

Authorization to Proceed (ATP)  
David Sprinkle Abandoned Mine Land (AML) Reclamation Project  
based on Categorical Exclusion (CX)  
Bell County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the August 29, 2011, request for ATP with construction activity on the David Sprinkle AML Reclamation project, prepared by the Division of Abandoned Mine Lands (DAML) of the Kentucky Department for Natural Resources. OSM found that the appropriate request documents were submitted initially and in subsequent correspondence made part of the ATP request, and appear to support the need for the proposed construction activity. OSM confirmed that the required information for this project has been included in the AML Inventory System under Problem Area #KY-004151-SGA.

OSM reviewed the categorical exclusion (CX) certification prepared by DAML for this project. OSM determined that the construction activity requested under this project conforms to the exclusion criteria in 516 DM 2 and 13, does not involve any of the general exceptions in 516 DM 13.5(A)(33) or extraordinary circumstances listed in 516 DM 2, Appendix 2, and is excluded from further NEPA environmental review. As a result, I have signed the Categorical Exclusion Determination (CX) for this project.

Please ensure compliance with the following provisions in the ATP request documents noted here for emphasis or the authorization of this project is further conditioned as follows, unless subsequent authorization is requested by DAML and authorized by OSM:

- Project construction activity is authorized to be conducted only between November 15 and March 31, as noted in the DAML ATP request letter and biological review memorandum.
- During diversion or drainage ditch construction, no potential Indiana bat habitat trees will be cut and there will be no filling or crossing of Cranes Creek.
- Highwall backfill in the waste area shall not be deposited to a depth or in a manner that impact threatened or endangered bat species.
- Proposed waste areas #2 and #3 cannot be used until the further consultation required under the Memorandum of Understanding between OSM and the USFWS is accomplished and OSM is notified of the consultation resolution, and OSM authorizes construction activity associated with these waste areas.

- Access to the project area will be as designated on the aerial photo attached to an email from DAML dated October 3, 2011, which follows the existing mine road and mine bench and will not involve driving in or through Cranes Creek.
- No cave or cliffline disturbance or mine portal/shaft closures are proposed or authorized under this project.

Accordingly, pursuant to Section 5-11-20D.3 of the Federal Assistance Manual and my signature on this ATP notification document, DAML is authorized to proceed with construction activity for this project as described in the ATP request documents submitted by DAML for this project and further conditioned in this notification, and expend Federal funds in accordance with AML grant terms and conditions.

 "Acting FOI"

Joseph L. Blackburn, Field Office Director  
OSM Lexington Field Office



Date

UNITED STATES DEPARTMENT OF THE INTERIOR  
Office Of Surface Mining Reclamation And Enforcement  
ABANDONED MINE LANDS  
CATEGORICAL EXCLUSION CERTIFICATION AND DETERMINATION

State: Kentucky PA: KY 4151 SGA  
Project Name: David Sprinkles AML Reclamation Project  
Project Description: Reclamation of a slide and a refuse pile on fire and removal of a tippel.

I. GENERAL EXCEPTIONS

Does the project type specifically require an EA in 516 DM 6, Appendix 8, as specified in Item I of the attached instructions? No  Yes

II. DEPARTMENT OF INTERIOR EXCEPTIONS

Will the project have any of the following:

A significant adverse effect on public health or safety? No  Yes

An adverse effect on any of the following unique geographic characteristics? If 'yes,' check the ones that apply: No  Yes

- |   |  |
|---|--|
| <input type="checkbox"/> Parks (state, local or National)           | <input type="checkbox"/> Wild or Scenic Rivers                     |
| <input type="checkbox"/> Recreation or Refuge Lands                 | <input type="checkbox"/> Wetlands                                  |
| <input type="checkbox"/> Wilderness Areas                           | <input type="checkbox"/> Floodplains                               |
| <input type="checkbox"/> Ecologically Significant or Critical Areas | <input type="checkbox"/> Sole or Principal Drinking Water Aquifers |
| <input type="checkbox"/> Prime Farmlands                            |  |

Highly controversial environmental effects? No  Yes

Highly uncertain and potentially significant environmental effects or unique or unknown environmental risks? No  Yes

A precedent for future action or a decision in principle about future actions with potentially significant environmental effects? No  Yes

Directly related to other actions with individually insignificant but cumulatively significant environmental effects? No  Yes

Adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No  Yes

Adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species? No  Yes

Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act? No [x] Yes [ ]

Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment? No [x] Yes [ ]

III. RESOURCE IMPACT EXCEPTIONS

Are there any unresolved issues or adverse effects requiring specialized mitigation for any of the following resources? If yes, check the ones that apply. No [x] Yes [ ]

Topography                       Historic and Cultural  
 Land Use (includes prime farmland)     Recreation  
 Soils                                       Air Quality  
 Vegetation (includes wetlands)        Noise  
 Hydrology                               Other (includes socio-economics)  
 Fish and Wildlife

IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP

V. RESPONSIBLE OFFICIAL CERTIFICATION

Signature: Steve Hohmann Date: 8/29/11

Name and Title: Steve Hohmann, Director  
Division of Abandoned Mine Lands

VI. OSM DETERMINATION

10-14-11

This project conforms with the exclusion criteria in 516 Dm 6, Appendix 8, and is excluded from further NEPA compliance.

This project does not conform with the exclusion criteria in 516 DM 6, Appendix 8, and requires an environmental assessment.

Signature: Joseph L. Blackburn Acting FOI Date: 10/14/11

Name and Title: JOSEPH L. BLACKBURN, FIELD OFFICE DIRECTOR

Memorandum

Date: October 14, 2011

To: David Sprinkle Abandoned Mine Land (AML) Reclamation Project File ID# 99.131030000

From: Steve Cassel, Sr., AML Program Specialist *10-14-11*  
Lexington Field Office (LFO), Program Support Branch (PSB)

Subject: Review of "Authorization to Proceed" (ATP) Request

The Branch recommends that the Field Office Director (FOD) authorize the State of Kentucky to proceed with the construction activity proposed on the David Sprinkle AML Reclamation Project with a construction budget of \$817,520. The Branch prepared an ATP notice for the FOD review. The Branch recommends that the FOD sign the Categorical Exclusion Determination (CX) and ATP notice in the space provided on each document. The original signed ATP notice will be filed in the LFO AML project construction files and a copy will be sent to the Division of Abandoned Mine Lands (DAML) Director attached to a transmittal email, with an attachment of associated approval documents, consisting of a copy of the LFO review memorandum and CX. Additionally, the transmittal email will be copied to the Department for Natural Resources (DNR) Commissioner.

