



United States Department of the Interior



OFFICE OF SURFACE MINING
Reclamation and Enforcement
Casper Field Office
PO Box 11018
150 East B Street, RM 1018
Casper, WY 82602

August 4, 2010

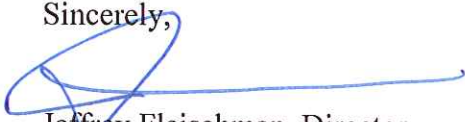
Mr. James R. Deutsch, Director
Abandoned Mine Lands Division
North Dakota Public Service Commission
600 E. Boulevard Ave. Dept. 408
Bismarck, North Dakota 58505-0480

Dear Mr. Deutsch:

The Office of Surface Mining (OSM) has reviewed the Environmental Assessment and associated documentation for the 2010 Coal Outcrop Fire Reclamation Project which is located on both USFS and private lands in Slope County, near Beach, North Dakota. We have determined that the documentation adequately discusses the environmental issues and impacts associated with the project. Based on the analysis of these documents, I have determined that the reclamation of this coal outcrop fire would not have significant effects on the quality of the human environment, and therefore conclude that no environmental impact statement (EIS) is necessary.

Accordingly, pursuant to section 5-11 of the Federal Assistance Manual, you are hereby authorized to proceed with this project.

Sincerely,


Jeffrey Fleischman, Director
Casper Field Office

FINDING OF NO SIGNIFICANT IMPACTS

Slope County Coal Fire
Coal Outcrop Fire Project
Slope County, North Dakota

OSM has thoroughly reviewed the environmental assessment and associated documentation for the above referenced project, which was prepared by the North Dakota Public Service Commission, Abandoned Mine Lands Division. The Casper Field Office has determined that this documentation adequately discusses the environmental issues and impacts for OSM coal outcrop fire reclamation construction activities authorization purposes.

Based on the analysis of this documentation, I find that reclamation of this project will not have significant effects on the quality of the human environment. I therefore conclude that no detailed statement (EIS) is necessary.

My specific reasons are as follows:

This project is a continuation of the previous coal outcrop fire suppression project conducted in 2009. These outcrop fires are located principally in Sections 3, 5, and 10, T135N, R105W and Section 30, T136N, R106W, Slope County, North Dakota. Coal fire suppression is proposed on both USFS and private properties. The outcrop fires were ignited by wildfires and the USFS considers them portions of wildfires that have not been completely extinguished; and are therefore emergencies that under USFS policy, are excluded from adherence to NEPA procedures. Those fires located on private land, however, must adhere to NEPA procedures.

Inherent dangerous problems are associated with the burning coal seam located on private land utilized for grazing/pasture. The site covers approximately one acre. Reclamation will involve excavating all burning coal and combustible materials, mixing the materials with inert (noncombustible) overburden, and enclosing the materials in a burial trench.

Cultural resource and threatened or endangered species clearances have been properly obtained. The project area is not within any identified flood plain, and wetlands will not be affected by reclamation activities. The integrity or utility of prime farmlands will not be destroyed. There are no wilderness areas, National Parks, Wild and Scenic Rivers or other recreational resources that will be impacted. The short term impacts of the reclamation activities will be far outweighed by the long term safety, health and environmental benefits for post reclamation use of the site and downstream water resources.


OSM Environmental Reviewer

8-4-2010
Date


OSM FOD
Casper Field Office

8-4-10
Date