



United States
Department of
Agriculture

Forest
Service

Grand Mesa,
Uncompahgre and
Gunnison
National Forests

2250 Highway 50
Delta, CO 81416
Voice: 970-874-6600
TDD: 970-874-6660

File Code: 2820-4

Date: September 18, 2006

Subject: Notice of intent to prepare an environmental impact statement.

Dear Interested Party:

The Grand Mesa, Uncompahgre and Gunnison National Forests GMUG are seeking comments regarding the following proposed Environmental Impact Statement (EIS).

SUMMARY: The GMUG will evaluate the effects of the following surface uses associated with continued operations of Mountain Coal Company's (MCC) West Elk Mine:

- 1) constructing one (1) ventilation shaft and one (1) emergency escape shaft (combined location), and
- 2) the installation of 100 to 160 methane drainage wells located on 60 to 120 pads with approximately 12 to 19 miles of associated access roads. The methane drainage wells will be used to vent explosive methane gas from the underground coal mine to ensure worker safety and continued recovery of federal coal reserves.

Location of the proposed project is shown on the attached map.

DATES: A Notice of Intent for this project is expected to appear in the Federal Register on September 22, 2006. **We would appreciate receiving any comments you might have on the proposed action by November 6, 2006.** The draft EIS is expected December 2006 and the final EIS is expected February 2007.

ADDRESSES: Send or hand deliver written comments to:

Grand Mesa, Uncompahgre and Gunnison National Forests
Attn: Deer Creek Shaft and E Seam MDW Project
2250 HWY 50
Delta, Colorado 81416

Email comments to: nmortenson@fs.fed.us (Subject: Deer Creek Shaft and E Seam MDW)

FOR FURTHER INFORMATION CONTACT: Niccole Mortenson, Engineering and Minerals NEPA Project Specialist, 970-874-6616 or write the address above.



SUPPLEMENTARY INFORMATION:

Purpose and Need for Action

The GMUG has identified the need to authorize MCC to have reasonable surface use and access to national forest system lands to comply with Mine Safety and Health Administration requirements for maintaining safe levels of methane gas in the West Elk underground coal mine. The need for the action is to ensure safe and efficient recovery of federal coal reserves.

Proposed Action

The GMUG proposes to authorize MCC to occupy NFS lands subject to the terms and conditions of a federal coal lease, and mitigations identified in an environmental analysis for the purpose of constructing and operating surface facilities needed to continue mining federal coal reserves.

Federal coal reserves are currently being mined by Mountain Coal Company, LLC (MCC) from their West Elk Mine. MCC presently operates a longwall system of underground mining at the West Elk Mine, which is permitted with the Colorado Division of Reclamation, Mining and Safety for a production rate of 8.2 million tons of coal per year. The West Elk Mine was opened in 1981 and presently produces coal from several existing federal coal leases. The coal mined at the West Elk Mine, as well as from other mines in the North Fork Valley, is a high BTU, low sulfur coal. It is considered a “clean coal” (compliance coal). Its use in industry helps meet standards of the Clean Air Act. As such, there is a demand for coal from the West Elk Mine and other mines in the North Fork Valley by electric power generation industries.

Mining operations in the area have encountered quantities of methane gas that present risk for explosion. In order to continue operations, the methane must be vented to reduce this hazard. A similar project for this same issue was analyzed in 2002 in the *Coal Methane Drainage Project Panels 16-24 Mountain Coal Company-West Elk Mine Environmental Assessment*. Implementation of that project has resulted in field data which will assist in this analysis.

For the purpose of this analysis a worst-case development scenario will be assumed. The proposed action consists of the construction of one (1) ventilation shaft and one (1) emergency escape shaft (combined location), and the installation of 160 methane drainage wells located on approximately 120 pads with approximately 19 miles of associated access roads.