The Kentucky DAML ATP request dated August 29, 2011, was received at LFO on August 29, 2011. On September 2, 2011, I conducted a site visit and identified several NEPA issues that needed to be resolved before the ATP could be further processed. I conveyed these issues to DAML in an email dated September 6, 2011. The email also included some AMLIS priority questions; however these were resolved, after further consideration and consultation with ARO AML Consistency Team members in West Virginia and Pennsylvania. Review and final authorization of this project was delayed due the need for final consultation with the Kentucky Field Office of the U.S. Fish and Wildlife Service (USFWS) located in Frankfort, KY, which was not conducted by DAML prior to submission of the initial ATP request. The additional consultation was needed since the project area did fall within a critical habitat area as delineated in the map that accompanied the Memorandum of Understanding with the USFWS; also the initial ATP package did not specify access to the project area. The access road was identified by DAML, along with the remaining information needed for a complete ATP request package, in emails dated October 3, 4, 5, and 6, 2011. As such a complete ATP request package for this project was not received in LFO until that last date, and that date is used as the official date OSM received the ATP.

The ATP was processed within 5 working days, with 27 working days of suspended review, from August 29th to October 6th, 2011, due to required additional USFWS consultation, access delineation, etc. to constitute a complete ATP request. Therefore, the customer service target of 14 working days to process an ATP has been met. The

ATP was processed in 8 calendar days, with 46 calendar days of suspended review, from August 29th to October 6th, 2011. Therefore, the Federal employee performance appraisal standard of 30 calendar days to process an ATP has been met.

The project area may be centrally located on the Middlesboro North, Kentucky U.S.G.S. 7.5 minute Topographic Quadrangle map at 36° 40' 19" North Latitude and 83° 37' 50" West Longitude near the community of Colmar, Kentucky. The project location, AML problems to be addressed and proposed reclamation activity/cost are also available at <http://www.osmre.gov> in the AMLIS under PA# KY-004151-SGA. The project involves reclamation of AML conditions consisting of stabilization of a landslide, extinguishing and reclamation of a burning refuse pile, and removal of an abandoned coal tippel.

DAML did not designate a funding source for the construction work under the budget category entitled Project Costs (Non-Water Supply) of any of Kentucky's AML Annual Construction Grants (AG). In previous discussions, DNR indicated they would assign projects to a grant before they go to construction. The LFO Project/Site ID# 99.131030000 was assigned to the project file for LFO tracking purposes until actual AG and Location Code numbers are assigned by DAML and can be inserted in the appropriate positions at the beginning and end of the LFO Project #. No specific proposed bid advertisement, bid opening, or construction completion dates were provided by DAML in the ATP request letter, therefore I inserted dates in the database based on the ATP request letter stating that these activities will occur as soon as possible. The following proposed dates were assigned and entered by LFO for database tracking purposes: Bid Advertisement Date was entered as November 1, 2011, Contract Award was entered as December 1, 2011, and Contract/Construction Completion was entered as December 1, 2012.

An office review of the initial request documents submitted on August 29, 2011, was conducted. The documents consisted of; a project description, location map's, a National Environmental Policy Act (NEPA) review documented in a CX with agency consultation documentation; and an Abandoned Mine Land Inventory System (AMLIS) Problem Area Description (PAD) summary and appropriate Priority Documentation Forms, with engineer cost estimates for PA# KY-004151-SGA. The ATP request was further supplemented with USFWS and SHPO consultation and access road information contained in subsequent emails dated October 3, 4, 5, and 6, 2011, by DAML which completed the ATP request; these documents are included in the ATP request package.

A pre-approval field inspection of the proposed project was conducted on September 2, 2011, for field verification under the EY 2012 Oversight Agreement and to further evaluate site conditions. The proposal was found to have some issues that needed to be resolved. These issues were documented in an email to DAML dated September 6, 2011. After the issues were resolved in subsequent emails from DAML dated October 3,

4, 5, and 6, 2011, the project was recommended for approval with no further concerns or recommendations. Refer to the email correspondence in the project file.

The CX submitted for the construction activity at the site, along with the initial and subsequent agency consultation, was reviewed and found to adequately document the environmental review of the construction activity within the current NEPA review guidance. The use of a CX is acceptable for the construction activity proposed in this project because all items on the CX have a response of "No." The project type does not meet any of the ten general exceptions, in 516 DM 13.5(B)(33), that would require preparation of an Environmental Assessment.

The project involves: no more than 100 acres; no hazardous wastes; no explosives; no hazardous or explosive gases; no dangerous impoundments; no mine fires and refuse fires; no undisturbed, noncommercial borrow or disposal sites; no dangerous slides where abatement has the potential for damaging inhabited property; no subsidences involving the placement of material into underground mine voids through drilled holes to address more than one structure; and no unresolved issues with agencies, persons, or groups or adverse effects requiring specialized mitigation.

The project description and AMLIS PAD note that the refuse pile has periodically be on fire, and has the potential of being reignited by forest fires, which would then create the potential for endangering the public or causing additional forest fires, however the pile is not currently burning to the degree envisioned by the CEQ that would require the need for an environmental assessment. During the site visit on September 2, 2011, I did not witness any smoke or fumes or indications of current serious refuse fire.

In addition, none of the twelve extraordinary circumstances listed in 516 DM 2, Appendix 2, exist on the project. All access is via existing roads. All waste areas were previously disturbed as mine benches. All other areas were previously disturbed by mining, residential/business development, and road construction. There are no unresolved issues or adverse effects requiring specialized mitigation.

No significant impacts have been reported to this office or identified by the Branch. The Branch recommends that the Office of Surface Mining Reclamation and Enforcement (OSM) accept the CX, along with the initial and subsequent agency consultation, submitted by the Kentucky DAML. The State's initial ATP request and subsequent correspondence and attachments discussed the responses from agencies consulted for the NEPA review and discussed appropriate resolution of all their concerns and recommendations. The responses from agencies consulted for the NEPA review include the following comments and/or:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) identified three known federally threatened/endangered fish and wildlife i within a 10 mile radius of the

project area. They did not note any state listed species of concern within 1 mile radius of the project area.

The designated DAML biological review staff reviewed the Kentucky State Nature Preserves Commission's (KSNPC) endangered, threatened and special concern reference databases in lieu of direct consultation. The findings are noted in the ATP request correspondence and an attached biological review memorandum. DAML found that KSNPC data indicated the same three federally listed threatened or endangered species, the Indiana bat, gray bat and Blackside dace, within a 10-mile radius, as were noted by the KDFWR, and eight species of State concern known to occur within a 1-mile radius of the project. DAML listed and discussed the each species noted above in the biological review memorandum dated July 13, 2011, subsequent email correspondence concerning fish and wildlife consultation with the USFWS dated October 4 and 5, 2011, made part of the ATP package, and their ATP request correspondence, finding that the noted species will not be impacted, since the project will not result in a significant negative impact to their critical habitat and/or suitable habitat does not exist within the project area to support the species. No reason was identified to dispute their determination.

