DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Plum Creek Timberlands, L.P. **COUNTY:** Lincoln

SITE NAME: Dry Fork **DATE:** May 2011

LOCATION: Section 15, T30N, R27W

APPROVED PERMIT #: 503

Type and Purpose of Action: Operator Plum Creek Timberlands is amending its Dry Fork mining permit to change the bonded area, the map, performance bond, and add an asphalt plant.

Site Description: The original permit was issued to the Saint Regis Paper Company in the early 1970's for 2.0 acres. That company eventually became Plum Creek Timber Company, and then Plum Creek Timberlands. It was amended to 50.4 acres in 2010. This next amendment would not change the permit acreage, but would change the actively bonded area and add an asphalt plant (see FIGURE 1 – SITE MAP). Since only 14.6 of the 50.4 acres would be utilized at this time, the performance bond for this site would be $53,416. There are no site characteristics of special concern, or nearby residences that would be significantly affected by this change.

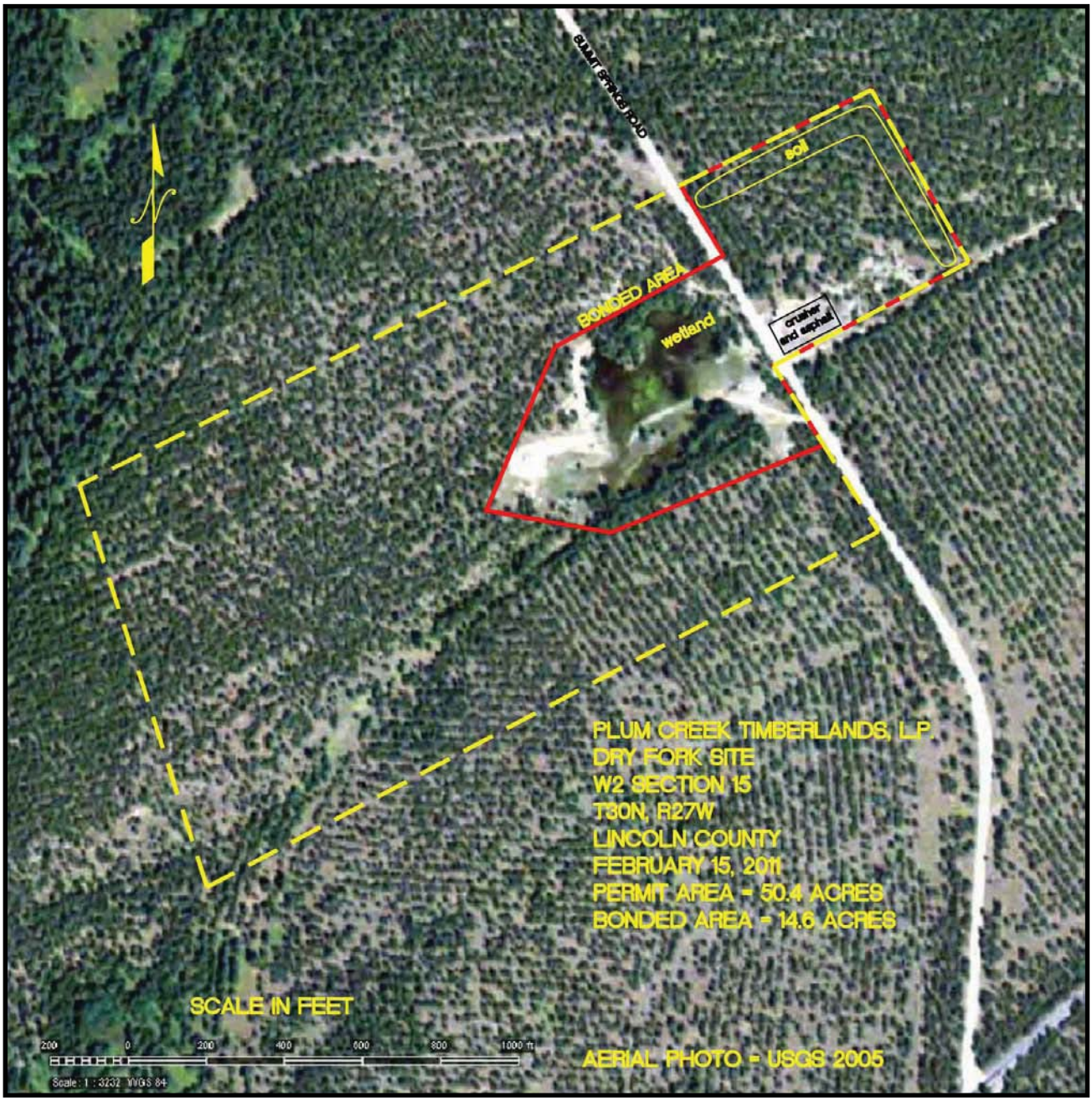
Potential Impacts and Mitigation: This action will create a minor visual disturbance as previously identified in the original Environmental Assessment completed by DEQ in May 2010. The site will be reclaimed as forest land and there is no substantial change in the original plan as a result of this amendment. This action would not cause substantial impacts on the physical environment and human population.

EA Prepared By: Rod Samdahl — Opencut Mining Program Environmental Specialist
Name — Title

EA Reviewed By: Chris Cronin — Opencut Mining Program Supervisor
Name — Title

FIGURE 1 – SITE MAP

(go back)



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.