



# United States Department of the Interior

OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
710 Locust Street, Second Floor  
Knoxville, TN 37902

**JUN 29 2014**

## **FINDING OF NO SIGNIFICANT IMPACT**

### **AUTHORIZATION TO PROCEED**

Brushy Mountain Waterline Replacement

Site No. 14601

Morgan County, Tennessee

The Tennessee Department of Environment and Conservation (TDEC), Land Reclamation Section submitted an Authorization to Proceed (ATP) request for Federal AML grant funds to the Office of Surface Mining and Enforcement (OSM), Knoxville Field Office (KFO) for this project. The ATP request consists of a request letter, Environmental Assessment (EA) with consultation correspondence, project description, location map, description forms, and other supporting enclosures. The project area is located in the Petros Community in Morgan County, Tennessee. The project site is found on the Petros USGS quadrangle map at approximate coordinates 36.10367° North and 84.44496° West. The project falls within the Frozen Head Problem Area (TN-139), and has been entered into AMLIS as a 403(b) Water Supply Problem. The project consists of installing 5,766 feet of 16 inch PVC water main, which will be connected to the raw water source. The existing waterline was an unlined, metal line installed in the 1940s and is no longer serviceable due to degradation and tuberculation caused by the adverse effects of the underground mine drainage. Replacing the existing waterline will allow the treatment plant to return to operation and provide water service to approximately 300 household/583 residents in the Petros Community. This project will be funded from the Water Supply Cost Category (47404) of the 2014 AML Grant for a total cost of \$400,000.

OSM has thoroughly reviewed the EA prepared for this project by Robert G. Campbell and Associates, L.P., and determined that it adequately addresses the environmental issues and impacts as required by the National Environmental Policy Act (NEPA) for OSM abandoned mine lands reclamation grant construction activities for authorization purposes. Based on the analysis in the EA, KFO finds that the construction activity performed under this project will have a significantly positive impact on the quality of the human environment. The proposal for mitigation does not have the potential for negative impacts on the environment. Therefore, KFO concludes that a detailed Environmental Impact Statement is unnecessary. More specific reasons for this determination are as follows:

The alternative to not fund the project would result in no improvement to the project area thus contributing to continued public health and safety issues. Alternative one is excluded due to no action. Alternate two uses 16-inch Class 909 PVC DI Water Main and costs 20% more than alternative three. Alternative three is the most cost effective and has been evaluated to ensure that the components of the project are the most appropriate. No long-term adverse impacts are anticipated from remediation. Short-term environmental impacts are limited to dust, sedimentation, noise, and inconvenience to the local residents while the project is constructed. Dust levels will be controlled by standard site wetting activities and require prompt restoration of disturbed ground. Sedimentation will be controlled by using best management practices. Noise and other inconveniences to local residence are unavoidable impacts related to construction activities.

All appropriate government agencies were consulted or their review criteria applied by agreement. As a result, it was determined that the project area does not contain or significantly affect threatened or endangered species or their habitat, jurisdictional wetlands, cultural or historic values, prime and unique farmland values, or recreational resources. To reduce impacts from the project, the recommendations made by the agencies consulted were considered and, as appropriate, incorporated into the EA as an element of TDECs request for ATP with construction submitted for OSM authorization. The formal responses from agencies consulted for the NEPA review include the following comments and/or recommendations:

TDOT Archaeology stated that the Social and Cultural Resources office reviewed the project area for impacts to TDOT resources and determined has no involvement for TDOT Archaeology. If that should change, TDEC should contact them immediately.

The Tennessee Historical Commission states that, "No National Register of Historic Places listed or eligible properties will be affected by this project."

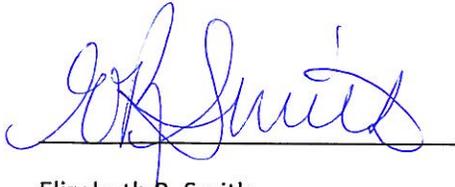
The US Fish and Wildlife Service (USFWS) indicated there are no federally listed or proposed endangered or threatened species within the impact area of the project.

Morgan County will undertake all measures to avoid or minimize any/all impacts to the air, noise pollution, and erosion.

The Army Corps of Engineers has no objection to the project as long as all sediment and erosion control measures are observed during construction.

Accordingly, pursuant to section 403(b) of SMCRA, you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions.

In accordance with Inventory guidelines found in OSM Directive AML-1, please update the Stinking Creek Land Waterline Extension Phase III in the Abandoned Mine Land Inventory System from "unfunded" to "funded" based on your budget estimate for the site.



Elizabeth R. Smith

OSM Environmental Reviewer

AML Program Specialist

6/23/14

Date



Earl D. Bandy, Jr.

Field Office Director

6/23/14

Date