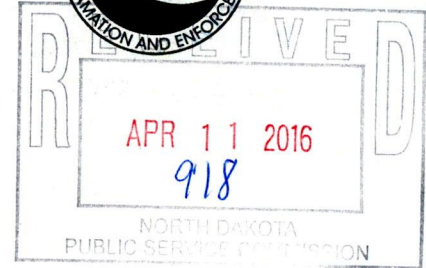


United States Department of the Interior



OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
Casper Area Office
PO Box 11018
150 East B Street, Room 1018
Casper, WY 82602



April 7, 2016

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 Reclamation & Enforcement (OSMRE) has reviewed the environmental assessment and associated documentation for the 2016 Bowman Project and determined that it adequately discusses the environmental issues and impact associated with this project. Based on analysis of these documents, I have determined that reclamation of this abandoned mine site would not have significant effects on the quality of the human environment, and therefore conclude that no environmental impact statement (EIS) is necessary. In addition, the AML inventory information submitted for this project has been accepted for inclusion in the inventory.

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, you are authorized to proceed with this project and expend available Federal funds in accordance with the AML grant terms and conditions.

Sincerely,



Jeffrey Fleischman, Chief
Denver Field Division

FINDING OF NO SIGNIFICANT IMPACT

2016 Bowman Project
Abandoned Mine Reclamation Project
PAD # ND000041
Burke County, North Dakota

OSMRE has thoroughly reviewed the environmental assessment and associated documents for the above referenced project prepared by the North Dakota Public Service Commission, Abandoned Mine Lands Division, and determined that it adequately discusses the environmental issues and impacts for OSMRE abandoned mine lands reclamation construction activities authorization purposes.

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

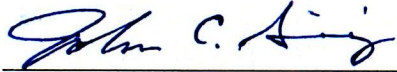
My specific reasons are as follows:

This project involves the abatement of an abandoned surface mine, approximately 6 miles north of the town of Bowman, in Bowman & Slope Counties. The project area is located within portions of the NW1/4 of the NW1/4 of Section 2, T132N, R102W and the S1/2 of the SE1/4 of Section 31, T133N, R101W. This project encompasses approximately 10 acres and includes spoil piles and pits, with approximately 1,100 linear feet of hazardous highwalls. The highwalls have a maximum height of between 25 and 30 feet and are adjacent to, and on either side of, a public road (78th Street SW). The steep highwalls and the proximity of this site to a public road create the potential for future harm. A public meeting was held on January 27, 2015 in Bowman.

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 Significant Sites Affected" 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 the project is not expected to have significant impact on fish and wildlife. 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. No adverse socioeconomic factors are anticipated from this site. 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 plant or animal species of concern or other significant ecological communities are present within a one-mile radius of 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 on 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

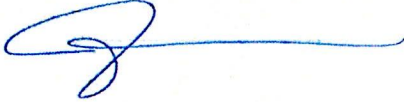


John Sieving, Physical Scientist
Casper Area Office

4-7-2016

Date

OSMRE Awarding Official



Jeffrey Fleischman, Chief
Denver Field Division

4-7-16

Date