

**ENVIRONMENTAL ASSESSMENT
WESTERN MINE
2012 COAL SLAG FIRE
MUSSELSHELL COUNTY, MONTANA**



**Prepared by:
Montana Department of Environmental Quality
Abandoned Mine Lands Bureau**

5 DECEMBER 2012

SECTION 1.0: PURPOSE AND NEED FOR ACTION

AGENCY NAME:

Montana Department of Environmental Quality
Abandoned Mine Lands Bureau

LOCATION:

Musselshell County

Sections 4 & 5, Township 7N, Range 26E

Latitude: 46.38166°N

Longitude: -108.49225°W

TYPE AND PURPOSE OF ACTION:

In November 2012, the Montana Department of Environmental Quality Abandoned Mine Lands Bureau (DEQ AMLB) received notification from Diana Tyler, a Musselshell County resident, regarding a coal slag pile that had been ignited by the September 2012 Wilson wildfire. She reported this coal slag fire to be 5 miles due south of Roundup, Montana. This fire is presently burning on Western Rd., roughly 1.2 miles to the east of its intersection with U.S. Highway 87. This mine has also been known as the Gantar Mine, Jeffries No. 4 Mine, and the Big Union mine. The acknowledged name was dependent on the owner/operator.

This site was investigated by DEQ AMLB Reclamation Specialist Hayden Janssen on 28 November 2012. This site is adjacent to a County Road that serves as the lone access route to the Tyler's residence. Surface coal slag has prevented vegetation from growing over this 30' x 60' parcel. The landowner is concerned that the coal slag fire could ignite some of the vegetation that managed to survive the Wilson Fire, as well as compromise the access road to her property.

Historic research confirmed that the site was mined from 1918 until the early 1970s. The mine first operated under the ownership of Luka Gantar, who received a homestead number of #638889. The operation was noted to have been a drift mine using the room and pillar method. This mine typically functioned on a seasonal schedule, with daily production at nearly 50 tons. While in operation, the mine employed seven to eight individuals. There was no railroad access to the mine; therefore, ore was hauled out using trucks.

According to historic research and communication with area residents, the coal slag pile is present owing to the fact that Western Mine coal haul trucks would sweep their trucks clean at this area prior to returning to the mine to haul out more material.

There are extant buildings and mining equipment spread throughout the Western Mine property; however, the area of this coal slag fire is devoid of any structures or mining implements.

Given the proximity of the coal slag fire to the County Road, DEQ AMLB plans to extinguish, excavate, and bury the remaining coal slag and burning coal material in autumn 2012, thus eliminating this potential safety hazard. DEQ AMLB has contracted with a local construction company to conduct the reclamation activities.

This site is listed in Montana State's EISI database as CI1957. Its eAMLIS Pad Number is MT003311.

SECTION 1.1 RECLAMATION ACTIONS

The Western Mine 2012 Coal Fire Reclamation Project will consist of the following:

- On-site storage of any existing topsoil
- Excavation of an area to bury inert coal slag and burning coal slag
- Extinguishing coal slag fire
- Contouring the disturbed areas
- Reclaiming the temporary access road
- Reclaiming all disturbed surfaces, including re-placement of stored topsoil
- Reestablishment of the berm that defines the raised Western Road

