

April 23, 2021

Ash Grove Cement  
Jeff Briggs  
100 Mt Hwy 518  
Clancy, MT 59634  
Sent via e-mail to: [jeff.briggs@ashgrove.com](mailto:jeff.briggs@ashgrove.com)

Mr. Briggs,

On March 5, 2021, the Department of Environmental Quality (DEQ) received an application for an amendment to exploration license #00684 (AMD3). The project, as proposed, would be located at the Clark Gulch area near Montana City, MT.

DEQ published a Draft Environmental Assessment (EA) for the project on March 24, 2021, analyzing, in detail, the possible environmental impacts of two alternatives: the No Action Alternative and the Proposed Action Alternative. Comments on the Draft EA were accepted through April 7, 2021. DEQ received one comment during the public comment period on the Draft EA, and one comment shortly after the public comment closed, which DEQ chose to respond to in the Final EA.

On April 23, 2021, DEQ issued a Final EA, responding to the two substantive comments received and modifying or adding to the EA based on those comments. The decisions contained in this decision document are based on the analysis set forth in the Final EA.

### **DEQ's Decisions**

DEQ has applied the significance criteria set forth in the Administrative Rules of Montana (ARM) 17.4.608 in determining the significance of impacts on the human environment. Applying those criteria, DEQ has determined that preparation of an EA is the appropriate level of review under the Montana Environmental Policy Act (MEPA). DEQ's application of the significance criteria is set forth in the Final EA.

DEQ has decided to approve Ash Grove's application for an amendment to exploration license #00684 (AMD3), selecting the Proposed Action Alternative as set forth in the Final EA.

Pursuant to Section 82-4-332(3), Montana Code Annotated (MCA), Ash Grove is required to file with DEQ a reclamation and revegetation bond in a form and amount as determined by DEQ in accordance with Section 82-4-338, MCA. DEQ is in the process of calculating the bond in accordance with Section 82-4-338, MCA, and is anticipating providing Ash Grove

with the required bond amount within 40 days of the date of this decision document. Ash Grove is not authorized to conduct any exploration activity, or to conduct any action in anticipation of conducting exploration activity (such as mobilization of equipment) that is subject to DEQ's approval, until Ash Grove submits the required bond to DEQ and DEQ has notified Ash Grove of its acceptance of the submitted bond.

### **Appeal of DEQ's Decisions**

Legal actions seeking review of DEQ's approval of Ash Grove's application for an amendment to exploration license #00684 (AMD3) must be filed within 90 days after the date of this decision under Section 82-4-349(1), MCA. Any action or proceeding alleging a failure by DEQ to comply with MEPA, or inadequate compliance with a MEPA requirement, must be brought within 60 days after issuance of this decision pursuant to Section 75-1-201(5)(a)(ii), MCA.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jake Mohrmann', with a stylized flourish at the end.

Jacob Mohrmann, P.G.  
Small Miner and Exploration Program  
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[jake.mohrmann@mt.gov](mailto:jake.mohrmann@mt.gov)