In a meeting held in February 2010 between the OSM Lexington Field Office (LFO) LFO, Kentucky Field Office (KFO) in Frankfort, Kentucky, of the U.S. Fish and Wildlife Service (USFWS) and DAML; Steve Hohmann, Director of DAML, offered to coordinate NEPA consultation with the KFO, utilizing the agreements in the September 18, 2009, Memorandum of Agreement (MOA) signed by the OSM, LFO and USFWS KFO. This document outlined the acceptable conditions that the projects potential impacts can have where the KFO will not need to be further contacted for comment. When the conditions within the agreement are present, processing of the ATP may proceed with the confidence that the biological environment is being protected and provisions of Section 7 of the Endangered Species Act have been fulfilled. It was agreed to by all parties, acknowledging that LFO would retain the final review to determine if the NEPA documentation is complete.

After review of the ATP documents for this project, DAML initially determined that additional consultation with the USFWS is not required because the proposed project will not adversely affect a federally listed species (Federal Assistance Manual (FAM) Chapter 5-11-15, A. 3.) DAML made this initial determination based on the fact that the project activities meet the following conditions noted in the MOA to ensure protection of federally listed species; specifically the Indiana bat, Gray bat, and freshwater fishes and mussels:

- With the exception of trees directly impacted by the AML problem, the project does not include the purposeful removal of standing trees larger than 5 inches diameter at breast

height or standing snags with loose bark that are 9 inch or greater diameter at breast height and at least 10 feet in height, during the period of April 1 to October 15;

- The DAML ATP request letter and biological review memorandum both note that the project construction activity will be conducted between November 15 and March 31, to prevent a direct negative impact to the Indiana bat;

- No caves or clifflines will be disturbed;

- No mine portal/shaft closures are proposed;

- No purposeful filling or crossing of streams using heavy equipment or the removal of riparian vegetation using heavy equipment within the Tradewater, lower Ohio, upper Cumberland, Green, and Licking River basins;

- And, in order to avoid/reduce indirect impacts, erosion and sediment control plans will be implemented and monitored until permanent vegetation has become established in the above listed watersheds and all other watersheds as may be appropriate.

However, the project activity does occur in "Known Indiana Bat Habitat" identified on the map attached to the MOA and the GIS files provided by USFWS KFO on November 2, 2009, used to generate the map on which the project coordinates are located and is attached to the DAML biological review memorandum. Therefore the project could potentially disturb possible Indiana bat habitat within the USFWS delineated area. By agreement in the MOA, this requires further consultation with the USFWS, still on an informal basis. DAML was notified of the need for this additional consultation requirement in my email to DAML dated September 6, 2011, DAML fulfilled the additional consultation and notified OSM in their email dated October 4, 2011. This further informal consultation was accomplished through several emails between DAML and the USFWS, which are made part of the ATP request.

As a result of this consultation the project will be conditioned as follows, unless subsequent authorization is requested by DAML and authorized by OSM:

- Project construction activity is authorized to be conducted only between November 15 and March 31, as noted in the DAML ATP request letter and biological review memorandum.

- No potential Indiana bat habitat trees will be cut during diversion or drainage ditch construction.

- Highwall backfill in the waste area shall not be deposited to a depth or in a manner that impact threatened or endangered bat species.

- Proposed waste areas #2 and #3 cannot be used until the further consultation required under the Memorandum of Understanding between OSM and the USFWS is accomplished and OSM is notified of the consultation resolution, and OSM authorizes construction activity associated with these waste areas.

With the specifics of the proposal meeting the criteria set out in the MOA, OSM agrees with DAML's determination that the proposed project would not adversely impact the species if these conditions are present. With this information, they found the requirements of Section 7 of the Endangered Species Act have been fulfilled.

The Office of State Archaeology found that their records did not indicate any known archaeological sites directly in the project area, no systematic archaeological survey has been conducted in the immediate project area, and past disturbance to the project area make it unlikely that archaeological sites will be preserved.

The Kentucky Heritage Council (KHC) and State Historic Preservation Officer (SHPO) was initially consulted for the current construction activity in an email dated September 19, 2011, since the tipple proposed for removal is over 50 years old. The SHPO had not responded in 30 days, and as provided under the Programmatic Agreement that DAML signed on January 3, 2011, with the KHC, DAML may proceed with project work and assume KHC concurrence if a response is not received in 30 days. The rest of the construction activity would fall under the provision for "exempt projects" which are "Routine and recurring projects whose impacts [under Section 106 of the National Historic Preservation Act] are "foreseeable and cause little or no ground disturbance or that have a low probability of affecting known or unknown historic properties..." Under the agreement KHC requires no consultation beyond DAML's determination that project activity an exempt. The SHPO did finally respond in an email dated October 6, 2011, noting that the tipple does not appear to be eligible for listing in the National Register of Historic Places and "it appears there will be no historic properties affected by the proposed activities, and no additional consultation with our office would be necessary", primarily due to the dilapidated condition of the tipple.

Environmental and Public Protection Cabinet (EPPC) (changed to the Environment and Energy Cabinet (EEC) in July 2008) Secretary order dated December 12, 2006, transferred authority for issuance of Clean Water Act (CWA) Section 401 Water Quality Certifications (WQC) associated with surface coal mine operations, to include any reclamation projects proposed by the DAML, to the Kentucky Department for Natural Resources (DNR). DNR assigned this responsibility to the DAML Design Branch. In a meeting held in February 2010 between the OSM Lexington Field Office (LFO), Kentucky Field Office (KFO) in Frankfort, Kentucky, of the U.S. Fish and Wildlife Service (USFWS) and DAML to primarily discuss fish and wildlife issues; Steve Hohmann, Director of DAML, offered to coordinate NEPA consultation with the U.S. Army Corps of

Engineers (COE) to assess the need for and compliance with the permit requirements of Section 404 of the Clean Water Act (CWA) by application of criteria provided by the COE. This was beneficial to both offices since these issues are inter-related. The DAML Design Branch determined that neither a 401 WQC nor a 404 CWA permit are needed for the project as proposed.

Under a 2005 agreement with the Kentucky Division of Water (DOW) Floodplain Management Section (FMS) of the Water Resources Branch, DOW authorized DAML to apply DOW floodplain standards in lieu of a DOW review. In this agreement, DAML will directly consult with DOW if it appears a permit may be required. DAML has acquired a set of Federal Emergency Management Agency (FEMA) floodplain maps that include the project area. DAML's Design Branch personnel researched these maps and have determined that the project is not within the base floodplain and no floodplain permits are required. This statement is contained in the ATP request letter.

The comments from the Kentucky State Clearinghouse, Kentucky's "Single Point of Contact" (SPOC) pertaining to AML Non-Water Supply projects included no comments that affect this proposal. The information to update PA # KY-004151-SGA was directly input into the AMLIS by the DAML on August 29, 2011. This information reflects the units and costs based upon the design and classification of the funded category. This was confirmed by LFO review of the AMLIS data and a PAD summary website screen printout from the OSM HDQ AMLIS database. PA# KY-004151-SGA submitted for this ATP represents a "new Problem Area" requiring FOD approval under OSM Directive AML-1-2 (signed June 22, 2007). A FOD approval form was not prepared for the PA, since the new e-AMLIS is operational, with electronic OSM FOD approval, which eliminated the need for the FOD approval form. The e-AMLIS file indicated the PA had been previously approved on October 7, 2011.

