

DEQ OPENCUT MINING PROGRAM

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

APPLICANT: Madison County

COUNTY: Madison

SITE NAME: Lasich Pit

DATE: July 2012

LOCATION: Section 24, T4 S, R7 W

APPROVED PERMIT #: 2233 (formerly 675)

Type and Purpose of Action: Operator has applied to: **a)** assign the permit from A.M. Welles, Inc., and **b)** amend the permit to change the final reclamation date and add 29.2 acres to the existing 3.4-acre permit for the purpose of expanding the mine area. The total permitted area would be 32.6 acres.

Site Description: The 29.2-acre proposed amendment area is an addition directly adjacent and to the west of the existing permitted area. The operation will continue to mine down the hillside to the west. There are no site characteristics of special concern, or nearby residences or public use areas.

Historical and Archeological Sites: The Montana State Historic Preservation Office (SHPO) was notified of the application. It reported that two sites have been discovered previously in the designated search locale. In addition to the sites there have been a few previously conducted cultural resource inventories completed in the area. A pedestrian survey of the area by DEQ personnel did not reveal any artifacts or signs of occupation. No signs were evident at depth in the previously disturbed area. SHPO recommends that a cultural resource inventory be conducted at this site in order to determine whether or not sites exist and if they would be impacted.

Impacts: If during operations resources were to be discovered, activities would be temporarily moved to another area or halted until SHPO was contacted and the importance of the resources was determined.

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. The 1999 Environmental Assessment is applicable to this action.

Prepared By: Kenley Stone 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?

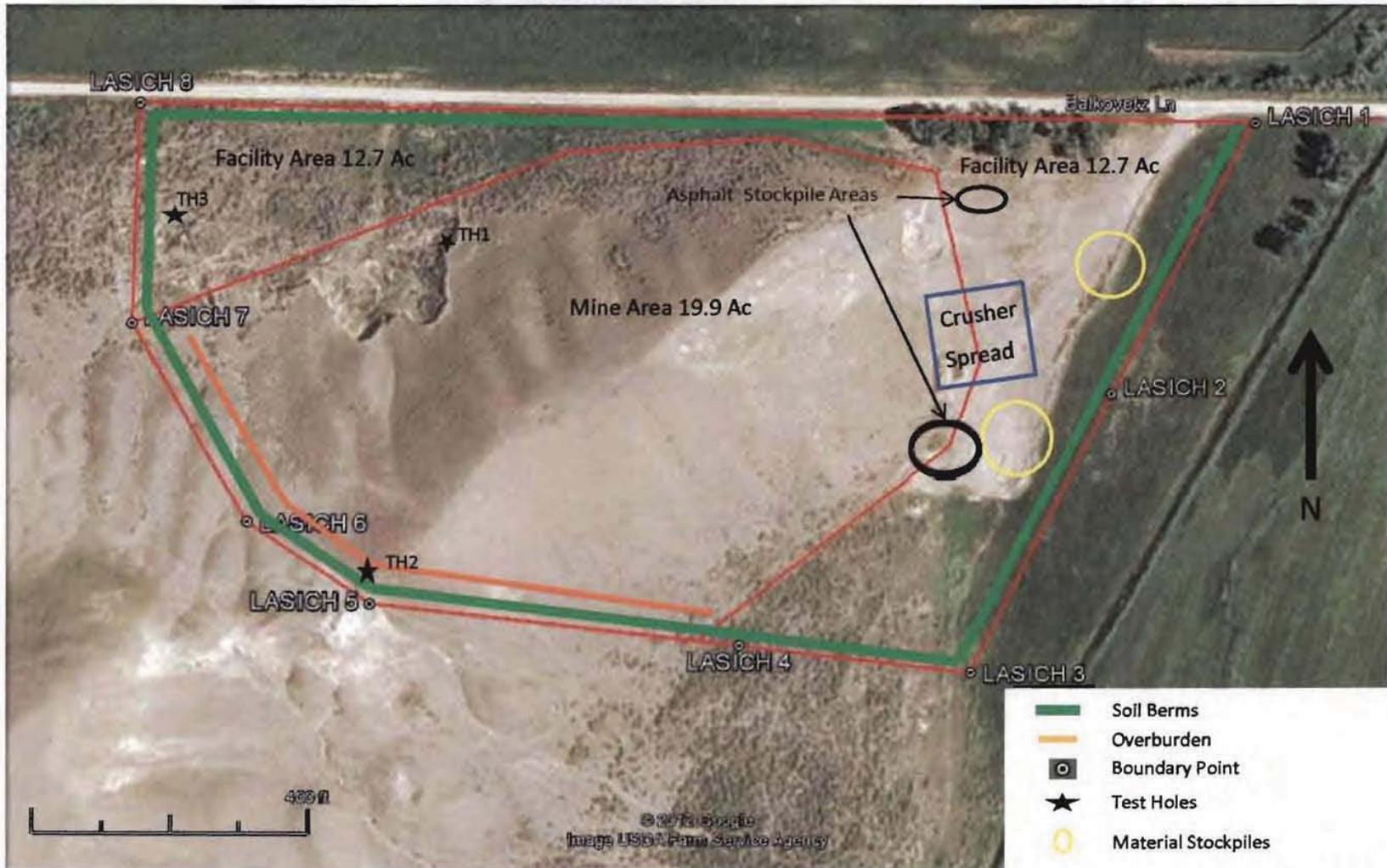
YES	NO	
X		1. Does the action pertain to land or water management or environmental regulation affecting private real property or water rights?
	X	2. Does the action result in either a permanent or indefinite physical occupation of private property?
	X	3. Does the action deprive the owner of all economically 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

Lasich Pit: Section 24, T4S, R7W
Operator: Madison County
32.6 Acre Permit Area



Drafted By: A Ringlein
5/21/2012

Received Opencut 5/24/2012