The proposed Deer Creek Shaft is located in the NE¼ Section 32, Township 13 South, Range 90 West, 6th Principal Meridian, in Gunnison County, Colorado (approximately 1800 feet southeast of Minnesota Reservoir) and would serve ventilation and emergency escape functions for mine safety. The access and pad location for this shaft have been approved under a previous NEPA decision (2006) for geotechnical work, and have already been constructed.

The Deer Creek Shaft Project Proposal Includes:

- Using raisebore, blindbore, or conventional sink construction methods to construct the ventilation shaft to create a 20-28 foot diameter air shaft by 400 feet deep.

- Using raisebore or blindbore methods to construct a 4 foot diameter 400 foot deep emergency escapeway. Constructing enclosure (20 foot X 30 foot steel-sided shed) for emergency escapeway and electrical generation equipment for emergency escape hoist.
- Shaft and escapeway will use previously approved and constructed pad and access road southeast of Minnesota Creek.
- Performing Operations and Maintenance.
- Performing interim reclamation on pad and light-use road once shaft and emergency structures are constructed.
- Sealing airshaft and escapeway and performing final reclamations when no longer needed at end of life of mine (mine life estimated at 13-15 years).

The proposed methane drainage well development is located Sections 27-29 and 32-35, Township 13 South, Range 90 West and Sections 1-5 and 8-10, Township 14 South, Range 90 West, 6th Principal Meridian, in Gunnison County, Colorado (approximately 7-10 miles east and northeast of Paonia, Colorado). These lands partially overlay Federal Coal Lease C-1362, and portions of this proposed activity overlay currently unleased federal coal reserves unleased federal land that are on the leasing schedule for early 2007. In order to perform a complete NEPA analysis, the GMUG is including methane drainage needs on these unleased reserves as part of the proposed action.

E Seam Methane Drainage Wells (MDW) Project Proposal Includes:

- Drilling and casing of 160 MDWs located on 120 pads. Approximate total pad disturbance is 75 acres over 12 years.
- Constructing/reconstructing roads between existing roads and new drill pads, estimated length 19 miles. Approximate access disturbance is 46 acres over 12 years.
- Installing passive and/or active degassing equipment.
- Operating and Maintaining wells for ventilation of mine.
- Interim reclaiming of mud pits, seeding and mulching outslopes and cut-slopes.
- Plugging drill holes and performing final reclamation on roads and pads when drill holes are no longer performing their intended purpose (estimated life of each MDW is 3 years; construction and reclamation would span 12 years).

Responsible Official

Charles S. Richmond, Forest Supervisor

Nature of Decision Framework

The Forest Supervisor must decide:

- To authorize, and under what conditions, the surface use of NFS lands for the shaft, access roads and methane drainage wells in part or in entirety.
- Select the proposed action or an alternative method for the shaft and escapeway construction.
- Prescribe terms and/or conditions with respect to the use and protection of non-mineral interests.

Preliminary Issues

- Socioeconomic effects, including benefits of mining

- Wildlife
- Topographic surface, land stability, soils and geologic hazards
- Vegetation
- Cultural resources
- Existing land uses, including recreation, roadless character
- Existing roads/facilities
- Visual resources
- Livestock management
- Air quality
- Cumulative impacts

Comment Requested

Publication of the Notice of Intent in the *Federal Register* initiates the formal scoping (issue identification) process which guides the development of the EIS. Comments are being sought with regard to the design or implementation of this project. Comments which pertain to the use of, or leasing of, vented methane are outside the scope and authority of this document and will be treated as such.

Early Notice of Importance of Public Participation in Subsequent Environmental Review:

A draft EIS will be prepared for comment. The comment period on the draft EIS will be 45-days from the date the Environmental Protection Agency publishes the notice of availability in the *Federal Register*.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EISs must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45 day comment period so that comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection. (Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Future Participation

If you wish to be removed from this mailing list, please contact Niccole Mortenson at the phone number or address listed on the front page.

Sincerely,

CHARLES S. RICHMOND
Forest Supervisor