

# 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



## Authorization to Proceed

March 23, 2023

Ms. Zanna Brinkman, Director  
Reclamation & AML Divisions  
North Dakota Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

Dear Ms. Brinkman:

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has determined that the 2023 Exploratory Drilling AML Project has met the following criteria:

1. The project has been entered into the Enhanced Abandoned Mine Land Inventory System (e-AMLIS) as PAD ND0000024, in compliance with Directive AML-1.
2. Environmental documents, including compliance information for the National Environmental Policy Act (NEPA) and other environmental requirements are documented with a Categorical Exclusion on March 23, 2023.
3. The ATP request included an AML eligibility statement and basis for claiming AML eligibility.

Accordingly, pursuant to 30 CFR 886.16, you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions. If this project provides funding to a subrecipient through a subaward, the subrecipient must be approved by OSMRE separately from this ATP. OSMRE subrecipient approval can be requested either through the initial award application or through a separate request.

Sincerely

Jeffrey Fleischman, Chief  
Denver Field Division

APPENDIX 6.6 AML CATEGORICAL EXCLUSION DETERMINATION FORM  
(REVISED JULY 2019)

ABANDONED MINE LANDS  
CATEGORICAL EXCLUSION DETERMINATION

State: North Dakota PA # ND024  
Project Name: 2023 Exploratory Drilling AML Project

Project Description/Proposed Action: *[Provide a detailed description of the project proposed action (include what will be done and how)]*

The 2023 Exploratory Drilling AML Project will locate and characterize hazardous underground mine working beneath public roads and other infrastructure. The investigatory project is expected to be conducted near the city of Dickinson, North Dakota between July and August 2023. Drilling will generally be done in road rights-of-way and industrial areas. Surface disturbance will be very minimal. The estimated cost for this project is \$250,000.

**Yes responses require submission of an Environmental Assessment (EA).**

**I. GENERAL EXCEPTIONS**

Does the project type specifically require an EA in 516 DM Chapter 13, as specified in Item I of Appendix 6.5 of OSMRE's NEPA Handbook (2019)? No  Yes

**II. DEPARTMENT OF THE INTERIOR EXCEPTIONS**

**Will the project have any of the following:**

1. A significant adverse effect on public health or safety? No  Yes

III.

RESOURCE IMPACT EXCEPTIONS

Are there any unresolved issues, or adverse effects requiring specialized mitigation, for any of the following resources?

No  Yes

If yes, check the ones that apply.

- Topography
- Land Use (includes prime farmland)
- Soils
- Vegetation (includes wetlands)
- Hydrology
- Fish and Wildlife
- Historic and Cultural
- Recreation
- Air Quality
- Noise
- Other (includes socioeconomics)

IV.

ATTACH CONSULTATION LETTERS AND A LOCATION MAP

V.

RESPONSIBLE OFFICIAL CERTIFICATION

Signature: Jenna A Brinkman Date: 3-20-2023

Name and Title: Director AML + Reclamation Divisions

VI.

OSMRE DETERMINATION

This project conforms with the exclusion criteria in 516 DM Chapter 13, and is excluded from further NEPA compliance.

This project does not conform with the exclusion criteria in 516 DM Chapter 13, and requires an Environmental Assessment. As such, OSMRE will complete an *Evaluation of a Proposed Action* template (see Appendix 4.1 of OSMRE's NEPA Handbook (2019)).

OSMRE Reviewer Signature: John Siering Date: 3-23-2023

Name and Title: John Siering, Physical Scientist

Signature: [Signature] Date: 3-24-23

Name and Title: JEFF FLEISCHMAN CDFD