### 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 4193 SGA

**Project Name:** Vernon & Rita Justice Slide Phase II HP AML Reclamation Project  
**Project Description:** Removal of slide material from an access road and residential yard

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### 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** [ ]

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### 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:
  - **Wild or Scenic Rivers**  
  - **Wetlands**  
  - **Floodplains**  
  - **Sole or Principal Drinking Water Aquifers**
  - **Parks (state, local or National)**  
  - **Recreation or Refuge Lands**  
  - **Wilderness Areas**  
  - **Ecologically Significant or Critical Areas**  
  - **Prime Farmlands**
  - **No** [x]  
  - **Yes** [ ]

- 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** [ ]

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**OSM 181 (3/93)**
Require 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: Mark Meade by Bill Owen Date: 2/20/12
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: Thomas Koppe Date: 2/27/12
Name and Title: Joseph L. Blackburn, Field Office Director