



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor
Richard H. Opper, Director

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February 2, 2011

Dear Reader:

Tom Gauger (Gauger) located at 5440 River Road, Laurel, MT 59044 applied for an operating permit to the Department of Environmental Quality (DEQ) on April 3, 2008 for quarrying sandstone, bentonite, and gravel on private property, encompassing 76.3 acres. The proposed site is about 4 miles east of Laurel, MT in Section 9, Township 2 South, Range 25 East. The sandstone would be used for retaining walls, flagstone, and other landscaping and masonry purposes. Any bentonite encountered would be removed and stockpiled for potential future sale. A gravel deposit on the property would be used for road surfacing on the site. The quarry would be excavated using heavy equipment such as excavators and haul trucks. No blasting is required. The excavated areas would be sloped and contoured to blend in with the surrounding areas. The current and postmining land uses would be for grazing and use as a home site.

The DEQ issued a Draft Checklist Environmental Analysis (CEA) on December 28, 2010 evaluating the potential impacts from the quarrying operation and asking for comments on the proposed operation. The Draft CEA addressed issues and concerns raised during public involvement and from agency scoping. Two comment emails were received on the Draft CEA.

The issues raised included: 1) seasonal work hours due to noise and proximity to neighbors, 2) presence of bald eagles near the Yellowstone River, 3) Zoning, and 4) aesthetics.

Issue 1: Work hours are addressed under Aesthetics in the Draft CEA. As noted, the mine would operate during daylight hours, normally operating from 8 AM to 5 PM during the months of March through November.

Issue 2: The presence of bald eagles was addressed under Unique, Endangered, Fragile or Limited Environmental Resources in the Draft CEA. A search of the NRIS data base indicated that bald eagles were last observed in 2005. A review by the Montana Fish, Wildlife and Parks indicated that they had no specific comments on the Draft CEA, including regarding wildlife issues. Since a similar type of mining activity has been ongoing at the site for a number of years as is being proposed, the continuation of these activities should not have any additional impacts.

Issue 3: The site is located in an area that has zoning restrictions. The Draft CEA was sent to the City-County Planning Department of Yellowstone County. The permit will have a stipulation that the permittee must abide by zoning requirements.

Issue 4: Aesthetics are addressed in the Draft CEA under Aesthetics. Rock removed from the site would be sold. As noted in the Draft CEA the quarry is in a rural area. Quarrying would reduce the height of a ridge top on the western side of the proposed permit boundary by about 20 feet, and may be visible from the frontage road, houses located in the area, and from the Yellowstone River. This is an unavoidable impact of mining.

The Draft CEA noted two stipulations that would be applied to the operating permit. They are:

mining must cease in areas where groundwater is encountered, and soil stockpiles must be seeded immediately after each soil stripping campaign before the soil becomes crusted and weeds can germinate.

The comments received have not changed the conclusions in the Draft CEA. DEQ has decided to adopt the Draft CEA as the Final EA and has selected the Agency Modifications to the Proposed Action Alternative.

The operating permit will be issued contingent on Tom Gauger posting the required reclamation bond and signature by the Director of DEQ.

A stipulation to the permit is that the permittee must abide by zoning restrictions.

Information on the Tom Gauger operating permit application can be obtained by writing or calling the Montana Department of Environmental Quality, c/o Herb Rolfes, P. O. Box 200901, Helena, MT 59620, telephone (406) 444-3841; e-mail address hrolfes@mt.gov.

Warren D. McCullough
Warren D. McCullough, Chief
Environmental Management Bureau

2/3/11

Date