

**ENVIRONMENTAL ASSESSMENT
JACK DAGGETT
FLATHEAD RIVER RANCH GRAVEL SITE
FLATHEAD COUNTY, MONTANA**

This Environmental Assessment (EA) is required under the Montana Environmental Policy Act (MEPA). An EA functions to identify, disclose, and analyze the impacts of a proposed action. This document may disclose impacts that have no legislatively required mitigation measures, or over which there is no regulatory authority.

The state law that regulates gravel mining operations in Montana is the Opencut Mining Act. This law and the rules adopted thereunder place operational guidance and limitations on a project during its lifetime, and provides for the reclamation of land affected by opencut mining operations.

Approval or denial of the application will be based on a determination of whether or not the proposed operation complies with the Opencut Mining Act, the Rules adopted thereunder, and local laws and regulations--not on the popularity of the project.

PROPONENT: Jack Daggett

PROJECT NAME: Opencut Gravel Mining – Flathead River Ranch Site

LOCATION: SE4 NW4 Section 5, T30N, R19W **COUNTY:** Flathead

PERSON PREPARING EA: Rod Samdahl

E.A. COMPLETED: 09/16/08
(Date)

TYPE AND PURPOSE OF ACTION:

The applicant proposes to mine, crush and haul 60,000 cubic yards of gravel from a pit located ½ mile north of Hungry Horse across the Flathead River. The material will all be used to improve the subdivision roads for the Flathead River Ranch. The site is an ancient gravel terrace deposit in the Flathead River Valley approximately 1/2 mile north of the Flathead River at approximately 3150 feet, mean sea level. The site would be mined as a gentle depression, in an area where the topsoil averages 4” to 8”, mainly forest duff. The slopes of the reclaimed area would be reduced to 3:1 or flatter and the floor would be graded fairly flat, and planted into grasses. The site would be reclaimed by December 2010.

A: Significant Unavoidable Impacts. B: Insignificant as a result of conditioned mitigation. C: Insignificant as proposed.

				POTENTIAL IMPACTS		
	A	B	C	LONG TERM	SHORT TERM	AMPLIFICATION
PHYSICAL ENVIRONMENT						
1. <u>TOPOGRAPHY</u>			X	X		Mining would permanently alter the topography, but reclamation would level and smooth the site and grasses would be planted to stabilize the soils.
2. <u>GEOLOGY</u> ; Stability						No effect on geology.
3. <u>SOILS</u> ; Quality, Distribution			X		X	Soils would be stripped, saved and replaced after mining is finished.
4. <u>WATER</u> ; Quality, Quantity; Distribution			X		X	The operation would not affect ground or surface waters including the Flathead River, over a half mile away.
5. <u>AIR</u> ; Quality			X		X	Some deterioration of air quality would occur, but episodes would be infrequent. Dust would be controlled around the site with a water truck.
6. <u>UNIQUE, ENDANGERED, FRAGILE, or LIMITED</u> environmental resources						No unique, endangered, fragile or limited species or habitats are known at this site. Species of concern identified by the Natural Heritage Program include the bull trout, lynx and the grizzly bear. The lack of flowing water on or near the site precludes trout occupancy, and no denning activities or sightings of lynx or grizzly bears are known at this site.
BIOLOGICAL ENVIRONMENT						
1. <u>TERRESTRIAL, AVIAN, and AQUATIC</u> ; species and habitats			X		X	Wildlife displaced during active mining would return following reclamation.
2. <u>VEGETATION</u> ; Quantity, quality, species			X		X	Existing forest would be replanted into grasses of a compatible type.
3. <u>AGRICULTURE</u> ; grazing, crops, production			X		X	The site has been logged of most merchantable timber, but some trees are regenerating. Forest land would be temporarily taken out of production, and would be replanted with grasses.
				POTENTIAL IMPACTS		
	A	B	C	LONG TERM	SHORT TERM	AMPLIFICATION
HUMAN ENVIRONMENT						
1. <u>SOCIAL</u> , structures and mores						No social impacts are anticipated.
2. <u>CULTURAL</u> ; Uniqueness, diversity						No unique or diversified cultural values exist.
3. <u>POPULATION</u> ; quantity and diversity						No effect on the population is anticipated.
4. <u>HOUSING</u> ; quantity and distribution						No effects are anticipated on the quantity or distribution of housing due to this gravel pit.
5. <u>HUMAN HEALTH & SAFETY</u>			X		X	Some dust and additional traffic may be generated at the site but the operator must comply with existing traffic and air quality laws.

