

---

**From:** NewsLinks@metnet.mt.gov  
**Sent:** Friday, July 23, 2010 5:01 PM  
**Subject:** DEQ Extends Comment Period on Proposed Gravel Mine in Flathead County

Contributed by Lisa" <[lpeterson@mt.gov](mailto:lpeterson@mt.gov)>,METNET:

FOR IMMEDIATE RELEASE  
July 23, 2010

FOR MORE INFORMATION  
Lisa Peterson  
DEQ Public Affairs Coordinator  
406-444-2929

Richard Casteel  
DEQ Industrial and Energy Minerals  
406-444-4975  
[rcasteel@mt.gov](mailto:rcasteel@mt.gov)

DEQ Extends Comment Period on Proposed Gravel Mine in Flathead County

(Helena) The Montana Department of Environmental Quality (DEQ) has extended the comment period for the Environmental Assessment (EA) prepared for Knife River's application for an Opencut Mining Permit in Flathead County. The end of the public comment period is now Monday, August 9, 2010. The mine is located about 1.5 miles southwest of Columbia Falls near the intersection of Conn Road and Trumble Creek Road.

Knife River proposes to crush, stockpile and transport approximately 5.3 million cubic yards of gravel from the 155.8 acre site over a period of 40 years. Only a portion of the proposed permit area would be developed initially. Knife River proposes to set aside 148.2 acres as "undisturbed until bonded" which would require the operator to post bond and obtain DEQ approval prior to starting any mining activities. A reclamation bond of \$5,201 would be held by the DEQ to ensure reclamation in the initial 7.6 acre disturbed area. This area would be stripped of soil for facility use and berm construction only. A much larger bond would be required before starting gravel extraction operations.

Topsoil and overburden would be stripped from the site before gravel extraction and would be used to create 6-foot high berms around the operation to act as noise and visual barriers. The berms would be planted with grasses to improve the visual quality and prevent erosion. The hours of operation would be 7 a.m. to 7 p.m. Monday through Saturday.

The EA and opencut mining permit application can be viewed at the following web link: <http://searchopencutpermits.mt.gov/>. Users should type "Knife River" into the "Operator" text field and "North Valley" into the "Site Name" text field. People are encouraged to submit comments on the EA from the "Search Results" page using the "Submit" button in the "Comment on EA" column. Comments may also be submitted by email to [DEQopencut@mt.gov](mailto:DEQopencut@mt.gov); please include "North Valley" in the subject line. Comments may also be mailed or faxed to: DEQ Opencut Mining Program, PO Box 200901, Helena, MT, 59620-0901, fax: 406-444-4988.

For more information about the DEQ's Opencut Mining program visit the department's website at [www.deq.mt.gov](http://www.deq.mt.gov).

### END ###

A service of the Montana Education Telecommunications Network - METNET  
A division of the Montana Office of Public Instruction

Free E-Mail for certified Montana teachers  
<http://www.metnet.mt.gov/>

## ENVIRONMENTAL ASSESSMENT

### On an Application for an OPENCUT MINING PERMIT

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. 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 hereunder place operational guidance and limitations on a project during its lifetime, and provide for the reclamation of land affected by opencut mining operations.

Local governments and other state agencies may have authority over different resources and activities under their regulations. Approval or denial of this Opencut Application will be based on a determination of whether or not the proposed operation complies with the Opencut Mining Act and the rules adopted thereunder.

**APPLICANT:** Knife River

**COUNTY:** Flathead

**SITE NAME:** North Valley

**DATE:** July 2010

**LOCATION:** Section 14, T30N, R21W

**PROPOSAL:** Knife River has applied for an Opencut Permit to mine and process gravel from a 155.8 acre site located approximately 1.5 miles southwest of Columbia Falls. The site is bounded by Conn Road on the south and Trimble Creek Road on the west. Montana Highway 40 is one half mile to the north and US Highway 2 is one quarter mile to the east. The site is approximately 3,000 feet above sea level.

