

ENVIRONMENTAL ASSESSMENT

SITE NAME: **Milford Colony Site**

APPLICANT: **Fisher Sand and Gravel**

LOCATION: **E2NE4 Sec 9 & W2NW4 Sec 10 T18N R5W**

COUNTY: **Lewis & Clark**

SYNOPSIS OF PROPOSED ACTION: Fisher Sand and Gravel proposes to mine approximately 400,000 cubic yards of gravel from an 88.8-acre site 5 miles northwest of the junction of Highways 200 and 287. Operations would include a crusher, screens, and a portable asphalt plant. Maximum depth of mining would be about 11 feet. The pre-mine land use is irrigated alfalfa farmland. The land would be reclaimed to the same land use by May 2011. A bond in the amount of \$242,744 was submitted with the application. All application materials required under the Opencut Mining Act and the Rules adopted there under have been submitted. The proponent would be legally bound by its permit to reclaim the site as well as site conditions and available resources allow.

A: Significant Unavoidable Impacts B: Insignificant as a result of conditioned mitigation C: Insignificant as proposed
 L: Long term or permanent impacts S: Short term impacts

		POTENTIAL IMPACTS					
		A	B	C	L	S	EXPLANATION
PHYSICAL ENVIRONMENT							
1. <u>TOPOGRAPHY</u>				X	X		The main permit area is nearly flat, irrigated field within the Flat Creek drainage basin. This is a wide valley in comparison to the proposed disturbance. Removal of gravel would permanently alter the topography; however, surfaces would be graded to 5:1 (horizontal:vertical) or flatter to enable continued farming of the area.
2. <u>GEOLOGY</u> ; Stability				X	X		Potential impacts due to the removal of mine material have been reviewed. The Department has determined that the site could be reclaimed to a stable condition.
3. <u>SOILS</u> ; Quality, Distribution				X		X	The soils in this area average approximately 8" in thickness and the overburden above the gravel deposit average 16". The proponent has committed to replacing the same amount of soils and overburden. It is anticipated that there would be only minimal impacts to these resources.
4. <u>WATER</u> ; Quality; Quantity; Distribution				X		X	The property owner has the only wells close to the mining disturbance. The proponent has committed to keeping the excavation above the ground water. All surface water runoff would be contained within the disturbed area. Acceptable precautions would be taken to prevent or minimize potential water contamination. Impacts to surface and ground water would be insignificant.
5. <u>AIR</u> ; Quality				X		X	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. DEQ has an Environmental Protection Agency (EPA) approved air quality program. Permits and permit conditions are established to promote compliance with all applicable air quality rules and standards. These rules and standards are designed to protect human health and the environment. The crusher and asphalt plant have an air quality permit that