6. <u>COMMUNITY & PERSONAL INCOME</u>			X	X	The landowner may benefit from additional revenue or value added by this operation.
7. <u>EMPLOYMENT</u> ; quantity and distribution			X	X	No additional employees would be hired to assist in daily operations.
8. <u>TAX BASE</u> ; local and state tax revenue			X	X	Additional taxes may be generated for the state and county as aggregates are hauled and used to improve adjacent land.
9. <u>GOVERNMENT SERVICES</u> ; demand			X	X	The site would be monitored through its permit life along with other sites in the area.
10. <u>INDUSTRIAL, COMMERCIAL and AGRICULTURAL</u> activities			X	X	The site would be removed from forest use, and used commercially until reclamation when it would be reclaimed to grassland.
11. <u>HISTORICAL AND ARCHAEOLOGICAL</u>					No historical, cultural or archaeological values are present.
12. <u>AESTHETICS</u>			X	X	The site sits back a half mile from the Flathead River and is not visible to the general public.
13. <u>ENVIRONMENTAL PLANS and GOALS</u> ; local and regional					This site is planned to be part of a local subdivision.
14. <u>DEMANDS on ENVIRONMENTAL RESOURCES</u> of land, water, air and energy					There are no unusual demands on environmental resources.
15. <u>TRANSPORTATION</u> ; networks and traffic flows			X	X	There would be some additional traffic added as this gravel pit accesses the county roads.

ALTERNATIVES CONSIDERED: **The Department would deny an incomplete application or one that does not comply with the Act or Rules. The proponent could then submit a modified application or submit an application for another site.**

PUBLIC INVOLVEMENT: **Agencies and individuals involved in the process included the Montana Natural Heritage Program, State Historic Preservation Office, local zoning authorities, county weed control board, and the landowner.**

OTHER GROUPS OR AGENCIES CONTACTED OR WHICH MAY HAVE OVERLAPPING JURISDICTION: **DEQ's Air Resources Management Bureau regarding air quality, MSHA and OSHA regarding mine safety.**

REGULATORY IMPACT ON THE APPLICANT'S 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.**

