



**PUBLIC NOTICE OF INTENT TO ENTER
TO CONDUCT RECLAMATION ACTIVITIES**
(Abandoned Mine Land Program)

IN THE MATTER OF: **HORSEBRANCH LANDSLIDE PHASE II PROJECT**

TO WHOM IT MAY CONCERN:

The Department of Mines, Minerals, and Energy, Division of Mined Land Reclamation, of the Commonwealth of Virginia, pursuant to the authority granted in the Virginia Coal Surface Mining Control and Reclamation Act of 1979 (Chapter 19, Article 4, Section 45.1-260 et seq.) with funding provided by the **2012** Consolidated Grant, has determined and found that:

Land located **3.9 miles NE of Grundy on Horse Branch (County Rt. 3060) of Elkins Branch (State Rt. 642) of Slate Creek (Rt. 83) of Levisa Fork River in Buchanan** County, Virginia, has been adversely affected by past coal mining practices, to wit:

1. Property owners, both known and unknown, are hereby notified of the Division's intention to reclaim the area adversely affected by past coal mining practices. The purpose of this Notice is to provide notice to any landowners, heirs, assigns and devisees who may be affected by the proposed reclamation and who have not been identified and who have not granted written consent.
2. The public health, safety and property is endangered by: **a landslide that is the result of mine spoil that was pushed over the hillside during mining operations that occurred before 1977. This landslide endangers homes and a public road.**
3. The proposed action consists of:
 - a) Construction of access roads as needed and maintaining existing roads during construction.
 - b) Removing the landslide to natural ground or regrading the site to a stable configuration. All of the excavated material will be hauled to an existing mine area located within the project limits.
 - c) Establishing positive surface drainage as needed.
 - d) Revegetating all areas disturbed by this work
 - e) Standard erosion and sediment control measures will be utilized during this project.

Division of Mined Land Reclamation
Notice of Intent to Enter (AML Program)

4. Known property owner(s) in the area of the proposed reclamation are:

Sherry and Rodney Dotson

Estate of C. F. Fletcher

Ralph and Shirley Perry

Appalachian Energy, INC (Lessee)

Based upon the above findings, the Commonwealth of Virginia, acting by and through the Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, its agents, employees and contractors, gives notice that 30 days from this Notice being published in **The Virginia Mountaineer**, and posted on the property, the Division will initiate and continue until the proposed work on the **Horse Branch Landslide Phase II Project** is complete, and shall do all things necessary and expedient to protect the public health, safety and general welfare. Such entry shall not be construed as an act of condemnation of property nor of trespass thereon.

For further information contact the Division of Mined Land Reclamation at the following address:

Attention: AML Section

VA Dept. of Mines, Minerals & Energy

P. O. Drawer 900

Big Stone Gap, VA 24219

The telephone number is (276) 523-8206.

DATE

12/12/13

BY

Randy Casey
Division Director