SECTION 2: IMPACTS ON THE PHYSICAL ENVIRONMENT

WESTERN MINE 2012 COAL SLAG FIRE RECLAMATION PROJECT

RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
<p>1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE:</p> <p>Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?</p>	<p>No.</p> <p>The terrain of the project area is rugged with rangelands and forest extending to the east, west, and north. Approximately 0.25 miles to the northeast, the Bull Mountains begin their ascent. The geology of the project area is comprised of the Fort Union formation, which extends to a thickness of 1,400 feet. The soils are composed of gray to buff sandstone alternating with gray shale. The base of the Fort Union Formation is strongly contrasted with a band of olive-green clay shale. It is believed that shale outlines the extent of the rocks significant to the coal beds of Musselshell County. Typical rock structure for the area is such that the rocks lie at a 1° to 3° angle in a northeasterly direction. The overall topography suggests a gentle syncline declining slightly toward the northwest. There are no special reclamation considerations that will affect the generalized topography and geology of the region.</p>
<p>2. WATER QUALITY, QUANTITY AND DISTRIBUTION:</p> <p>Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?</p>	<p>No.</p> <p>There are no surface water resources in the area. The closest surface water resource, Halfbreed Creek, is located due east of the project area, adjacent to U.S. Highway 87, approximately 1.2 miles.</p> <p>Reclamation activities will not impact any important groundwater or surface water resources, and there is no potential for violation of any ambient water quality standards, drinking water maximum contamination levels, or degradation of water quality.</p>
<p>3. AIR QUALITY:</p> <p>Will pollution or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?</p>	<p>Yes.</p> <p>All projects utilizing heavy equipment will produce particulate; however, the current ambient air quality in Roundup is fair. The project is not located in any special air quality zones regulated by the State of Montana. Slight amounts of dust may be produced by excavating the slag, as well as during periods of backfilling and material mounding; however, any dust produced would be localized at the project area and would not be produced in quantities that would affect air quality.</p>
<p>4. VEGETATION COVER, QUALITY AND QUANTITY:</p> <p>Will vegetative communities be significantly impacted? Are any rare plants or cover types present?</p>	<p>No.</p> <p>The project area is located approximately 5 miles south of Roundup, Montana in a rural area consisting of parcels ranging in size from 320 to 640 acres. The nearest residence to the Western Mine 2012 Coal Slag Fire is 0.45 miles northeast. The project area consists of a burning coal slag pile devoid of any vegetation. Little vegetation will be impacted during reclamation activities, as the 2012 Wilson Fire consumed the majority of ground vegetation. It is not anticipated that there will be significant impacts to vegetative communities.</p> <p>Consultations with the Montana Natural Heritage Program (Appendix A) and United States Fish and Wildlife Service (USFWS) (Appendix B) indicate that no threatened or endangered plant species are anticipated to be adversely effected.</p>
<p>5. TERRESTRIAL, AVIAN AND</p>	<p>No.</p>

SECTION 2: IMPACTS ON THE PHYSICAL ENVIRONMENT

WESTERN MINE 2012 COAL SLAG FIRE RECLAMATION PROJECT

<p>AQUATIC LIFE HABITATS:</p> <p>Is there substantial use of the area by important wildlife, birds or fish?</p>	<p>Consultations with the Montana Natural Heritage Program (Appendix A) and USFWS indicate that three (3) species of concern (Greater Short-Horned Lizard, Cassin’s Finch, and North American Wolverine) may be adjacent to the project area, yet will suffer no adverse effects from this project.</p> <p>The terrestrial habitats of many animals have already been negatively impacted by the 2012 Dahl and Wilson Fires. DEQ AMLB concurs that the proposed project is not likely to have any adverse effect on any of the above listed species of concern.</p>
<p>6. UNIQUE, ENDANGERED, FRAGILE, OR LIMITED ENVIRONMENTAL RESOURCES:</p> <p>Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?</p>	<p>No.</p> <p>Consultation with the Montana Natural Heritage Program (Appendix A) indicates that one (1) specie of concern (Greater Short-Horned Lizard) has been recorded within the general area; however, the burning coal slag fire has destroyed the Greater Short-Horned Lizard’s habitat of sandy/gravelly soils. According to USFWS, Appendix B, “the proposed activity is not likely to adversely affect any federally listed threatened or endangered species or designated habitats.” No wetlands are present. The area is used by horses, as well as wildlife and birds consistent with a high desert, arid mountain environment; however, the project site is avoided by all wildlife owing to its smoldering state.</p>
<p>7. HISTORICAL AND ARCHEOLOGICAL SITES:</p> <p>Are any historical, archeological or paleontological resources present?</p>	<p>No.</p> <p>DEQ AMLB consulted with the State Historic Preservation Office (SHPO). SHPO expressed that there are structures associated with the Western Mine that could qualify for eligibility on the National Register of Historic Places under criteria A and C. With respect to this rapid response project, however, SHPO states, “As long as the proposed undertaking does not impact any of the potentially eligible buildings, structures or features, we concur with the determination that the proposed undertaking will have <i>no adverse effect on historic properties</i>” (Appendix C). As these structures are more than 0.5 miles distant, this project is not in danger of negatively affecting any known historical, archeological, or paleontological resources.</p>
<p>8. AESTHETICS:</p> <p>Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?</p>	<p>No.</p> <p>The project area is located approximately 5 miles due south of Roundup, Montana in a rural area consisting of parcels ranging in size from 320 to 640 acres. The nearest residence to the Western Mine 2012 Coal Slag Fire is 0.45 miles. The project area will not be visible to the public as this section of County Road leads to one residence. Also, the project will not be visible from any scenic areas. It is anticipated that there may be some noise associated with heavy equipment use; however, this is to be expected for any project utilizing heavy equipment.</p>
<p>9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY:</p> <p>Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project?</p>	<p>No.</p> <p>Activities associated with the project include excavation and burial of inert as well as ignited coal slag materials. The coal slag will then be buried on-site. No project activity will use resources that are limited in the area. All equipment and supplies will be supplied by a local contractor. There are no activities nearby that will impact this project.</p>
<p>10. IMPACTS ON OTHER</p>	<p>No.</p>

