

**ENVIRONMENTAL ASSESSMENT FOR MINOR REVISION
COAL AND URANIUM PROGRAM
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

COMPANY NAME: Spring Creek Coal, LLC

DATE: December 11, 2009

OPERATING PERMIT#: 79012

MR#: 09-12-18

LOCATION: Spring Creek Mine

Type and Purpose of Action:

Spring Creek is proposing to construct a new impoundment to retain surface water and sediment runoff from 106 acres of land disturbed by mining. The earthen pond will have an area of approximately 1.5 acres and store approximately 12 acre-feet. The pond is designed to contain the runoff from a 10 yr-24 hr rainfall event along with three years of sediment accumulation. Any flows in excess of storage capacity will be routed through a proposed 400 foot long spillway channel to previously reclaimed lands and then on to a large storage pond downstream.

Impacts and Mitigation Measures:

The project will protect the native Spring Creek from sediment laden inflows. Adverse impacts are expected to be minimal.

While the pond itself will be constructed on previously disturbed lands the spillway channel will be constructed on native land near the floodplain of Spring Creek. Approximately 0.75 acres of native lands along the Spring Creek will be disturbed. A review of wetland identification studies conducted found no wetlands near the proposed area of disturbance. Additional impacts to larger wildlife due to construction are expected to be minimal as the site is located within a few hundred feet of active coal haul roads. At this location, Spring Creek commonly has little or no base flow. Impacts to wildlife are expected to be minimal. The constructed works will have at least 5 feet of vertical separation from the channel invert and be removed from all but extreme creek flow events.

Alternative Actions:

A number of smaller sediment control structures might be an alternative but they would be expected to provide less reliable protection and greater disturbance. Discharging the pond directly to the native channel would likely result in slightly less disturbance to native lands but present a greater risk of sediment discharge and erosion in the native floodplain. The proposed project appears to be the preferable approach.

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