

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Prince, Inc.

COUNTY: Custer

SITE NAME: Moon Creek

DATE: July 2010

LOCATION: Section 25, T7 N, R45 E

APPROVED PERMIT #: 1541

Type and Purpose of Action: This application was originally submitted in 2007. A new Plan of Operations was submitted in 2009, but the pre-2009 law and rules apply to this permit.

The applicant has proposed a 45-acre expansion of its active permit from 148.7 to 193.7 acres. This expansion is requested to provide additional mining area and product stockpile area. Approximately 600,000 cubic yards of product would be mined from the amendment area.

The final reclamation date would be extended to November 2020.

The reclamation bond would be increased by \$61,815 to \$305,839.85.

A new map was submitted dated July 2009 with GPS locations for the boundary markers. This map encompasses all disturbances for the permit and new amendment.

All other aspects of the operation will remain the same.

Potential Impacts and Mitigation: The Operator has been conducting some concurrent reclamation on the west end of this site. Some of the original permit area has been fully released.

It is expected that impacts associated with this proposal will mimic those identified in the original EA and supplemental EAs.

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Name Title

Reviewed By: JJ Conner Opencut Mining Program Unit Coordinator
Name Title

PRIVATE PROPERTY ASSESSMENT ACT (PPAA) CHECKLIST

DOES THE PROPOSED AGENCY ACTION HAVE TAKINGS IMPLICATIONS UNDER THE PPAA?

YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deprive the owner of all economically viable uses of the property?
	X	4. Does the action deny a fundamental attribute of ownership?
	X	5. Does the action require a property owner to dedicate a portion of property or to grant an easement? (If answer is NO, skip questions 5a and 5b and continue with question 6.)
		5a. Is there a reasonable, specific connection between the government requirement and legitimate state interests?
		5b. Is the government requirement roughly proportional to the impact of the proposed use of the property?
	X	6. Does the action have a severe impact on the value of the property?
	X	7. Does the action damage the property by causing some physical disturbance with respect to the property in excess of that sustained by the public generally? (If the answer is NO, skip questions 7a-7c)
		7a. Is the impact of government action direct, peculiar, and significant?
		7b. Has the government action resulted in the property becoming practically inaccessible, waterlogged, or flooded?
		7c. Has the government action diminished property values by more than 30% and necessitated the physical taking of adjacent property or property across a public way from the property in question?

Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b.

If taking or damaging implications exist, the agency must comply with § 5 of the Private Property Assessment Act, to include the preparation of a taking or damaging impact assessment. Normally, the preparation of an impact assessment will require consultation with agency legal staff.