

OTTER CREEK MINE

17.24.318 PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES

17.24.318(1)

There are no public parks or historic places other than surveyed archaeological sites currently or potentially listed under Criterion D that may be adversely affected by the proposed operations. Map 6 – Cultural Resources (Confidential), shows cultural sites identified within the permit area based on Class 3 cultural resource surveys listed in Baseline Report 304A. Eligibility status under Criterion D is also indicated, based on testing and evaluation reports listed in Baseline Report 304B. Map 6 also includes a tabular listing of the mitigation schedule for eligible sites within the area of projected disturbance. Mitigation plans for eligible sites will be submitted to the Montana Department of Environmental Quality (MDEQ) for review and the State Historical Preservation Office (SHPO) for concurrence prior to implementation; mitigation of each eligible site will be completed prior to mining related disturbance.

ARM 17.24.1131 Protection of Parks, Historic Places and Other Lands

This rule specifies that no strip or underground coal mining may be conducted on any lands that would adversely affect any publicly owned park or places registered on the national register of historic sites unless mining thereof is approved jointly by MDEQ and the federal, state or local agency with jurisdiction over the park or historic sites, or on any land within the national system of trails. As noted above, there are no such parks on or in the vicinity of the Otter Creek tracts. Any affected National Register of Historic Places (NRHP) sites identified during cultural resource investigations will be mitigated consistent with Criterion D. There are no lands within the national system of trails on or in the vicinity of the Otter Creek coal tracts.