The Area Office AML staff will be notified of this project authorization by cc'd copy of the email notifying DAML of this ATP or email of an updated State AML Project List after the authorization of this project and availability of the project documents on the LFO State AML reclamation project tracking database.



**ENERGY AND ENVIRONMENT CABINET**  
**DEPARTMENT FOR NATURAL RESOURCES**

Division of Abandoned Mine Lands

2521 Lawrenceburg Road  
Frankfort, Kentucky 40601  
[www.ky.gov](http://www.ky.gov)

**Steven L. Beshear**  
Governor

**Leonard K. Peters**  
Secretary

**Carl E. Campbell**  
Commissioner

August 29, 2011

Mr. Joseph L. Blackburn, Director  
U. S. Department of the Interior  
Office of Surface Mining  
Lexington Field Office  
2675 Regency Road  
Lexington, KY 40503

RE: David Sprinkles AML Reclamation Project (Bell County)

Dear Mr. Blackburn:

We are requesting "Authorization to Proceed" with site-specific construction activities on the referenced project, as described in the enclosed package. Enclosed are a project description, location maps, and problem area description (PAD) supplemental form, including a problem description and an engineer cost estimate, for the above-referenced project. The PAD for problem area # KY 4151 SGA has been prepared, entered into the e-AMLIS by the division, and is pending OSM approval. An eligibility determination that finds the proposed project eligible for AML funding has been reviewed and signed by the Office of Legal Services. Support documents for the PAD and the eligibility determination will be made available to you upon request. Also, enclosed is a Categorical Exclusion, with two agency consultation response documents and two DAML consultation documents attached. Project information was sent to the Kentucky Heritage Council (KHC) on July 11, 2011 for their review, due to the tipple proposed for removal being over 50 years old. No response has been received by KHC at this time; and, according to the Programmatic Agreement between KHC and AML, if no response is received within 30 days, DAML may proceed with project work and assume KHC concurrence.

AML Program Development staff conducted a search of the Kentucky State Nature Preserves Commission (KSNPC) BIOTICS database. This search revealed that eight species of state concern, monitored by the KSNPC, are known to occur within one mile of the project site, and that three species listed as threatened or endangered, under the United States Endangered Species Act (USES), are known to exist within ten miles of the project site.

The species noted in the search are the:

- Allegheny-vine (*Adlumia fungosa* – KSNPC Historical Record)
- Rock harlequin (*Corydalis sempervirens* – KSNPC Special Concern)
- Kidney-leaf twayblade (*Listera smallii* – KSNPC Threatened)
- Nettle-leaf sedge (*Salvia urticifolia* – KSNPC Endangered)
- Ovate catchfly (*Silene ovata* – KSNPC Endangered)
- Frosted elfin (*Callophrys irus* – KSNPC Endangered)
- Elusive clubtail (*Stylurus notatus* – KSNPC endangered)
- Coal skink (*Eumeces anthracinus* – KSNPC Threatened)
- Blackside dace (*Chrosomus cumberlandensis* – USESA Listed Threatened)
- Gray bat (*Myotis grisescens* – USESA Listed Endangered)
- Indiana bat (*Myotis sodalis* – USESA Listed Endangered)

According to the memo by Edwin Boone, dated July 13, 2011, these species should not be negatively impacted by the proposed reclamation work. The entirety of the Commonwealth of Kentucky has been determined, by the United States Fish and Wildlife Service (USFWS), to be the potential habitat of the Indiana bat. The area to be impacted by this project is within an area that has been determined by the United States Fish and Wildlife Service to be “Known Habitat” for and of the Indiana bat. The habitat types listed for the area include Priority 1-2 maternity habitat and Priority 1-2 swarming habitat associated with hibernacula located in southwestern Virginia. The nearest record in the database is designated as an undetermined record (August 4, 2009), approximately 9.2 miles east of the project site, on Little Black Mountain in SW Harlan County. However, the USFWS “Known Habitat” map has no designation regarding this site. Some trees will be removed under this project along the inslope side of the remnant mine bench, which is to be utilized as a fill site for the extinguished gob. Conducting this project between November 15 and March 31 will prevent a direct negative impact to the Indiana bat. Conducting an Indiana bat presence/absence survey in association with this project will not be able to determine lack of presence, as a determination of presence has previously been made by the USFWS.

A letter was sent to the DAML floodplain and hydrology staff specialist, soliciting their comments regarding this project. The letter requested comments regarding water quality certification (WQC) and floodplain permit issues. The response stated that no WQC, COE, or floodplain permits will be required. The other consulted agencies had no objections or concerns regarding this project.

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August 29, 2011  
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Overall, the project is a Priority 1. The project is estimated to cost \$817,520.00, exclusive of "in-house" personnel costs associated with project administration, design, support, surveying, and bid activities. Completion of the project will not require the acquisition of any land and will not significantly affect the potential recovery of residual coal reserves at the site. The principal benefits to be derived from the successful completion of the project are the elimination of abandoned mine land problems as described in the attached project description.

Construction contract bidding, awarding, and subsequent construction completion will occur as soon as possible. Should you have any questions regarding this information, please contact us at 502/564-2141.

Sincerely,

A handwritten signature in blue ink that reads "Steve Hohmann". The signature is fluid and cursive, with the first name "Steve" and last name "Hohmann" clearly legible.

Steve Hohmann, Director  
Division of Abandoned Mine Lands

SH:BO:RH:vr

Enclosures

David Sprinkles  
AML Reclamation Project  
Bell County

Project Description

The proposed project (5.3 acres total) consists of one site located in the Middlesboro North Quad of Bell County.

**Existing Mine Waste Area/ Burning Refuse:**

The existing mine waste area sits below the existing access road that runs along the old mine bench above Cranes Creek (Lat 36° 40' 16.2", Long 83° 37' 54.9"). Reclamation of the existing mine waste area involves excavating and removing burning coal refuse from the area and wasting material into storage area 1. Excavated material from the slide area will then be wasted onto the existing mine waste area within the proposed storage limits. A class II ditch will be installed along the eastern side of the waste area and ECB ditches will be installed above and below the waste area to control drainage. Access to this area will be along the existing access road.

**Slide Area:**

The slide area sits above the existing access road above Cranes Creek (Lat: 36° 40' 22.9", Long 83° 37' 47.1"). The slide area will be corrected by excavating and drying slide material then wasting the material within the storage limits of the existing mine waste area. If additional storage is required, material will be placed in either Storage Area 2 or Storage Area 3. A temporary diversion ditch will be constructed starting at the top of the slide area and drain any storm related water from the area and into Cranes Creek down below. A class II ditch will be constructed along the top of the slide area and extend down through the center of the slide area, across the access road and down into Cranes Creek. A section of highwall restoration will be constructed where the class II ditch runs over the highwall just above the access road. A barrier protecting the coal seam will be added across the width of the exposed highwall. Access to this area will be along the existing access road.

