

Decision Memo
Lost Horse Quarry Mineral Material Proposal 2008
Bitterroot National Forest, Darby Ranger District
Ravalli County, Montana

Background and Proposed Action:

The Bitterroot National Forest proposes to authorize removal of mineral material from the Lost Horse Quarry by Ravalli County. Ravalli County has requested authorization to remove approximately 1,000 cubic yards of mineral material from the Lost Horse Quarry in 2008. The site is an existing quarry in T4N, R21W, W1/2 section 18, Ravalli County, Montana, on the Darby Ranger District, Bitterroot National Forest. Access to the site is by Forest Service Road 429 (Lost Horse Road) and Forest Service Road 62969. Loose mineral material would be gathered and if size dictates, run through a screen on site. The maximum area of operations would be approximately two acres in size, in areas that have previously been disturbed.

Purpose and Need

Ravalli County has requested, in a letter dated April 29, 2008, 1,000 cubic yards of material from the Lost Horse Quarry to use as a source of mineral material for several scheduled County Highway improvement projects, restricted to the 2008 calendar year. This request is a revised request of the original proposal described in "Lost Horse Mine Plan of Operations and Reclamation Plan, April 2007".

Decision

I have decided to authorize a free use mineral materials contract to Ravalli County for the removal of approximately 1,000 cubic yards of mineral material, generally size class 3-6 (5" to 34"), from the Lost Horse Quarry. The mineral material contract will end on October 15. The removal of the mineral material by the Ravalli County would be subject to terms and conditions specified in this decision memo, which will become part of the operating plan. This action has been analyzed under a categorical exclusion, which is discussed below.

Terms and Conditions

My decision incorporates the following stipulations, terms and conditions:



Terms and conditions to be included in the Operation Plan**Ravalli County Responsibility****Prior to operation commencing**

A quarry operating plan, including a reclamation plan, revised to reflect this decision, must be submitted to the Forest Engineer, Noxious Weed Specialist and Geologist for review and technical approval prior to removal of mineral material. According to C.F.R. 228.56 the operating plan will include a map and explanation of access, anticipated activity, surface disturbance and intended reclamation.

- Notify the Darby District Ranger, Chuck Oliver 10 days prior to removal of material.
- Ensure that noxious weed species have been treated with herbicide by the Forest Service, prior to removing mineral material from the quarry.
- Areas where mineral material is obtained will be free of weeds prior to removal.
- Remove all mud, dirt, and plant parts from all off-road equipment, i.e., excavator/loader, before moving into project area. Cleaning must occur off National Forest lands. This can be done at a commercial carwash or with power washing equipment. (This does not apply to service vehicles that will stay on the roadway, traveling frequently in and out of the project area.) (See FSM 2080).
- Other weed mitigation measures that the County or Forest Service weed specialist recommend will be implemented and included in the project file.

During operations

- Retain all vegetation (shrubs, grass and trees) between the road and the quarry to maximize screening.
- Operations will be permitted upon written approval from the Forest Service. Operations will be allowed on the Lost Horse road only during the period from May 1 to October 15, 2008 to prevent damage to the road surface.
- Operations will be permitted only Monday through Friday, 8 AM to 4 PM, to reduce conflicts with recreational use near the quarry.
- During hauling operations, warning signs will be required at junction of quarry access road and Forest Service Road 429 and at the start of the Lost Horse road (end of County Road) where the native surfacing begins.
- Use of water as dust abatement during hauling on Forest Service Road 429 will be required if dust is a problem.

- The County will be required to grade Forest Service Road 429 after hauling is completed.

Quarry area of activity will be closed to the public during digging, sorting and loading of mineral material. During operations the public can still access climbing sites by using trails on the east and west side of the quarry.

After Operations

- Disturbed slopes will be graded to a stable angle of repose.

The County will provide written documentation to the Forest Service listing the volume (in cubic yards and short tons) of mineral material removed from the site. This information will be submitted to both the Darby District Ranger and the Forest Geologist on or before September 30, 2008, in order to meet fiscal year reporting deadline and additionally within 20 days after final production.

Forest Service Responsibility

- Notify public in advance of the temporary closure of the quarry area.
- Forest Service representative will inspect and monitor mineral material removal operations.
- Weeds will be re-treated as required throughout the life of the quarry operation to ensure noxious weed spread is minimized.

Reasons for categorically excluding the decision

The proposed action can be categorically excluded from documentation in an EA or EIS because it fits category 31.2, 3: "Approval, modification, or continuation of minor special uses of National Forest lands that require less than five contiguous acres of land" described in Forest Service Handbook 1909.15-2007-1, February 15, 2007, and no extraordinary circumstances exist (see Appendix A). Lost Horse Quarry is an existing quarry. The area disturbed will be less than five acres.

