

ENVIRONMENTAL ASSESSMENT

PROPONENT: Prospect Construction Inc.
LOCATION: Section 15, T6N, R14W

SITE NAME: Dennis Site
COUNTY: Granite

TYPE AND PURPOSE OF ACTION: Proponent submitted an application to the Opencut Mining Program for a 3.0-acre permit to mine about 20,000 cubic yards of sand and gravel from a previously mined and released site: Permit MSS-001 released July 3, 1996. This proposed site is approximately 5 miles south of Philipsburg, Montana. Most of the material would be used by the landowner or on near-by roads. Reclamation would be complete by September, 2016. All application materials required under the Opencut Mining Act and the rules adopted there under have been submitted. The proponent commits to properly conducting opencut operations and reclaiming past and present disturbances to a postmining land use of grazing and seasonal wildlife pond. The proponent will be legally bound by its permit to reclaim the site.

A = significant unavoidable impacts. B = insignificant as a result of conditioned mitigation. C = insignificant as proposed.

	POTENTIAL IMPACTS AND MITIGATIVE 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"/>	The topography in this area is nearly flat. Removal of borrow material would alter the topography. All side slopes of the excavation would be graded to 3:1 (h:v) or flatter.
2. <u>GEOLOGY</u> : stability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alluvial gravel deposits associated with the Flint Creek drainage. Potential impacts due to the removal of mine material have been reviewed. The Department has determined that proposed disturbances could be reclaimed to a condition that is at least as stable as pre-mine conditions.
3. <u>SOILS</u> : quality, distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Approximately 1" to 6" of soil would be salvaged and no overburden. In addition, there is a small soil pile adjacent to the permit area that was left from the previous mining. Approximately 4" of soil would be redistributed on the disturbed mine area that is above the high water level of the pond. If needed, the additional soil stockpiles would be used for reclamation. No soil would leave the site.</p> <p>Located just south of the proposed site is the Granite Timber Post & Pole Environmental Protection Agency (EPA) clean-up site. The potential for pentachlorophenol (PCP) and dioxin contamination of the proposed gravel site was reviewed as part of this EA. Although EPA sampling stopped approximately 200' up gradient of the proposed permit area, the data suggest no dioxin contamination and below 5 mg/kg PCP within the permit area. State of Montana Generic PCP cleanup levels are 9 mg/kg for commercial use and 3 mg/kg for residential use. In addition to EPA sampling, the</p>

					<p>proponent took a sample of the water from within the old gravel excavation and a sediment sample from the shoreline. No PCP or dioxin was detected in the on-site water sample. No PCP or mercury was detected in the on-site sediment sample. These on-site samples were taken on request of the Remediation Division of the DEQ on March 14, 2007 to help substantiate the EPA trends.</p> <p>No impacts to the soil resource would be expected as a result of the proposal.</p>	
4. <u>WATER</u> : quality, quantity; distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Pursuant to the Ground-Water Information Center, there are two water wells near the proposed site. One well has an unknown use. It is 42' deep and located within the EPA clean-up site. The other well is of domestic use and is 100' deep, over 1,500' up gradient of the proposed site. The proposed gravel operation would have no effect on these wells.</p> <p>The excavation would intersect the groundwater table. The pond area would be less than 2 acres in size. It would have an insignificant effect on ground water.</p> <p>No significant impacts to the surface water would be expected as a result of mining or soil salvage because of limited contact with water. Surface water runoff would be contained within the excavation.</p>
5. <u>AIR</u> : quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There would be some degradation of air quality while operations are in progress. The proponent must comply with state air quality regulations.</p>
6. <u>UNIQUE, ENDANGERED, FRAGILE, OR LIMITED ENVIRONMENTAL RESOURCES</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<p>The Montana Natural Heritage Program reported the westslope cutthroat and bull trout, the great horned owl, and lynx as species of concern in the area. Flint Creek would be unaffected by the excavation and given the amount of surface disturbance in the area; it is not likely that the lynx or great horned owl would be affected. Abundant similar habitat exists in the area.</p>
2. <u>VEGETATION</u> : quantity, quality, species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The Montana Natural Heritage Program reported no species of special concern for the area. Vegetation is very sparse due to the extensive pre-mine disturbance of the permit area.</p>
3. <u>AGRICULTURE</u> : grazing, crops, production	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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"/>	There appears to be no potential for PCP and dioxin contamination of the product to be sold to the public (See section #3 above). The Remediation Division of DEQ noted elevated levels of base metals in the ground water near the proposed site. After review of the samples taken by the proponent and in consultation with the Remediation Division, the potential for metal contamination above cleanup levels in the product sold is low: most groundwater would be drained from the raw product before it could be screen or crushed.
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, 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"/>	The State Historic Preservation Office (SHPO) conducted a search of its records and found no recorded historic or archaeological sites within the proposed permit area and therefore felt a cultural resource inventory was unwarranted. If, during operations resources were to be discovered, activities would be halted and moved to another area until SHPO was contacted and the importance of the site was determined.
12. <u>AESTHETICS</u> : noise, visual	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The permit area can be seen by the public from the county road; however, the site is over 1,500' north of the county road and there is a large existing gravel site adjacent to the road. No limitations on the hours of operations are required.
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"/>	The proposed operation complies with county zoning regulations.
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"/>	Traffic on the highway would have to comply with all traffic laws. The potential impacts to Highway 1 would be insignificant given the

						small amount of production from this site.
--	--	--	--	--	--	--

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, DEQ's Remediation Division, EPA, 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 so as to constitute a taking.

RECOMMENDATION FOR FURTHER ENVIRONMENTAL ANALYSIS: NO FURTHER ANALYSIS

INDIVIDUALS OR GROUPS CONTRIBUTING TO THIS EA: NONE

Approved By: _____ Date: _____

(Signature)

Prepared by: Peter Mahrt