**Abandoned Tipple:**

The abandoned tipple sits just below the existing access road above Cranes Creek (Lat: 36° 40' 18.9", Long 83° 37' 50.0"). The tipple area will be reclaimed by tearing down the abandoned tipple and temporarily storing the material in Storage Area 1. Any material that will not be hauled away as scrap metal will be permanently stored in the demolished debris area of storage area 1. Material in this area will be covered with a clay layer and then a soil layer to the

proposed ground line. All structures associated with the tipple will be demolished below ground level. Access to the tipple and storage area will be along the existing access road.

### **Storage Area 1:**

Storage Area 1 sits above the existing access road across from the abandoned tipple (Lat: 36° 40' 20.5", Long 83° 37' 51.3"). Material from the existing mine waste area and refuse fire will be wasted in storage area 1 along with any material from the abandoned tipple that cannot be hauled away as scrap metal. Material will be placed within the limits of the storage area. A class II ditch will run along the top of the storage area to divert any drainage away from the wasted material. An ECB ditch will be installed along the bottom of the area. Drainage from the ditches will be carried into class II ditches along the existing access road and empty into temporary culverts beneath the road. A subdrain will also be installed through the center of the storage area to carry drainage to the roadside ditch. Access to the area will be along the existing access road.

### **Potential Storage Area 2:**

Storage Area 2 sits along the existing access road to the West of the tipple and slide area (Lat: 36° 40' 17.7", Long 83° 38' 1.1"). Any excess material from the slide area that cannot be held in storage area 1 will be wasted within the limits of storage area 2. The storage area, if needed, will have a class II ditch along the top of the area that will carry drainage to an ECB ditch along the access road below and into a temporary culvert. A subdrain will also be installed within the storage area to carry drainage to the roadside ditch. Access to the area will be along the existing access road.

### **Potential Storage Area 3:**

Storage Area 3 sits along the existing access road to the East of the tipple and slide area (Lat: 36° 40' 32.1", Long 83° 37' 38.9"). Any excess material from the slide area that cannot be held in storage area 1 or storage area 2 will be wasted within the limits of storage area 3. The storage area, if needed, will have a class II ditch along the top of the area that will carry drainage to an ECB ditch along the access road below and into a temporary culvert. A subdrain will also be installed within the storage area to carry drainage to the roadside ditch. Access to the area will be along the existing access road.

### **All Areas:**

The entire project work area slated for any excavation has been previously disturbed by any or all of the following: coal mining operations, including mine drainage, timber operations, gas/oil well development, residential development, road construction, and/or high velocity water flows associated with heavy rain events and flooding. These disturbances consist of significant upheaval, mixing, and removal of earthen material from deep excavation, grading, sub-surface drilling, fill material placement, and erosion. There should be no undisturbed earthen material to a depth of several feet at the areas slated for significant project-related construction activities.

Site preparation includes clearing and grubbing of vegetation. Construction disturbances will be kept to a minimum through the use of a stringently formulated sediment and erosion control program, consisting of hay-bale silt checks maintained throughout the life of the project, prompt re-vegetation using agricultural limestone, fertilizer, seed, filter fabric and mulch for the areas disturbed by the project. It appears that the cutting of trees greater than five inches in diameter will be required. A utility relocation/ structural removal bid item is included in the event it is necessary to relocate any utilities.

X 2082

David Sprinkles  
AML Reclamation Project  
Overview Map  
Bell County  
Middlesboro North Quad

Potential Storage Area 3  
Lat 36° 40' 32.1"  
Long 83° 37' 38.9"

Existing Slide Area  
Lat 36° 40' 22.9"  
Long 83° 37' 47.1"

Proposed Storage Area 1  
Lat 36° 40' 20.5"  
Long 83° 37' 51.3"

Potential Storage Area 2  
Lat 36° 40' 17.7"  
Long 83° 38' 1.1"

Abandoned Tipple  
Lat 36° 40' 18.9"  
Long 83° 37' 50.0"

Existing Mine Waste Area  
Lat 36° 40' 16.2"  
Long 83° 37' 54.9"

