winter. Rock picking activities on the sites would be intermittent, sometimes working for two weeks at a time, five days a week and then the contractors would move to other sites in the Flathead.

Currently, the contractor is averaging one truck load per day. On some days, no loads are hauled. On some days, two loads are hauled. The crew is working five days per week and 8 hours per day. The crew should pull out in October 2006 to go to another quarry site.

Plum Creek and DEQ were in the area recently. Plum Creek met with Mr. Charles Park on September 21, 2006 at the quarry site to discuss the details of the operation and to discuss his concerns. DEQ met with Mr. Park on September 27, 2006.

Only a few of these sites face or are on the main Elk Creek road near the residences. Traffic on the Elk Creek road is from logging operations, dump trucks, concrete trucks, and recreationists' vehicles, as well as traffic from rock picking site employees and rock haul trucks. Rock hauling would be mostly one truck per day. There is also intermittent log hauling on the road. There is no other access road that could be used to limit impacts to residents. The rock picking sites add little additional traffic to the road.

As discussed in the Draft EIS in Section XI.3, dust would increase from the additional traffic on the roads. Dust is a common problem on gravel

roads throughout rural Montana. The additional traffic from the three rock picking sites would be seasonal and would not substantially increase traffic in the Elk Creek road. Plum Creek can control dust and speed limits on its own roads. The Elk Creek road is a Forest Service access road.

Blasting is used at the sites. Plum Creek has committed to have the rock picking contractor contact the local residents before each blast. If you feel blasting on the site is excessive, DEQ can monitor a blast at your residence to document whether the blasting exceeds Metal Mine Reclamation Act blasting rule threshold levels.

- 2) Plum Creek could not possibly use 94 sites. Limit Plum Creek's quarry operations to sites where there will no impact to private residences and minimal impact from trucks going back and forth to the quarry.

As stated in the Draft EIS, Plum Creek is a large landowner. The rock product industry has grown in the last ten years. The industry is market driven and the rock deposits in northwestern Montana have become popular with architects, masons, and landscapers trying to satisfy demand from customers for attractive rock for their homes, commercial buildings and yards. Plum Creek has agreed to several limitations on its permit to avoid impacts to surface water, groundwater, etc. This has limited the development of many other sites. Noise, dust, and traffic result from rock collecting activities. Plum Creek has not agreed to limit developing sites that would produce noise that could be heard from private residences.

Plum Creek has agreed to apply for many sites on its property, at the request of DEQ, so DEQ could analyze the potential impacts of this industry on Plum Creek's large landholdings. As a result, DEQ has analyzed a 15,000 acre permit area of which 3,600 acres could be disturbed. Some of these sites would not be developed. Others may be operated for only a year or two. Some might be used for the 20-year permit life. DEQ expects that many sites would be reclaimed during the 20 year permit life and proposed for bond release. Plum Creek has to do this to keep the maximum disturbance at any one time on all its sites to less than the proposed 800-acre limit.

Plum Creek has a right to develop the natural resources on its property as long as it complies with federal, state, and local regulations. As stated in the Draft EIS and in response to other comments from the public on the Draft EIS, there will be noise and traffic from the rock picking operations.

Equipment and other vehicle noise including back-up beepers, noise from loading and unloading rocks, as well as noise from trucks hauling on Elk Creek road are unavoidable impacts of allowing rock picking operations. The noise from the sites on Elk Creek road is largely limited to activities

from 6:00 am to 3:00 pm in the summer and 7:30 am to 4:00 pm in the fall and winter. The noise is also seasonal as limited rock picking occurs in the winter.

Traffic on the Elk Creek road is from logging operations, dump trucks, concrete trucks, recreationists' vehicles as well as traffic from rock picking site employees and rock haul trucks. As discussed in the Draft EIS in Section XI.3, dust would increase from the additional traffic on the roads. This is a common problem on gravel roads throughout rural Montana. The additional traffic from the three rock picking sites would be seasonal. The vehicles accessing the three rock picking sites would not substantially increase traffic in the Elk Creek road. Plum Creek can control dust and speed limits on its own roads. The Elk Creek road is the main Forest Service access road. The property that all the residences live on used to be owned by Plum Creek.

As long as Plum Creek and its contractors comply with speed limits or other restrictions on the Elk Creek road they have a right to use the road. There are no land use controls in effect in the Little Loon Lake area that would limit Plum Creek or any other landowner from developing rock picking sites near private residences as long as they comply with federal, state, and local regulations.

Response to Charles and Lynn Park's May 29, 2006 comments:

- 1) Concern over Site 68 being close to the Fisher River. The slope of the site is 45 degrees (100 percent). The operator is removing rock, trees with roots and disturbing soil. They have a concern over future landslides from heavy downpours. The work being done is at the beginning of the commenter's upstream property line. There is nearly an 80-foot drop from the shoulder of the Elk Creek Road to the Fisher River. The heavy equipment is tearing apart the steep embankment directly uphill from Elk Creek Road at this point.

The slope of the site near the road is 80%. DEQ inspected the site on September 27, 2006. The geology of the site limits the potential for landslides. There is nearly an 88-foot drop from the shoulder of the Elk Creek Road to the Fisher River. The road is only being used in one location in this area and the quarry is 55 feet back from the edge of the road. As stated in the Draft EIS in Section XI.1, rocks would be removed and vegetation would be destroyed on the rock picking sites. Soil would also be disturbed. Standard forestry BMPs would be applied during and after the quarry activities to limit sediment from leaving the site.

As stated in Section X.1, quarry safety issues such as rock falls or landslides are regulated by the Mine Health and Safety Administration during operations. DEQ would inspect sites during operations and at closure to determine the potential for rock raveling and landslides on a site by site basis.

DEQ inspected the sites on September 27 and 29, 2006. Plum Creek inspected the sites on September 21 and 29, 2006. There is not any evidence of rock raveling or landslides on the site. The risk of landslides is remote due to the rocky slopes. There will be some rock raveling as the sites re-establish the angle of repose on talus slopes. As stated in the Draft EIS in Section XI.1, if needed, sites would be buttressed to limit potential for landslides at closure.

There were logging and hauling activities that took place at the same time there was rock quarrying along the Elk Creek road. The road has been used for logging for at least 35 years. There is limited potential for the traffic to destabilize the road in the section that has an 88-foot drop to the river.

- 2) Last fall the local residential community, Montana State Parks, and Plum Creek paid the county to put two coats of oil with gravel on Elk Creek Road from our property line past six other homes on a 1.2 mile stretch. Equipment from the Little Loon Lake Sites #68, #79, and #86 will be using and destroying the new oiled road.

The Elk Creek road surface was slightly impacted from the skidding of logs during the summer of 2006. These impacts to the road were fixed by Plum Creek. Plum Creek estimates that 60 log trucks and 30 rock trucks used the road in 2006. Only one of the quarry sites has been active in 2006. Plum Creek expects the same amount of loads from logging and rock quarrying next year.

DEQ inspected the road with Plum Creek on September 21 2006. Plum Creek did participate in the cost sharing of dust abatement in 2006. The Elk Creek road is a public Forest Service road. The road is in good condition as of September 21, 2006.

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