DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Noble Excavating, Inc **COUNTY:** Lincoln

SITE NAME: Old LP Mill **DATE:** April 2011

LOCATION: Section 32, Township 31 North, Range 31 West

APPROVED PERMIT #: 1498

Type and Purpose of Action: Operator has applied for an amendment to add 12.6 acres to their 13.3-acre permit for the purpose of expanding the mine and facility area. The total permitted area would be 25.9 acres. As a result of increasing the mine and facility area, they would enlarge the pond through the process or extracting gravel.

Site Description: The 12.6-acre proposed amendment area is an addition directly adjacent and surrounding the existing permitted area. The amendment will increase both the mine-level and facility-level areas. 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 pastureland and pond by November 2021. The June 2006 Environmental Assessment is applicable to this action.

Prepared By: J.J. Conner 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.

OLD LP MILL SITE

GOVT. LOT 6, SECTION 32 TOWNSHIP 31N RANGE 31W
LINCOLN COUNTY, MONTANA

SCALE 1" = 400'

400 0 400 800 1200

LEGEND	
EXISTING FACILITY AREA =5.3 AC	PERMIT AREA BOUNDARY
FACILITY AREA AMENDMENT= 6.0 AC	APPOX CENTER OF MINE SITE -115.5660428, 48.4093944
WELLHEAD	
STOCKPILE OVERBURDEN	

Point	LONG	LAT	Name
1	-115.5641666	48.4094105	PERMIT BNDY
2	-115.5642156	48.4111715	PERMIT BNDY
3	-115.5671419	48.4093093	PERMIT BNDY
4	-115.5671819	48.4076655	PERMIT BNDY
5	-115.5640667	48.4077667	PERMIT BNDY
6	-115.5677572	48.4111432	PERMIT BNDY

RECEIVED
APR 13 2011

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OLD LP MILL SITE
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