An existing opencut operation, the Knife River-Motichka Site, borders the proposed permit area on the east. The 80 acre Motichka Site was permitted in 2002 and has not yet been mined. Knife River would utilize some of the Motichka Site facilities and equipment to process mine material from the North Valley Site. Motichka Site facilities include a crusher, asphalt plant, wash plant and concrete plant.

The proponent proposes to mine, crush, stockpile and transport 5.3 million cubic yards of gravel from a proposed 155.8 acre permit area. The operator would operate the mine within the hours of 7 am to 7 pm, Monday through Saturday.

The proposal states that operations would begin on 7.6 acres in the mid-eastern portion of the 155.8 acre permit area. The remaining 148.2 acres would be permitted as "undisturbed until bonded". Mining operations in this area would require DEQ approval and additional bonding. Upon DEQ approval, mining would expand from east to west in approximately 5 acre phases until the entire 155.8 acres was developed. Early on, a grizzly, screen and crusher would be set up on the east side of the property to immediately begin processing the mined aggregates. At full operation the project would include a wash plant, crusher and screening facilities, product stockpiles, and possible scales and scale house.

A reclamation bond of \$5,201 would be held by DEQ for the initial 7.6 acre disturbance area. The topsoil in this area would be stripped to a depth of 8 inches. An additional and much larger bond amount would be required by DEQ prior to expanded mining activities to ensure the final reclamation use of grassland by the year 2050, would be accomplished.

This application contains all items required by the Opencut Mining Act and its implementing rules. Proponent commits to properly conducting opencut operations and would be legally bound by the permit.

**IMPACTS ON THE PHYSICAL ENVIRONMENT**

<b>RESOURCE</b>	<b>POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
<p><b>1. TOPOGRAPHY, GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:</b></p>	<p>Geologically, the area in the vicinity of Conn Road consists of materials that were deposited about 10,000 years ago. The material proposed to be mined is a mixture of gravels, cobbles, sand and silt about 80 feet thick that was deposited by running water. Below the gravels is a layer composed of fine textured glacial outwash silts that were deposited in very slow moving water. Some places have stringers or layers of fine silts and clays that were deposited in still water. These deposits can be very localized or they can stretch across the valley. The proposal is to mine only to a depth of 20 feet in order to remain at least 5 feet above the high water table. An estimated 5.3 million cubic yards of material would be removed from the site over the life of the mine.</p> <p>Soil averages 9 inches of dark, silty, sandy loam and is underlain by 36 inches of silt and clay. There are pockets of deeper silt in some areas. Soil would be salvaged to an average depth of 9 inches and placed in berms around the perimeter of the mining area to act as a sound and visual barrier. The subsoil and overburden would be stripped and stockpiled.</p> <p><i>Impacts:</i> An irreversible and irretrievable removal of gravel from the site would occur. A small impact to the quantity and quality of soils from salvaging, stockpiling, and resoiling activities also would occur, but this would not impair the capacity of the soils to support full reclamation.</p> <p>There are no unusual topographic, geologic, soil, or special reclamation considerations that would prevent reclamation success.</p>
<p><b>2. WATER QUALITY, QUANTITY AND DISTRIBUTION</b></p>	<p>Trumble Creek is located 2,000 feet east of the proposed site. The Flathead River is located approximately 2 miles east of the site and Whitefish River is 1 mile to the southeast. None of these surface waters should be directly affected by mining as there is substantial distance and elevation separating these features from the mine.</p> <p>There are numerous wells in the surrounding area. There are 7 wells in Section 14 ranging from 20 to 380 feet deep with static water levels ranging from 6 to 104 feet below the surface. The wells in Section 15 and 13 tend to be deeper wells up to 350 feet deep with numerous wells between 160 and 180 feet deep. The wells in Section 23 vary between 14 and 380 feet deep with two very deep wells at 590 and 621 feet deep. The deeper wells generally produce greater volumes of water. Most wells are identified as for domestic use with a few for industrial, stockwater, and irrigation. Two wells in Section 13 and one in Section 23 are identified as public water supplies. This information was obtained from the Montana Bureau of Mines and Geology, Ground-Water Information Center web site for Sections 13, 14, 15 and 23 (2010). The estimated depth to seasonal high water table at the proposed mine site is 25 feet below the surface. Ground water fluctuates 15 feet from high to low water tables. The estimated depth of mining would be 20 feet, 5 feet above the high water table.</p> <p>The wash plant would operate up to 12 hours per day, six days a week. The wash plant would use up to several hundred gallons of water per minute. Water for the entire operation would be provided from a new on-site well located in the</p>