SECTION 2: IMPACTS ON THE PHYSICAL ENVIRONMENT

WESTERN MINE 2012 COAL SLAG FIRE RECLAMATION PROJECT

<p>ENVIRONMENTAL RESOURCES:</p> <p>Are there other activities nearby that will affect the project?</p>	<p>There are no other known activities nearby that will affect the project.</p>
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SECTION 3: IMPACTS ON THE HUMAN POPULATION

WESTERN MINE 2012 COAL FIRE RECLAMATION PROJECT

RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
<p>1. HUMAN HEALTH AND SAFETY:</p> <p>Will this project add to health and safety risks in the area?</p>	<p>No. This project will not add to health and safety risks in the area. The project will eliminate a potential public safety hazard.</p>
<p>2. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION:</p> <p>Will the project add to or alter these activities?</p>	<p>Yes. Reclamation of this project area may enable vegetation to grow in areas where it has been unable to do so since coal mining's cessation in the area in the early 1970s. This project would serve to improve the overall agricultural and rangeland dynamics of the area.</p>
<p>3. QUANTITY AND DISTRIBUTION OF EMPLOYMENT:</p> <p>Will the project create move or eliminate jobs? If so, estimated number.</p>	<p>No. This project will have a positive impact on the local economy owing to the use of a local contractor.</p>
<p>4. LOCAL AND STATE TAX BASE AND TAX REVENUES:</p> <p>Will the project create or eliminate tax revenue?</p>	<p>No. This project will have no effect on the tax base or revenues.</p>
<p>5. DEMAND FOR GOVERNMENT SERVICES:</p> <p>Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?</p>	<p>No. The project is scheduled to occur over 1-2 days, and the reclamation crew will arrive in 1 vehicle. With the exception of mobilization of heavy equipment, this project's activity will revolve around 1 vehicle. The mobilization and demobilization aspects of the project can occur via the use of a trailer and equipment loaded onto the trailer. Given the size and scope of the reclamation project, no additional government services are anticipated.</p>
<p>6. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS:</p>	<p>No. Reclamation activities associated with the project area will comply with all Federal, State, regional, and local land use plans, programs, and policies. Given the size and scope of the project, it is not anticipated that there will be</p>

