

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
for
Central Appalachian Mining
Logical Mining Unit (LMU) Modification**

Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DOI-BLM-CO-130-2014-0030-CX

January 2015



LEGAL DESCRIPTION:

LEASE COC66514

6TH P.M.

T.7S., R 102W.

TR 45 LOT 1, 2, 3, 5, 11, 10, 12, 14, 21, 23;

TR 37 LOT 6, 8, 14, 15, 18, 20, 21;

SEC. 3, LOTS 22, 24;

SEC. 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, LOTS 9, 11, 13

SEC. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

SEC. 8, E $\frac{1}{2}$ E $\frac{1}{2}$;

SEC. 9, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, LOTS 2, 4, 5, 7, 10, 12, 13, 16, 17, 19,
22;

SEC. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, LOT 1.

CONTAINING 1,520.24 ACRES, MORE OR LESS.

LEASE COC0125439 01

6TH P.M.

T.7S., R.102.W.

TR. 37;

TR. 38, LOT 1, 17, 20, 21, Sec. 16;

LOT 4, 5, 7, 9, 12, 13, 15, 17, Sec. 21;

TR. 39;

SEC. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;

SEC. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, LOTS 1, 3, 5;

SEC. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, LOTS 1, 5, 6, 10, 11, 14, 18, 19, 22, 23;

SEC. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, LOTS 2, 3, 6, 8, 10, 11, 14, 16, 18;

SEC. 22, LOTS 1, 4, 6, 7, 10, 11, 13, 15, 17, 19, 22, 24, 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;

SEC. 23, LOTS 1, 4, W $\frac{1}{2}$ NW $\frac{1}{4}$;

SEC. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

CONTAINING 2,719.68 ACRES, MORE OR LESS.

LEASE COC0125515 01

6TH P.M.

T.7S., R.102.W.

SEC. 27, ALL;

SEC. 28, LOTS 1, 2, 3, 4, 5, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;

SEC. 33, ALL;

SEC. 34, ALL.

CONTAINING 2,559.98 ACRES, MORE OR LESS.

LEASE COC0125516 01

T.8S., R102W.

SEC. 2, LOTS 5 TO 33 INCLUSIVE, NW¹/₄SW¹/₄, S¹/₂SW¹/₄;

SEC. 3, LOTS 5 TO 20 INCLUSIVE, S¹/₂;

SEC. 4, LOTS 5 TO 15 INCLUSIVE, LOTS 18 TO 20 INCLUSIVE, N¹/₂SE¹/₄, SE¹/₄SE¹/₄;

SEC. 10, N¹/₂NW¹/₄.

CONTAINING 2,552.72 ACRES MORE OR LESS.

TOTAL FEDERAL ACRES: 9,352.62.

APPLICANT: Central Appalachian Mining, LLC (CAM).

INTRODUCTION: CAM has submitted an application to modify their existing Logical Mining Unit (LMU) to include their existing coal lease COC66514. Lease COC66514 contains 1,520.24 acres of federal coal under 1,446.14 acres, more or less, of BLM managed surface estate and 74.1 acres more or less of split estate. The existing LMU contains federal leases COC012543 01, COC125515 01, and COC125516 01.

DESCRIPTION OF PROPOSED ACTION: CAM has submitted an application to approve a modification to their existing LMU to include their existing coal lease COC66514. An LMU is an administrative boundary around existing coal leases. It can include federal, state, private, and county leases. A logical mining unit is an administrative construction that allows the lessee or operator to consolidate the diligent development and continued operations requirements for the federal leases within the boundary of the LMU.

PLAN CONFORMANCE REVIEW:

The proposed action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Grand Junction Resource Management Plan (RMP)

Date Approved: JANUARY, 1987

Decision Number/Page: 2-7

Decision Language: Identify 350,389 acres as acceptable for further mining. Included in this acreage are the Demaree and Little Book Cliffs Wilderness Study Areas, which are unsuitable pending congressional action on wilderness recommendations, and the Little Book Cliffs Wild Horse Range, which is acceptable pending further study.

