

Authorization to Proceed (ATP)

Les Combs High Priority
Abandoned Mine Land (AML) Reclamation Project
based on Environmental Assessment (EA)
Johnson County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the February 22, 2012, request for ATP with construction activity on the Les Combs High Priority 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-004174-SGA.

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 Les Combs High Priority AML Reclamation Project.

Please ensure compliance with the provisions in the ATP request documents and the following provisions noted here for emphasis or the authorization of this project is further conditioned as follows:

- DAML Design staff determined that a Kentucky Division of Water (DOW) floodplain encroachment permit to "Construct Across or Along a Stream" should be applied for and obtained for the proposed temporary low water crossing. As noted in the EA construction of the water crossing will not begin till the DOW permit is received.
- The DAML project request notes that no tree removal is proposed between April 1 and October 14 outside the AML problem area; and further notes that if tree removal is needed during this period a habitat assessment or a presence/absence survey will be required. Tree removal restrictions pertain to 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.

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.

The project authorization notice and NEPA review document, with associated pertinent support documents, will be posted for public notification and access on the "Kentucky Abandoned Mine Land (AML) Projects" web page of the Lexington Field Office (LFO) web site of the Appalachia Region web site, specifically at URL address <http://www.arcc.osmre.gov/FOs/LFO/AML/Projects.shtm>.



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



Date