



United States Department of the Interior



OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
710 Locust Street, 2nd Floor
Knoxville, Tennessee 37902

CATEGORICAL EXCLUSION AUTHORIZATION TO PROCEED

Plaster Drainage Project
Site No. 13508
FY 2013 AML Consolidated Grant #GR317510 Sub-account # 51303
Priority 2: Clogged Stream Land
Estimated Cost: \$80,000
Wise County, Virginia

The Virginia Department of Mines, Minerals and Energy (DMME), Division of Mined Land Reclamation (DMLR), Abandoned Mine Land Section submitted an Authorization to Proceed (ATP) request for Federal Abandoned Mine Land (AML) grant funds to the Office of Surface Mining Reclamation and Enforcement (OSM), Knoxville Field Office (KRO) for this project. The ATP request consists of a Categorical Exclusion Certification and Determination (CE), with eligibility certification and determination, consultation correspondence, project description, location map, and description forms. The project area is located approximately 0.9 mile north of the intersection of State Route 72 and State Route 652 in the Cranes Nest community north of Coeburn, Virginia. The project is in Problem Area VA0416 and coordinates for the project site are W 82° 28' 24.6" N 36° 58' 48.4". The reclamation project will involve installing drainage controls that will convey surface drainage away from a home and driveway and into adequate receiving channels.

Based on the analysis in the CE, OSM finds reclamation to abate the Priority 2 AML project of clogged stream land, with less than 1 acre of land being disturbed, conforms to the exclusion criteria in 516 DM 6, Appendix 8, and is excluded from further NEPA review. DMLR's request to proceed with construction for the Plaster Drainage Project is approved. Accordingly, pursuant to Federal Assistance Manual section 5-11-20D.3, you are authorized to proceed with the site reclamation. More Specific reasons for this determination are as follows:

Mining responsible for the feature is surface mining in the Upper Banner seam conducted by the Little B Coal Company permit #1250. According to DMLR records, the last inspection of this permit occurred on November 18, 1975. There have not been any permanent program activities to impact these features. There is no continuing responsibility for any individual, firm, or organization to reclaim this site; therefore DMLR finds the site eligible for AML funding.

DMLR sent all appropriate government agencies NEPA consultation request letters for the proposed project. Agency recommendations are discussed below.

The Virginia Department of Conservation and Recreation responded that according to the information currently on file, natural heritage resources have not been documented in the project area. The absence of data may indicate the project area has not been surveyed rather than conform that the area lacks natural heritage resources.

The Virginia Department of Environmental Quality (DEQ) responded with no objections provided the project complies with the following:

- Includes sediment and erosion control measures and seeding of disturbed areas will utilize no-invasive species.
- Abides by all applicable laws and regulations.
- Obtains all permits and approvals are obtained prior to construction.
- Incorporates features which prevent significant adverse impacts on ambient air quality, water quality, wetlands, historic structures, fish wildlife, and species of plants, animals or insects listed by state agencies as rare, threatened or endangered.

The CE addresses DEQ's recommendations by requiring the contractor to implement strict erosion and sediment control measures throughout the construction phase of the project.

The Department of Historic Resources (DHR) review of inventory files indicated there are no recorded historic districts, structures or archaeological sites within the project's area of potential effects. Based upon the information provided by DMLR, DHR recommends a finding of No Historic Properties Affected for the proposed project. Should project construction activities reveal the presence of other historic or cultural resources, construction activities will cease pending further and immediate consultation with the DHR.

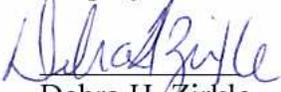
The following agencies did not respond to DMLR's NEPA consultation request letter:

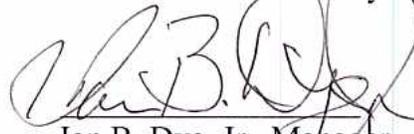
Virginia Marine Resources Commission
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
Virginia Department of Game and Inland Fisheries
Natural Resources Conservation Service

The CE states all disturbed areas will be seeded with plant species from the list agreed to by state and federal agencies.

If needed, borrow or disposal sites will be from/on adjacent mined land that has previously been disturbed. DMLR will contact the OSM for approval prior to implementation of borrow or disposal area(s).

In accordance with OSM Directive AML-1, please update the electronic Abandoned Mine Land Inventory System (eAMLIS) for the Problem Area Description (PAD), Cranes Nest VA000416, for the Plaster Drainage Project from "unfunded" to "funded" based on your budget estimate for the project.

 11/29/14
Debra H. Zirkle Date
OSM Environmental Reviewer
AML/Regulatory Program Specialist

 1/29/2014
Ian B. Dye, Jr., Manager Date
Field Oversight Branch
Big Stone Gap Office