

PROJECT SCOPING STATEMENT
AND REQUEST FOR FORMAL COMMENTS

Little Thunder Creek Diversions

USDA, Forest Service
Douglas Ranger District
Medicine Bow-Routt National Forests
and Thunder Basin National Grasslands
Campbell County, Wyoming

PROPOSED ACTION

The Forest Service is proposing to authorize Thunder Basin Coal Company to construct two hydrologic structures on Little Thunder Creek. The first structure hereby called the Little Thunder Blocking Dike (Sec 22, T43N, R71W) would intercept Little Thunder Creek flows immediately below the Little Thunder Reservoir and divert the flows to the north to tie in with the existing Thundercloud diversion within Management Area 6.1-Rangeland with Broad Resource Emphasis. The Blocking dike will be approximately 14 feet tall and 160 feet wide. 1000 feet of diversion will be constructed on federal land. The structure will impact approximately 3.6 acres. Structure life is anticipated through 2023, which is the life of the mine. This structure will be reclaimed during final reclamation.

The second structure, hereby called the East Diversion (Portions of Sec 23, 26, & 27, T43N, R70W) would bring diverted flows of Little Thunder Creek back to an existing sediment control structure on the east side of the Black Thunder Mine so that the flows can be routed through the sedimentation reservoir to ensure that the water quality of Little Thunder Creek is maintained. within Management Area 8.4-Minerals Production and Development. Discharge from the sediment reservoir will flow back into the natural Little Thunder Creek channel. Approximately 4650 feet of the diversion will be constructed on Federal land. The structure will impact approximately 17.1 acres. The diversion will be in place until 2023 when it will be reclaimed and the flows returned to their reclaimed channels. Typical diversion construction will be 15 feet bottom width, approximately 10 feet deep.

The East Diversion is scheduled to be constructed in January-March of 2007. The existing diversion is scheduled to be mined through in 2009, therefore construction of the Little Thunder Blocking Dike is scheduled for spring-summer 2008. Both structures will be constructed using large earth moving equipment. Both diversion structures will impact a total of approximately 20.7 acres.

The project area is approximately 15 miles southeast of Wright, Campbell County, Wyoming.

AFFECTED ENVIRONMENT

The project is in the administrative boundary of the Thunder Basin National Grassland, Douglas Ranger District.

The terrain in the project area is gently rolling open grasslands with defined ephemeral (temporary flow) drainages. The terrain is generally flat, with low-lying hills and knolls that are dissected by shallow creeks and drainages.

The project is located in the Highlight Bill Geographic Area. Minerals exploration and development and livestock grazing will be significant management activities in this geographic area. In some areas, there may be restrictions on public use to ensure public safety and to avoid unreasonable interference with mineral operations. In those areas where mining is emphasized, reclamation activities will restore the area to a reasonable level of its pre-mining condition.

There will be more development and a moderate number of facilities in this geographic area. Facilities and landscape modifications will be visible but reasonably mitigated to blend with natural features. Higher fence densities and intensive mineral development may occur.

Mineral developments and facilities such as coal mines, railroads, oil and gas wells, and pipelines will be present and will often dominate the landscape.

Livestock grazing is the dominant land use. Recreational use, primarily big game hunting, also occurs. Little camping, hiking, or mountain biking have been observed as occurs on the National Grasslands west of Highway 59.

Sagebrush, grassland community wildlife species such as prairie dogs, mule deer, antelope, mountain plover, sage grouse and raptors inhabit the area. Species identified by USFS as management indicator species (MIS) will be addressed in the Biological Analysis.

A cultural resource survey of the area will be completed. Sites identified during the surveys must and would be protected in accordance with State Historic Preservation Officer direction.

PURPOSE AND NEED FOR ACTION

Two hydrologic structures are proposed for construction at the Black Thunder Mine to provide required flood protection for the mine workers and equipment and to ensure that the water quality in the Little Thunder Creek is maintained. The current diversions that provide flood protection to the Black Thunder Mine will be mined through as the mine advances. There is a need to construct new diversion structures in advance of mine operations to replace the structures that will be removed.

DECISIONS TO BE MADE

Through the environmental analysis process, the Forest Supervisor will determine whether or not, and if so under what conditions, a Special Use Permit authorization will be issued to Thunder Basin Coal Company for the diversion structures.

RELATIONSHIP TO OTHER LAWS AND DOCUMENTS

The proposed project shall meet the requirements of the Thunder Basin National Grassland Land and Resource Management Plan of 2001. The proposal shall comply fully with the Management Area Direction, including that contained under Management Areas 6.1 and 8.4, Hilight Bill Geographical area and Forest-wide standards and guidelines. (See Chapter 1, pages 9 through 30, Chapter 2 pages 21-25 and Chapter 3 page 25, 26).

As a part of the effort to develop and describe the proposed action, the District Ranger and ID team reviewed and discussed all available information and data about the possible effects and or impacts that this action could have on the physical and biological environments in the analysis area, and the relationship between the proposal and laws, regulations, and agency policy that must be complied with if the proposal would be implemented.

PUBLIC SCOPING/REQUEST FOR COMMENTS

At this time the Forest Service seeks information, comments and other assistance from Federal, state, and local agencies, and other individuals or organizations that have an interest in or could be affected by the proposed action. Specific comments are the most useful for the identification of issues and development and analysis of alternatives to the proposal.

No public participation other than this request for comments is planned. All persons who provide comment in response to this request will continue to receive information about this project and will be included in any additional public participation effort that may occur. Those who do not respond will not receive additional information. Only those persons or organizations that submit substantive comments during the official comment period (which is 30 days after the publication of the legal notice in the Laramie Boomerang will be accepted as appellants of the decisions that will be signed.

The name and mailing address of the commenter must be provided with his/her comments for appellant standing and so that future documents pertaining to this environmental analysis and the decision can be provided to them. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered, however, those persons submitting anonymous comments will not have standing to appeal the subsequent decision under 36 CFR Part 215.

Send written comments to the Responsible Official: Mary H. Peterson, Forest Supervisor, Medicine Bow-Routt National Forests and Thunder Basin National Grassland, Douglas Ranger District, 2250 East Richards Street, Douglas, WY 82633, Attention: Marilee Houtler. Faxed comments will also be accepted at: 307-358-3072.

E-mail comments may be sent to: comments-rocky-mountain-medicine-bow-routt-douglas-thunder-basin@fs.fed.us. Our system will accept email, rtf and word formats. If comments are electronically mailed, the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive such confirmation, it is the sender's responsibility to ensure timely receipt by other means. Comments may be hand delivered to the Douglas Ranger District office between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays.

Pursuant to 7 CFR 1.27 (d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with name and address within 10 days.

Contact Person Information

Misty Hays, Deputy District Ranger, Douglas Ranger District, 2250 East Richards Street, Douglas WY 82633-8922. Telephone 307-358-4690.

This Public Scoping Notice and the project map are available on the Worldwide Web at: <http://www.fs.fed.us/r2/mbr/projects/specper/index.shtml>

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