

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Fossum Ready Mix, Inc.

COUNTY: Valley

SITE NAME: Winderl's Gravel Pit

DATE: November 2014

LOCATION: S34, T31 N, R37 E

APPROVED PERMIT #: 1213

Type and Purpose of Action: Operator has applied for an amendment to add 113.7 acres to their 25-acre permit for the purpose of expanding the mine area. The total permitted area would be 138.7 acres.

Site Description: The 113.7-acre proposed amendment area is an addition directly adjacent and to the west of the existing permitted area. The operation will continue to mine to the west. Surface water features (two ponds and one wetland) were created under the existing opencut permit. These will remain, but no additional water features will be created. Lime Creek passes through the proposed amendment area, but would be buffered by a minimum of 50 feet on each side. There are no site characteristics of special concern, nearby residences or public use areas.

Potential Impacts and Mitigation: Use of the amendment area would not cause substantial impacts on the physical environment and human population. Proponent would be legally bound by their permit to reclaim the site to rangeland/pasture by 2045. The 1995 Environmental Assessment is applicable to this action.

The Montana State Historic Preservation Office (SHPO) was notified of the application. It reported that no have been discovered previously within the designated search locale. A pedestrian survey of the area by DEQ personnel did not reveal any artifacts or signs of occupation. No signs were evident at depth in the previously disturbed area. SHPO does not feel that a cultural resource inventory is warranted at this site at this time.

Impacts: If during operations resources were to be discovered, activities would be temporarily moved to another area or halted until SHPO was contacted and the importance of the resources was determined.

Prepared By: Bryan Allison Opencut Mining Program Environmental Specialist
Name Title

Reviewed By: Chris Cronin Opencut Mining Program Supervisor
Name Title

PRIVATE PROPERTY ASSESSMENT ACT (PPAA) CHECKLIST

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.

SITE MAP

SITE LOCATION:
S1/2 of NW1/4, and
N 1/2 of SW1/4 OF
SEC 34, T31N, R37E



AERIAL PHOTO: NADP 2013
PROPERTY OWNERSHIP (APPROX.): NRS 2013

Legend

- Map ID Marker ("P" Indicates Permit Boundary)
- Amended Permit Boundary (Proposed)
- Property Boundaries (Approximate)
- ▨ BLM Restricted Mineral Rights
- ▨ Existing Disturbance Area Needing Final Reclamation
- ▨ Mine-Level Boundary (Proposed)
- Mine-Level Phase Boundaries (Proposed)
- Phase 1 Equipment & Processing Area
- Phase 1 Mineral Stockpile
- ▨ Phase 1A (Portion of Phase 1 Scheduled for Immediate Reclamation) (25.9 Acres Mine-Level Area, 0.9 Acres Facility-Level Area)
- ▨ Extent of ground reshaping work with Phase 1A
- ▨ Subsequent Equipment & Processing Area
- ▨ Subsequent Mineral Stockpiles
- ← General Mining Progression (within each phase)
- ▨ Soil Stockpiles (Proposed)
- ▨ Soil Stockpile (Existing)
- ▨ Mineral Stockpile (Existing)
- ▨ Area of Historic Mining (not to be disturbed)
- Existing Highway
- ▨ Mine Access Approach
- Existing Landowner Access Road
- Existing Fence Line
- ▨ Seeded and Seeded Riprap (Proposed for Erosion Control)
- Ephemeral/Intermittent Stream
- Direction of Stream Flow
- ▨ Buffer (Min 50' along both sides of channel)
- SR Fence
- ▨ Waste Pile (To Be Removed)

Areas outside of mine-level boundaries will not be mined.



PROPOSED AMENDMENT ACREAGE
 MAIN PERMIT AREA: 136.7 ACRES
 MINE-LEVEL AREA: 94.2 ACRES
BONDED ACREAGE (PROPOSED)
 MINE-LEVEL AREA: 47.4 ACRES
 FACILITY-LEVEL AREA: 11.8 ACRES

EXISTING PERMIT ACREAGE
 MAIN PERMIT AREA: 23.0 ACRES
 MINE-LEVEL AREA: 20.6 ACRES

SITE NAME: WINDLER'S GRAVEL PIT
OPERATOR NAME: FOSSUM READY MIX, INC.
 VALLEY COUNTY
 EAST OF HINSDALE, MONTANA

THIS MAP HAS BEEN ADOPTED BY THE OPERATOR
 DRAFTED BY: ANDREA STANLEY
 DRAFTING DATE: 10/13/2014