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
	<p>northeast corner of the site. Average consumption is estimated to be 15,000 gallons per week (approximately 4 gallons per minute (gpm)) for the wash plant during full summertime operation (which would occur only part of the time). and up to 96,000 gallons per week (approximately 27 gpm).</p> <p>A series of unlined settling ponds would be constructed for gravel-washing operations. They would be cleaned out periodically and the resulting material could be sold as a product or used to backfill areas of the pit. This would allow water to seep back into the ground. The water would be clean except for native silts, mud, and clays.</p> <p>If some of the water were recycled from the settling ponds then the volume of water applied to the limit would be reduced by that amount. The operator would need to determine the anticipated use of ground water based on the anticipated number of days the various facilities would be in use.</p> <p>Precautions would be taken to minimize possible contamination of surface water and ground water. All fuel and lubricants would be brought into the site. If plans for fuel storage in the pit change in the future, a proper fuel storage and containment structure would be engineered and plans submitted to the DEQ for approval, in advance of installation. Any accidental spills or leaks from equipment would be excavated and properly disposed of.</p> <p><i>Impacts:</i> The proposed activities would have a minimal effect on the quantity and quality of the surface and groundwater resources.</p> <p><i>Cumulative:</i> Cumulative impacts by the proposed action on resources would be negligible.</p>
<b>3. AIR QUALITY</b>	<p>Air quality standards are based upon the Clean Air Act of Montana and pursuant rules and are administered by the DEQ Air Resources Management Bureau (ARMB). Its program is approved by the Environmental Protection Agency (EPA). These rules and standards are designed to be protective of human health and the environment.</p> <p>Air quality permits would be required on the processing equipment before installment. Machinery, such as generators and crushers are individually permitted for allowable emissions. Best Available Control Technology (BACT) is the usual standard applied.</p> <p>Fugitive dust is that which blows off the pit floor, stockpiles, gravel roads, farm fields, etc. It is considered to be a nuisance but not harmful to health.</p> <p><i>Impacts:</i> Dozers, loaders, crushers and trucking equipment typically cause dusty conditions in disturbed soil sites, and operating equipment typically emits odors that may be offensive to some people. However, crushers and asphalt plants are regulated for dust and smoke emissions, and the equipment used must be tested and approved by DEQ. Spray bars would be used on the crushers and transfer points, and water is applied within the site as needed to reduce dust. A water truck would be used to control dust within the mine area and on all internal roads and facility areas.</p> <p>Air quality standards as set by the federal government and enforced by the ARMB would allow minimal detrimental air impacts.</p>

