

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Bill Baltrusch Construction, Inc.

COUNTY: Blaine

SITE NAME: State/Lohman

DATE: June 2011

LOCATION: Section 31 T33 N, R18 E

APPROVED PERMIT #: 694

Type and Purpose of Action: Operator has applied for an amendment to add 3.8 acres to their 28.6-acre permit for the purpose of expanding the mine area, for a total permitted area of 32.4 acres. The operator is also changing the date of final reclamation to December 2015.

Previous permits and amendments did not have accurate acreages for actual site conditions. This amendment's new map shows a 10.1-acre amendment area; however, the actual area being added to this permit is only 3.8 acres. The purpose of this amendment is to update the permit to reflect the current existing disturbance area of 32.4 acres.

Site Description: The 3.8-acre proposed amendment area is an addition directly adjacent and to the west of the existing permitted area. The operation will continue to mine to the west. The existing active area is adjacent to the county road. An old mining area currently under reclamation is located farther to the west of the amendment area. Mining activity has occurred throughout the existing permit area. There are no site characteristics of special concern, 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 grassland by December 2015. The 2004 Environmental Assessment is applicable to this action.

Prepared By: Jo Stephen 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?

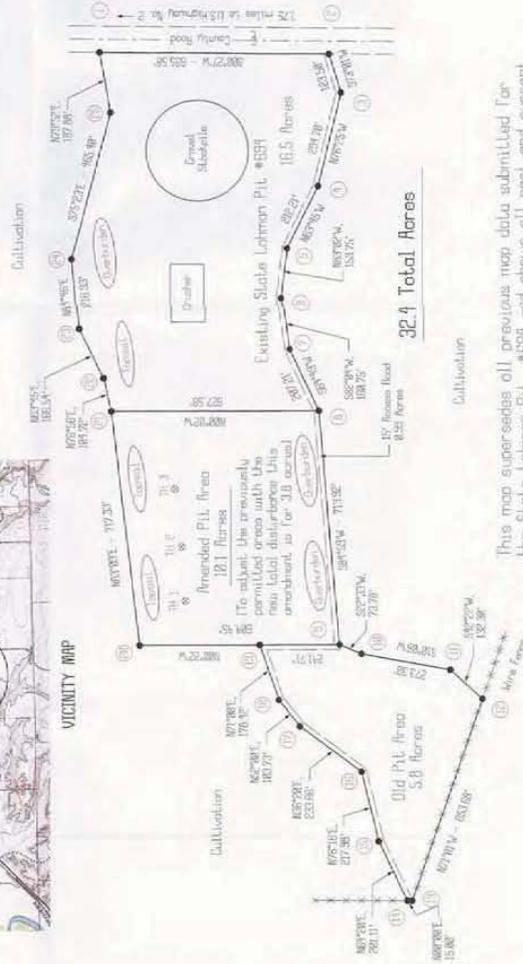
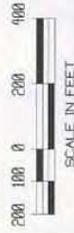
Taking or damaging implications exist if YES is checked in response to question 1 and also to any one or more of the following questions: 2, 3, 4, 6, 7a, 7b, 7c; or if NO is checked in response to questions 5a or 5b.

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.

STATE LOHMAN PIT #694
 NE1/4, SECTION 31, T.33N., R.18E., P.M.M.
 BLAINE COUNTY, MONTANA

For : Bill Baltusch Construction, Inc.
 By : Diversified Surveying Services

March 31, 2011



This map supersedes all previous map data submitted for the State Lohman Pit #694 and shows all past and current land disturbance.

WMAS CORRECTED

	Latitude	Longitude
1	48.5777028°	103.918917°
2	48.575799°	103.918625°
3	48.575584°	103.918528°
4	48.575535°	103.918711°
5	48.576692°	103.920497°
6	48.576144°	103.921120°
7	48.576903°	103.921786°
8	48.575800°	103.922538°
9	48.575525°	103.925197°
10	48.575442°	103.925814°
11	48.574782°	103.925811°
12	48.574435°	103.920181°
13	48.575801°	103.920733°
14	48.575861°	103.920733°
15	48.575308°	103.927303°
16	48.575442°	103.927108°
17	48.575565°	103.928539°
18	48.576131°	103.928202°
19	48.576532°	103.925583°
20	48.577285°	103.925514°
21	48.577519°	103.922372°
22	48.577503°	103.922158°
23	48.577748°	103.921533°
24	48.577842°	103.920892°
25	48.575519°	103.918781°
26	48.576880°	103.924953°
27	48.576838°	103.924939°
28	48.576807°	103.923538°

RECEIVED
 JUN 8 2011
 DEQ/TEMB