

Knife River Corporation – Mountain West
Southern Idaho Division
5450 West Gowen Road
Boise, ID 83709

October 27, 2020

Doug Hardesty
Air Permit Program Lead
Air Permits & Toxics Branch, Air & Radiation Division
Region 10, U.S. EPA
950 W Bannock St, Suite 900
Boise, Idaho 83702

RE: Air Quality Permit Application, Appendix A – Threatened or Endangered Species Requirements

Mr. Hardesty,

Knife River Corporation – Mountain West respectfully submits this letter to and accompanying correspondence from NOAA, Idaho Department of Fish and Game, and the Nez Perce Tribe to satisfy Appendix A of the EPA air quality permit for Threatened or Endangers Species Requirements.

To prepare the ESA for this project, Knife River generated a species list on the U.S. Fish and Wildlife's Information for Planning and Consultation (IPaC) website. The letter generated by the website identified a total of 1 threatened, endangered, or candidate species: Spalding's Catchfly (threatened). In addition, the Golden Eagle (Breeds Dec 1 – Aug 31) was listed as a bird of concern. A copy of the letter generated by the IPaC website is included with this application.

No impacts on threatened, endangered, or candidate species is anticipated since the site for the Asphalt Plant operation has been previously disturbed. Therefore, the applicant will not reduce critical habitat for these species. In addition, the impacts from airborne dust will be minimal since the asphalt plant operation is temporary. Water controls will be used when the plant is in operation and the plant will be operated in accordance with NSPS, OOO and the air quality permit. Water and/or chemical controls will be used to control fugitive emissions of dust on the pit floor and stockpiles. In addition, the plant utilizes a Gencor APM 810 baghouse with 99.8% collection efficiency to control emissions from the asphalt drum dryer. A modeling analysis has been provided (Statement of Basis) that shows the plant's potential to emit as a minor source of air quality emissions.

Recently, Knife River requested an air quality permit for a crushing application for this location. As part of that permitting effort, the IPaC letter and associated maps were sent to the US Fish and Wildlife. Knife River received a reply from Zach Swearingen, Environmental Staff Biologist, Idaho Department of Fish and Game - Clearwater Region. Mr. Swearingen stated there were "no concerns from Idaho Fish and Game on this action." Please see the included email correspondence. In addition, Knife River also contacted NOAA concerning the crushing project and air quality permit application. In the included email response, Bob Ries (NOAA Fisheries West Coast Region, Interior Columbia Basin Area Office, U.S. Department of Commerce) had the following comments:

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“The coordinates you sent in your email indicate that the gravel pit is located in the headwaters of Rock Creek, Hydrologic Unit 170603061202. Snake River Basin steelhead occupy lower portions of Rock Creek. The upstream extent of critical habitat for Snake River Basin steelhead is approximately 2.5 miles downstream from the gravel pit. Ephemeral 1st order streams in the vicinity of the gravel pit generally do not support fish.”

Mr. Ries continued his response to address the potential impacts that may affect steelhead and critical habitat:

“A gravel crushing operation at this location could potentially affect steelhead and critical habitat if the activities increase runoff/sediment delivery to Rock Creek or if fuel stored on site were to spill into Rock Creek. These potential effects might be avoided by ensuring that surface runoff and fuels are contained in a manner where they cannot enter Rock Creek.”

“Dust and other air pollutants that might be created from rock crushing could potentially enter water in amounts that could affect fish or critical habitat. However, dust and other air pollutants from a temporary gravel crushing operation may be too widely dispersed in the air to cause high concentrations of pollutants in water. An analysis of air pollutant dispersal might be used to determine if a risk to fish or critical habitat exists.”

In response to the potential impacts addressed by Mr. Ries, Knife River will take the following measures to ensure that critical habitat is protected from any potential impacts.

- The site will be included in a Stormwater Pollution Prevention Plan (SWPPP) created for the construction project. Coverage under the approved EPA discharge permit includes coverage for the site since the gravel source is specific to the construction project. Best Management Practices will be installed in accordance with the SWPPP to ensure compliance with the permit and to protect water quality.
- Although the ephemeral 1st order streams in the vicinity of the gravel pit generally do not support fish, Best Management Practices will be utilized on site to ensure that sediment laden runoff will remain on site and not impact receiving waters.
- Any fuels stored on site will be stored in accordance with the SWPPP, will be kept in secondary containment to contain pollutions in the event of a spill, and be stored away from areas where a spill may impact water quality.
- Hot mix asphalt operations will be temporary and air quality emissions will be minimal. Water controls will be used when the plant is in operation and the crusher will be operated in accordance with NSPS, OOO and the air quality permit.
- Water and/or chemical controls will be used to control fugitive emissions of dust on the pit floor and stockpiles.

The BMPs address above will mitigate potential impacts to water quality and steelhead critical habitat.

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Nez Perce tribal biologists inspected the site for Spalding’s Catchfly habitat in October of 2020. As a result of that inspection, the biologist made the following determination:

“No Spalding’s catchfly plants were observed at the site. This entire project area has been plowed and used for annual grain production (probably for decades). No remnant native vegetation was observed within the footprint of the project area. Given this high level of intense disturbance, no Spalding’s catchfly could be expected to persist under these conditions.”

And:

“This project will have No effect on Spalding’s catchfly (Silene spaldingii).”

Knife River believes this letter, the mitigation efforts outlined, and the correspondence from NOAA, Idaho Department of Fish and Game, and the Nez Perce Tribe satisfy Appendix A of the EPA air quality permit for Threatened or Endangers Species Requirements under Criterion B.

Respectfully,

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