

**DEQ OPENCUT MINING PROGRAM**

**SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT**

**APPLICANT:** JDL Construction Co.

**COUNTY:** Madison

**SITE NAME:** JDL

**DATE:** August 2013

**LOCATION:** S35, T4 S, R5 W

**APPROVED PERMIT #:** 1358

**Type and Purpose of Action:** Operator has applied for an amendment to reduce facility-level acres from 26.4 acres to 6.4 acres, to increase mine-level acres from 12 acres to 28.9 acres, and to change the total permitted acres from 38.4 acres to 35.3 acres. The total permitted area would be 35.3 acres. The site map and the boundary coordinates show the entire existing permit area, the Opencut disturbance area, and the buffer area to encompass 35.5 acres.

**Site Description:** The 16.9-acre proposed addition to mine-level area is directly adjacent and to the south of the existing mine-level area. The operation would continue to mine to the south. The site has a seasonally high water table. An irrigation ditch is adjacent to the site's west boundary. Highway 237 is adjacent to the site's northeast boundary. Buffer zones and fences for sight barriers would be located on the south, west, and northeast boundaries. Two rural residences are located approximately 750 to the east and 950 feet to the north. An undeveloped commercial subdivision is located east of Highway 237.

**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 seasonal wetland, ponds, and industrial/commercial by December, 2030. The 1999 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.

# SITE MAP

JDL CONSTRUCTION CO.  
 JDL SITE  
 WEST HALF OF SECTION 35, T4S, R5W P.M.M.,  
 MADISON COUNTY, MONTANA  
 PERMIT NUMBER: #1358  
 35.32 ACRES  
 DRAFTED BY: SKYLINE SURVEYING, INC.



LEGEND	
●	LOT CORNER MONUMENT
▲	STEEL FENCE POST
⊕	CENTER OF PERMIT, NOTHING SET
---	MINE/FACILITY AREA BOUNDARY
⊙	WELL
⊖	FUEL STORAGE TANK

JDL CONSTRUCTION CO.  
 JDL SITE MAP



1/4	SEC	T	R
☒	35	4 S	5 W

**SkyLine Surveying Inc.**  
 178 Milestone, Belgrade, MT 59016-1078

DRAWN	DATE	SITEPLAN
MJS	2/25/13	EXHIBIT
SCALE	SHEET	PROJECT NO.
1"=200'	1 OF 2	301-6