Arlee gravel mine permit delayed, again

A proposed open-pit mine, or gravel pit, in the Jocko Valley, near Arlee, has been delayed once again due to insufficient information and the contractor’s application to the Department of Environmental Quality (DEQ) as the department explained in a delaying letter from Nov. 3, 2022.

The proposed open pit mine could occupy 157 acres, and has been controversial, as the permitting process for open pit mines changed in essentially the approval of the pit by the passage of House Bill 599-4 in 2021, according to longtime Knoetgen, a former DEQ administrator of the Jurassic.

Recently, new letters of opposition in the open pit mine have been sent to the DEQ from the Ewam Garden of One Thousand Buddhas and the non-profit group Friends of the Jocko.

If approved, the operation would take place off of White Coyote Road near the Garden of One Thousand Buddhas. The open-pit mine would be accompanied by an asphalt plant and Riverside Contracting contracting with the mine operator in the spring of 2023. Initially the contractor did not receive enough feedback to initiate a public hearing, which would have been residents’ first chance to voice opposition to the operation. Some claim HB 599 makes the hearing process harder to initiate.

Among other concerns, residents claim they see an estimated 20,000-30,000 gravel trucks in over 20 years, and noise and air pollution, which residents believe may lead to diminished property values. Proponents of the operation claim a local source of gravel is needed, and that the operation may stimulate the local economy.

Last April, Riverside Contracting, Inc., applied for a permit to remove up to one million cubic yards of material, accompanied by an asphalt plant operating for up to 20 years, with the area eventually being reclaimed.

The initial application was found to be deficient by the Montana Department of Environmental Quality (DEQ), in part due to landscape features such as Pellew Creek were missing from the application. The company filed an amended application on Sept. 21. The DEQ then responded with a second letter of deficiency on Nov. 2.

Some of the deficiencies that the DEQ noted in Riverside’s latest application could be attributed to forgetting to check boxes on the application, Knoetgen said.

The DEQ in their letter of deficiency that public comment found to be an issue, noisy, dust, sand/dirt (water) and noise has been observed in the area, but was not included in the application’s materials.

The DEQ also noted that Riverside did not properly address irrigation ditches and associated erosion along the perimeter of the proposed open pit mine.

“If I have one important thing that they failed to address in the comments that are related to the irrigation that are up there,” Knoetgen said, “that the irrigation ditch system operated by the Confederated Salish-Kootenai Tribes (CSKT) water compact. Part of the water rights settlement included substantial improvements to the Flathead Indian Irrigation Project.”

“The water compact is the process of the major upgrades of the Arlee valley, and our particular corner is one of the first phases of those upgrade,” she said.

Knoetgen added that he was not aware of the easements in place on the property. Ferguson and Cupp, LLC, a law firm hired by Friends of the Jocko stated that irrigation ditches are operated by the Flathead Indian Irrigation Project, in a letter to the DEQ.

The DEQ wrote a letter to the DEQ in September asking that the DEQ initiate further stages of environmental review that aren’t currently in the DEQ. The DEQ is following the Montana Environmental Policy Act’s (MEPA) guidelines, which state that an environmental assessment must be conducted, but some call for further stages of review to be triggered.

“We are hoping is, that when these minor deficiencies are settled, that the state will decide to undergo a MEPA analysis which will be a much more in-depth analysis of the site,” Knoetgen added.

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“Such events, which are certain to occur in the future, have the potential of impacting the area, the safety of the operation, and the daily norm at the proposed gravel mine to the Jocko River,” Ferguson and Cupp stated.

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