



Brian Schweitzer, Governor  
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February 8, 2012

Dear Reader:

On October 17, 2011, Shumaker Trucking & Excavating Contractors, Inc., (Shumaker) filed an application for issuance of an operating permit by the Department of Environmental Quality under the Metal Mine Reclamation Act (MMRA). In the application, Shumaker proposes to expand a shonkinite quarry that it currently operates under a Small Miner Exclusion Statement (SMES). The crushed shonkinite is used for aggregate and riprap.

The quarry is located approximately 5 miles south of Fort Shaw, MT on property owned by the Cascade Hutterite Colony in Section 35, Township 20 North, Range 2 West, Cascade County.

The proposed permit area consists of approximately 35.6 acres. A total of 16 acres (including current disturbance) would be disturbed over the next five years, exceeding the five-acre limit for an SMES. The quarry would be excavated using heavy equipment such as excavators, loaders, dozers, and screening equipment. An asphalt plant also may be located on site. Blasting would be required several times per year. Existing roads would be used to access the quarry site. Mining, screening, and crushing operations would normally take place during daylight hours from 6 a.m. to 7 p.m. Monday through Saturday.

DEQ issued a Draft Checklist Environmental Analysis (CEA) on December 21, 2011 evaluating the potential environmental impacts from the proposed quarry and inviting comments on the proposed quarry. The Draft CEA addressed issues and concerns raised during public involvement and from agency scoping. Two comments were received on the Draft CEA.

Comment 1): A commentor expressed concern over additional truck traffic.

Response: Approval of the operating permit is not expected to cause more truck traffic on the road than what currently exists. The same amount of material will be removed on an annual basis under the operating permit as was removed under the SMES.

Comment 2): The State Historic Preservation Office expressed concern that a cultural resource inventory was not conducted.

Response: DEQ has no authority to require a cultural resource inventory on private land. However, Shumaker has agreed to provide protection of archaeological and historical sites if such sites are discovered.

In addition, the Cascade Hutterite Colony submitted a copy of proposed addenda to its contract with Shumaker allowing Shumaker to conduct the quarry operation on land owned by the Cascade Hutterite Colony. The contract between the two parties is a civil matter, and does not require state action.

DEQ determines that the application and the final permit meet the substantive requirements of the MMRA and administrative rules adopted under the MRMA. DEQ estimates the cost to the State to ensure compliance with Title 75, chapters 2 and 5, the MMRA, the administrative rules adopted under the MMRA, and the final permit is \$82,143. Therefore, Shumaker is required to submit a reclamation bond in the amount pursuant to Section 82-4-338(1), MCA. DEQ will issue a final permit upon receipt and approval of the reclamation bond pursuant to Section 82-4-337(h), MCA.

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

2/8/12  
Date