

**STANDARDIZED ENVIRONMENTAL ASSESSMENT**

**Dakota Collieries AML Project  
ND000014  
Mercer County, North Dakota**

**Prepared by**

**North Dakota Public Service Commission**

**In Cooperation With**

**United States Department of Interior  
Office of Surface Mining Reclamation and Enforcement  
Casper Field Office**

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## Chapter 1

### Purpose and Need for the Proposal

#### A. Need for the Action

The principal objective of the Abandoned Mine Lands (AML) Division of the North Dakota Public Service Commission (PSC) is to reclaim potentially hazardous portions of abandoned surface and underground coal mines in North Dakota.

The Beulah Problem Area is composed of numerous and extensive surface and underground coal mines on approximately 20,530 acres located in Mercer County. This AML site is characterized by dangerous highwalls and subsidence from underground mine collapse. The area is within four miles of the corporate limits of Beulah, North Dakota. Surface and underground mining was conducted from about 1910 to 1975. The proposed 2024 Dakota Collieries AML Project will eliminate approximately 915 feet of dangerous highwall and several subsidence features located in the following area:

Site	Legal Description	GPS Coordinates	Relative Location
Dakota Collieries	Sec. 31 and 32, T144N, R88W Sec. 36, T144N, R89W	47.249658N,101.884053W	4 Mi. W of Beulah ND

The mine area is approximately four miles west of Beulah, North Dakota, which has a population of about 3,044. Highwall and subsidence features are located near section line roads, local trails, and field borders with uncontrolled access. The 2024 Dakota Collieries AML Project includes approximately 30 acres.

To our knowledge, no instances of death or personal injury attributable to the abandoned mines at the 2024 Dakota Collieries AML Project have been reported; however, the potential for death or injury is inherent due to the location of the abandoned mines.

#### B. Project Background

The Dakota Collieries surface mine is located in the W 1/2 of Section 31, T144N, R88W and contains 915 feet of steep final pit highwalls ranging up to approximately 50 feet high. Slides, piping, and sloughing along the highwall are indications of its instability. Exact mining dates are unknown for this area, but historic aerial photos documented the mining occurred prior to 1958. Dakota Collieries subsidence and erosional features are located in Sections 31 and 32, T144N, R88W, and Section 36, T144N, R89W. Exact mining dates are unknown; however, historical aerial photos indicate all mining was conducted before 1975. The current land use of the area is designated as agricultural. Anticipated land use of the area will remain agricultural.

## **Chapter 2**

### **Proposed Action and Appropriate Alternatives**

#### **A. No Action Alternative**

The no action option does not solve the potentially hazardous AML conditions at the site.

#### **B. Proposed Action**

The proposed reclamation project for this site will be beneficial to the property owners and the general public and meets the requirements of federal and state law for reclamation. This project will eliminate the hazard of the highwall and subsidence features and will improve agricultural productivity, vegetation, wildlife habitat, and site access.

The plan of action for the proposed reclamation activity will be to backfill and backslope hazardous highwalls with material from adjacent spoil piles. Backfilling is the preferred option for reclamation of abandoned highwalls and sinkholes. The approved North Dakota Abandoned Mine Lands State Reclamation Plan identifies backfilling as an effective reclamation technique. Erosional gullies and washouts will be repaired and reestablished to non-erosive slopes.

To the degree possible, topsoil will be salvaged from the disturbed areas and respread once the earthwork has been completed. Approximately 915 feet of hazardous highwall will be eliminated through proposed reclamation operations in 2024. The reclaimed areas will be seeded with locally adapted grass species native to western North Dakota.

The proposed reclamation activities should have no long-term adverse effects on the environment. Any temporary disruption of wildlife habitat will be a short-term effect.

#### **C. Other Reasonable Alternatives**

Alternative reclamation methods include property buy-out or condemnation and fencing of hazardous areas. Property buy-out or condemnation does not solve the AML problems at the site. Fencing is not considered a long-term viable option.

## **Chapter 3**

### **Environmental Impacts**

**A. Cultural or historic resource values (the Archaeological Resources Protection Act of 1979; the Archaeological and Historic Preservation Act of 1974; the National Historic Preservation Act of 1986, as amended; the Antiquities Act of 1906, Executive Order 11593, concerning the protection and enhancement of the cultural environment; the American Indian Religious Freedom Act of 1978; the Historic Sites Act of 1935; and OMB Circular A-102).**

Reclamation activities will be conducted in a manner that should have no significant effect on cultural or historic resources.

**B. Water Quality Values (Clean Water Act, as amended)**

Reclamation will be conducted in a manner that should have no significant effect on surface or groundwater quality or quantity.

The Dakota Collieries site is located within the Engbrecht Cemetery Knife River subwatershed of the Lower Knife River watershed. Runoff flows through naturally established drainage channels in a southern direction entering the Knife River which discharges into the Missouri River. After reclamation, the runoff pattern will remain unchanged and the hydrologic impact should be negligible.

Drainage patterns in each subwatershed will remain unchanged after construction. All site runoff will flow into the natural drainages adjacent to the site. During construction, runoff will be controlled by the use of silt fences, mulching, erosion control blankets, and other erosion control measures as needed.

