

Date: March 29, 2013



U.S. Department of Agriculture  
U.S. Forest Service  
Grand Mesa, Uncompahgre,  
and Gunnison National Forests  
2250 Highway 50  
Delta, Colorado 81416



U.S. Department of the Interior  
Bureau of Land Management  
Uncompahgre Field Office  
2465 South Townsend Avenue  
Montrose, Colorado 81401



U.S. Department of the Interior  
Office of Surface Mining  
Western Region Office  
1999 Broadway, Suite 3320  
Denver, CO 80202



## **Modification to Federal Coal Lease COC-70615 Paonia Ranger District, Gunnison County, Colorado**

The Grand Mesa, Uncompahgre and Gunnison National Forests (GMUG), Bureau of Land Management (BLM)-Uncompahgre Field Office, Office of Surface Mining (OSM), and Colorado Park and Wildlife (CPW) invite you to comment on a federal coal lease modification.

Oxbow Mining LLC (Oxbow) has applied to modify existing Federal Coal Lease COC-70615, to add approximately 364 acres of federal coal reserves. Additional project details, including maps can be found on the following website: <http://www.fs.usda.gov/goto/oxbow70615>

Coal in the existing lease is mined by Oxbow from the Elk Creek Mine, near Somerset, in Gunnison County, Colorado. The application was made to prevent bypass of federal coal reserves.

The coal lease modification area is in portions of sections 32 and 33, of T.12 S., R. 90 W., 6<sup>th</sup> PM. The modification area includes National Forest System (NFS) lands managed by the GMUG. The coal estate is administered by the BLM Uncompahgre Field Office.

The BLM is required by law to consider leasing Federally-owned minerals for economic recovery. With respect to lands managed by the Forest Service (FS), the agency considers consenting to the BLM to lease coal reserves underlying lands under its jurisdiction and prescribes conditions (as stipulations) for the protection of non-mineral resources. In this instance, the FS is considering consenting to BLM to modify Oxbow's existing Federal Coal Lease COC-70615 to add 364 acres to it. The FS will also identify any needed stipulations to protect non-coal (surface) resources. If FS consent is given, the BLM would offer the modification by non-competitive bid.

If the lease modification occurs, the coal in this area would be accessed and recovered by underground longwall mining methods. The coal would be transported using Oxbow's existing coal transportation system and surface facilities. At the leasing stage, the Federal agencies evaluate the effects of subsidence (i.e., the land surface lowered as a result of mining) on surface resources and identify where surface resources may require specific protection from subsidence or foreseeable surface uses. Under a foreseeable mine plan scenario, surface uses on the modification could include methane drainage wells (MDWs) and associated access roads to



safely mine the coal resources. Current estimates on future lease modification surface disturbances, under the reasonably foreseeable mine plan, is less than 3 acres (two MDW pads and approx. 2500 ft. of access roads). Specific locations of the MDWs and roads are not known at the leasing stage and will not be known until the subsequent mine plans are approved by the State, BLM, MSHA and OSM.

Almost the entire 364 acres of the modification area are within the Pilot Knob Colorado Roadless Area. This lease modification tract is part of the area defined in the Colorado Roadless Rule as the North Fork Coal Mining Area and has exceptions for road building associated with coal mining. The lease modification has been through the FS and State of Colorado roadless consultation process and has been cleared to begin environmental analysis.

If the lease modification is approved, temporary roads and timber cutting may be needed to construct, operate and maintain MDWs. This leasing action does not authorize any surface disturbing activities; however, it does evaluate the need for stipulations for subsequent use of the land surface. In addition, conditions of the existing lease are considered for this modification, as well as, additional stipulations that will be identified in scoping and the subsequent analysis.

The GMUG Forest Supervisor is the Responsible Official for the discretionary consent decision on this coal lease modification. Given the purpose and need, the Responsible Official will review this proposed action, other alternatives, and the environmental consequences in order to decide the following:

- Whether or not to consent to the BLM modifying the existing Federal Lease COC-70615 by adding 364 acres;
- Prescribe stipulations needed for the protection of non-coal resources.

It is anticipated that the environmental analysis will be documented in an EA. A “No Action” alternative and other alternatives that may be developed during the public comment period will be considered. The environmental analysis will consider the effects of leasing on the following criteria: the socioeconomic benefits of mining (local and regional/national implications), wildlife (including threatened, endangered, sensitive and management indicator species), land stability, soils and geologic hazards, subsidence, vegetation (including impacts to riparian vegetation and associated habitat if present), cultural resources, existing land uses (including: recreation, existing roads/facilities, visual resources, livestock management), air quality, safety, cumulative effects (including: anticipated mine activities), and, other issues that may be raised by the public. The BLM Uncompahgre Field Office, the OSM Western Region, and Colorado Parks and Wildlife will participate in the analysis as cooperating agencies.

Opportunity to comment on the Proposed Action ends 30 days following the publication date of this legal notice of opportunity to comment in the *Grand Junction Daily Sentinel*, which is the GMUG’s “newspaper of record.” A courtesy copy of the legal notice will also appear in the *Delta County Independent* which is the BLM’s “newspaper of record.” Comments submitted in the following formats will be accepted: written, fax, hand-delivered and electronic. In order to be eligible to object to the USFS’s decision on this project, individuals must comment during this 30 day comment period per 36 CFR 218.25(a)(1)(i). Specific written comments are defined in 36 CFR 218.2 and 218.25(a)(3). Also, for objection eligibility, each individual or representative from each organization submitting comments must either sign the comments or verify their identity upon request.

Mail comments regarding Federal Coal Lease Modification COC-70615 to:

**Grand Mesa, Uncompahgre and Gunnison National Forests**

**ATTN: Forest Supervisor, Federal Coal Lease Modification COC-70615**

**2250 HWY 50**

**Delta, CO 81416**

Fax comments to: 970-874-6698.

Electronic comments 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 Modification COC-70615**. 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. Electronic comments should be sent to: [comments-rocky-mountain-gmug@fs.fed.us](mailto:comments-rocky-mountain-gmug@fs.fed.us)

Hand delivered written comments will be accepted at the GMUG National Forests, 2250 HWY 50, Delta, CO between the hours of 8 a.m. and 5 p.m., Monday through Friday, except for Federal holidays.

For additional questions, please contact Ryan Taylor at (970) 527-4131 or [rztaylor@fs.fed.us](mailto:rztaylor@fs.fed.us) , or Niccole Mortenson, at 406-329-3163 or [nmortenson@fs.fed.us](mailto:nmortenson@fs.fed.us).

Sincerely,



Scott G. Armentrout  
Forest Supervisor  
GMUG National Forests