The proposed use of mineral material for 2008 projects will allow the County to maintain highways and repair bridges. The mineral material product would be provided free to the County, authorized by a mineral material contract. This project will continue the working partnership between Ravalli County and the Forest Service.

Based on the ground review and discussions with Forest resource specialists, I have determined that, as described in FSH 1909.15,30.3,2, no resource conditions are present that lead to a finding of extraordinary circumstances that might cause the action to have significant effects (see Appendix A). I have examined past, present, and reasonably foreseeable actions and have considered the potential for cumulative effects. I have concluded that without notable individual effects from the proposed action, there would be no significant cumulative effects. Appendix A of this decision memo and the project

file support this conclusion. Based on these findings, I believe that the effects on the quality of the human environment are not individually or cumulatively significant; therefore, the action is categorically excluded from documentation in an environmental impact statement or an environmental assessment.

There are no known threatened or endangered species on the site and there are no streams or surface water in the quarry. All impacts can be mitigated using the term and conditions enumerated above .

Scoping

Based on public comments during scoping and the internal analysis and reports, there are no extraordinary circumstances identified that would prevent this project from going forward under the designation of a categorical exclusion.

Scoping letters were sent to 9 individuals or organizations on June 5, 2007, regarding the original proposal from Ravalli County Road Department for mineral material to be removed from the quarry. A news release was issued June 5, 2007, and newspaper articles were in two local papers. Responses were received from over 150 sources. Subsequent to the revised 2008 proposal from Ravalli County Road Department, a site visit to the Lost Horse Quarry with interested parties took place on May 27, 2008. A news release was sent out June 5, 2008 regarding the 2008 revised request from Ravalli County and several newspaper articles were in two local papers. An additional comment period on the revised proposal was held from June 5 to June 12, 2008. Twenty-four comments were received regarding the 2008 revised proposal.

Comments included concerns about effects of increased traffic and noise, effects of mineral material removal on climbing and also support for the project. These comments were considered in making the decision.

The project has been listed on the Bitterroot National Forest schedule of proposed actions since July 1, 2007.

A summary of concerns identified in scoping in 2007 and 2008 and their disposition is in the following table:

Concerns	Disposition
Safety on Lost Horse Road 429 and traffic pulling out on Highway 93	Signage will be required at junction of Forest Service Road 429 and the quarry access road, and at the start of the Lost Horse Road (end of County Road) where the native surfacing begins. Forest Service does not have jurisdiction over County Road at Highway 93.
Effect of mineral material hauling trucks on road surface	County is currently resurfacing portion of Lost Horse County Road. Forest Service Road 429 is under a schedule A maintenance agreement with the County.
Effects of traffic and operation on neighborhood Noise Management Dust	Use of water as a dust abatement during hauling will be required if dust is a problem. Speed is posted at 20 mph.

Concerns	Disposition
<p>User conflicts, between recreationists and quarry activities: Climbers request to not remove loose material under gully</p> <p>Requested a no shooting sign to be posted</p> <p>Advance closure notification</p> <p>Access to climbing</p> <p>Parking area on road if quarry closed during operation period_</p>	<p>The talus mineral material lies up against the solid rock face. The bedrock will not be affected by the removal of loose mineral material below. The talus headwall will continue to naturally move downhill. Some mineral material may be removed by the County in the area at the base of the gully.</p> <p>Will not be posted. Typically the Bitterroot National Forest does not issue a Forest closure order on shooting for dispersed sites such as this area.</p> <p>Advance public notification will be done for closures.</p> <p>During quarry operations climbers may walk around the area where equipment is working. Following quarry operations access will be retained through the bottom of the talus slope</p> <p>No parking will be allowed on roadway due to safety concern. There is plenty of room to park across the Lost Horse Road at the dispersed site by Lost Horse Creek diversion dam</p>
<p>Scenery Management – Visual quality objective is retention</p>	<p>Retain all vegetation (shrubs, grass and trees) between the road and the quarry to maximize screening.</p> <p>The proposed activity will not impact the existing visual quality of the area.</p>
<p>Reclamation</p>	<p>Soils mitigation: After quarry operations in 2008, any slopes that are disturbed will be left in a stable angle of repose</p> <p>Noxious weeds management: St. Johns Wort, Cinquefoil and Knapweed are present. Weeds will be treated with herbicide by the Forest Service.</p>

Findings Required by Other Laws and Regulations:

My decision complies with all applicable laws and regulations. I have summarized pertinent ones below.

