

Authorization to Proceed (ATP)

Tammy Reynolds
Abandoned Mine Land (AML) Reclamation Project
based on Environmental Assessment (EA)
Floyd County, Kentucky

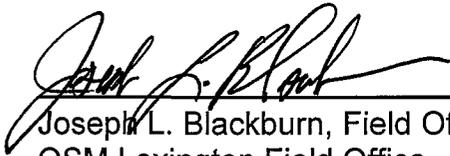
The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the March 2, 2012, request for ATP with construction activity on the Tammy Reynolds Abandoned Mine Land Project prepared by the Kentucky Department for Natural Resources, Division of Abandoned Mine Lands (DAML). 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 under PA# KY-004088-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 Tammy Reynolds Abandoned Mine Land Project. Please ensure compliance with the following provisions in the ATP request documents noted here for emphasis or the authorization of this project is further conditioned as follows:

- With the exception of trees directly impacted by the AML problem, there is no 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, during the period of April 1 to October 15, and provided the activity does not occur in "Known Indiana Bat Habitat".
- If tree cutting is required outside of the non-AML features, a habitat assessment or presence /absence survey will be required, and must be performed by a certified biologist.
- 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.
- Please follow all appropriate provisions within floodplain permit (#14557) for construction in or along a stream that addresses the property the waste area is located.

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

3/26/2012
Date