



File Code: 2820-4

Date: April 1, 2008

Notice of Opportunity to Comment Federal Coal Lease COC-61209 Modification 4

The Grand Mesa, Uncompahgre, and Gunnison National Forests (GMUG) and the BLM Uncompahgre Field Office (BLM) are seeking comments on an application filed by Bowie Resources Limited (BRL) to modify an existing federal coal lease by adding 560 acres. The lease modification application contains National Forest System (NFS) surface lands managed by the GMUG. The coal estate is administered by the BLM. The lease modification application will be processed according to procedures set forth in 43 CFR 3432.

The proposed lease modification is located Sections 27 and 28, Township 12 South, Range 91 West, in Delta County, Colorado (approximately 8 miles north/northeast of Paonia, Colorado), and is shown on the attached map. The coal in this lease modification would be accessed and recovered by underground longwall mining methods. BRL applied for this lease modification to compensate for changes in mine design, which were driven by underground hazards associated with local geology.

This notice (including maps) is also available on the GMUG website at www.fs.fed.us/r2/gmug/policy under Mining.

Purpose and Need

The GMUG and BLM have identified the need to consider issuing a coal lease modification for federal coal lands immediately adjacent to exiting federal coal lease COC-61209. The purpose the lease modification is to accommodate a change in mine design, and to ensure that compliant and super-complaint coal reserves are recovered.

The BLM, charged with administration of the mineral estate on these Federal lands, is required, by law, to consider leasing Federally-owned minerals for economic recovery. The USDA-Forest Service (FS), as the surface management agency, considers consenting to the BLM leasing reserves underlying lands under its jurisdiction, and prescribes conditions (as stipulations) for the protection of non-mineral resources. This action considers modifying one existing federal coal lease. Under 43 CFR 3432 (as amended by the Energy Policy Act of 2005), the holder of a federal coal lease may apply to modify a lease by up to 960 acres. The federal agencies are responding to an application to modify an existing lease.

The proposed action conforms to the overall guidance given in the GMUG Land and Resource Management Plan, as amended (Forest Plan, 1991) which encourages environmentally sound energy and mineral development, and the BLM Uncompahgre Basin Resource Management Plan (RMP, 1989).

The USDI- Office of Surface Mining Reclamation and Enforcement, Western Regional Coordinating Center will participate as a cooperating agency.



Responsible Officials and Decision Framework

The GMUG Forest Supervisor is the NEPA Responsible Official for the Forest Service. Given the purpose and need, the Responsible Official will review the proposed action, the other alternatives, and the environmental consequences in order to decide the following:

- Whether or not to consent to the BLM modifying existing federal coal Lease COC-61209 by 560 acres;
- Prescribe conditions (stipulations) needed for the protection of non-coal resources.

The Forest Service Responsible Official will determine if the activity is consistent with the GMUG Forest Plan.

The BLM Colorado State Director is the deciding official for the BLM, and will decide whether or not to modify the existing coal lease. The Uncompahgre Field Office Manager is responsible for providing the State Director with briefings and recommendations.

Issues and Alternatives

As this is a leasing analysis, the agencies anticipate analyzing the effects of underground mine subsidence on surface resources including water resources, land stability, existing roads and trails. There are no known wetlands, fens, active streams, or Inventoried Roadless Areas in the lease modification area.

This analysis will address the No Action and the Proposed Action Alternative, and any other reasonable alternative resulting from resource issues raised by the public or the Interdisciplinary Team (IDT).

Submitting Comments on the Forest Service Action

The following information is specific to submitting comments on the Forest Service portion of the project. The comment period is the official opportunity to participate in this project. The Opportunity to Comment on this proposal ends 30 days following the date of the legal notice in the *Grand Junction Daily Sentinel*. The publication date of the notice is the exclusive means for calculating the time to submit comments.

Parties expressing interest during this comment period will be eligible to appeal the decision pursuant to 36 CFR part 215 regulations. Only those who submit timely comments will be accepted as appellants of the final decision. Comments are defined in 36 CFR 215.6(a)(3). Comments must be within the scope of the proposed action, have a direct relationship to the proposed action, and include supporting reasons for the Responsible Official to consider. Also, for appeal eligibility, each individual or representative from each organization submitting comments must either sign the comments or verify their identity upon request.

The Forest Service Responsible Official is Charles S. Richmond, Forest Supervisor for the GMUG, (970)874-6600. Written comments may be submitted in hard copy through the mail, email, fax or delivered by hand.

Mail comments to: Charles Richmond, Forest Supervisor
Grand Mesa, Uncompahgre and Gunnison NFs
2250 Highway 50
Delta, CO 81416

Fax Comments to: (970) 874-6698

Electronic comments will be accepted, and must be submitted as an ANSI compatible format (e.g. *.doc, *.txt, *.rtf), or .pdf. Please note in the subject line that the comments are for Federal Coal Lease COC-61209 Modification 4. Electronic comments should be sent to:

comments-rocky-mountain-gmug@fs.fed.us

For electronically mailed comments, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of comments, it is the sender's responsibility to ensure timely receipt by other means.

Hand delivered written comments will be accepted at the GMUG Forest Supervisor's Office, 2250 Highway 50, Delta, Colorado, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except for federal holidays. Oral comments will be considered in the EA.

Commenting on the BLM Action

Comments on the BLM portion of the project can be submitted within the same timeframe to:

Barbara Sharrow
BLM Uncompahgre Field Office Manager
2505 S. Townsend
Montrose, CO 81401

We appreciate your continued interest in our projects, and encourage you to contact Niccole Mortenson, Engineering and Minerals NEPA Project Specialist, at (970)874-6616 or nmortenson@fs.fed.us if you have any questions regarding this project or need additional information.

Sincerely,

/s/ Charles S. Richmond
CHARLES S. RICHMOND
Forest Supervisor

Enclosure