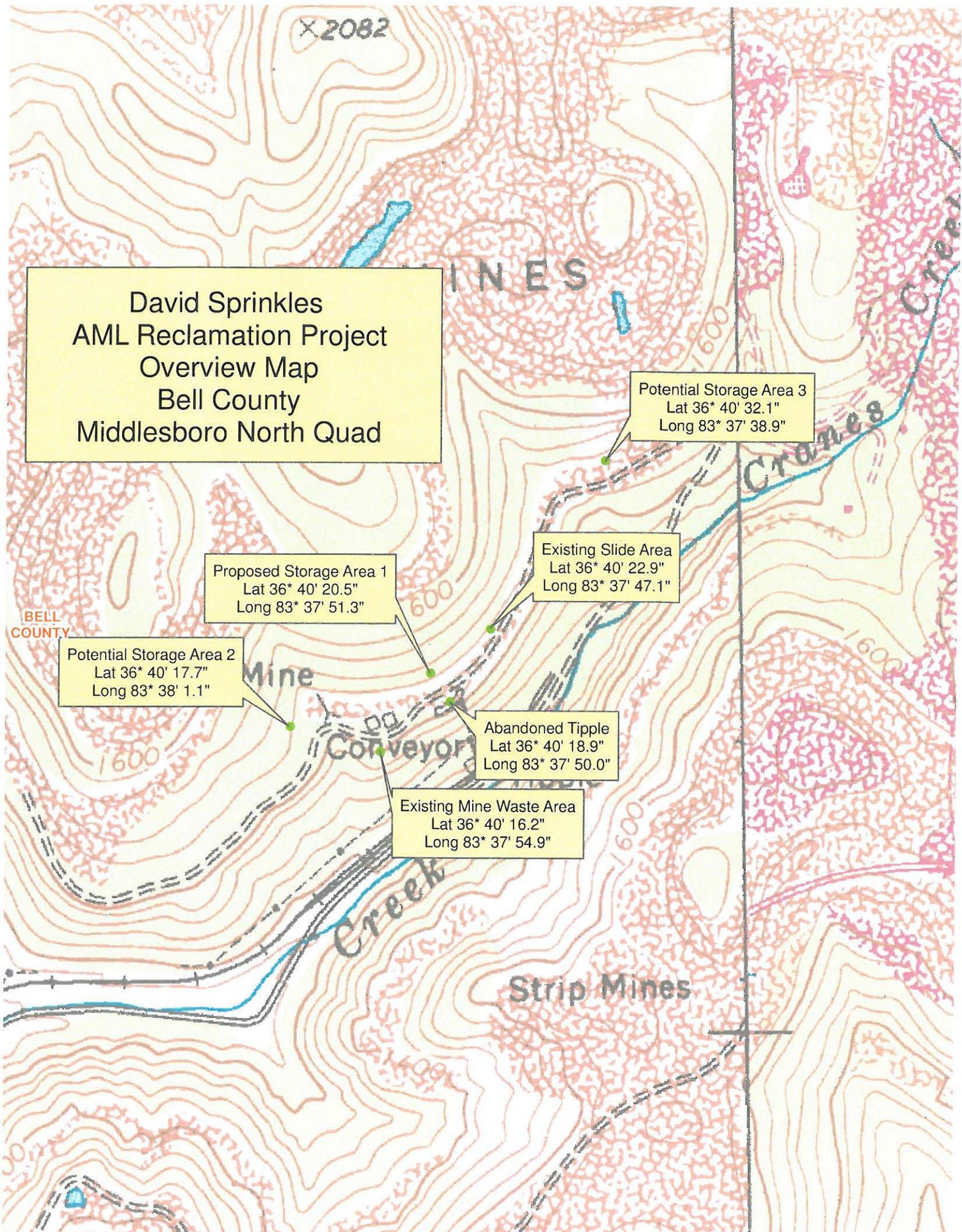
BELL COUNTY

Mine  
Conveyor

Cranes Creek

Strip Mines

Creek



## Howell, Ryan (EEC)

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**From:** Hall, Samantha (EEC)  
**Sent:** Wednesday, July 13, 2011 7:51 AM  
**To:** Rickwa, Vanna (EEC)  
**Cc:** Howell, Ryan (EEC); Rader, Timothy (EEC); Overman, Bill (EEC)  
**Subject:** RE: Request for floodplain and WQC review for David Sprinkles AMLRP

### Floodplain/Stream Construction Permit

No permit is necessary.

### US Army Corps of Engineers Permit (ACOE)

No permit is necessary.

### Water Quality Certification

No permit is necessary.

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**From:** Rickwa, Vanna (EEC)  
**Sent:** Monday, July 11, 2011 1:32 PM  
**To:** Hall, Samantha (EEC)  
**Cc:** Howell, Ryan (EEC); Rader, Timothy (EEC)  
**Subject:** Request for floodplain and WQC review for David Sprinkles AMLRP

Attached please find the project description and maps for David Sprinkles AML Reclamation Project.

Please do a floodplain and WQC review to determine if there would be any issues reference this project.

Please notify Bill Overman, Ryan Howell, Tim Rader, and myself of your response.

Thanks,

*Vanna Rickwa  
Administrative Specialist III  
Energy and Environment Cabinet  
Department for Natural Resources  
Division of Abandoned Mine Lands  
2521 Lawrenceburg Road  
Frankfort, Kentucky 40601  
502/564-2141, Ext. 130*



**W. S. Webb Museum of Anthropology**  
**Office of State Archaeology**  
*College of Arts and Sciences*  
*211 Lafferty Hall*  
*Lexington, KY 40506-0024*  
*(859) 257-8208*  
*Fax (859) 323-1968*  
*www.uky.edu*

August 4, 2011

Mr. Steve Hohmann, Director  
Energy and Environment Cabinet  
Department for Natural Resources  
Division of Abandoned Mine Lands  
2521 Lawrenceburg Road  
Frankfort, KY 40601

RE: David Sprinkles AML Reclamation Project (Bell County)

Dear Mr. Hohmann:

Concerning the above referenced project, I have reviewed the Office of State Archaeology files to determine if any prehistoric or historic sites are located in proximity to the proposed AML project. The following information is provided to assist in your decision to proceed with an Environmental Assessment or a Categorical Exclusion Determination for the project.

Our records indicate that there are no archaeological sites or surveys recorded within the immediate vicinity of the project area. While our records indicate that the project area has not been previously surveyed for archaeological remains, past disturbances to the area make it unlikely that archaeological sites will be preserved.

Sincerely,

A handwritten signature in blue ink that reads 'George M. Crothers'. The signature is written in a cursive style with a large, sweeping flourish at the end.

(Christina A. Pappas for)  
George M. Crothers, Ph.D.  
Director



**KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES  
TOURISM, ARTS, AND HERITAGE CABINET**

**Steven L. Beshear**  
Governor

#1 Sportsman's Lane  
Frankfort, Kentucky 40601  
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**Marcheta Sparrow**  
Secretary

**Dr. Jonathan W. Gassett**  
Commissioner

13 July 2011

Steve Hohmann, Director  
Division of Abandoned Mine Lands  
2521 Lawrenceburg Road  
Frankfort, KY 40601

RE: David Sprinkles AML Reclamation Project (Bell County)

Dear Mr. Hohmann:

The Kentucky Department of Fish and Wildlife Resources (KDFWR) has received your request for information pertaining to the subject project. The Kentucky Fish and Wildlife Information System indicates that the following federally or state-threatened/endangered species are known to occur within 10 miles and one mile, respectively, of the following project sites:

**Slide Area:** Blackside Dace (*Chrosomus cumberlandensis*) – Federally-threatened  
Gray bat (*Myotis grisescens*) – Federally-endangered  
Indiana bat (*Myotis sodalis*) – Federally-endangered – known location from Virginia

**Abandoned Tipple:** Blackside Dace, Gray bat, Indiana bat

**Storage Area 1:** Blackside Dace, Gray bat, Indiana bat

**Potential Storage Area 2:** Blackside Dace, Gray bat, Indiana bat

**Potential Storage Area 3:** Blackside Dace, Gray bat, Indiana bat

Please be aware that our database system is a dynamic one that only represents our current knowledge of various species distributions. If cutting of trees is required, I recommend coordination with the U.S. Fish and Wildlife Service Kentucky Field Office (502-695-0468) since these sites fall within known maternity and swarming habitat for the Indiana bat. Erosion control measures, as mentioned in the project description, will need to be installed prior to construction and should be inspected and repaired regularly as needed. I hope this information is helpful to you, and if you have questions or require additional information, please call me at (502) 564-7109 extension 4453.

Sincerely,



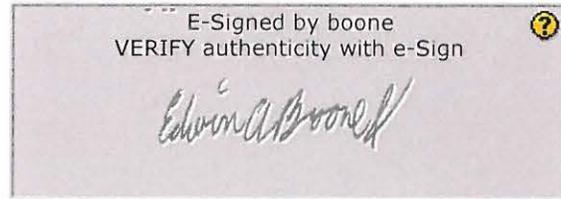
Dan Stoelb  
Wildlife Biologist

Cc: Environmental Section File

## MEMORANDUM

**To:** David Sprinkles AML Reclamation Project file

**From:** Edwin A. Boone, Jr., Environmental Scientist II, Project Management Branch, Staff Biologist



**Through:** Bill Overman, Branch Manager, Program Development Branch

**Re:** Results of Kentucky State Nature Preserves Commission (KSNPC) database search

**Date:** July 13, 2011

On Wednesday, July 13, 2011, I conducted a search of the KSNPC database in order to determine if any species that are monitored by the KSNPC are known to occur within the near vicinity (a 1 mile radius) of any of the site to be disturbed by this project, and if any federally listed threatened and endangered species are known to occur within the general area (a 10 mile radius) of these sites. These searches revealed that eight species of state concern monitored by the KSNPC occur within one mile, and that three federally listed threatened and endangered species are known to exist within ten miles of the project site. The species noted in the search are:

