



# 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 29, 2015

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 the 2015 Columbus Phase 15 project, located in Burke County, near the town of Columbus. This project is a continuation of an earlier series of Columbus projects (Phases 1-14) that were conducted between 1988 and 2012. Phase 15 of this project proposes the elimination of approximately 5,000 feet of hazardous highwalls that are around 25 feet in height. We have determined the documentation supplied to this office adequately discusses the environmental issues and impact associated with the project. Based on 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

## FINDING OF NO SIGNIFICANT IMPACT

2015 Columbus Phase 15  
Abandoned Mine Reclamation Project  
Burke County, North Dakota

OSMRE 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 OSMRE abandoned mine land reclamation construction activities authorization purposes.

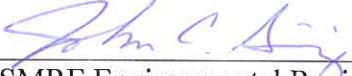
Based on the analysis of this documentation, I find that reclamation of this project will not have significant effects on the quality of the human environment. I therefore conclude that no detailed statement (EIS) is necessary.

My specific reasons are as follows:


This project involves the abatement of about 5,000 linear feet of hazardous highwalls at abandoned surface mines west and south of Columbus in Burke County. The project area is located within portions of Section 27, T162N, R93W and Sections 8 and 9, T162N, R94W, approximately five miles south of Columbus and two miles southwest of Larson, North Dakota (population 12). The two areas that make up this project encompass approximately 65 acres, but the entire mine site is much larger. Phase 15 of this project includes approximately 5,000 feet of hazardous highwalls that are around 25 feet in height and are adjacent to public roads. At least two deaths have been attributed to these abandoned mines. The first occurred in the late 1960s when a vehicle went off an abandoned haul road, killing the driver. The second occurred in the late 1970s when a person drowned in the water filled pit after falling off a steep highwall. The steep highwalls, water features and the proximity of this site to public roads creates the potential for future harm.

Cultural resources and threatened or endangered species clearances have been properly obtained. The State Historic Society of North Dakota responded to inquiries with a "No Historic Properties Affected" and a "No Significant Sites" determination. A response letter from the North Dakota Department of Health indicated planned activities for this project will likely not adversely affect surface or groundwater resources. The project is not within any identified floodplain and no wetlands are present. The U.S. Fish and Wildlife Service stated that they have reviewed and have no objection to the proposed project. No prime farmlands have been identified within the project area. There are no wilderness areas, lands being studied for wilderness, parks, 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 and there are no conditions on the site of the proposed project that affect air quality of the nearby area. No adverse socioeconomic factors are anticipated from this site. A public meeting was held on January 13, 2011 in Columbus. No threatened or endangered plant species have been identified within the project area. A response from the North Dakota Parks

and Recreation Department indicated that no ecological communities are present within or nearby the project area. While no off-site borrow or disposal issues are anticipated with this project, any unanticipated issues will be addressed through the North Dakota Department of Public Health. Noise pollution issues are also not anticipated; however, any unanticipated issues will be addressed through the North Dakota Department of Public Health. No significant direct or indirect impact on minority or low income populations is expected. 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.

  
OSMRE Environmental Reviewer

1-29-2015  
Date

  
Chief, Denver Field Division

1-30-15  
Date