

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Casino Creek Concrete, Inc.

COUNTY: Fergus

SITE NAME: Warm Springs Creek Bridge

DATE: December 2010

LOCATION: Section 9, T17 N, R17 E

APPROVED PERMIT #: 1101

Type and Purpose of Action: The operator has applied for an amendment to add 28.9 acres to its existing 3.1-acre permit for the purpose of expanding the mine area and facility area. The amendment area would include 19.4 acres of “undisturbed until bonded” area. The total permitted area would be 32.0 acres.

Site Description: The 28.9-acre proposed amendment area is an addition directly adjacent and to the west and north of the existing permitted area. The operation will continue to mine to the north. There are no site characteristics of special concern, or nearby residences or public use areas.

Potential Impacts and Mitigation: Use of the amendment area would not cause substantial impacts on the physical environment and human population. Proponent would be legally bound by their permit to reclaim the site to pasture by September 2013. The 2007 Environmental Assessment is applicable to this action.

Prepared By: Kenley Stone Opencut Mining Program Environmental Specialist
Name Title

Reviewed 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.

RECEIVED

DEC 03 2010

DEQ/IEMB

Site Map



Casino Creek Concrete, Inc.
Dan Hartman - Warm Spring Creek Bridge Pit
SESE, NESE Sec 9 T17N R17E
Fergus County
10-8-10
WGS84



 Hartman Pit Enclit. CBC = Crushed Base Course



Map showing Facility, Mine, + Undisturbed



 Earth Point

Casino Creek Concrete, Inc.
Dan Hartman-Warm Spring Creek Bridge Pit
Fergus County
10-8-10
WGS 84
Section 9 T17N R17E

Google Earth: Directions

10/12/2010

RECEIVED
OCT 18 2010
DEQ/EME

From: [Murdo, Damon](#)
To: [Voeller, Debra](#);
Subject: RE: SHPO Report for Casino Creek Concrete Inc Dan Hartman Warm Spring Creek Bridge Site Permit 1101 Amendment 1
Date: Friday, October 29, 2010 2:31:33 PM
Attachments: [2010102908-DEQ.xls](#)



October 29, 2010

Debbie Voeller
Hard Rock/Opencut Programs
DEQ, Permitting & Compliance Division
P.O. Box 200901
Helena, MT 59620-0901

RE: CASINO CREEK CONCRETE-DAN HARTMAN WARM SPRING CREEK BRIDGE SITE PERMIT 1101. SHPO
Project #: 2010102908

Dear Debbie:

A file search of the statewide cultural resource information databases and a review of your letter resulted in the following information regarding the proposed project location:

1) Previously recorded sites

According to our records there have been no previously recorded sites within the designated search locale.

2) Previous surveys conducted in the project area

The absence of cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

3) Previous disturbance in the area of potential effect
Pasture.

4) DEQ Gravel Source Inspection Form results
None provided.

5) Additional comment or information

We feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during this project we would ask that our office be contacted and the site investigated.

If you have any questions or comments, please contact me at (406) 444 -7767 or by email at dmurdo@mt.gov. Thank you for consulting with us.

Sincerely,

Damon Murdo
Cultural Records Manager
State Historic Preservation Office

File: DEQ/OPENCUT/2010