SECTION 3: IMPACTS ON THE HUMAN POPULATION

WESTERN MINE 2012 COAL FIRE RECLAMATION PROJECT

<p>Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?</p>	<p>any zoning or management plans in effect.</p>
<p>7. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES:</p> <p>Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?</p>	<p>No. There are no wilderness areas nearby. The general area is used as pasture by the landowner; however, the landowner does wish to sow seed into this area once it is reclaimed. The 2012 Wilson Fire has limited the ability of many in the area to recreate as they did before the fires. It is therefore understood that this project will not impede recreational activities during or after reclamation but will instead serve to improve recreational opportunities.</p>
<p>8. DENISTY AND DISTRIBUTION OF POPULATION AND HOUSING:</p> <p>Will the project add to the population and require additional housing?</p>	<p>No. This project will not add to the population or require additional housing. Reclamation work will be completed by contractors living near the project area.</p>
<p>9. SOCIAL STRUCTURES AND MORES:</p> <p>Is some disruption of native or traditional lifestyles or communities possible?</p>	<p>No. The project will not disrupt native or traditional lifestyles.</p>
<p>10. CULTURAL UNIQUENESS AND DIVERSITY:</p> <p>Will the action cause a shift in some unique quality of the area?</p>	<p>No. The projects will not cause any shifts in unique qualities of the areas.</p>
<p>11. PRIVATE PROPERTY IMPACTS:</p> <p>Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants, of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.</p>	<p>No. The actions have been approved by the landowner. The landowner has signed a Notice and Consent for Entry giving DEQ AMLB, their agents, and/or contractor(s) permission to access the property.</p>
<p>12. ENVIRONMENTAL JUSTICE:</p> <p>Will the actions have disproportionate effect on any demographic population with regard to either income level or minority status?</p>	<p>No. DEQ AMLB has prioritized the project in accordance with its statutory mandates and has also determined from United States Government Census figures that there is no disproportionate effect on any demographic population with regard to either income level or minority status. No consideration regarding the selection of this project was made in relation to income or race.</p>

SECTION 3: IMPACTS ON THE HUMAN POPULATION

WESTERN MINE 2012 COAL FIRE RECLAMATION PROJECT

13. PUBLIC PARTICIPATION

Will the public be given an opportunity to participate in comments and the design process?

No.

Owing to the rapid response necessary for this project, as well as its size and scope, public participation is superfluous; however, this EA will be available for review and public comment on the DEQ AMLB website: <http://deq.mt.gov/AbandonedMines/CurrentProjects.mcp.x>.

A. PERSONS, ORGANIZATIONS AND AGENCIES CONTACTED

Kathryn Ore
State Historic Preservation Office
1410 8th Avenue
PO Box 201202
Helena, MT 59620

Martin P. Miller
Montana Natural Heritage Program
1515 East Sixth Avenue
P.O. Box 201601
Helena, MT. 59620

R. Mark Wilson
Field Supervisor
Montana Field Office
USFWS Ecological Services
100 N. Park, Suite 320
Helena, MT. 59601

B. PREPARERS AND REVIEWERS

Montana Department of Environmental Quality
Abandoned Mine Lands Bureau
1100 N. Last Chance Gulch
P.O. Box 200901
Helena, MT. 59620

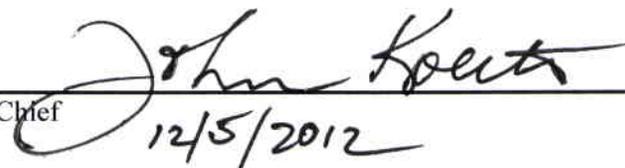


Hayden Janssen, Project Manager

Date: 5/XII-2012

Reviewed by:

Montana Department of Environmental Quality
Abandoned Mine Lands Bureau
1100 N. Last Chance Gulch
P.O. Box 200901
Helena, MT. 59620



John Koerth, Bureau Chief

Date: 12/5/2012

APPENDIX A

Montana Natural Heritage Program Consultation



P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.0266 • tel 406.444.5354 • <http://mtnhp.org>

November 20, 2012

Hayden Janssen
MT DEQ
1100 North Last Chance Gulch
Helena, Montana 59620

Dear Hayden,

I am writing in response to your recent request regarding Montana species of concern in the vicinity of the Western Mine-Musselshell County project, at latitude 46.38166 N, longitude -108.49229 W, in Sections 4 and 5, T07N, R26E. I checked our databases for information in this general area and have enclosed 1 species occurrence report for 1 animal species of concern, and a map depicting Species of Concern locations. Note that the maps are in Adobe GeoPDF format. With the appropriate Adobe Reader, it provides a convenient way to query and understand the information presented on the map.

