

Authorization to Proceed (ATP)

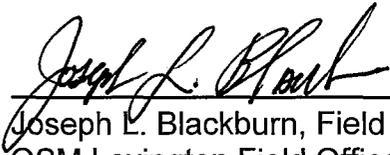
Dixie Bell Salisbury Small Purchase
Abandoned Mine Land (AML) Reclamation Project
based on Categorical Exclusion (CX)
Floyd County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the March 2, 2012, request for ATP with construction activity on the Dixie Bell Salisbury Small Purchase AML Reclamation Project prepared by the Kentucky Department for Natural Resources, Division of Abandoned Mine Lands (DAML). OSM found that the appropriate request documents were submitted with this proposal. These documents appear to support the need for the proposed construction activity. OSM confirmed that the required information documenting the general AML problem for this project has been included in the AML Inventory System (AMLIS) under PA# KY-003278-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 National Environmental Protection Act (NEPA) compliance. As a result, I have signed the CX for the Dixie Bell Salisbury Small Purchase AML Reclamation project. There is one special condition with the approval of this project.

- Please follow all appropriate provisions included in the DAML Erosion and Sediment Control Best Management Practices (BMP) Plan guidance document throughout the construction activity at this site.
- The project description states that all necessary permits and/or variances will be procured prior to construction.
- OSM recommends that any tree removal outside of the affected AML feature(s) outside of the established tree cutting period will require a presence/absence survey by a biologist to protect the habitat for the Indiana bat. Should this survey become necessary, please provide OSM a copy for our records.

Accordingly, pursuant to Section 5-11-20D.3 of the Federal Assistance Manual and my signature on this notification document, DAML is authorized to proceed with the 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.



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

3/15/2012
Date