- Allegheny-vine (*Adlumia fungosa* – KSNPC Historical Record)
- Rock harlequin (*Corydalis sempervirens* – KSNPC Special Concern)
- Kidney-leaf twayblade (*Listera smallii* – KSNPC Threatened)
- Nettle-leaf sedge (*Salvia urticifolia* – KSNPC Endangered)
- Ovate catchfly (*Silene ovata* – KSNPC Endangered)
- Frosted elfin (*Callophrys irus* – KSNPC Endangered)
- Elusive clubtail (*Stylurus notatus* – KSNPC endangered)
- Coal skink (*Eumeces anthracinus* – KSNPC Threatened)
- Blackside dace (*Chrosomus cumberlandensis* – USESA Listed Threatened)

- Gray bat (*Myotis grisescens* – USESA Listed Endangered)
- Indian bat (*Myotis sodalis* – USESA Listed Endangered)

This project consists of extinguishing a large, burning pile of coal waste (Gob) located on a hillside below an abandoned mine bench and removal of an abandoned coal processing and loading facility (tipple). The burning coal waste is to be mixed with earth from a nearby landslide until it is cooled below combustion temperature and landfilled onsite and along the remnant mine bench.

The Allegheny-vine, rock harlequin, kidney-leaf twayblade, nettle-leaf sedge and ovate catchfly are all plants that have a preference for relatively undisturbed areas, and all the associated records encountered in this search (except for a 1937 historical record from Log Mountain) are from within Cumberland Gap National Historic Park. The rock harlequin and ovate catchfly are largely associated with mountain summits and relatively dry and rocky conditions. The Allegheny-vine prefers similar habitats, and is an invasive species following fire and logging. The kidney-leaf twayblade prefers damp, organic-rich areas such as deeply shaded damp humus, and bogs, particularly below rhododendrons on mountain slopes and streambeds. The site of this project has been heavily disturbed by coal mining and past logging, but (except for the mine bench access road and burning refuse) is now vegetated by a relatively mature second-growth forest. The habitats to be affected by the proposed project do not closely approximate the preferred habitat conditions of these plant species. Therefore, these species should not be negatively impacted by project-related disturbances.

The frosted elfin is a butterfly that feeds upon wild indigo and lupine, which are associated with fields and field edges, near woodland and scrublands. The project area, as described above, is not amenable to lupines or wild indigo. Therefore, the frosted elfin is not likely to be found in this area and, therefore, should not suffer a negative impact due to project construction.

The elusive clubtail is a species of dragonfly that prefers to live in (larvae) and near (adult) large rivers. The project area is not adjacent to and will not directly impact any such habitat. While project-related activities are ongoing, all disturbed areas will be subject to a strict sediment and erosion control plan that will include measures such as silt fence, hay-bale silt fence and silt checks, sediment traps and prompt revegetation of all disturbed areas. This sediment and erosion control plan will prevent significant amounts of construction-related sediments from entering area streams. Therefore, construction of this project should not cause a negative impact to the elusive clubtail. Completion of the project will reclaim an area that is a probable source of sediments to area streams. As such, in the long term this project should be of a net benefit to the elusive clubtail.

The coal skink is a lizard that prefers humid woodlands with abundant leaf litter and loose rocks, often in the vicinity of springs, swamps and bogs, but can be found in a wide range of habitats and environments. The record revealed by the database search is a county-wide record for Bell County from prior to 1971. While portions of the project area, such as the landslide area, are moist, the area is subjected to frequent ground-fires due to the presence of the burning gob pile. Therefore, leaf litter is not highly abundant in the vicinity. Also, no bogs, springs or swamps have been noted in the project area. Even though it is possible for this species to be present, due to its known association with a wide variety of habitats, its preferred habitat types are not present. Therefore, it is unlikely that the coal skink will suffer a negative impact due to project-related activity.

The blackside dace is a species of fish that is endemic to the Upper Cumberland River drainage basin. This project does lie within that drainage basin. However, the project will not directly impact any streams. While project-related activities are ongoing, all disturbed areas will be subject to a strict sediment and erosion control plan, as noted above. This sediment and erosion control plan will prevent significant amounts of construction-related sediments from entering area streams. Therefore, construction of this project should not cause a negative impact to the blackside dace. Completion of the project will reclaim an area that is a probable source of sediments to area streams. As such, in the long term this project should be of a net benefit to this federally listed Threatened species.

The gray bat is an obligate troglobitic species of bat, roosting and hibernating in underground caverns. This project will not impact any caves, underground mines, or similar underground cavern structures. Therefore, the gray bat will not suffer a negative impact due to project-related activities.

The entirety of the Commonwealth of Kentucky has been determined, by the United States Fish and Wildlife Service, to be the potential habitat of the Indiana bat (*Myotis sodalis* – USESA Listed Endangered). The Indiana bat establishes summer day roosts and brood colonies in trees with exfoliating bark and/or splits in limbs. In winter, it is known to utilize caves, and occasionally underground mine voids, as hibernacula. The area to be impacted by this project is within an area that has been determined by the United States Fish and Wildlife Service to be “Known Habitat” for and of the Indiana bat. The habitat types listed for the area include Priority 1-2 maternity habitat and Priority 1-2 swarming habitat associated with hibernacula located in southwestern Virginia. The nearest record in the database is designated as an undetermined record (August 4, 2009), approximately 9.2 miles East of the project site, on Little Black Mountain in SW Harlan County. However, the USFWS “Known Habitat” map has no designation regarding this site. Some trees will be removed under this project along the inslope side of the remnant mine bench, which is to be utilized as a fill site for the extinguished gob. Conducting this project between November 15 and March 31 will prevent a direct negative impact to the Indiana bat.

Conducting an Indiana bat presence/absence survey in association with this project will not be able to determine lack of presence, as a determination of presence has previously been made by the USFWS.

## Cassel, Steven R. "Steve"

---

**From:** Cassel, Steven R. "Steve"  
**Sent:** Wednesday, October 19, 2011 12:19 PM  
**To:** 'Howell, Ryan (EEC)'  
**Cc:** 'Steve Hohmann (steve.hohmann@ky.gov)'; 'mark.meade@ky.gov'; 'Bill.Overman@ky.gov'; 'Train, Shannon (EEC)'; Blackburn, Joseph L. "Joe"; Smith, Gail; Turner, Samuel R. "Sam"; Francis, Gary D.; Edwards, Chester L. "Chet"; Holliday, James "Jim"; Miller, Corey T.  
**Subject:** Revision Approval: David Sprinkles ATP, Bell County  
**Attachments:** David Sprinkles AMLRP amendment; FW: ATP Transmittal: David Sprinkle ATP, Bell County

Thank you for your October 17 and 18, 2011, emails requesting revision of the David Sprinkles AML Reclamation Project located in Bell County. A copy of the emails and attachments are attached. We accept your email as formal notification to revise this project. Conversely, please accept this email as our formal response to your notification.