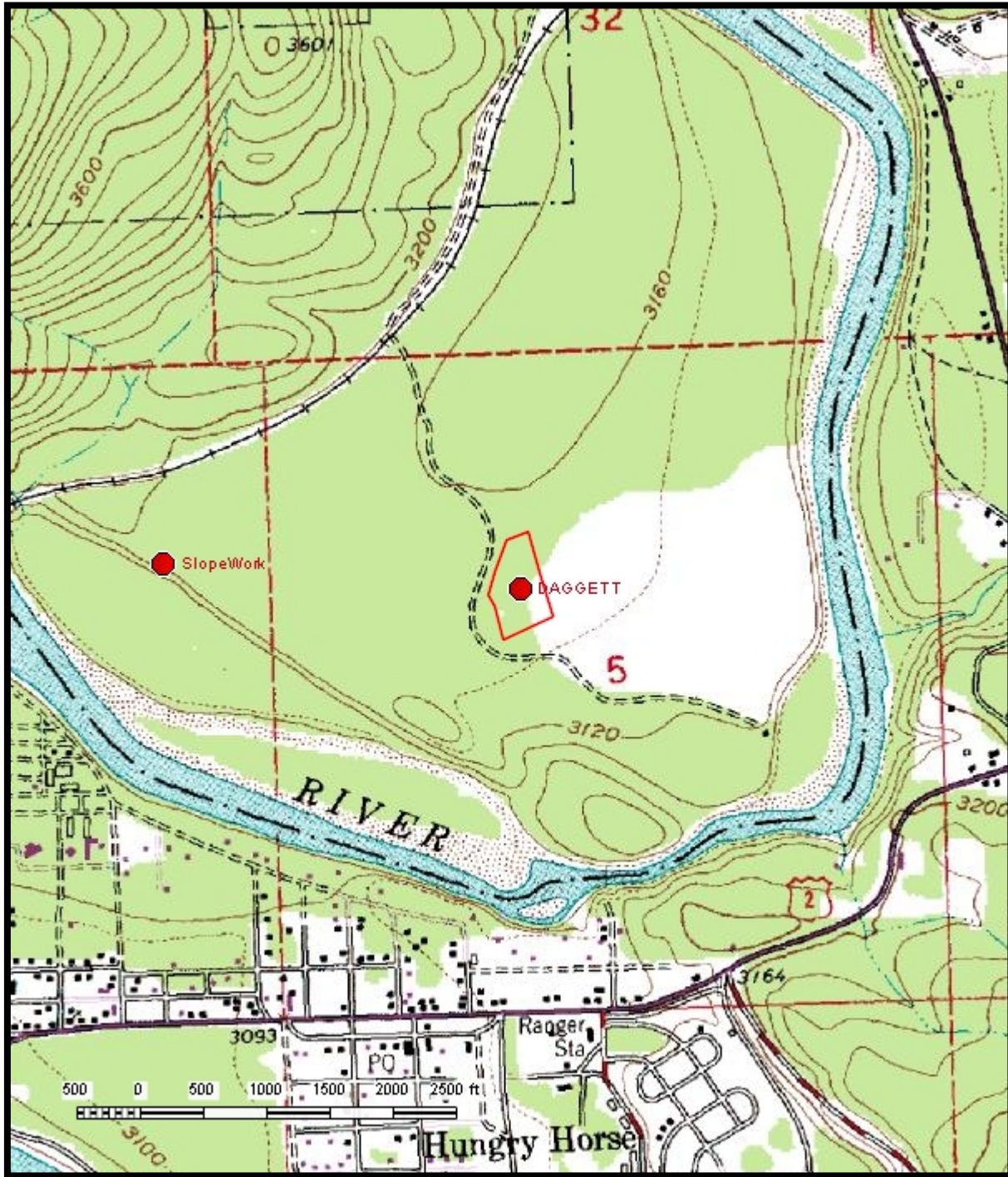
INDIVIDUALS OR GROUPS CONTRIBUTING TO THIS EA: **None**

RECOMMENDATION FOR FURTHER ENVIRONMENTAL ANALYSIS: **No further analysis is required.**

Approved By _____
(Signature)

(Date)

AREA MAP



SITE MAP



PRIVATE PROPERTY ASSESSMENT ACT (PPAA) CHECKLIST

PROPERTY DESCRIPTION: Section 5, T30N, R19W, Flathead County

COMPANY NAME: Jack Daggett, Flathead River Ranch Site

DOES THE PROPOSED AGENCY ACTION HAVE TAKINGS IMPLICATIONS UNDER THE PPAA?

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deprive the owner of all economically viable uses of the property?
	X	4. Does the action deny a fundamental attribute of ownership?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 5a and 5b and continue with question 6.)
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property?
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally? (If the answer is NO, skip questions 7a-7c)
		7a. Is the impact of government action direct, peculiar, and significant?
		7b. Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?
		7c. Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?

Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b.

If taking or damaging implications exist, the agency must comply with § 5 of the Private Property Assessment Act, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.