

Authorization to Proceed (ATP)

Hazard Multi-Site Phase I Abandoned Mine Land (AML) Water Supply Project based on Environmental Assessment (EA) Perry County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the September 10, 2012, request for ATP with construction activity on the Hazard Multi-Site Phase I AML Water Supply Project prepared by the Kentucky Department for Natural Resources, Division of Abandoned Mine Lands (DAML). OSM found that the appropriate request documents were submitted 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 (AMLIS) for Problem Areas (PA) # KY-004210-SGA. OSM has signed approval forms for the new PA #s KY-004210-SGA on September 17, 2012.

OSM reviewed the EA prepared by DAML documenting the National Environmental Policy Act (NEPA) environmental review of this project. OSM determined that the EA adequately discusses the environmental issues and impacts associated with the construction of the project. Based on the analysis in the EA, I have determined that reclamation of this abandoned mine site would not have significant effects on the quality of the human environment. Therefore, I conclude that no environmental impact statement is necessary. As a result, I have signed the Finding of No Significant Impact (FONSI) for the Hazard Multi-Site Phase I AML Water Supply Project. Please give special attention to the following recommendation (s).

The Kentucky Department of Fish and Wildlife Resources recommend the following eight items:

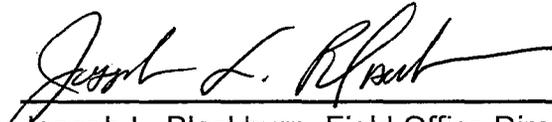
- Avoidance of impacts to intermittent and perennial streams if it is feasible.
- Channel changes located within the project area should incorporate natural stream channel design.
- Development/excavation during low flow period to minimize disturbances.
- Proper placement of erosion control structures below highly disturbed areas to minimize entry of silt to the stream.
- Replanting of disturbed areas after construction, including reforestation of stream banks, with native vegetation for soil stabilization and enhancement of fish and wildlife populations.

- Avoid impacts to forested areas if possible. If impacts cannot be avoided we recommend reforestation of common areas with native trees to promote use by various species of wildlife.
- Return all disturbed instream habitat to stable condition upon completion of construction in the area.
- Preservation of any tree canopy overhanging the stream.

LFO also recommends the following:

- Since the stream crossings will be constructed within the floodplains, please forward a copy of the floodplain permit when it is received.
- 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.

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



Date