



## United States Department of the Interior



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

### **FINDING OF NO SIGNIFICANT IMPACT AUTHORIZATION TO PROCEED**

Pippin Drainage Project  
Site No: 14520  
Grant No. GR417510 Sub-account No. 51403

Priority 2: 1 (DI) Dangerous Impoundment  
Estimated Cost: \$100,000.00  
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 (OSMRE), Knoxville Field Office (KFO) for the Pippin Drainage Project from Fiscal Year (FY) 2014 grant funds. DMLR's ATP request consists of an Environmental Assessment (EA), Project Eligibility Documentation, e-AMLIS information, and associated NEPA consultation documents. The project area is located off Virginia Avenue within the town of Wise in Wise County, Virginia. The project is located on the Wise USGS 7.5 Min. Quadrangle, with center coordinates of 36° 58' 41.30" N and 82° 34' 28.24" W. The total disturbed area is less than one acre and is located in Problem Area VA000418, Glamorgan. The surrounding project area is predominantly residential and forested property.

DMME conducted an exhaustive research effort into the past mining history of the project site; however, underground mine maps conclusively indicating past mining activity for this area could not be located. The research indicates that there have not been any coal removal operations at this location after August 3, 1977. During the complaint investigation, the surface owner stated there had been an underground mine present at the site prior to World War II. Examination of the surface topography indicates the presence of a collapsed mine portal. The drainage at the site is typical with conditions DMME has encountered over the past 34 years involving small, unmapped underground mines. Eligibility is further supported by an affidavit signed by Caynor Smith, Mayor of Wise indicating knowledge of mining activity in the area throughout the past 40 years. There have not been any coal removal operations in the project area after August 3, 1977, and there is no continuing responsibility for any individual, firm, or organization to reclaim this site; therefore DMLR finds the site eligible for AML funding.

Abatement work for the Pippin Drainage Project will consist of the following:

- Conducting oxygen/air quality monitoring during all construction work;
- Installing, maintaining, and removing temporary erosion and sedimentation control throughout construction to protect down gradient properties and waterways;
- Pumping down or syphoning impounded water to prevent rapid uncontrolled discharges;
- Excavating unstable material above and around mine entry and stabilizing with riprap material;
- Constructing adequate mine seals to ensure stability of the mine closure, prevent a blowout, and prevent human access into the abandoned mine workings;
- Construction of conveyance channels from the entries to adequate receiving channels;
- Regrading and revegetation of all areas of disturbance with non-invasive species using plant lists approved by state and federal agencies for AML reclamation projects.

OSMRE has thoroughly reviewed DMLR's EA and determined it adequately addresses the environmental issues and impacts as required by the National Environmental Policy Act (NEPA) for OSMRE abandoned mine lands reclamation grant construction activities for authorization purposes. Based on the analysis in the EA, KFO finds that the construction activities performed under this project will have a positive impact on quality of the human environment and concludes that a detailed Environmental Impact Statement is unnecessary. More Specific reasons for this determination are detailed below.

DMLR considered two alternatives for this site. The first and preferred alternative is to complete the project as an AML project, with authorization from OSMRE and funding from the FY 2014 AML Grant. Proposed reclamation will protect the public health and safety by eliminating a dangerous impoundment AML feature. Completion of the proposed project will be more beneficial and create fewer future impacts to the resource values affected through reclamation.

The second alternative is to take no action with regards to abatement of the abandoned mine hazard. This alternative would result in continuing hazards from the saturated land above a residence and could over time lead to a more severe problem such as a blowout. A blow out would be an extreme danger to the public health and safety in the community. This alternative does not allow for the positive benefits associated with the proposed action which will protect the public health and safety. This action is not a suitable alternative.

DMLR's EA documents the required NEPA consultation to assess potential impacts to resource values under the proposed alternatives. Consultation was initiated in August of 2013 with additional consultation completed in June of 2015. The following is a summary of the items identified by each agency from consultation:

1. The Virginia Department of Environmental Quality (DEQ) noted the proposed project is in the Yellow Creek drainage of the Guest River in the Upper Tennessee River Basin HUC 06010205-P11R, classified as Section 2, Class IV, Mountainous Zone Waters in the WQS. No water quality information is available in the project area. The DEQ specified no objections provided the project complies with the following:
  - Minimizes short-term impacts to water quality from surface runoff through Best Management Practices.

