

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Riverside Contracting, Inc.

COUNTY: Valley

SITE NAME: Viste/Sauer

DATE: April 2012

LOCATION: Section 26 & 27, T28 N, R41 E

APPROVED PERMIT #: 1598

Type and Purpose of Action: Operator has applied for an amendment to add 77.1 acres to their permit for the purpose of expanding the mine area and extending the reclamation date. The existing 122.9 acre permit includes an area of 50.2 acres that has been reclaimed and is in the process of being released. With the release of 50.2 acres the existing permit area will be 72.7 acres. The amendment to add 77.1 acres will result in a total permitted area of 149.8 acres. The reclamation bond held by DEQ to ensure final reclamation will be increased appropriately.

Site Description: The 77.1-acre proposed amendment area is an addition directly adjacent and to the west and south of the existing permitted area. The operation will continue to mine to the west and south. 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 cropland by November 2021. The 2005 Environmental Assessment is applicable to this action.

Prepared By: Don Jackson 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.