

ENVIRONMENTAL ASSESSMENT

PROPONENT: Fisher Sand & Gravel

SITE NAME: Marias River Land and Livestock

LOCATION: Sections 5 and 6, T31N, R4W
Sections 29-32, T32N, R4W

COUNTY: Toole

TYPE AND PURPOSE OF ACTION: Proponent has applied for a 41.6-acre opencut mine permit area where they propose to remove 200,000 cy of gravel. Processing equipment would include a grizzly, screen, and crusher. The tentative final reclamation date is 6/2014. The application contains all items required by the Act and Rules. Proponent commits to properly conducting opencut operations and would be legally bound by their permit to reclaim the site to a postmining land use of grassland.

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 site is located on a high bench above the Marias River valley floor. Gravel removal to a maximum depth of 25 feet would alter the topography by lowering the surface and creating new slopes. All surfaces would be graded to 4:1 or flatter and blended into the surrounding topography and drainageways.
2. <u>GEOLOGY</u> : stability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Department reviewed potential impacts due to the removal of mine material and 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"/>	The average soil thickness is 6 inches and the average overburden thickness is 33 inches. Soil and overburden would be stripped from mine-level areas and placed on areas prepared for resoiling or stockpiled for later reclamation use. Soil stripped from facility-level areas would be evenly replaced on those areas.
4. <u>WATER</u> : quality, quantity; distribution	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ground and surface water do not appear to be factors at this site. There are no water wells in or near the site that could be affected by this operation.
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 degradation of air quality while operations are in progress. Proponent 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 reports the peregrine falcon as a species of special concern in the area. Peregrine falcons can be found year round across the state. They arrive in northern breeding areas late April-early May, and departure begins late August-early September. Nests typically are situated on ledges of vertical cliffs, often with a sheltering overhang. Ideal locations include undisturbed areas with a wide view, near water, and close to plentiful prey. The opencut operation would disturb a relatively small area. 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 proposed disturbance area predominately consists of native rangeland. The Montana Natural Heritage Program reports no species of special concern. No noxious weeds were observed on or next to the proposed permit area. Proponent contacted the local weed district about the proposed operation and is in compliance with their requirements.
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 area of introduced and native rangeland would be temporarily out of production. This would not substantially impact local agriculture. The site would be reclaimed to grassland.
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"/>	No problems are anticipated. Restricted hours of operation are not needed at this remote site.
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"/>	A Cultural Resource Investigation of the area was conducted by Ethnoscience in April 2008. A total of 103.6 acres were inventoried. Nine newly recorded sites were identified, including four on state lands and five on private lands. All nine sites were prehistoric stone feature sites. Proponent agreed to avoid these sites to the extent possible. A copy of Ethnoscience's report was delivered to the State Historic Preservation Office.
12. <u>AESTHETICS</u> : noise, visual	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is in a remote location. There are no nearby residences.
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"/>	Proponent contacted the local zoning authority about the proposed operation and is in compliance with local 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"/>	Proponent would use county roads to transport mine material to project sites. This activity would not substantially affect local traffic.

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, DNRC's Water Rights Bureau regarding water rights, and MSHA 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: Mark Carlstrom