**C. Wetlands values (Clean Water Act, Executive Order 11990, and Army/EPA Memorandum of Agreement (MOA) Concerning the Determination of Mitigation under Section 404(b) (1) Guidelines)**

Reclamation activities within the 2024 Dakota Collieries AML Project sites will have no significant effect on wetlands.

**D. Floodplain values (Executive Order 11988)**

No reclamation activities are within an identified floodplain.

### **E. Wildlife (Endangered Species Act and Fish and Wildlife Coordination Act)**

Reclamation activities will be conducted in a manner that should have no significant effect on fish or wildlife. Threatened, Endangered or Candidate species in Mercer County identified by the U.S. Fish and Wildlife Service include Monarch Butterfly (*Danaus plexippus*), Dakota Skipper (*Hesperia dacotae*), Whooping Crane (*Grus Americana*), Piping Plover (*Charadrius melodus*), and the Rufa Red Knot (*Calidris cantus rufa*). None of these species are likely to be found or disturbed by the 2024 Dakota Collieries AML Project.

### **F. Prime and unique farmland values (Farmland Protection Policy Act)**

No prime farmland within the 2024 Dakota Collieries AML Project area has been identified.

### **G. Recreational resource values (Wild and Scenic Rivers Act, Clean Air Act)**

No lands in the proposed project area are classified as wilderness areas or lands being studied for wilderness designation.

No lands in the proposed project area are identified as areas of critical environmental concern.

No lands in the proposed project area are included in the wild and scenic rivers category.

No parks or areas of critical ecological or aesthetic concern are found in the proposed project area.

### **H. Air quality (Clean Air Act)**

The proposed project area is not in or near a Class I air quality region, and this project should not adversely affect air quality.

### **I. Socioeconomic factors**

Factors such as noise, traffic control, and dust suppression will be addressed in the Invitation for Bid (IFB) package.

Reclamation will not affect socioeconomic factors related to farming and ranching.

## **J. Political factors**

Portions of the project area are under zoning jurisdictions of Mercer County, several township authorities, and the State of North Dakota, as well as private ownership. Meetings between the North Dakota Public Service Commission and all governing and private entities are ongoing and will continue throughout the project(s) completion. A public meeting will be held on January 8th, 2024, to discuss the 2024 Dakota Collieries AML Project. Notices were mailed to landowners, governmental authorities, and other interested parties; and public service announcements were made in local newspapers.

## **K. Existing vegetative cover**

Existing vegetation varies with land use within the project area. It includes cropland, tame grass and legume pastures, native grasslands, road ditches, and roads. Cropland and tame grasses are predominant and include wheat, oats, barley, corn, sunflowers, alfalfa, crested wheatgrass, and smooth brome grass. Shelterbelts are commonly located within cropland and may contain several tree and shrub species including Siberian Elm, Russian Olive, Colorado Blue Spruce, Caragana, and others. Native grasslands may include species such as wheat grasses, green needlegrass, blue grama, and big bluestem as well as forbs such as western snowberry, buffaloberry, chokecherry and wild plum. Long term effects of the project on vegetation should be minimal.

## **L. Threatened and endangered plant species**

To the best of our knowledge, no threatened or endangered plant species have been identified within the project area. The only federally-listed threatened or endangered plant in North Dakota is the Western Prairie Fringed Orchid (*Platanthera praeclara*). Known locations of this plant are within moist, tallgrass prairie and sedge meadows of the Sheyenne National Grasslands in the southeastern corner of the state. This plant is not likely to inhabit the proposed project areas.

## **M. Anticipated dates of reclamation**

The reclamation performance period for the 2024 Dakota Collieries AML Project is expected to begin in May 2024 and be completed in November 2024.

## **N. Estimated construction cost**

The engineer's estimate for the 2024 Dakota Collieries AML Project is \$750,000.

## **O. Off-site borrow and disposal Areas**

If offsite borrow or disposal issues arise, applicable environmental regulations will be addressed through the North Dakota Department of Environmental Quality.

### **P. Noise pollution**

Noise pollution problems are not anticipated; however, if problems arise, remedial action measures will be addressed through the North Dakota Department of Environmental Quality.

### **Q. Environmental justice policy**

Construction work may result in a slight increase in employment and revenues, but no significant direct or indirect impact on minority or low-income populations is expected.

## Chapter 4 Consultation and Coordination

A letter to the U.S. Fish and Wildlife Service was sent on December 4, 2023, requesting concurrence for the 2024 Dakota Collieries AML Project. A response dated December 7, 2023, indicated no significant impact on fish and wildlife resources, and no endangered or threatened species are known to occupy the project area as described.

A letter was sent to the State Historical Society of North Dakota on December 4, 2023, requesting concurrence for the 2024 Dakota Collieries AML Project. The response dated December 21, 2023, concurred with the “No Historic Properties Affected” determination for the project.

A letter was sent to the North Dakota Department of Environmental Quality on December 4, 2023, requesting concurrence for the 2024 Dakota Collieries AML Project. The response dated December 6, 2023, indicated that planned activities are not likely to adversely affect surface or groundwater resources.

A letter was sent to the Natural Heritage Program of the North Dakota Parks and Recreation Department on December 4, 2023, requesting concurrence for the 2024 Dakota Collieries AML Project. The response dated December 20, 2023, indicated that planned activities do not appear to affect any properties that NDPRD owns, leases, or manages. Planned activities do not affect properties protected under Section 6(f) of the Land and Water Conservation Fund.

### Preparers



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