



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

IN THE MATTER OF: **FAWN BRANCH LANDSLIDE 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 **2013** Consolidated Grant, has determined and found that:

Land located **off of State Route 637 in Fawn Branch in Lee** 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 are endangered by: **a landslide resulting from mine spoil that was pushed over the hillside during mining operations that occurred before 1977. This landslide has blocked an access road to several structures and has partially blocked Fawn Branch. This could result in flooding of a nearby community.**
3. The proposed action, which may be done in several phases, consists of:
 - a) Reestablishing and improving existing access roads and/or construction of new access roads as needed..
 - b) Removing the displaced material and regrading the hillside to a stable configuration. All of the excavated material will be hauled to and properly disposed of on an existing mine bench.
 - c) Placement of a rock blanket and buttress on the hillside
 - d) Establishing positive surface and subsurface drainage as needed;

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- e) Revegetating all areas disturbed by this work;
- f) Standard erosion and sediment control measures will be utilized for the duration of this project.

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

Dulcet Acquisitions, LLC

Powell Mountain Energy, LLC (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 upon publication of this Notice in **The Powell Valley News**, and posted on the property, the Division will initiate and continue until the proposed work on the **Fawn Branch Landslide 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 4/2/15 BY Randy Casey
Division Director