DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: JMAC Resources, Inc. **COUNTY:** Richland

SITE NAME: Deming Pit 1 **DATE:** March, 2013

LOCATION: Sections 13 & 14, T24 N, R59 E

APPROVED PERMIT #: 2182

Type and Purpose of Action: Operator has applied for an amendment to add 40.8 acres to their 27.1-acre permit for the purpose of expanding the mine area. The total permitted area would be 67.9 acres.

Site Description: The 40.8-acre proposed amendment area is an addition directly adjacent and to the east of the existing permitted area. The operation will continue to mine to the east. A gas line oriented NW-SE passes through portions of both the existing permit and the proposed amendment. JMAC Resources, Inc. and Oneok Gas have reached an agreement that allows for three feet of pit-run material spanning a 60-foot section of the gas line to be placed as a crossing at two locations. The pit-run material would extend at least 20 feet on each side of the pipe and effectively bridge the gas line.

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 Rangeland/Pasture by 2020. The 2012 Environmental Assessment is applicable to this action.

Prepared By: Bryan Allison — Opencut Mining Program Environmental Specialist
Name — Title

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

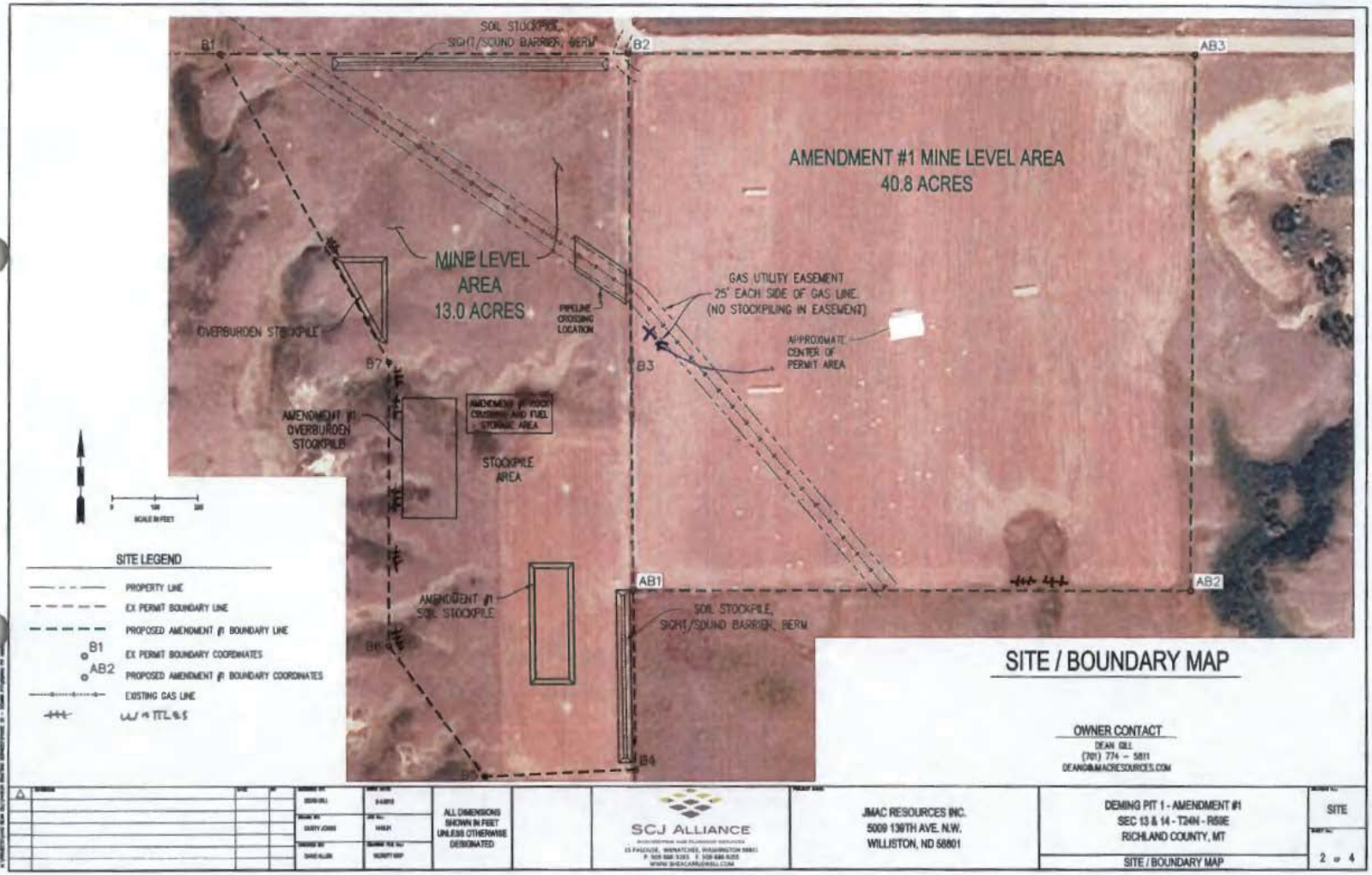
PRIVATE PROPERTY ASSESSMENT ACT (PPAA) CHECKLIST

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.


SOIL STOCKPILE, SIGHT/SOUND BARRIER, BERM
B1
B2
AB3
AMENDMENT #1 MINE LEVEL AREA
40.8 ACRES
MINE LEVEL AREA
13.0 ACRES
PIPELINE CROSSING LOCATION
GAS UTILITY EASEMENT
25' EACH SIDE OF GAS LINE.
(NO STOCKPILING IN EASEMENT)
APPROXIMATE CENTER OF PERMIT AREA
OVERBURDEN STOCKPILE
B7
B3
AMENDMENT #1 OVERBURDEN STOCKPILE
AMENDMENT #1 ROCK CRUSHING AND FUEL STORAGE AREA
STOCKPILE AREA
AB1
AB2
AMENDMENT #1 SOIL STOCKPILE
SOIL STOCKPILE, SIGHT/SOUND BARRIER, BERM
B6
B4
B5
SITE LEGEND
PROPERTY LINE
EX PERMIT BOUNDARY LINE
PROPOSED AMENDMENT #1 BOUNDARY LINE
B1 EX PERMIT BOUNDARY COORDINATES
AB2 PROPOSED AMENDMENT #1 BOUNDARY COORDINATES
EXISTING GAS LINE
SITE / BOUNDARY MAP
OWNER CONTACT
DEAN GILL
(701) 774 - 5811
DEANG@JMACRESOURCES.COM
ALL DIMENSIONS SHOWN IN FEET UNLESS OTHERWISE DESIGNATED
SCJ ALLIANCE
JMAC RESOURCES INC.
5009 139TH AVE. N.W.
WILLISTON, ND 58801
DEMING PIT 1 - AMENDMENT #1
SEC 13 & 14 - T24N - R59E
RICHLAND COUNTY, MT
SITE / BOUNDARY MAP
SITE
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