Areas identified suitable and unsuitable for further coal leasing consideration became effective upon signature of this plan. Additional planning and environmental analysis will be required prior to offering any lands for lease. Potential coal tracts will be delineated based on lands identified in this plan as suitable for further coal leasing consideration.

CATEGORICAL EXCLUSION REVIEW:

The proposed action qualifies as a categorical exclusion under 516 DM 2.3A(2) and 516 DM 11, Number: F (5). None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

EXTRAORDINARY CIRCUMSTANCES

There are no extraordinary circumstances having effects, which may significantly affect the environment. I considered the following resource conditions in determining whether extraordinary circumstances related to the proposed action warranted further analysis and documentation in an EA or EIS (516 DM 2, Appendix 2):

1. Have significant adverse effects on public health and safety.

The proposed action is not expected to impact public health and safety because it is an administrative action to modify an existing LMU boundary to include an authorized federal coal lease.

2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.

HISTORIC AND CULTURAL RESOURCES: A review of existing literature revealed that a number of cultural resources have been recorded in the existing lease during surveys conducted for proposed coal leasing, highway construction, and various small projects. These surveys have covered a minority of the lease area and have resulted in the discovery of 11 Native American sites and one of Euroamerican origin. The Native American sites include campsites and scatters of stone artifacts. Of these, two are considered eligible to the National Register of Historic Places and nine are in need of further information to determine eligibility. The EuroAmerican site is a historic irrigation flume that is need of further information to determine eligibility.

Incorporation of the existing lease into the LMU is expected to have no effect on historic and archaeological sites. Underground coal mining can impact cultural resources through mining-related surface disturbance and through ground subsidence. The mine is currently inactive. Should the mine become active in the future, a mine plan will be written for the lease added to the LMU. The mine plan will specify any planned surface disturbance within the lease. When the mine plan is developed, measures requiring additional cultural resource survey, avoidance of cultural resources, or mitigation of the effect of surface disturbance may be stipulated.

SPECIAL DESIGNATIONS: There are no lands with special designations within the proposed action boundary.

DRINKING WATER AQUIFERS; WETLANDS, FLOODPLAINS: The modification of the LMU boundary to add an existing CAM lease is an administrative action and poses no environmental risks. There is no effect to drinking water aquifers, wetlands, or floodplains from the proposed action

MIGRATORY BIRDS: Impacts to migratory birds are not expected as this is an administrative action involving existing federal coal leases and no habitat would be disturbed.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.

The modification of the LMU boundary to add an existing CAM lease is an administrative action and poses no unique or unknown risks. Therefore the environmental effects are not likely to be controversial.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The modification of the LMU boundary to add an existing CAM lease is an administrative action and poses no unique or unknown risks.

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

This decision is like one of many that have previously been made and will continue to be made by BLM responsible officials regarding LMU modifications. The decision is within the scope of the Resource Management Plan and is not expected to establish a precedent for future actions. The decision does not represent a decision in principle about a future consideration.

6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.

This is a stand-alone project. There are no projects with significant environmental impacts known to BLM that would result directly or indirectly from implementation of this project.

7. Have adverse effects on properties listed, or eligible for listing, in the National Register of Historic Places.

See Item 2, above.

8. Have adverse effects on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.

There are no federally listed threatened, endangered, or BLM sensitive animal or plant species populations or critical habitat present within the project area. Absence of these

species is confirmed through a review of BLM data, the Colorado Natural Heritage Program (CNHP) database and recent survey results.

9. Have the potential to violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.

This decision complies with other Federal, State, or local laws and requirements imposed for the protection of the environment.

10. Have the potential for a disproportionately high and adverse effect on low income or minority populations.

The modification of the LMU boundary to add an existing CAM lease is an administrative action and therefore, no minority or low-income populations would suffer disproportionately high and adverse effects as a result of the Proposed Action.

11. Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.

