



# 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 Wilton Phase 1 project, located in Burleigh County, near the town of Wilton. This project is a continuation of earlier reclamation work conducted between 1989 and 1994. Exploratory drilling conducted in 2014 confirmed that public roadways at this site are underlain by underground mines. Reclamation work will involve drilling and pumping pressurized grout into collapsed underground mine workings. Work is expected along the rights of way for Highway 36 and 41<sup>st</sup> Street.

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 this project.

Sincerely,

Jeffrey Fleischman, Chief  
Denver Field Division

## FINDING OF NO SIGNIFICANT IMPACT

2015 Wilton Phase 1  
Abandoned Mine Reclamation Project  
Burleigh 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.

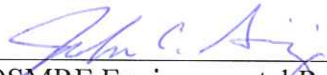
Based on the analysis of this documentation, I find that reclamation of this project will not have significant effects on the quality of the human environment. I therefore conclude that no detailed statement (EIS) is necessary.

My specific reasons are as follows:

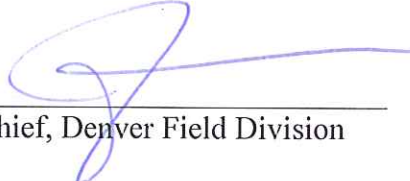
This project involves drilling and the pumping of pressurized grout into collapsed underground mine workings. It is estimated that approximately 15,000 feet of drilling and 5,000 cubic yards of grout will be required for this project. The project area is located southeast of Wilton in Burleigh County. The project area is located at the intersection of Hwy 36 and 41<sup>st</sup> Street NE and extends along the right of way for Hwy 36, west for ¼ mile and east for 1 ¼ miles, and north from that intersection along the right of way for 41<sup>st</sup> St NE for ½ a mile. No instances of death or serious injury have been attributed to the abandoned mines in the this area. However, the presence of abandoned surface and underground mines in such close proximity to public roads poses a hazard to the public and landowners. Several instances have been reported in this area of damage to farm equipment and loss of livestock due to sinkholes 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. Reclamation is expected to be conducted primarily along public road right of way and no farmlands, including prime farmlands will be impacted. 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. Factors such as noise, traffic control and dust suppression will be addressed in the information for Bidders packages. A public meeting was held on January 15, 2015 in Wilton. 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 a single significant ecological community of central mixed grass prairie is present nearby the project area, but also stated that this project should have no effect on that community. Any off-site borrow or disposal issues encountered during this project 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