

November 25, 2019

FINDING OF NO SIGNIFICANT IMPACTS

Hillsboro Community Development Commercial Town Center and Coke Oven (Phase 2 and 4)
AML 2017 Pilot Program Project
Problem Area: AL0248 – Helena, S.W.
Shelby County, Alabama

The Office of Surface Mining, Reclamation and Enforcement's (OSMRE's) Birmingham Field Office (BFO) has thoroughly reviewed the attached Environmental Assessment (EA), prepared by the Alabama Department of Labor's (ADOL's) Abandoned Mine Land (AML) Program. The OSMRE has determined that it adequately analyzes the environmental issues and impacts for AML construction authorization purposes.

The OSMRE cannot categorically exclude a project that may potentially have significant impacts on public health or safety per Federal Regulations at 43 CFR 46.215 and Departmental Manual (DM) Part 516, Chapter 13. Based on the analysis described in the EA (attached) and the responses received from agencies contacted, the BFO finds that reclamation of this abandoned mine site will not have significant effects on the quality of the human environment. The BFO concludes that no detailed Environmental Impact Statement is necessary.

Specific reasons are as follows:

1. This project is expected to have positive, long-term socio-economic effects on coal-impacted areas of Helena, AL and the Greater Shelby County. The Hillsboro Community Development Commercial Town Center and Coke Oven AML 2017 Pilot Program Project is anticipated to create approximately 176 employment opportunities due to the Phase 2 Town Center Commercial Development, as well as the attractions of new trails and park space which would provide more direct recruitment opportunities once complete for Helena, AL and Shelby County, overall.
2. The project will have short-term, negligible impacts on the following resources:
 - a. Historical/Cultural Resources – Based on ADOL's review, the project, specifically Phase 4, would have the potential to impact historic resources. However, all known historical structures would be avoided and preserved during the project construction. The creation of a park surrounding the area of the former coke oven battery, and the addition of historic and educational markers to this park, would serve to preserve and enhance this historic area. Should any additional historical resources such as tramp iron or other potential associated historical mining articles or archaeological features be uncovered during construction, they would be retained and put aside for examination by any interested parties, specifically the Alabama Historical Commission.

- b. Vegetation and Wetlands –Spectrum Environmental, Inc. conducted wetland delineation on behalf of U.S. Steel. Based on the results of this survey and the corresponding US Army Corps of Engineers (Corps) verification, approximately 0.65 acres of low quality wetlands, 233 linear feet of ephemeral streams, and 928 linear feet of intermittent streams could be impacted by the construction of the of the Hillsboro Town Center Commercial Development (Phase 2). U.S. Steel sought and secured Standard Permit -SAM-2013-00556-CMS for these impacts. Based on the Corps’ review and issuance of the standard permit to U.S. Steel, the work is to be conducted in accordance with the following stipulations:
- (1) to compensate for the loss of aquatic resource functions associated with the discharge of fill material into waters of the U.S., the permittee shall purchase 3,836 stream credits and 0.39 wetland credits from Cahaba River Mitigation Bank and,
 - (2) the permit expires December 14, 2020.
- c. Threatened/Endangered Plants and/or Animals – The only species that may have suitable habitats within the proposed area include Indiana, Gray, and the Northern long-eared bats. The initial phases of the 53-acre site are not located in the critical habitat zones for these species. Adjacent areas are forested but any additional tree removal for the proposed project would be conducted from October 15 – March 31, 2019-2020, to minimize disturbance of bat maternal roosting habitat. For this reason, it is ADOL’s opinion, concurred by U.S. Fish and Wildlife Service, that neither the Indiana, Gray, nor Northern long-eared bats would likely be impacted by this reclamation project. No other threatened and/or endangered species were identified to be associated with the area of the project site.
- d. Other Wildlife – The proposed project site is located within an area of previously unreclaimed mine spoil/gob that is moderately forested. Identical habitat and human habitation surround the project area. Wildlife within the 53-acre site has similar habitats in areas adjoining the project in which to live and thrive while construction activities occur. Construction activities will only displace wildlife species temporarily.
- e. Noise and Air Quality Values – Due to the nature of the proposed on-site construction, it is anticipated that these impacts would be both minor and temporary. The minor impacts will be limited to the duration of the project and controlled using standard safety and best management practices and erosion control devices. During construction and excavation activities, limited heavy equipment or machinery such as bulldozers, tracked backhoes, dump trucks, etc. would produce elevated noise levels, exhaust fumes, and particulate matter within the construction area. Visitors to the project site and construction personnel would be the most directly affected temporarily by noise and air quality. The construction personnel would be required to use personal protective equipment during the limited construction operations (if necessary). The direct effect on local commuters and/or residents regarding the noise and air quality issues produced at the site would be transitory, and would be controlled onsite to the extent practicable. The dust produced during the limited

excavation activities would be minimized utilizing water and a water truck for wetting the haul roads and excavation areas during construction activities, as necessary. All construction activities that could affect noise levels will be restricted to hours typical of residential construction projects. After construction is complete, the air quality should quickly return to pre-construction conditions.

- f. Socioeconomic/Political - Further development of schools, transportation amenities, and other features of the Hillsboro Community would be expected to promote willingness of private partners to continue to invest in the area. The long-term impacts from this project are anticipated to create approximately 176 new employment opportunities and an estimated \$67 million in new spending in the Helena, AL and Shelby County area.
3. Cumulative impacts: Implementation of the Hillsboro Community Pilot Program Project would have the potential for tremendous benefit to the citizens of the City of Helena, AL, as well as Shelby County overall. The proposed project provides a litany of long-term beneficial socioeconomic impacts to residents' physical and mental health by providing recreational opportunities while also providing the potential for economic benefit of new jobs and amenities that would be attracted to the area.
4. ADOL routinely notifies government agencies with regulatory or oversight interest in their proposed projects and requires their concurrence before the project may begin. The notification usually contains the location, description of reclamation activities, and any anticipated significant impacts. ADOL notified the following agencies, via letter, of the Hillsboro Community Development Commercial Town Center and Coke Oven (Phase 2 and 4) AML 2017 Pilot Program Project:
 - State of Alabama Historic Preservation Office
 - U.S. Department of the Interior, Fish and Wildlife Service
 - Alabama Department of Conservation and Natural Resources
 - Alabama Department of Environmental Management
 - U.S. Army Corps of Engineers
 - Regional Planning Commission of Greater Birmingham

All the above agencies concurred with the ADOL that the project would not have significant impacts on resources.

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OSMRE Birmingham Field Office Approver:



Richard B. O'Dell, Birmingham Field Office Director

11/25/19

Date