Please keep in mind the following when using and interpreting the enclosed information and maps:

- (1) These materials are the result of a search of our database for species of concern that occur in an area defined by the requested township, range and sections with an additional one-mile buffer surrounding the requested area. This is done to provide a more inclusive set of records and to capture records that may be immediately adjacent to the requested area. Please let us know if a buffer greater than 1 mile would be of use to your efforts. Reports are provided for the species of concern that are located in your requested area with a one-mile buffer. Species of concern outside of this buffered area may be depicted on the map due to the map extent, but are not selected for the SOC report.
- (2) On the map, polygons represent one or more source features as well as the locational uncertainty associated with the source features. A source feature is a point, line, or polygon that is the basic mapping unit of a Species Occurrence (SO) representation. The recorded location of the occurrence may vary from its true location due to many factors, including the level of expertise of the data collector, differences in survey techniques and equipment used, and the amount and type of information obtained. Therefore, this inaccuracy is characterized as locational uncertainty, and is now incorporated in the representation of an SO. If you have a question concerning a specific SO, please do not hesitate to contact us.

Visit the Montana Natural Heritage Program at <http://mtnhp.org>

- (3) This report may include sensitive data, and is not intended for general distribution, publication, or for use outside of your organization. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or biological communities.
- (4) The accompanying map(s) display land management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.
- (5) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). For additional fisheries information in your area of interest, you may wish to contact Montana Fish, Wildlife, and Park's Montana Fisheries Information System (phone: 406-444-3373, or web site: <http://fwp.mt.gov/fishing/mFish/>).
- (6) **Additional information on species habitat, ecology and management is available on our web site in the Plant, Animal, and ecological Systems Field Guides, which we encourage you to consult for valuable information. You can access these guides at <http://mntnhp.org>. General information on any species can be found by accessing the link to NatureServe Explorer.**

The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments. The information is intended for project screening only with respect to species of concern, and not as a determination of environmental impacts, which should be gained in consultation with appropriate agencies and authorities.

I hope the enclosed information is helpful to you. Please feel free to contact me at (406) 444-3290 or via my e-mail address, below, should you have any questions or require additional information.

Sincerely,



Martin P. Miller
Montana Natural Heritage Program
martinm@mt.gov

Visit the Montana Natural Heritage Program at <http://mntnhp.org>



Natural Resource Information System
 Montana State Library
 PO Box 204000
 Helena, MT 59620-4000
 (406) 241-2222 or (406) 241-2200

Species of Concern Data Report

Visit <http://mtnhp.org> for additional information.

Report Date:

Tuesday, November 20, 2012

Phrynosoma hernandesi

[View Species in MT Field Guide](#)

Common Name: Greater Short-horned Lizard

General Habitat: Sandy / gravelly soils

Description: Reptiles

Mapping Delineation:

Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 300 meters in order to encompass habitats supporting other individuals and documented distances moved between summer and winter habitats. Otherwise the point observation is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.

Species Status

[Click Status for Explanations](#)

Natural Heritage Ranks:

State: S3
Global: G5

Federal Agency Status:

U.S. Fish & Wildlife Service:

U.S. Forest Service:

U.S. Bureau of Land Management:

SENSITIVE

SENSITIVE

FWP CFWCS Tier: 2

MT PIF Code:

Species Occurrences

Species Occurrence Map Label: 10000741

First Observation Date: 1949-08-14

SO Number: 3,743

Last Observation Date: 1949-08-14

Acreeage: 19,309

APPENDIX B

United States Fish and Wildlife Service Threatened and Endangered Species Consultation



United States Department of the Interior

FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
MONTANA FIELD OFFICE
585 SHEPARD WAY
HELENA, MONTANA 59601
PHONE (406) 449-5225, FAX (406) 449-5339