No sites that are known to be sacred to Native Americans are present in the existing lease. As discussed in item 2 above, the proposed action would not affect the physical integrity of any sacred sites that may exist within the lease but have yet to be identified. If ground disturbance is planned as part of a mine plan developed for the LMU in the future, additional cultural resource surveys would be required to determine if sites of Native American concern exist within the area to be affected.

12. Significantly contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.

An administrative boundary consolidation to allow the lessee or operator to diligently develop and continue operations on existing coal leases for subsurface reserves is not expected to contribute to the spread of exotic invasive plant species known to exist within the project area.

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>	<u>Date</u>
Brian Naze	Archaeologist	Cultural Resources, Native American Concerns	01/12/15
Aimee Huff	Rangeland Specialist	Special Status Species	11/28/14
Shawna Wiser	Wildlife Biologist	Wildlife, Fisheries, Special Status Species	12/09/14

Table 1- Potentially Impacted Resources

Resources	Not Present On Location	No Impact	Potentially Impacted	Mitigation Necessary ?	BLM Evaluator Initial & Date	Comments
PHYSICAL RESOURCES						
Air and Climate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Water (surface & subsurface, floodplains)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Geological/Mineral Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
BIOLOGICAL RESOURCES						
Special Status Plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AH 11/28/14	
Special Status Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
Migratory Birds	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
Other Important Wildlife Habitat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
Vegetation, Forestry	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
Invasive, Non-native Species	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
Wetlands/Riparian Zones	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SW 12/10/14	
HERITAGE RESOURCES AND HUMAN ENV.						
Cultural or Historical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BN1/12/14	
Paleontological	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Tribal & American Indian Religious Concerns	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BN 1/12/14	
Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Social/Economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Transportation and Access	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Wastes, Hazardous or Solid	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
LAND RESOURCES						
Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Special Designations (ACEC, SMAs, WSR)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Wilderness & Wilderness Characteristics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 1/12/14	
Range Management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Wild Horse and Burros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Land Tenure, ROW, Other Uses	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	
Fire/Fuels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	JM 11/17/14	

NAME OF PREPARER: Jennifer Maiolo

NAME OF ENVIRONMENTAL COORDINATOR:

Kathy McKinstry

DATE:

1/15/15

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
GRAND JUNCTION FIELD OFFICE**

DECISION DOCUMENT

**Central Appalachian Mining
Logical Mining Unit (LMU) Modification**

DOI-BLM-CO-130-2014-0030-CX

INTRODUCTION (Optional)

DECISION:

I have reviewed this document and have decided to implement the Central Appalachian Mining (CAM) Logical Mining Unit (LMU) Modification project as described above. This project is categorically excluded from documentation in an EA or EIS under 516 DM 2.3A(2) and 516 DM 11, Number: F (5).

RATIONALE:

This action is listed in the Department Manual 516 (NEPA of 1969) as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that no extraordinary circumstances exist.

This decision to implement this project is based on the determination that no extraordinary circumstances exist and that is in compliance with the GJFO RMP, and the regulations found at 43 CFR 3400.

PUBLIC INVOLVEMENT:

Public scoping was conducted by posting the project information on the Grand Junction Field Office NEPA website and the Little Snake Field Office website. This was the primary mechanism used by the BLM to initially identify issues from the public. Internal scoping for the project included presentation and discussion of the project at BLM interdisciplinary meetings (IDT).

PLAN CONSISTENCY: Based on information in the CX, the project record, and recommendations from BLM specialists, I conclude that this decision is consistent with the 1987 Grand Junction Resource Management Plan as amended, the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; the Migratory Bird Treaty Act; the Clean Water Act; the Clean Air Act; the National Historic Preservation Act; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.)

