

DEQ OPENCUT MINING PROGRAM

ENVIRONMENTAL ASSESSMENT

(REVISED DRAFT 8/3/00)

Project Name: Wagner North Gravel Mine Site. Proposed Implementation Date: 8/00 or as soon as approved.

Proponent: Northern Line Layers, Inc.

Type and Purpose of Action: Proponent has applied for an amendment to add 75 acres to their existing 50-acre Mined Land Reclamation Permit NLL-001. The amendment area is west of the existing permit area. Proponent proposes to remove 621,000 cubic yards of gravel from a 70-acre pit. Mobile equipment and a crusher, asphalt plant, and wash plant will be used in the operation. Proponent has submitted all application materials required under the Opencut Mining Act and the Rules and Regulations governing the Act.

Proponent proposes to properly prepare, mine, and reclaim the site to a postmining land use of dryland pasture. They have committed to placing minimum 6-foot high soil material berms along the north and west sides of the site to act as sight and sound barriers. Proponent has committed to ground and equipment spraying as needed to control dust. They have committed to hours of operation of 7 AM to 7 PM, Monday through Friday, for mining, processing, and product production activities. Proponent is legally bound through their reclamation permit with the state to reclaim the site. They have posted more than the required \$522, 193 bond to cover reclamation of the entire 125-acre area. The estimated date for completion of final reclamation is 11/2005.

Location: NNE28, T1S, R25E County: Yellowstone

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
1. GEOLOGY AND SOIL QUALITY, STABILITY, AND MOISTURE: Are fragile, compactible, or unstable soils present? Are there unusual geologic features? Is any on-site waste disposal planned? Are any special reclamation features planned? Are there special reclamation considerations?	<p>[Y] Geology and Topography. The proposed site is in the sedimentary plains portion of the state. It is on a low, relatively flat bench above the Yellowstone River valley floor. The gravel deposit is about 25 feet thick over shale. There are no unusual geologic features.</p> <p>Soil and Overburden. Based on the proponent's experience, the soil is about 6-10 inches thick over about 18-24 inches of gravelly overburden. All soil material will be salvaged and stockpiled for future reclamation use or direct hauled to areas ready for final reclamation.</p> <p>Waste Disposal and Grading. There will be no waste disposal on site and all mined material will be used. The estimated maximum depth of mining is 8 feet. Proponent will leave a relatively flat, reclaimed surface at least 3 feet above the seasonal high water table. Highwalls will be graded to 3:1 (33%) or flatter. Proponent is required to properly grade the site and blend it into the surrounding topography.</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>[N] Surface Water. The Billings Bench Water Association canal is on the east side of the original permit area and there are irrigation ditches on the north, west, and south sides of the site. The operation will not disturb the perimeter irrigation ditches.</p>

	<p>Groundwater. Groundwater in the area generally flows southeast, toward the BBWA canal. The average high water table at the site is approximately 9.5 feet below ground surface. This means that the average maximum saturation zone in the gravel deposit is about 15.5 feet thick. Proponent has committed to establishing three groundwater monitoring wells, one each on the west end, middle, and east end of the total 125-acre area. Water level data from these wells will be used to ensure that the final reclaimed surface is at least 3 feet above the seasonal high groundwater level.</p> <p>Wells. Proponent's 1998 permit application materials contain information on many wells in the area.</p> <p>Because proponent has committed to protecting water resources, mining will stay above the seasonal high water table, the groundwater generally flows to the southeast away from the residential areas to the north and west, the upper gravel terrace is not hydrogeologically continuous with the lower gravel terrace to the southeast, and the operator has committed to proper on-site fuel handling, no problems with groundwater quantity or quality are anticipated.</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] Pollutants and particulates will be produced when the operation is active. Proponent is required to comply with state air quality regulations. In the Plan Of Operation proponent has have committed to ground and equipment spraying to suppress dust.</p> <p>The primary contact for air quality permitting and issues, including point source emissions, fugitive dust, and odor, is the department's Air and Waste management Program at 406 444-3490.</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] Premining Vegetation. The east side of the original permit area was dry grassland. The western part of the original permit area was hayland. The proposed amendment area consists of hayland and farmland.</p> <p>Postmining Vegetation. The site will be reclaimed to dryland pasture predominately consisting of native wheatgrasses.</p> <p>Site Protection and Weed Control. Proponent will implement adequate site protection and management measures until seeded vegetation is established. Proponent has obtained a county weed control plan from the county weed district and has committed to appropriate weed control measures.</p> <p>The Montana Natural Heritage Program reports no occurrences of plants of special concern on record for the area. Abundant similar habitat exists in the area.</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 site consists of agricultural land habitat. The department is familiar with the area and is not aware of any extraordinary use by wildlife or use by unique wildlife.</p> <p>The Montana Natural Heritage Program reports no occurrences of animals of special concern on record for the area. Abundant similar habitat exists in the area.</p>
<p>6. UNIQUE, ENDANGERED, FRAGILE, OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or an endangered species or identified habitat present? Any wetlands? Species of special concern?</p>	<p>[N] None of the mentioned resources appear to be present. Similar habitat is abundant in the area. No wetland, riparian, or other uncommon habitat will be affected.</p>
<p>7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological, or paleontological resources present?</p>	<p>[N] Because the site is used for intensive agriculture, the likelihood of finding significant cultural resources is low. If cultural resources are found during mining and reclamation operations, proponent has committed to promptly notifying the State Historic Preservation Office and routing the operation around the site of discovery for a reasonable time until salvage can be made.</p>
<p>8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be</p>	<p>[Y] Because the proposed operation is next to an expanding suburban area, proponent has committed to establishing soil material berms and following hours of operation as described above to minimize the aesthetic impact on the</p>

excessive noise or light?	area.
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?	[N] The operation will not use resources that are limited in the area. The operation should not affect or be affected by other activities in the area.
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other studies, plans, or projects on this tract?	[N] Author is not aware of any environmental studies, plans, or projects on this tract.
IMPACTS ON THE HUMAN POPULATION	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION MEASURES
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] This project should not significantly increase health and safety risks in the area if the proponent and landowner manage the operation and site in a responsible manner. Proponent is required to comply with OSHA and MSHA regulations.
12. INDUSTRIAL, COMMERCIAL, AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] The total 125 acres at the site will be temporarily taken out of agricultural production.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move, or eliminate jobs? If so, estimated number.	[N] No significant impacts are anticipated.
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[N] Tax revenues have not been significantly affected by similar projects in the state. One of the purposes of the Opencut Mining Act is "...to protect and perpetuate the taxable value of property through reclamation..." The Opencut Mining Program is only authorized to protect the taxable value of property, and to provide this protection by making sure that each opencut mine disturbance is reclaimed to a productive use. People concerned about the taxable value of their property should contact the Yellowstone County Assessor's Office at 256-2814.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?	[N] The proponent will use local roads to distribute their product. No other government services should be significantly affected. The primary contact for concerns related to the use of public roads in the vicinity of the proposed mine site is the Yellowstone County Public Works Department at 256-2735.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] Author is not aware of any other environmental plans or goals. The local zoning authority has been (will be) contacted and clearance has been (will be) obtained. Area property owners concerned about land use issues should contact the City-County Planning Board at 657-8246 to see what remedies are available. The enabling legislation for Montana's zoning statutes says that nothing shall prohibit the full use and recovery of natural resources; however, the planning authority can prohibit sand and gravel mining in an area zoned as residential. The planning authority can also impose restrictions on a proposed site located in a zoned area.
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] There are no wilderness or recreational areas nearby or accessed through the site. There is minimal recreational potential within the tract.

