



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 AML Divisions request for concurrence for authorization to proceed on the Beulah/Zap Phase 15 project, located in Mercer County, near the cities of Beulah and Zap, North Dakota. This project is a continuation of the Beulah/Zap Phase 12 Project. Since the scope of work and project location remain unchanged, the authorization to proceed and finding of no significant impact issued for Phase 12 of this project remain valid. We have determined that the documentation previously supplied for Phase 12 of this project 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, this office concurs that you are authorized to proceed with Phase 15 of this project.

Sincerely,

Jeffrey Fleischman, Chief
Denver Field Division