

DEQ OPENCUT MINING PROGRAM
SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

Amendment No. 1

APPLICANT: Roger Mikesell

SITE NAME: Granite Creek

COUNTY: Ravalli

DATE: September 2010

LOCATION: S10, T10N, R19W

APPROVED PERMIT #: 1460

Type and Purpose of Action: Add crusher and Saturday hours of operation (7:00 a.m. to 5:00 p.m.)

Site Description: The site is a rocky sagebrush terrace that lies parallel to Eight Mile Creek. The nearest neighbors are located ¼ -mile south of the site.

Potential Impacts and Mitigation: Occasional operation of a crusher would increase the potential for noise, which would be mitigated to below the level of significance by the distance to the neighboring residences. Dust would be mitigated by the use of spray bars. Occasional operations on Saturdays would increase the duration of noise, but the limited hours of operation will mitigate the potential impact on neighbors. The March 19, 2009 Environmental Assessment remains applicable to site operations.

Prepared By: Chris Cronin Opencut Mining Program Supervisor
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.