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
	<p><i>Cumulative:</i> Dust and odors from sand and gravel operations contribute somewhat to a decline in overall air quality, especially during the hot, dry summer months when these businesses are most active. An increase in the number or size of these operations could further contribute to the decline in air quality. However, the general increase in residential and business use in the area has contributed to this decline as well. A substantial increase in small car and light truck traffic on private driveways and unpaved roads has caused a substantial amount of particulates to enter the air in the general area. Historic use of the agricultural land in the area by plows, discs, seed drills, swathers, combines, bailers, etc. have always contributed to the dusty conditions in the area during summer months. As there is a shift in some areas from agricultural lands to mined lands, there may be a slight increase in the potential for dust during mine operations, but the potential is expected to return to more normal levels after the sites are reclaimed.</p>
<p><b>4. VEGETATION COVER, QUANTITY AND QUALITY</b></p>	<p>Portions of the site are planted in wheat while other areas are vegetated with hay and pasture grasses. A windbreak of caragana and conifer trees splits the east side of the permit area in half from east to west.</p> <p>The entire site would be revegetated with a seed mix comprised of slender wheatgrass, smooth brome, orchardgrass, and streambank wheatgrass. No fertilizer, mulch, or cover crops would be used.</p> <p>The Flathead County Weed District has indicated that the applicant has submitted and received approval of a plan to control noxious weeds on the proposed mine site.</p> <p><i>Impacts:</i> No long term detrimental impacts to the vegetation would occur.</p>
<p><b>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS:</b></p>	<p>Although the area is used primarily for pasture and wheat farming it also supports populations of deer, turkeys, rodents, song birds, coyotes, foxes, raptors, insects, and various other animal species. Population numbers for these species are not known.</p> <p><i>Impacts:</i> The proposed mine is expected to temporarily displace some individual species and it is likely that the site would be re-inhabited following reclamation to similar habitat.</p>
<p><b>6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES:</b></p>	<p>The Montana Natural Heritage Program (MNHP) found the following species of concern in the vicinity of the proposed site:</p> <p>Bull Trout <i>Salvelinus conchuetus</i>  Gray Wolf <i>Canis lupus</i>  Aloina brevirostris <i>Aloina brevirostris</i>  Amblydon dealbatus <i>Amblydon dealbatus</i>  Bryum calobryoides <i>Bryum calobryoides</i>  Short-styled Thistle <i>Cirsium brevistylum</i>  Latah Tule Pea <i>Lathyrus bijugatus</i>  Deer Indian Paintbrush <i>Castilleja cervina</i>  Red-root Flatsedge <i>Cyperus erythrorhizos</i>  Slender Cottongrass <i>Eriophorum gracile</i>  Small Yellow Lady's-slipper <i>Cypripedium parviflorum</i>  Maidenhair Spleenwort <i>Asplenium trichomanes</i></p>

<b>IMPACTS ON THE PHYSICAL ENVIRONMENT</b>	
<b>RESOURCE</b>	<b>POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
	<i>Impacts:</i> None of the listed species have been found on this site. Even if suitable habitat for species of concern did exist on this site, the disturbance area would be small and large areas of similar or identical habitat surrounds the site. The possible impact to these species would be minimal.
<b>7. HISTORICAL AND ARCHAEOLOGICAL SITES</b>	<p>The Montana State Historic Preservation Office (SHPO) was notified of the application. It reported no sites have been discovered previously on this property. SHPO indicated that a recommendation for a cultural resource inventory was unwarranted at this time. A pedestrian survey of the area by DEQ personnel did not reveal any artifacts or signs of occupation. No signs were evident at depth in the previously disturbed area.</p> <p><i>Impacts:</i> If during operations resources were to be discovered, activities would be temporarily moved to another area or halted until SHPO was contacted and the importance of the resources was determined.</p>
<b>8. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY</b>	<p>The applicant would need to apply for a water right permit to construct and use a ground water well to supply water for industrial purposes such as washing gravel.</p> <p><i>Impacts:</i> Negligible impacts to land, water, air, or energy would occur.</p> <p><i>Cumulative:</i> Many homes and businesses have been built between Columbia Falls and Whitefish and in the area along US Highway 2. This has caused a general shift in land use in the area from primarily agriculture to rural-residential housing. An increase in the number of residences and businesses in the area increases the consumption of water, the use of electricity, propane, and natural gas, fuel for vehicles, as well as the need for aggregates, asphalt, and concrete for construction of buildings, roads, driveways, and parking lots. The increase in construction requires additional mines or expansion of mines to provide those materials or else requires material be trucked greater distances as local mines are worked out. This mine and other proposed new mines and mine expansions in this area would increase water consumption requirements, could generate an increase in traffic, and could increase dust levels.</p>