Leticia A. Ah

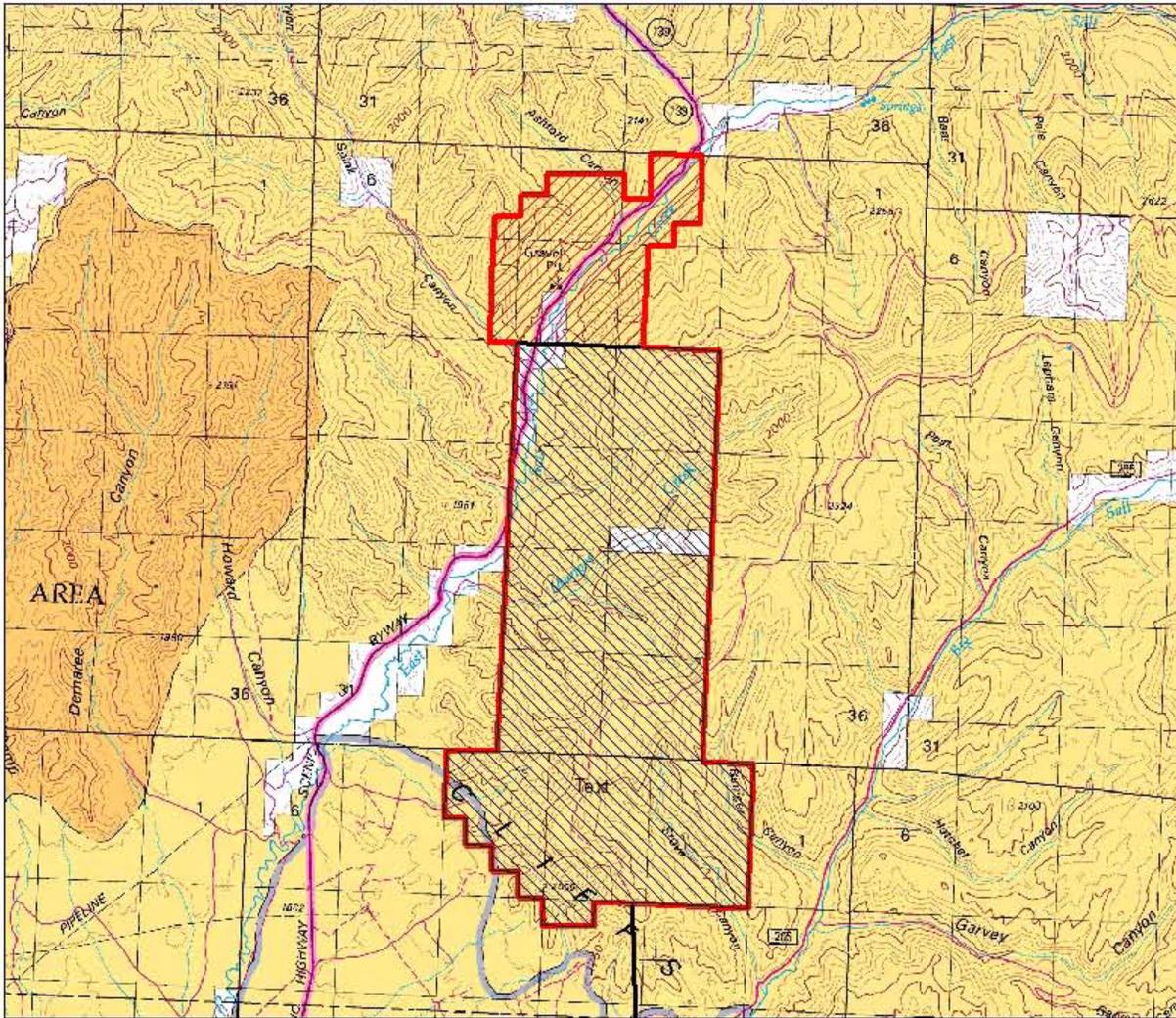
Field Manager
Grand Junction Field Office

1/26/2015

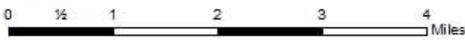
Date

ATTACHMENTS: Exhibit A: Project Map.

**EXHIBIT A
PROJECT MAP
6th P.M. T.7S., R102W. AND T.8S. R102W.**



COC57198 CAM LMU MODIFICATION



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregation use with other data. All boundaries are an approximate representation.

1/12/2015

