



Montana Department of
ENVIRONMENTAL QUALITY

Brian Schweitzer, Governor
Richard H. Opper, Director

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

November 19, 2012

R. Mark Wilson, Field Supervisor
Montana Field Office
USFWS Ecological Services
585 Shepard Way
Helena, MT 59601

**RE: Proposed Abandoned Mine Reclamation Project
Rasmussen Coal Mine Subsidence
Section 1, Township 4 North, Range 45 East, Custer County, Montana
Request for Concurrence with Findings**

Dear Mr. Wilson:

As a condition of approval for Montana's Abandoned Mine Reclamation program by USDOJ – Office of Surface Mining, Montana is required to consult with the US Fish and Wildlife Service (USFWS) during project planning to ensure that proposed reclamation actions will have no impact on federally listed threatened or endangered species. (See Federal Register, Vol. 60, No.138, pages 36998-37002)

Montana's Abandoned Mine Reclamation Program (DEQ) is considering conducting reclamation activities at the Rasmussen Coal Mine, located approximately twelve miles south of Interstate 94, on Moon Creek Road, Custer County Montana. Proposed reclamation activities include backfilling a 20X24X8 feet subsidence hole with borrow material from the landowner. Approximately 1,200 cubic yards will be borrowed from an area designated by the landowner to mitigate the subsidence. The completed backfill and borrow area will be graded to the surrounding topography and seeded with a mix of native grasses.

DEQ has evaluated the site for potential impacts to any threatened or endangered plant and animal species listed by the USFWS (Attachment 1). Based on habitat evaluation it was determined that there is a low likelihood that the Canada lynx or Gray Wolf would be present at this site. The waste rock dump and tailings impoundment at the site do not support the vegetation required for prey.

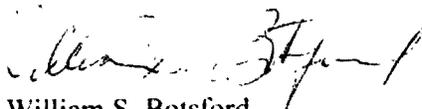
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Animal Species	Scientific Name	Potential at Site
Greater Sage-Grouse	<i>Centrocercus urophasianus</i>	Low

Based on DEQ staff evaluation of the site, DEQ has concluded that coal mine reclamation actions are not likely to have any adverse effect on any federally listed threatened or endangered species or habitat necessary for their survival. DEQ is requesting that USFWS concur with this determination.

DEQ requests that USFWS review this determination and concur, in writing, with our findings. If USFWS is not able to concur, or has any disagreement with this determination, please notify me immediately at (406) 841-5027 or through email at wbotsford@mt.gov.

Sincerely,


William S. Botsford
Project Manager
Abandoned Mine Lands Bureau

Attachment: 1 - Montana Natural Heritage Program Consultation