M.38-DEQ(I)

November 26, 2012

Hayden Janssen, Project Manager
Abandoned Mine Lands Bureau
Montana Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901

Dear Mr. Janssen:

I am responding to your November 20, 2012 request for U.S. Fish and Wildlife Service (Service) concurrence with the Montana Department of Environmental Quality's (DEQ) threatened and endangered species no effect determination for a rapid response to an abandoned coal mine fire, 5 miles south of Roundup, Montana. This response is authorized under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et. seq.), Migratory Bird Treaty Act (MBTA)(16 U.S.C. 703 et seq.), as amended, Executive Order 13186 *Responsibilities of Federal Agencies to Protect Migratory Birds*, Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250), as amended, and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

The DEQ, as authorized by the USDO Office of Surface Mining Reclamation and Enforcement (OSMRE), proposes to excavate remaining coal slag piles, extinguish ignited coal slag piles, and bury all coal slag material on-site, using recovered topsoil as a cap. The work is projected to occur over a 1 day period and be isolated to the immediate project area.

The Service has reviewed the project area description and photos as well as the supporting information from the Montana Natural Heritage program (MTNHP). We concur with the DEQ's determination that the proposed activity is not likely to adversely affect any federally listed threatened or endangered species or designated critical habitats. Additionally, we do not anticipate adverse effects to the candidate Sprague's pipit (*Anthus spragueii*), North American wolverine (*Gulo gulo luscus*), or whitebark pine (*Pinus albicaulis*) in conjunction with project implementation.

This concludes informal consultation on this proposed AML project pursuant to regulations in 50 CFR 402.13 implementing the ESA, as amended. This action should be re-analyzed if new information reveals effects that may affect threatened, endangered or proposed species, or if the project is modified in a manner that causes an effect not considered in this consultation.

Thank you for the opportunity to review the proposal and provide comments. If you require further information, please contact Mike McGrath, of my staff at (406) 449-5225, ext. 201.

Sincerely,

A handwritten signature in blue ink that reads "R. Mark Wilson".

R. Mark Wilson
Field Supervisor

cc: OSMRE, Casper, WY (Attn: Jeff Fleischman)

APPENDIX C
SHPO Consultation

Big Sky. Big Land. Big History.
Montana
Historical Society

Historic Preservation
Museum
Outreach & Interpretation
Publications
Research Center

December 3, 2012

Hayden Janssen
Abandoned Mine Lands Bureau
Montana Department of Environmental Quality
P. O. Box 200901
Helena, MT 59620-0901

RECEIVED

DEC 04 2012

Department of
Environmental Quality
Remediation Division

RE: Western Mine 2012 Coal Slag Fire
Musselshell County, Montana

Dear Mr. Janssen:

Thank you for the letter (received November 28, 2012) and attached documentation regarding the proposed reclamation project to extinguish the 2012 Western Mine (24ML0186/24ML0187) Coal Slag Fire located in Musselshell County, Montana. Although 24ML0186/24ML0187 has never been formally declared eligible for listing in the National Register of Historic Places (NRHP), the provided cultural resource inventory and evaluation does recommend it as eligible under Criteria A and C. This determination of eligibility is primarily based on the remaining historic-age buildings and structures located throughout the Western Mine property. According to the provided letter, the proposed reclamation project is situated a distance of at least 0.5 miles away from these remaining building and structures. Therefore, considering the nature and urgency of the undertaking, at this time, we do not believe it is necessary for the Montana Department of Environmental Quality, Abandoned Mine Lands Bureau (DEQ/AMR) to make a formal determination of eligibility for 24ML0186/24ML0187.

As long as the proposed undertaking does not impact any of the potentially eligible buildings, structures or features, we concur with the determination that the proposed undertaking will have *no adverse effect on historic properties*. However, we anticipate the need for further consultation and evaluation should DEQ/AMR find it necessary to expand the current Area of Potential Effect.

