

**DEPARTMENT OF ENVIRONMENTAL QUALITY
OPENCUT MINING PROGRAM**

**SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT
March 13, 2008**

Proponent: JDK Construction
Site Name: Archer Foley Pit
Legal: SE ¼ & NE ¼ Sec 32 T9N R9W
County: Powell
Permit #: JDK-001

History: Archer Excavation is the original holder of this private 40-acre, 200,000 cubic yard permit, approved March 2005 with no comments. The Montana Natural Heritage Program originally identified two species of concern (Idaho Sedge (*Carex idahoensis*) and Columbia River Bull Trout (*Salvelinus confluentis*)) within the vicinity of the site. Based upon the map provided by the Montana Natural Heritage Program (*Montana Species of Concern Archer Excavation-Foley Site 5/17/2005*), as well as field inspections performed by DEQ-IEMB-Opencut staff on April 5, 2005 and February 21, 2008, neither species appears to exist within the permitted area nor the proposed permitted area. The original Environmental Assessment (EA), approved 06/08/2005, identified no significant impacts.

The construction company has changed its name from Archer Excavation to JDK Construction. An assignment is included with the amendment application.

Type and Purpose of Action: The applicant has proposed the expansion of its active permit from 40 to 60 acres (an increase of 20 acres). This expansion will enlarge the current operation as well as allow reclamation concurrent with the approved reclamation plan (attached map reflects area necessary for reclamation). Gravel from the proposed amendment is anticipated to be utilized for private use on the Foley Ranch. The Reclamation Bond has been increased from \$70,137 to \$116,184 to cover the proposed disturbance. All other aspects of the operation will remain the same.

Potential Impacts and Mitigation: It is expected that impacts associated with this proposal will mimic those identified in the original, approved 2005 EA. As stated above, based on a field inspection and review of a Montana Natural Heritage Program provided map (*Montana Species of Concern Archer Excavation-Foley Site 5/17/2005*), the proposed area does appear not encompass nor impact Idaho Sedge (*Carex idahoensis*) nor Columbia River Bull Trout (*Salvelinus confluentis*) habitat.

Prepared by Jamie Ludwig, DEQ Opencut Program Environmental Science & Reclamation Specialist

Chief, Industrial & Energy Minerals Bureau

Date