



United States Department of the Interior

OCT 22 2013

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

FINDING OF NO SIGNIFICANT IMPACT

AUTHORIZATION TO PROCEED

OCT 21 2013

Seiber Flats Waterline Extension Project

Abandoned Mine Lands Project

Anderson 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 Seiber Flats Community in Anderson County, Tennessee on the Lake City USGS quadrangle maps at approximate coordinates 36.16878° North and 84.21772° West. The project falls within the Red Oak Mountain Problem Area (TN-087) and the Fraterville Planning Unit (PU-047). The project involves the extension of the public water system in order to provide potable water to five households in the proposed area.

OSM has thoroughly reviewed the EA prepared for this project by Robert G. Campbell & Associates, L.P. for Anderson County and adopted by TDEC. OSM has 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 as 100% of the wells tested (4 of 5) have elevated levels of sulfate, manganese and iron which exceed the allowable limits for drinking water as regulated by TDEC. 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 larger piping and costs 10% more than three. The larger pipe is deemed unnecessary. The waterline sizing in Alternate three is in accordance with State regulations and best management practices. 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

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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 prepared by Robert G. Campbell as an element of TDECs request to ATP with construction submitted for OSM authorization. The formal responses from agencies consulted for the NEPA review include the following comments and/or recommendations:

The U.S. Army Corps of Engineers (USACE) responded that due to activity not involving work in waters of the US (streams and/or wetlands) a Dept. of Army permit will not be required. USACE has no objection to the project's funding.

Tennessee Historical commission found no listed or eligible properties on the National Register of Historic Places; therefore, there are no objections to proceeding with the proposed project.

TDECs Division of Water Resources-Water Supply Program also has no objections to the proposed project. It is recommended that the wells are physically disconnected and followed up on periodically.

The East Tennessee Development District review found no conflicts with the plans of programs of the District or other agencies in the region.

The TN Division of Geology suggests erosion be kept at a minimum because of acidic materials could travel into nearby streams. Also an abandoned underground mine has been identified on maps located approximately 230 feet under the start of the waterline on Backbone Ridge. The underground mine probably won't affect the site but subsidence could occur. Oil and gas wells are present and should be visibly marked during the duration of the project. This project has not been field checked and a geologic consultant may need to be contacted if a supplementary investigation is required. No significant environmental impacts are anticipated.

The Land Use section of the EA states that the, "project will not convert areas of Prime Farmland as defined by the Farmland Protection Policy Act." USDAs letter confirmed this.

U.S. Fish and Wildlife Service responded that no significant impacts to wetlands are anticipated from this proposal. No federally listed endangered or threatened species, or habitat suitable for such species, are known to exist in the project area.

TDECs Division of Underground Storage Tanks responded that abandoned tanks or tanks not required to be registered with the state could pose an unidentified hazard near the Seiber Flats homes. The Division

is typically unaware of abandoned and unregulated tanks and asks the contractor be aware of potential risks and if a tank is found that the Division be notified.

A Storm Water Pollution Prevention Plan will be prepared by the engineer for Anderson County and submitted to TDEC.

According to the Polluted Water Human Consumption Priority Documentation Form, the project meets the qualifications for Priority 2 criteria and contains adequate justification included in the narrative. Four of the five household wells included in the project exceed the TDECs Secondary Drinking Water Regulation for iron, sulfate and manganese.

Accordingly, pursuant to section 5-170-20 of the Federal Assistance Manual, 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 Seiber Flats Waterline Extension Project in the Abandoned Mine Land Inventory System from "unfunded" to "funded" based on your budget estimate for the site.



OSM Environmental Reviewer

AML Program Specialist

Oct 21, 2013

Date



Earl D. Bandy, Jr.

Field Office Director

10/21/13

Date