



United States Department of the Interior



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Casper Area Office
PO Box 11018
150 East B Street, RM 1018
Casper, WY 82602

January 22, 2014

Mr. James Deutsch, Director
Reclamation & AML Divisions
North Dakota Public Service Commission
600 E. Boulevard Ave., Dept 408
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

The Office of Surface Mining (OSM) has reviewed the updated environmental assessment and supporting documentation for the 2014 Hazen-West Phase 3 Project, located in Mercer County, near Hazen, 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 reclamation of this site would not have significant effects on the quality of the human environment, and therefore conclude that no environmental impact statement (EIS) is necessary.

The State of North Dakota Public Service Commission, Abandoned Mine Lands Division should ensure that all applicable laws, clearances, permits, or requirements are met prior to expending funds.

Accordingly, pursuant to section 5-11-20D.3 of the Federal Assistance manual, you are hereby authorized to proceed with this project.

Sincerely,

Jeffrey Fleischman, Chief
Denver Field Division

FINDING OF NO SIGNIFICANT IMPACT

2014 Hazen-West Phase 3
Abandoned Mine Reclamation Project
Mercer County, North Dakota

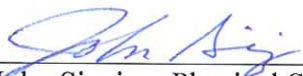
OSM has thoroughly reviewed the environmental assessment and associated documents for the above referenced project, which was prepared by the North Dakota Public Service Commission, Abandoned Mine Lands Division. The Casper Area Office has determined that this documentation adequately discusses the environmental issues and impacts for OSM abandoned mine land 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 is the third phase of reclamation for this abandoned surface coal mine site. The entire Hazen-West AML site encompasses approximately 35 acres. Approximately 3,500 feet of hazardous highwalls, up to 80 feet high, will be backfilled with material from adjacent spoil piles. Erosional features will be repaired and re-established to a non-erosive slope. To the degree possible, topsoil will be salvaged from the disturbed area and respread. The disturbed area will then be fertilized and seeded.

The North Dakota State Historical Society responded with a letter on November 21, 2013, stating that this site did not constitute a historical or culturally significant site. No streams or wetlands are present on or near the project area and no adverse effects on surface or groundwater quality or quantity are anticipated. The project is not within any identified floodplain. The U.S. Fish and Wildlife Service responded with a letter dated November 26, 2013 stating that “no endangered or threatened species are known to occupy the project area” and that the project “will have no significant impact on fish and wildlife resources”. There have been no prime or unique farmland or recreational resources identified in the project area. There are no wilderness areas, parks, or areas of critical ecological or aesthetic concern, wild and scenic rivers, or other recreational resources of critical environmental concern that will be impacted. The proposed project area is not in or near a Class I air quality region. No adverse socioeconomic impacts are anticipated. Highwalls and pits are mostly unvegetated. No threatened or endangered plant species have been identified within the project area. No off-site borrow or disposal concerns are anticipated. Impacts to noise pollution are not anticipated, however, should problems arise, the North Dakota Department of Health will be consulted for remedial action. Any 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 by the general public.



John Sieving, Physical Scientist

1-22-14
Date



Jeff Fleischman, Chief
OSM Denver Field Division

1-22-14
Date