<b>IMPACTS ON THE HUMAN POPULATION</b>	
<b>RESOURCE</b>	<b>POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
<b>9. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS</b>	This site is currently not zoned.
<b>10. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING</b>	<p>The site is located in a rural location.</p> <p><i>Impact:</i> This commercial pit is being sited in this area because of the location of the resource.</p>
<b>11. AESTHETICS</b>	<p>The site is located in a rural setting, away from residences and commercial businesses. It is a scenic, but not unique area.</p> <p><i>Impact:</i> There would be an impact to visual quality while the mine is in</p>

<b>IMPACTS ON THE HUMAN POPULATION</b>	
<b>RESOURCE</b>	<b>POTENTIAL IMPACTS AND MITIGATION MEASURES</b>
	operation, but incremental and full scale reclamation would return the area to a visually acceptable landscape. Berms would be built around the mine area to deflect sound and mitigate the visual impact of mining operations. The berms would be planted with grasses.
<b>12. QUANTITY/ DISTRIBUTION OF EMPLOYMENT</b>	<i>Impacts:</i> This operation would come into production as other mines are being depleted. Therefore, new employment opportunities would be limited.
<b>13. INDUSTRIAL, COMMERCIAL, AGRICULTURAL ACTIVITIES AND PRODUCTION</b>	<i>Impacts:</i> The acreage listed in the application would be taken out of agricultural/pastureland use and put into industrial/commercial use. Upon completion of mining, the land would be reclaimed back to pastureland.
<b>14. LOCAL, STATE TAX BASE AND TAX REVENUES, PERSONAL AND COMMUNITY INCOME</b>	Local, state and federal governments would be responsible for appraising the property, setting tax rates, collecting taxes, etc., from the companies, employees, or landowners benefitting from this operation. Following reclamation, it is assumed the tax base would revert to pre-mine levels.
<b>15. DEMAND FOR GOVERNMENT SERVICES</b>	Limited oversight by DEQ Opencut Program personnel would be conducted in concert with other area activity when in the vicinity.
<b>16. HUMAN HEALTH AND SAFETY</b>	Any industrial activity will increase the opportunities for accidental injury. There are agencies that require specific safety measures are in place. If followed there is no reason to believe that significant safety issues would be present.
<b>17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES</b>	This activity would not inhibit the use of the identified resources.
<b>18. NATIVE CULTURAL CONCERNS</b>	<i>Impacts:</i> None

**19. Alternatives Considered:**

- A. Denial Alternative: The Department would deny an application that does not comply with the Act and Rules. No impacts to the natural or human environment would occur.
- B. Approval Alternative: The Department would approve an application that complies with the Act and Rules. Impacts of this application are addressed in the body of the EA.

**20. Public Involvement, Agencies, Groups or Individuals contacted:** Montana State Historic Preservation Office, Montana Natural Heritage Program, Flathead County Planning Department, public response to notifications, local interest groups.

**21. Other Governmental Agencies which May Have Overlapping or Sole Jurisdiction include, but may not be limited to:** Mine Safety & Health Administration for safety permit; Montana Department of Labor & Industry, Bureau of Safety for safety permit; DEQ Air Resource Management Bureau, Flathead County Weed Control Board, Flathead County Commissioners, MSHA and OSHA regarding



## PRIVATE PROPERTY ASSESSMENT ACT (PPAA) CHECKLIST

DOES THE PROPOSED AGENCY ACTION HAVE TAKINGS IMPLICATIONS UNDER THE PPAA?

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deprive the owner of all economically viable uses of the property?
	X	4. Does the action deny a fundamental attribute of ownership?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 5a and 5b and continue with question 6.)
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property?
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally? (If the answer is NO, skip questions 7a-7c)
		7a. Is the impact of government action direct, peculiar, and significant?
		7b. Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?
		7c. Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?

Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b.

If taking or damaging implications exist, the agency must comply with § 5 of the Private Property Assessment Act, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.