						POTENTIAL IMPACTS					
						A	B	C	L	S	EXPLANATION
											<p>meets the standards required under the Montana Clean Air Act.</p> <p>Fugitive dust is that which blows off the pit floor, stockpiles, gravel roads, farm fields, etc. Impacts resulting from fugitive dust should be insignificant due to the moisture content in all the strata disturbed as a result of this project. A water truck would be available for dust control on-site if needed.</p> <p>Air quality impacts, if operations are managed correctly, would be minimal and within air quality standards.</p>
6. <u>UNIQUE, ENDANGERED, FRAGILE, or LIMITED</u> environmental resources								X		X	<p>No species of special concern live on or near this site. This site is farmed and disturbed; it does not provide native habitats.</p> <p>An inquiry to the Montana Natural Heritage Program disclosed that 2 species of concern might live in the general area: the bobolink and ferruginous hawk. The permit area and disturbance there-in would be limited to active farm land which is not currently good habitat for these species.</p>
BIOLOGICAL ENVIRONMENT											
1. <u>TERRESTRIAL, AVIAN,</u> and <u>AQUATIC</u> ; species and habitats								X		X	<p>Deer graze these fields. Pheasants, small mammals, waterfowl, song birds and other animals utilize these and surrounding fields. Mining would have minimal impact because of the small area that would be disturbed and the short timeframe for disturbance.</p>
2. <u>VEGETATION</u> ; quantity, quality, species								X		X	<p>The permit area is irrigated alfalfa fields. Mining would have minimal impact because of the short duration of the project. State law requires that a mine site be reclaimed to some beneficial use, in this case restoring the land to irrigated fields.</p>
3. <u>AGRICULTURE</u> ; grazing, crop production								X		X	<p>Mining would result in a short term reduction of agricultural production. About 90 acres would be taken out of production.</p>
HUMAN ENVIRONMENT											
1. <u>SOCIAL</u> ; structures and mores											No impacts anticipated.
2. <u>CULTURAL</u> uniqueness/diversity								X	X		<p>This gravel mine would help provide road building materials for reconstruction of near-by highways</p>
3. <u>POPULATION</u> ; quantity/diversity											No impacts anticipated.
4. <u>HOUSING</u> ; quantity/distribution											No impacts anticipated.
5. <u>HUMAN HEALTH & SAFETY</u>								X		X	<p>On-the-job safety is regulated by the Mine Safety and Health Administration (MSHA). Both federal and state inspectors could visit the site at any time without previous notice. Traffic safety is regulated under both federal and state standards by the Montana Department of Transportation (MDT) with enforcement by the Highway Patrol and local police.</p>
6. <u>COMMUNITY & PERSONAL INCOME</u>											No impacts anticipated.
7. <u>EMPLOYMENT</u> ; quantity,											No impacts anticipated.

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distribution											
8. <u>TAX BASE</u> ; state/local tax, <u>LAND VALUES</u>											No impacts anticipated.
9. <u>GOVERNMENT SERVICES</u> ;											No impacts anticipated.
10. <u>INDUSTRIAL</u> , <u>COMMERCIAL</u> and <u>AGRICULTURAL</u> activities											No impacts anticipated.
11. <u>HISTORICAL</u> and <u>ARCHAEOLOGICAL</u>											An October 3, 2006 letter from the State Historic Preservation Office (SHPO) states that SHPO records show no previous recorded cultural resource sites in or around the proposed opencut operation area. A site inspection by a DEQ environmental specialist did not reveal any artifacts, signs of occupation, or other cultural resources. Surface disturbance by farming has decreased the likelihood that such resources could be found on site. If during operations resources were to be discovered, activities would be halted and temporarily moved to another area until SHPO was contacted and the importance of the site was determined.
12. <u>AESTHETICS</u>								X		X	The mine would be operated in a depression. Irrigation ditches are raised 6 to 8 feet above the fields. Mining would proceed downward a maximum of 11 feet. Topsoil and overburden would be stockpiled around the outside of all mining activity. The crusher and asphalt plants would be more than a quarter mile from the nearest homes. The closest homes belong to the landowner.
13. <u>ENVIRONMENTAL PLANS</u> and <u>GOALS</u> ; local and regional											No impacts anticipated.
14. <u>DEMANDS</u> on <u>ENVIRONMENTAL RESOURCES</u> of land, water, air and energy											No impacts anticipated.
15. <u>TRANSPORTATION</u> ; networks and traffic flows								X		X	Most traffic onto Highway 287 would occur during construction of the highway; however, at this point in time, the road construction would have established appropriate traffic control.

REGULATORY IMPACT ON PRIVATE PROPERTY: The analysis done 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 so as to constitute a taking.

PUBLIC INVOLVEMENT: Landowner, Natural Heritage Program, State Historic Preservation Office

OTHER GROUPS OR AGENCIES CONTACTED OR WHICH MAY HAVE OVERLAPPING JURISDICTION: Air Resources Management Bureau, Mining Safety and Health, MT Dept. of Transportation, Lewis & Clark County Commissioners and Weed Board.

ALTERNATIVES CONSIDERED: Denial

RECOMMENDATIONS CONCERNING PREPARATION OF AN EIS: Unnecessary, No Significant Impacts

APPROVED BY: _____ DATE: _____

Prepared by Peter Mahrt