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 4229 SGA
Project Name: Michael Ochs Drainage AML Reclamation Project
Project Description: Close an open mine entry and construct drainage controls.

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 [x] Yes [ ]

II. DEPARTMENT OF INTERIOR EXCEPTIONS

Will the project have any of the following:

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

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

[ ] Parks (state, local or National)
[ ] Recreation or Refuge Lands
[ ] Wilderness Areas
[ ] Ecologically Significant or Critical Areas
[ ] Prime Farmlands
[ ] Wild or Scenic Rivers
[ ] Wetlands
[ ] Floodplains
[ ] Sole or Principal Drinking Water Aquifers

Highly controversial environmental effects? No [x] Yes [ ]

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

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

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

Adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No [x] 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 [x] 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
[ ] Land Use (includes prime farmland)
[ ] Soils
[ ] Vegetation (includes wetlands)
[ ] Hydrology
[ ] Fish and Wildlife
[ ] Historic and Cultural
[ ] Recreation
[ ] Air Quality
[ ] Noise
[ ] Other (includes socio-economics)

IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP

V. RESPONSIBLE OFFICIAL CERTIFICATION

Signature: Robert F Scott Date: 1/02/2013

Name and Title: Robert F. Scott, Director
Division of Abandoned Mine Lands

VI. OSM DETERMINATION

[X] 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: _____ Date: _____

Name and Title: Robert S. Evans, Acting Field Office Director