



February 1, 2007

Times - Clarion

**RE: Draft Checklist Environmental Assessment Released for an Amendment to Bozeman Brick, Block and Tile's Operating Permit 00166 for a New Rock Collecting Site in Wheatland County**

Dear Editor:

Please place the following notice in the legal publication section of your newspaper:

Legal Notice

**Draft Checklist Environmental Assessment Released for an Amendment to Bozeman Brick, Block and Tile's Operating Permit 00166 for a New Rock Collecting Site in Wheatland County**

Notice of Application for an Amendment to Bozeman Brick, Block and Tile's Operating Permit 00166 (pursuant to the Metal Mine Reclamation Act, Section 82-4-353 (1), MCA).

Bozeman Brick, Block and Tile dba Bozeman Construction Company located at 1110 North Rouse, Bozeman, MT. 59715 filed an application on December 19, 2006 for an amendment to Operating Permit 00166 from the Montana Department of Environmental Quality (DEQ), Environmental Management Bureau in Helena. Bozeman Brick, Block and Tile will use hand tools, skidders, and an excavator to pick up sandstone rock and boulders for landscaping and masonry purposes. The operation would be on private land in portions of Section 3 and 4, Township 6 North, Range 15 East, about 9 miles south of Harlowton, MT in Wheatland County.

The proposed operation has been reviewed for compliance under a Supplemental Programmatic Environmental Assessment (SPEA) for a General Quarry Operating Permit published by the DEQ in February 2004. DEQ determined that the operation didn't meet the requirements listed in the SPEA due to the proposed size of the amendment area.

Currently, Bozeman Brick, Block and Tile is applying for a 100 acre amendment to their permit of which only two acres will be disturbed at any one time. Currently, the approved operating permit consists of approximately 443 acres, of which up to approximately 222 acres may be disturbed. The operating plan calls for the reclamation of all surface disturbances. Approval of the amendment may occur once the application is complete, an environmental analysis is performed,

and the reclamation bond has been posted to ensure reclamation after completion of the rock collecting activities. If Bozeman Brick, Block and Tile develops additional lease agreements on other sites in the future, they would have to apply for an amendment or revision to the operating permit.

The Draft CEA addresses issues and concerns raised during public involvement and from agency scoping. DEQ must decide whether to approve the operating permit as proposed, deny the request for an operating permit, or approve the operating permit with modifications. DEQ has decided to approve the permit as proposed as the preliminary preferred alternative. This is not a final decision. This conclusion may change based on comments received from the public on the Draft CEA, new information, or new analysis that may be needed in preparing the Final CEA.

Copies of the application can be reviewed by the public at DEQ offices at 1520 E. 6<sup>th</sup> Ave., in Helena, MT. Please submit comments or questions on the proposal by February 23, 2007. For information on the project and to submit comments on the proposal, contact:

Herb Rolfes  
Operating Permit Section Supervisor  
Environmental Management Bureau  
Department of Environmental Quality  
P.O. Box 200901  
Helena, MT 59620-0901  
(406) 444-3841 or e-mail at [hrolfes@mt.gov](mailto:hrolfes@mt.gov)

To expedite payment, please send your invoice, original tear sheet, and affidavit of publication to DEQ at the address above to the attention of Sue Fairchild. Please indicate that the bill applies to **EMB 5037 096**. Thank you.

Sincerely,

Herb Rolfes  
Hard Rock Section Supervisor  
Hard Rock Operating Permit Section  
Environmental Management Bureau  
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