



United States Department of the Interior



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

710 Locust Street, 2nd Floor
Knoxville, Tennessee 37902

EMERGENCY PROJECT ENVIRONMENTAL IMPACT SIGNIFICANCE DETERMINATION

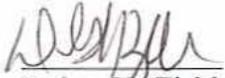
Vanover Landslide Emergency Project (Site No. 13533) Priority 1: .5 acre (DS) Dangerous Slide Wise County, Virginia

OSMRE DETERMINATION: Pursuant to 40 CFR Section 1506.11, OSMRE has determined the activities associated with this AML project do not constitute a significant impact to the environment, and therefore authorizes accelerated reclamation activities necessary to abate the immediate impacts to the public health and safety without prior completion of the environmental review requirements of 40 CFR Sections 1500-1508 (regulations for implementing the procedural provisions of the National Environmental Policy Act - NEPA). This authorization is being provided in accordance with OSMRE directives (REG-1: NEPA Handbook; GMT-10: Federal Assistance Manual, chapters 5-11), and policy. This determination is based on a review of the proposed action and environmental conditions pertaining to this site. DMLR has completed consultation with the Virginia Department of Historic Resources (DHR) and the U. S. Fish and Wildlife Service (FWS) for this emergency.

DHR responded its inventory files shows no recorded historic districts, structures of archeological sites located within the project's area of potential effects. DHR recommended a finding of No Historic Properties Affected for the proposed emergency project. The FWS determined there were no federally listed aquatic species, nor are there records of federally listed terrestrial species in the area affected by the emergency action. Therefore, FWS stated adverse effects to federally listed species are not anticipated

On April 14, 2015, OSMRE was notified by DMLR's Richard Davis that there a small landslide that blocked an unnamed tributary of Mullins Fork. DMLR submitted the formal emergency declaration request package to OSMRE's Knoxville Field Oversight Branch on April 28, 2015. While doing field investigation for NEPA documents for a FY15 AML project (Vanover Impoundment), DMLR's personnel discovered an additional landslide. This landslide suddenly occurred directing a mud flow and blocked a tributary to Mullins Fork.

There was an immediate need to act. The landslide created a high probability of substantial physical harm to the health and safety of the nearest residence, approximately 400 feet below the slide area; anyone using Vanover Road, and other residents downstream. DMLR is also concerned about drainage that is saturating the spoil located in the hollow above the nearest residential site. The emergency condition needs to be abated in a time frame not possible under normal State program procedures in order to protect the health and safety of the residents. Therefore, there is a need for immediate action and DMLR was authorized to proceed.

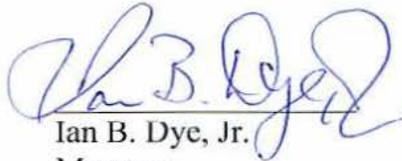


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4/29/15

Date



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