Federal Land Policy and Management Act - This Act allows the granting of easements across National Forest System Lands. The regulations at 36 CFR 251 guide the issuance of permits, leases, and easements under this Act. Permits, leases, and easements are granted across National Forest System lands when the need for such is consistent with planned uses and Forest Service policy and regulations. This decision is consistent with this Act.

Consistency with Forest Plan: This project is consistent with applicable land and resource management plans as required by the National Forest Management Act (FSM 1922.41 and FSH 1909.12). The Bitterroot Forest Plan (1987) includes a Forest-wide Management Goal to provide for the development of mineral and energy resources (page II-3). A Forest-wide Management Objective is to provide reasonable access for the exploration and development of mineral resources (Bitterroot Forest Plan page II-6.) Applicable Forest –wide Standards include:

Case by case surface management restrictions will be developed for locatable, leasable and common variety minerals.

Identify common variety mineral sites that are suitable for construction aggregate and compatible with management area goals and standards.

This project meets applicable Bitterroot Forest Plan standards and guidelines for Management Area 3c. One of the goals for Management Area 3c is to limit road density as necessary to meet visual objectives, but provide access, as needed, for mineral exploration. There are no applicable mineral standards for this project listed for management Area 3c. The visual quality standard is retention. This project has been reviewed by a landscape architect (see Project File). The proposed activity will not impact the existing visual quality of the area.

Mineral Materials Act of 1947 (30 U.S.C. 601-604) provides the authority for disposal of mineral materials on public lands. This is further defined in 36 C.F.R. 228.43 (a) which states “Forest Service policy is to make mineral materials on National Forest lands available to the public and to local, State and Federal government agencies where reasonable protection of, or mitigation of effects on, other resources is assured, and where removal is not prohibited.”

The Endangered Species Act of 1976 (as amended): An interdisciplinary review of the proposed action found no adverse impacts to threatened or endangered species.

The National Historic Preservation Act: The project is in compliance with the National Historic Preservation Act of 1966 (NHPA) (amended 1976, 1980, and 1992). The Montana State Historic Preservation Office has concurred with the determination of no properties affected with this project.

American Indian Rights: Consultation with the Confederated Salish and Kootenai Tribes identified no tribal cultural concerns.

The Clean Water Act and the Montana Streamside Management Act: No Water Quality Limited Segments have been identified in the project area. The project Hydrologist has determined that this project complies with the Clean Water Act and State water quality laws (see Project File).

Environmental Justice: I have assessed the action to determine whether it would disproportionately impact minority or low-income populations, in accordance with Executive Order 12898. No adverse impacts to minority or low-income populations were identified during scoping or effects analysis, or are anticipated.

I have determined that this action is consistent with all other laws, policy and direction governing the management of National Forests.

Extraordinary Circumstances:

I have reviewed the following resource conditions to be considered in determining whether extraordinary circumstances warrant further analysis (FSH1909.15, 30.3, 2):

1. Threatened, endangered or sensitive species or their habitat. No potentially significant impacts were found (Appendix A). A biological evaluation for sensitive plants was prepared and is in the project file. A biological evaluation and biological assessment for wildlife was prepared and is in the project file.
2. Floodplains, wetlands, or municipal watersheds. Actions will not occur on wetlands, floodplains or municipal watersheds.
3. No actions will occur within Congressionally designated areas, such as wilderness. No actions will occur within inventoried roadless areas.
4. No actions will occur within research natural areas.
5. An archeologist has reviewed the affected area for American Indian religious or cultural sites, archeological sites and historical properties or areas. No impacts to significant heritage values will occur from the proposed action (see Project File).

Based on my review, I found no conditions that would potentially have effects that may significantly affect the environment.

Implementation Date, Appeals and Contact:

Project implementation could begin immediately following signature. This decision is not subject to administrative review or appeal.

The Responsible Official is Chuck Oliver, Darby District Ranger, Bitterroot National Forest. Contact Phone number: (406) 821-4244.

For additional information about this project, contact Elizabeth Ballard at Stevensville Ranger District at (406) 777-7421.

/s/ Charles T. Oliver

CHARLES T. OLIVER
District Ranger

07/15/2008

Date

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Appendix A – Evaluation of Extraordinary Circumstances

Resource conditions that should be considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or an EIS are listed in the following table. The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist (FSH 1909.15, 30.3 (2)).