If you have any questions or concerns, do not hesitate to contact me at (406) 444-0388 or kore@mt.gov. Thank you for consulting with us.

Sincerely,

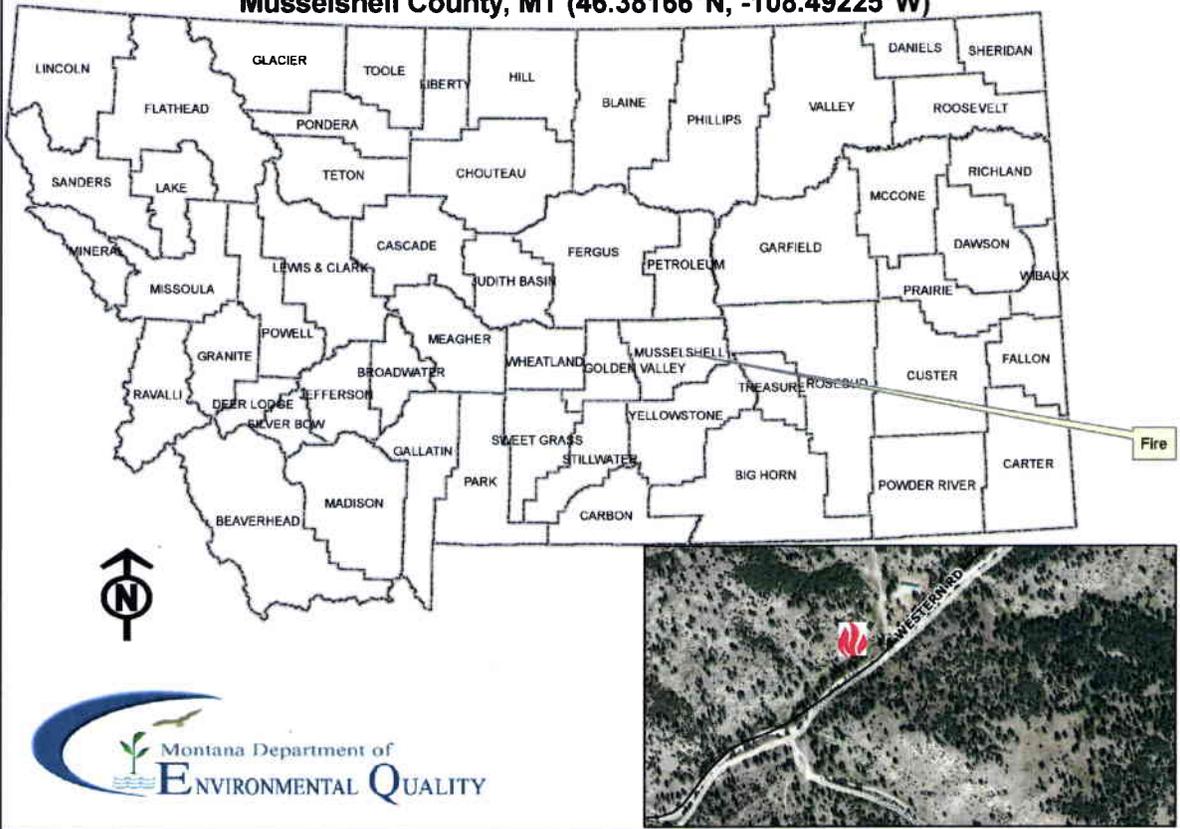

Kathryn Ore
Review and Compliance Officer
Montana State Historic Preservation Office

225 North Roberts Street
P.O. Box 201201
Helena, MT 59620-1201
(406) 444-2694
(406) 444-2696 FAX
montanahistoricalsociety.org

File: DEQ/AMR - 2012 - 2012112804

APPENDIX D
PROJECT AREA MAPS

**2012 Western Coal Mine Fire
Musselshell County, MT (46.38166°N, -108.49225°W)**



APPENDIX E

PRE-RECLAMATION PHOTOS



Figure 1- 28 November 2012 Investigation



Figure 2- 28 November 2012 Investigation