

ENVIRONMENTAL ASSESSMENT

Project Name: Nuss

Proposed Implementation Date: June 98

Proponent: J & S Construction, Inc.

Type and Purpose of Action: J & S proposes to mine 300,000 cubic yards of sand and gravel to be used to supply the local area with various sand and gravel products. J & S would salvage soils, mine gravel, recontour, creating a 7.24 acre pond up to 25 feet deep that would be utilized for recreation and wildlife. An additional 6.36 acres would be utilized as facility area. The slopes above the highwater line and the hardstand areas, crusher site, and mineral stockpile locations will be topsoiled and seeded. The estimated date of final reclamation is November of 2001.

Location: NE¼ Sec. 9 & NW¼ Sec. 10, T3S, R4E

County: Gallatin

N = Not present or No Impact will occur.

Y = Impacts may occur (explain under Potential Impacts).

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
<p>1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactible or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?</p>	<p>[Y] The proposed site lies on a bench within the alluvial valley of the Gallatin River and slopes down gradient to the north. This area is predominantly fluvial deposits of Quaternary Age consisting of silt, sand, and gravel.</p> <p>The soils are of a clay silt loam texture and are 6 to 12 inches deep. The soils would be salvaged prior to mining and replaced on the pond shoreline (down to the high water mark), crusher site, hardstand areas, and mineral stockpile sites following recontouring. The overburden which is approximately 2 feet deep will be utilized as a product. There are no special reclamation considerations. Microbes should reinvade the soils.</p>
<p>2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>[Y] There is one well located within 1,000 feet of the site, it is on the landowner's property. The well is located approximately 150 feet to the east and is 60 feet deep and the static water depth is at 5 feet. The applicant would dewater the site by installing 3 dewatering wells 24 inches in diameter and up to 40 feet deep. The water would be discharged into the Norton Irrigation Canal located on the landowner's property. Energy dissipators will be installed where the discharge water enters the ditch to prevent any erosion of the ditch.</p> <p>There are various irrigation ditches which irrigate the land to the north, west, and east and all of the ditches are on Nuss property and the water rights are owned by the same. There should be no impact to any surface or ground water resources.</p> <p>The applicant will berm and line any fuel and fuel storage areas to contain any petroleum-based products spills.</p>

<p>3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>[N] There will be an increase in airborne particulates while the soil is being salvaged, the gravel being crushed and hauled, and soil replaced. The applicant has secured an Air Quality Permit from the Montana Dept. of Health and Environmental Sciences Air Quality Bureau and must abide with all applicable air quality guidelines. If required, spray bars will be placed on the crusher to suppress dust. The hard stand areas, soil stockpiles, and haul roads will be watered as necessary.</p>
<p>4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present?</p>	<p>[Y] Existing vegetation will be removed with the soil. Some roots may remain viable in the soil stockpile and regenerate upon replacement. The applicant will seed all affected land to species compatible with the post mine land use. The site currently contains non native grasses. The majority of the old pit area contains no vegetation. The site will be seeded with both native and non native species. There are no threatened or endangered plants present.</p>
<p>5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>[N] The location of the proposed operation precludes the significant use of wildlife, although it would be expected to receive transient use by various avian species and some rodents.</p>
<p>6. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?</p>	<p>[N] The Montana Natural Heritage Program has not identified any threatened or endangered plant or animal species present on this site. There is no wetland present on the site.</p>
<p>7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?</p>	<p>[N] A ground search by DEQ representatives did not reveal the presence of any archaeological or historic values. Should a significant archaeological or historical value be found, the operation will be routed around the site of discovery for a reasonable time until salvage can be made. The State Historic Preservation Office will be promptly notified.</p>
<p>8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>[N]</p>

<p>9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?</p>	<p>[N]</p>
<p>10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other studies, plans or projects on this tract?</p>	<p>[N]</p>
<p>IMPACTS ON THE HUMAN POPULATION</p>	
<p>RESOURCE</p>	<p>POTENTIAL IMPACTS AND MITIGATION MEASURES</p>
<p>11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?</p>	<p>[Y] The use of heavy mining and hauling equipment will increase the risk of accidents. However, the applicant must comply with OSHA and MSHA regulations and it is expected that safety considerations will be given the utmost attention.</p>
<p>12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?</p>	<p>[Y] 7.24 acres will be permanently removed from agricultural production (irrigated hayfield). In its place will be a pond used for recreation and wildlife including fish and waterfowl habitat. Approximately 6 acres will temporarily be removed from pasture until such time as this area is reclaimed.</p>
<p>13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.</p>	<p>[N]</p>
<p>14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?</p>	<p>[N]</p>
<p>15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?</p>	<p>[N] The site will require periodic site evaluations by DEQ staff, however they would generally be conducted in conjunction with other regional sites.</p>
<p>16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>[N] Zoning clearance has been secured.</p>

17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N]
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N]
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N]
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N]
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N]

22. Alternatives Considered: Alternative # 1: Denial. The owner of the gravel resource would be denied full utilization of his property at this time.

23. Public Involvement, Agencies, Groups or Individuals contacted: Montana Natural Heritage Program and Gallatin County Weed Board.

24. Other Governmental Agencies with Jurisdiction, List of Permits Needed: Gallatin County for Zoning Compliance, & MSHA and OSHA for safety permits.

25. Magnitude and Significance of Potential Impacts: Not applicable. A finding of significance is relevant only to the requirement to prepare an EIS under MEPA. However, the statutory time constraints of the Opencut Mining Act preclude preparation of an EIS. Therefore, no such finding is necessary here.

26. Regulatory Impact on Private Property: The analysis conducted in response to the Private Property Assessment Act indicates no impact.

Recommendation for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

EA Checklist Prepared By: Jerry Burke Supervisor, Opencut Mining Program, IEMB
Name Title

Approved By: Steve Welch Industrial & Energy Minerals Bureau Chief
Name Title

Signature

Date