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 4197 SGA
Project Name: Mountain Breeze Apartments AML Reclamation Project
Project Description: Construct barrier wall in front of dangerous highwall.

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:
  - 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 [ ]
Requisite 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: ___________________________ Date: 3-9-12

Name and Title: Mark Meade, Acting 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: 4/18/2012

Name and Title: Joseph L. Blackburn, Field Office Director