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
Federally listed threatened or endangered species or designated critical habitat,			
	Bull trout	Habitat: N Individuals: N	NE- Bull trout are present in Lost Horse Creek, but there is no riparian or stream habitat at Lost Horse Quarry
Federal Candidate species,	Yellow-billed cuckoo(western population)	Habitat: N Individuals: N	NE - No riparian forests with cottonwood and willow
or Forest Service sensitive species;	Western toad	Habitat: Poor Individuals: Possible	MIIH - No breeding ponds in project area, but entire area is marginal foraging habitat. Negligible habitat impacts. Low potential for minor, temporary disturbance effects, very low potential for mortality caused by rock moving equipment or vehicles.
	Black-backed woodpecker	Habitat: N Individuals: N	NI- No recently burned forest in project area
	Coeur d'Alene salamander	Habitat: N Individuals: N	NI - No waterfalls or seeps in fractured bedrock in project area.
	Fisher	Habitat: N Individuals: N	NI - No mesic mature or old growth forest in project area.
	Flammulated owl	Habitat: N Individuals: N	NI - No mature or old growth ponderosa pine forest in project area.



Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
	Northern bog lemming	Habitat: N Individuals: N	NI - No sphagnum bogs or riparian areas in project area.
	Northern leopard frog	Habitat: N Individuals: N	NI - No unforested ponds in project area. Species exterpedated from Bitterroot drainage.
	American peregrine falcon	Habitat: Y Individuals: Y	MIIH - Cliffs above and to west of quarry are marginally suitable for nesting, but falcons in Lost Horse known to use another site further up the canyon. Cliffs are suitable for peregrine foraging, and quarry operations could create minor, temporary disturbance effects. No effects to nesting or foraging habitat.
	Townsend's big-eared bat	Habitat: N Individuals: N	NI - No caves or mines suitable for nursery or maternity roosts.
	Wolverine	Habitat: Poor Individuals: Unlikely	MIIH - No suitable denning habitat in area. No habitat impacts. Low potential for temporary, minor disturbance effects to transient wolverines foraging in or near project area.
	Westslope cutthroat trout	Habitat: N Individuals: N	NI- Westslope cutthroat trout are present in Lost Horse Creek, but there is no riparian or stream habitat at Lost Horse Quarry
	Spring/summer Chinook salmon	Habitat: N Individuals: N	NI
	Pacific lamprey	Habitat: N Individuals: N	NI
	<i>Ageratina occidentale</i> (western boneset)	Habitat: Y Individuals: N	NI - No western boneset was found but suitable habitat exists within the quarry
	<i>Allium acuminatum</i> (tapertip onion)	Habitat: N Individuals: N	NI
	<i>Allium parvum</i> (dwarf onion)	Habitat: N Individuals: N	NI
	<i>Arabis fecunda</i> (Sapphire mineral materialcress)	Habitat: N Individuals: N	NI
	<i>Athysanus pusillus</i> (sandweed)	Habitat: Y Individuals: Y	NI- Sandweed plants are located in upper canyon areas and will be avoided during this project
	<i>Carex paupercula</i> (poor sedge)	Habitat: N Individuals: N	NI

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
	<i>Castilleja covilleana</i> (Mineral materialy Mtn. paintbrush)	Habitat: N Individuals: N	NI
	<i>Cypripedium parviflorum</i> (yellow lady's-slipper)	Habitat: N Individuals: N	NI
	<i>Douglasia idahoensis</i> (Idaho douglasia)	Habitat: N Individuals: N	NI
	<i>Drosera anglica</i> (English sundew)	Habitat: N Individuals: N	NI
	<i>Dryopteris cristata</i> (crested shield fern)	Habitat: N Individuals: N	NI
	<i>Epipactis gigantea</i> (giant helleborine)	Habitat: N Individuals: N	NI
	<i>Erigeron asperugineus</i> (rough fleabane)	Habitat: N Individuals: N	NI
	<i>Erigeron evermannii</i> (Evermann's fleabane)	Habitat: N Individuals: N	NI
	<i>Glossopetalon nevadense</i> (green- bush)	Habitat: N Individuals: N	NI
	<i>Halimolobos perplexa</i> (puzzling halimolobos)	Habitat: N Individuals: N	NI
	<i>Haplopappus aberrans</i> (Idaho goldenweed)	Habitat: N Individuals: N	NI
	<i>Haplopappus macronema</i> (discoïd goldenweed)	Habitat: N Individuals: N	NI
	<i>Heterocodon rariflorum</i> (western pearl-flower)	Habitat: N Individuals: N	NI

