

DEQ OPENCUT MINING PROGRAM

ENVIRONMENTAL ASSESSMENT

Project Name: Dan Holzer Gravel Site

Proponent: Konitz Contracting, Inc.

Legal Description: SWNW3, T16N, R13E

County: Judith Basin

Proposed Implementation Date: 12/2002

Type and Purpose of Action: Proponent has submitted a permit application to the Opencut Mining Program for a 6.5-acre gravel mine on property owned by Dan Holzer. The site is about 6 miles NE of Stanford. The present land use of the site is cropland and hayland. There is an old mining disturbance to the north of the proposed site, across the county road.

The site is located within the Northern Rolling High Plains, Northern Part MLRA (Major Land Resource Area, USDA-NRCS). The topography of this area is dissected plains with slopes that are gently rolling to steep, the average annual precipitation ranges from 12 inches on the open plains to 20 inches near the mountain foothills, and the dominant vegetative species are western wheatgrass, bluebunch wheatgrass, green needlegrass, and needleandthread.

Proponent has submitted all application materials required under the Opencut Mining Act and the Rules and Regulations governing the Act. They propose to properly prepare the site, remove 42,000 cubic yards of gravel from a 3.5-acre mine area excavated to a depth of up to 15 feet, and reclaim the site to postmining land uses of cropland and hayland. There are no nearby residences or public use areas.

Proponent is legally bound by their reclamation permit to reclaim the site. The estimated date for completion of final reclamation is 10/2003.

N = Not present or no impact will occur.
Y = Impacts may occur.

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	POTENTIAL IMPACTS AND MITIGATION (SEE N AND Y ABOVE)
<p>1. TOPOGRAPHY, GEOLOGY, SOIL MATERIALS, AND OTHER FACTORS: Are fragile, compactible, or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations?</p>	<p>[Y] Geology and Topography. See introduction. The stratigraphy appears to be relatively flat and there are no unusual geologic features. The site is located on a relatively flat bench. Mining will remove gravel and alter the topography. The reclaimed mined area will be lower, and it will have a relatively flat floor and graded highwall slopes. Surfaces will be blended into the surrounding topography. It does not appear that surface water or groundwater needs to be considered in the grading plan.</p> <p>[Y] Soil Materials. About 8 inches of soil and 18 to 24 inches of overburden overlie the gravel. The stripping, stockpiling, and replacement process will temporarily degrade soil materials. All soil materials will be stripped and stockpiled for future reclamation use, or direct hauled to areas ready for final reclamation. Appropriate soil material handling and cropping and revegetation procedures should reestablish soil materials to premine productivity levels.</p>

	[N] Backfilling and Excess Materials Disposal. Excess overburden and fines will be placed against the highwall or laid on the pit floor.
2. WATER: 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?	[N] Surface Water. N/A. Proponent has committed to taking appropriate measures to protect surface and groundwater. [N] Groundwater and Wells. It does not appear that groundwater or wells are a factor at this site. Proponent has committed to taking appropriate measures to protect surface and groundwater. [N] On-site fuel storage. N/A.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[Y] Particulates and pollutants will be produced when the operation is active. There are no nearby residences or public use areas. Proponent is required to comply with state air quality regulations.
4. VEGETATION: Will vegetative communities be permanently altered? Are any rare plants or cover types present?	[Y] Vegetation. See introduction. After grading and resoiling, portions of the site will be farmed and portions will be seeded to grass. The permit will not be released until cropland yields and grassed vegetation are adequately established. [N] Site Protection and Weed Control. Proponent will implement adequate site protection and management measures until the reclamation vegetation is established. Noxious weeds will be controlled as specified by the local weed district. [N] The Montana Natural Heritage Program reports no records of species of special concern. The vegetation appears to be typical for the area. Abundant similar habitat exists in the area.
5. TERRESTRIAL, AVIAN, AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds, or fish?	[N] The Montana Natural Heritage Program reports no records of species of special concern. The area appears to receive normal use by area wildlife. Abundant similar habitat exists in the area.
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?	[N] None of the mentioned resources appear to be present. It does not appear that wetland, riparian, or uncommon habitats will be affected. See 4 and 5.
7. CULTURAL RESOURCES: Are any historical, archaeological, or paleontological resources present?	[N] No cultural resources were seen during the site inspection. 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.
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?	[N] The site is located in a rural area. It does not appear that anyone would be negatively affected by the presence of the site.
9. DEMANDS ON OTHER RESOURCES: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?	[N] It does not appear that 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. OTHER PROJECTS: 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	[N] This project should not significantly increase health and safety risks in

this project add to health and safety risks in the area?	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?	[Y] Up to 6.5 acres of cropland and rangeland will be temporarily taken out of production. The operator's permit will require that they reclaim the land to the productive uses of cropland and rangeland. The project should not alter other land use activities.
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.
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed?	[Y] Proponent will use public roads to transport mine material products. The temporary additional traffic should not cause significant problems. No other government services should be specifically needed or significantly affected.
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 contacted and clearance obtained.
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. It appears that there is minimal recreational potential within the proposed permit area.
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[N] No significant impacts are anticipated.
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impacts are anticipated.
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No significant impacts are anticipated.
21. OTHER SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] Author is not aware of such circumstances.

22. Alternatives Considered: The department would deny an application for a proposed operation if the application is incomplete or does not comply with the requirements of the Opencut Mining Act and the Rules and Regulations governing the Act. The proponent could then submit a modified application for the site or submit an application for another site.

23. Public Involvement, Agencies, Groups or Individuals Contacted: Agencies and individuals involved in the process include the Montana Natural Heritage Program, State Historic Preservation Office, local zoning authority, county weed control board, and landowner.

24. Other Governmental Agencies with Jurisdiction, List of Permits That May Be Needed: Montana Department of Environmental Quality, Air and Waste Management Program regarding air quality and Water Protection Bureau regarding water discharge, and MSHA and OSHA regarding mine safety.

25. Magnitude and Significance of Potential Impacts: If permits and plans are followed, any impacts should be temporary or relatively insignificant and confined to the permit area. Implementation of the Mining and Reclamation Plan should return the permit area to an aesthetically pleasing and useful condition.

26. Regulatory Impact on Private Property: The analysis conducted 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.

Recommendation for Further Environmental Analysis:

EIS More Detailed EA No Further Analysis

EA Checklist Prepared By: Mark Carlstrom Title: Mine Reclamation Specialist Date: 1/3/03

Approved By: Jerry Burke Title: Opencut Mining Program Supervisor, IEMB

Signature

Date