

# United States Department of the Interior



## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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



January 15, 2016

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

Dear Mr. Deutsch:

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has reviewed the AML Divisions request for concurrence for authorization to proceed on the 2016 Wilton Phase 2 Project, located southeast of Wilton, in Burleigh County.

This project is a continuation of the 2015 Wilton Phase 1 Project. As long as the scope of work and project locations remain consistent with those areas addressed by the environmental assessment conducted for the 2015 Wilton Phase 1 Project, the authorization to proceed and finding of no significant impact issued for that project remain valid. However, if the scope of work or project locations change for any reason, please contact this office as further evaluation and authorization may be required.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has reviewed the environmental assessment for the 2015 Wilton Phase 1 Project and determined that it adequately discusses the environmental issues and impacts associated with this project. Based on the analysis of these documents, I have determined that reclamation of sites that maintain the same scope of work and locations as the 2015 Wilton Phase 1 Project 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 4-160-50D.3 of the Federal Assistance Manual (FAM), this office concurs that you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions.

Sincerely,

Jeffrey Fleischman, Chief  
Denver Field Division