

(1) Each application must contain:

(c) Significant Scenic and/or Geological Formations

The BLM determined that the SCM site possessed no characteristics of unique scenic or aesthetic value. This determination was made during preparation of the Northern Powder River Basin Environmental Impact Statement. In addition, the Montana Bureau of Mines and Geology concluded that the permit area had no particularly outstanding, scenic or unique geologic formations or sites.

(d) Special, Exceptional, Critical or Unique Areas

In accordance with provisions of Montana law, the applicant for a surface mining permit must ascertain whether the proposed mining operation will have any extraordinarily adverse impacts upon the immediate and adjacent environment. Baseline studies have been conducted and potential areas of special, exceptional, critical or unique value are summarized as follows:

1. Areas within the permit boundary which may be of archaeological, historical, ethnological or cultural interest have been discussed in Volume 2 of the EBS, Archeology, History and Paleontology. Additional studies to assess cultural resources are summarized in Volume 1, Volume 1A Addendum 318A, Appendix G, Appendix G-3 and Appendix G-4.
2. The wildlife chapter in the Draft Supplement to the Montana Statewide Oil and Gas Environmental Impact Statement (SEIS) and Amendment of the Powder River and Billings Resource Management Plans (December 2006) addresses the sage-grouse as a State species of special concern (pages 3-118 through 3-125). It is shown in the Draft SEIS on Map 3-13 (page 3-124) that the Pearson Creek Baseline area is located within a "crucial sage-grouse habitat area" (CX Ranch B). The mining permit boundary includes approximately 1,560 acres of land inside the "crucial sage-grouse habitat area" as shown on Figure 304-A below. Approximately 8,620 acres of crucial sage-grouse habitat area exists in the surrounding area. This figure also shows the life of mine disturbance boundary. Approximately 1228 acres of the "crucial sage-grouse habitat area" will be disturbed as a result of the mining progression. Baseline and annual wildlife monitoring have identified active sage-grouse and sharp-tailed grouse leks within two-miles of the mining permit boundary. One sage-grouse lek (Upper Divide) and one sharp-tailed grouse lek (ST-4) were eclipsed by Pit #1 mining operations in the early 1980s. Another sharp-tailed grouse lek site (ST-5) was eclipsed by Pit #4 mining in late 2001. The Pearson Creek Amendment boundary includes two sharp-tailed leks (Pearson CK N & S), and no sage-grouse leks as shown below on Figure 304-A. The leks are also shown in the Spring Creek Mine Annual Wildlife Monitoring Report.
3. Baseline vegetation inventory in 1993 and 1994 identified a small population of woolly twinpod plants (*Physaria didymocarpa* var *lanata*). At that time, its trinomial status (rarity) was uncertain

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(SU), but subsequently woolly twinpod has been categorized in Montana as S1, imperiled within state borders. The woolly twinpod was not found in the Pearson Creek Baseline area.

4. A variety of raptors and other migratory birds use the permit area for nesting and foraging. A total of fifty seven raptor nests have been located in the wildlife survey area between 1976 and 2012. All nest locations are depicted in the Spring Creek Mine Annual Wildlife Monitoring Report.
5. Figure 304-A below shows wintering areas for mule deer and antelope populations in and around the mine area. This figure shows Wildlife Areas Within and Adjacent to the Spring Creek Mine. Information from Figure 1-3 (p.1-10) of the Lease by Modification (LBM) EA for Federal Lease MTM-69782 (2010) and Map #2 of the 2012 Spring Creek Mine Annual Wildlife Monitoring Report.

Figure 304-A