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
	<i>Idaho scapigera</i> (scalepod)	Habitat: Y Individuals: Y	NI- Scalepod plants are located in upper canyon areas and will be avoided during this project
	<i>Lesquerella humilis</i> (Bitterroot bladderpod)	Habitat: N Individuals: N	NI
	<i>Meesia triquetra</i> (3-angled threadmoss)	Habitat: N Individuals: N	NI
	<i>Mimulus nanus</i> (Dwarf purple monkeyflower)	Habitat: N Individuals: N	NI
	<i>Mimulus primuloides</i> (primrose monkeyflower)	Habitat: N Individuals: N	NI
	<i>Nodobryoria subdivergens</i> (old man's beard)	Habitat: N Individuals: N	NI
	<i>Orogenia fusiformis</i> (turkey-peas)	Habitat: N Individuals: N	NI
	<i>Penstemon lemhiensis</i> (Lemhi penstemon)	Habitat: N Individuals: N	NI
	<i>Penstemon payettensis</i> (Payette penstemon)	Habitat: N Individuals: N	NI
	<i>Saxifraga tempestiva</i> (storm saxifrage)	Habitat: N Individuals: N	NI
	<i>Scheuchzeria palustris</i> (pod grass)	Habitat: N Individuals: N	NI
	<i>Trifolium eriocephalum</i> (wooly-head clover)	Habitat: N Individuals: N	NI
	<i>Trifolium gymnocarpon</i> (hollyleaf clover)	Habitat: N Individuals: N	NI

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
	<i>Veratrum californicum</i> (California false hellebore)	Habitat: N Individuals: N	NI
Flood plains, wetlands, or municipal watersheds.	Flood plains	N	NE
	Wetlands	N	NE
	Municipal watersheds	N	NE
Congressionally designated areas,	Middle Fork Clearwater Wild and Recreation River corridor	N	NE
	Salmon Wild River corridor	N	NE
	Hell's Half Acre Rd. (FP pg III-73)	N	NE
	Nez Perce Trail Road separating SB and FCRONR wildernesses (FP pg III-73)	N	NE
	Selway River Rd, Magruder Crossing to Paradise (FP pg III-73)	N	NE
	Continental Divide National Scenic Trail (P.L.95-625 & MA 11c)	N	NE
	Nez Perce National Historic Trail (P.L.99-445 & MA 11c)	N	NE
such as wilderness,	Selway-Bitterroot	N	NE
	FCRONR	N	NE
	Anaconda Pintler	N	NE

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
wilderness study areas,	Sapphire	N	NE
	Blue Joint	N	NE
or national recreation areas.	NA	NA	NA for Bitterroot National Forest
Inventoried roadless areas	Allan Mtn IRA	N	NE
	Blue Joint IRA	N	NE
	Lolo Cr. IRA	N	NE
	Needle Cr. IRA	N	NE
	North Big Hole IRA	N	NE
	Sapphire IRA	N	NE
	Selway-Bitterroot IRA	N	NE
	Sleeping Child IRA	N	NE
	Stony Mtn. IRA	N	NE
	Swift Cr. IRA	N	NE
	Tolan Cr. IRA	N	NE
Research natural areas (also see FP MA 9 discussions)	Bass Creek RNA	N	NE
	Bitterroot River RNA	N	NE
	Sawmill Creek RNA	N	NE
	Upper Lost Horse Canyon RNA	N	NE
	Bitterroot Mtn. Snow Avalanche RNA	N	NE
	Sapphire Divide RNA	N	NE
	Lower Lost Horse Canyon RNA	N	NE
	East Fork Bitterroot RNA	N	NE
	Boulder Creek RNA	N	NE
	Salmon Mountain RNA	N	NE

Resource Condition	Potential BNF Component	Component Present?	Degree of the potential effect
American Indians and Alaska Native religious or cultural sites		N	NE
Archaeological sites, or historic properties or areas		N	NE

Key to Effects Determination	
NE – No Effect	NI – No Impact
NLAA – May Affect, Not Likely to Adversely Affect	MIH - May Impact Individuals or Their Habitat, But Will Not Likely Contribute To A Trend Towards Federal Listing or Loss of Population Viability
LAA - May affect, Likely to Adversely Affect	WIFV – Will Impact Individuals or Their Habitat That May Contribute To A Trend Towards Federal Listing or Cause A Loss of Population Viability

There will be no impact to “Old Growth”, or American Marten. Rocky Mountain Elk habitat is poor, and only a remote chance of minor temporary disturbance effects. Pileated Woodpecker habitat is poor, a few snags and down logs may support foraging. There is a low potential for minor temporary disturbance to Pileated Woodpeckers during project implementation.

This project will not affect habitat quality for most wildlife species. Disturbance impacts would be minor and temporary. The general area around the quarry is already disturbed by regular recreational use.