Your email notifies the Office of Surface Mining (OSM) of:

- (1) "to request that no time restrictions be placed on the construction activity in the areas that include the refuse, tipple, slide, or waste area #1, since no potential bat habitat trees will be removed" by revising the first condition on the ATP signed on October 14, 2011, which states "Project construction activity is authorized to be conducted only between November 15 and March 31, as noted in the DAML ATP request letter and biological review memorandum", and
- (2) the need to add an Auxillary Waste Area and access road to this site as described in your October 18, 2011 email and delineated on the aerial photo map attached to the email.

The original project, authorized DAML to proceed with construction activity on October 14, 2010, was based upon an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) that did not specifically consider the specific new proposed auxiliary waste area and associated access road or a construction period outside the USFWS agreed upon Indiana bat winter tree cutting period.

Your emails explain that the auxiliary waste area and associated access road are adjacent to and similar to the type of construction activity previously authorized and has the same environmental concerns considered in the original NEPA evaluation. Your email notes that the proposed revised construction activity does not require a Kentucky DOW floodplain construction permit, and a 401 WQC nor a 404 COE permit are required. The previous consultation with the Kentucky Office of State Archaeology and SHPO identified no archaeological concern for the area. Your request notes that no removal of trees will be involved since the work is within a previously established mine access road and reclaimed ridge removal coal mine area. As noted in the original ATP, the area does not fall within a sensitive area as defined by the Kentucky Field Office of the US FWS, however this issue has been resolved in the project, no trees are involved, and is ultimately subject to all the conditions of the ATP. With this information, it is concluded that the requirements of Section 7 of the Endangered Species Act have been fulfilled for the auxiliary waste area and associated access road. After reviewing your proposal and the original file, I agree with your assessment. Please ensure compliance with the previous provisions authorizing this project.

Also, as discussed in our email correspondence and phone conversation concerning revision of the time restrictions on construction activity, and to provide the appropriate consideration to the USFWS consultation for this project, the following condition in the original ATP, "Project construction activity is authorized to be conducted only between November 15 and March 31, as noted in the DAML ATP request letter and biological review memorandum", is revised to read as follows"

- Project construction activity involving tree cutting is authorized to be conducted primarily during the Indiana bat winter clearing period between November 15 and March 31, as noted in the DAML ATP request letter and biological review memorandum; except that, as noted in a consultation email response from the USFWS dated

October 4, 2011, if tree cutting activity outside the winter clearing period is necessary, DAML will first have qualified personnel reassess the trees to be cut and determine whether winter conditions created new Indiana bat habitat, such as “standing snags with loose bark”, that need to be protected or further guidance is obtained through updated consultation with the USFWS.

As a result, I agree that the requested project revision requires no further environmental review. It is adequately evaluated under the CX and conforms to the exclusion criteria in 516 DM 2 and 13, does not involve any of the general exceptions in 516 DM 13.5(A)(33) or extraordinary circumstances listed in 516 DM 2, Appendix 2, previously approved for this project, is excluded from further NEPA compliance as updated with the current information presented, and does not require the preparation of an Environmental Impact Statement.

Accordingly, pursuant to Section 5-11-20D.3 of the Federal Assistance Manual and under the authority of the previous authorization of this project by the Lexington Field Office Director, you are authorized to expend grant funds for construction activities on this revision for the auxiliary waste area, and associated access road, and revised construction activity time conditions for the David Sprinkles AML Reclamation Project. This authorization supplements, and does not supersede, except for the construction activity timing, the previous authorization and CX for this project. If you have any questions respecting this authorization or the procedures, please contact me by email or at 859-260-3912, or my supervisor Gail Smith at (859) 260-3908.

Thank you

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## Cassel, Steven R. "Steve"

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**From:** Howell, Ryan (EEC) [Ryan.Howell@ky.gov]  
**Sent:** Tuesday, October 18, 2011 2:52 PM  
**To:** Cassel, Steven R. "Steve"; Miller, Corey T.; Smith, Gail; Estes, Loren A.  
**Cc:** Overman, Bill (EEC); Rickwa, Vanna (EEC); Dutta, Ron (EEC); Webb, James (EEC); Clay, Art (EEC)  
**Subject:** David Sprinkles AMLRP amendment  
**Attachments:** Sprinkles access.pdf; RE: David Sprinkles AMLRP amendment

Steve and/or Corey,

The David Sprinkles AMLRP received a conditional ATP that excluded the use of the originally proposed waste area #'s 2 & 3. Due to possible issues with USFWS concerning potential Indiana Bat habitat, it was decided that the use of these two waste areas may not be the best option.

We would like to request an amendment to the original project to include a section of previously existing access road and a waste area just north of the project site. This area is in the near vicinity to the previously approved work area, and involves work that is the same in scope as the previously approved project.

Attached is a 2010 aerial map that includes a proposed access road in red, and a proposed waste area (approximately 2.6 acres) at 36°40' 30", 83° 38' 7".

The proposed access road is pre-existing and the waste area has been significantly disturbed by coal mining activity. Therefore neither of these areas should have any archaeological resources that may be negatively impacted.

No trees are on the access road and no trees will be removed from the waste area. If any trees exist within the proposed waste area, they will be avoided and not cut. Also, no cave-like structures are proposed for work in this addition, so there should be no negative impacts to the Indiana Bat, regardless of the project timing.

No stream crossings or filling within a stream are proposed with this amendment, so the Blackside Dace should not be negatively impacted by this addition. The proposed areas are also outside of the floodplain and will not require a WQC or COE permit (see attached email).

Please accept this email as an ATP request for an amendment to the David Sprinkles AMLRP.

Thanks,  
Ryan Howell

## Cassel, Steven R. "Steve"

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**From:** Hall, Samantha (EEC) [Samantha.Hall@ky.gov]  
**Sent:** Tuesday, October 18, 2011 2:48 PM  
**To:** Howell, Ryan (EEC)  
**Cc:** Rickwa, Vanna (EEC)  
**Subject:** RE: David Sprinkles AMLRP amendment

The David Sprinkles AMLRP – amended does not require any water permits.

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**From:** Howell, Ryan (EEC)  
**Sent:** Tuesday, October 18, 2011 2:23 PM  
**To:** Hall, Samantha (EEC)  
**Cc:** Rickwa, Vanna (EEC)  
**Subject:** David Sprinkles AMLRP amendment

Samantha,

I don't expect that there will be any issues, but to appease OSM, can you please take a look at the attached map to make a statement whether the newly proposed areas have any water issues? The new areas are the proposed access road in red and the proposed waste area on the top of the hill. The waste area is located at 36° 40' 30", 83° 38' 7".

Thanks,  
Ryan