- Abides by all applicable state, Federal and local 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.
2. The Department of Historic Resources (DHR) review of its inventory files indicates that the Wise Historic District (DHR ID#329-004) is located directly southeast of the project areas. However, DHR agrees with DMLR that the district will not be affected by the proposed work. DHR's opinion is that no further identification efforts are warranted and based upon the documentation provided recommends a finding of No Historic Properties Affected for the proposed project.
  3. The Virginia Department of Conservation and Recreation's Division of Natural Heritage (DCR) responded that according to the information currently in its files, natural heritage resources have not been documented within two miles of the project boundaries. The absence of data may indicate that the project areas have not been surveyed rather than confirm the areas lack natural heritage resources. DCR also indicated that there are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity, nor will the activity affect any documented state-listed plants or insects. To minimize the potential for invasive species infestation, projects should be conducted to minimize the area of disturbance, and disturbed sites should be revegetated with desirable species at the earliest opportunity following disturbance. DCR also recommends species used for revegetation should not include highly invasive species.
  4. The U.S. Fish and Wildlife Service (USFWS) concurred with DMLR the determinations in the Species Conclusion Table (SCT), dated May, 2015, and have no further comments.
  5. Virginia Department of Game and Inland Fisheries (VDGIF) did not respond to the consultation request.
  6. Virginia Marine Resource Commission (VMRC) did not respond to the consultation request.
  7. U.S. Army Corps of Engineers (USACE) did not respond to the consultation request.
  8. U.S. Natural Resource Conservation Service (NRCS) did not respond to the consultation request.

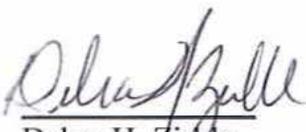
In addition to the agency recommendations listed above, DMLR:

1. Will ensure reclamation strict erosion and sediment control measures using best management practices will be utilized throughout the life of the project to minimize stormwater runoff and remain in place until an adequate stand of permanent vegetation is established that is uniform, mature enough to survive, and will inhibit erosion.

2. Proposes no construction activities will occur within waters of the U.S. where the drainage area is equal to or greater than five square miles; therefore no permit from VMRC/USACE will be required.
3. Will ensure fugitive dust is minimized through the application of water to suppress dust and by washing off vehicles and paved surfaces near the construction site.
4. Will coordinate with the applicable agencies to obtain all necessary permits prior to construction and will ensure all permit conditions are strictly adhered to during construction.
5. Assures vegetation will be applied using a reclamation seed mix that is certified weed-free and free of invasive non-native plant species. Revegetation species applied to all disturbed areas will be selected from a list agreed to by state and federal agencies.
6. Assures no borrow or disposal areas are anticipated. Disposal/borrow areas will be identified during the design development if needed and DMLR will notify OSMRE for approval prior to progress of work.
7. Prior to authorizing the contractor commence construction activity, will publish a project notice in a newspaper of general circulation that the agency intends to accomplish a project involving the Pippin Drainage Project through its approved AML reclamation program.

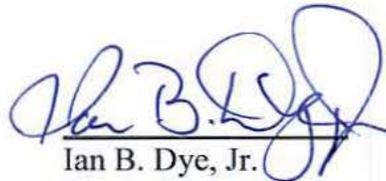
Accordingly, pursuant to section 4-160-50D.3 of the Federal Assistance Manual, and section 403(b) of SMCRA, you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions.

In accordance with OSM Directive AML-1, please update the electronic Abandoned Mine Land Inventory System (eAMLIS) for the Problem Area Description (PAD), Glamorgan, VA000418, for the Pippin Drainage Project from "unfunded" to "funded" based on your budget estimate for the project.



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Field Oversight Branch  
Knoxville Field Office

6/3/15  
Date



Ian B. Dye, Jr.  
Manager  
Field Oversight Branch  
Knoxville Field Office

6-3-15  
Date