

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

**Decision Record**

**(DOI-BLM-CO-S050-2013-0027 EA)**

CASEFILE/PROJECT NUMBERS: COC-1362 & COC-67232

LOCATION: Township 14 South, Range 90 West, 6<sup>th</sup> P.M.,  
Portions of Sections 10, 11, 14, and 15

PROJECT NAME: Sunset Trail Area Coal Exploration Plan

APPLICANT: Ark Land Company (ALC) on behalf of Mountain Coal Company (MCC)

DECISION:

It is my decision to approve the Sunset Trail Area Coal Exploration Plan as described in DOI-BLM-CO-S050-2013-0027 EA; the associated coal lease stipulations will be followed. The action allows temporary disturbance of approximately 30 acres on the existing modified coal leases subject to the lease stipulation measures referenced below. This decision to approve the exploration plan will allow exploration to evaluate the coal reserves and quality of coal seams within the Mesa Verde Formation in the portion of federal coal leases COC-1362 and COC-67232 that was added through lease modifications in March 2013.

A total of 10 pads and exploration holes will be located within the lease boundary. Access to the drill holes will be from improved jeep trails or new roads. Surface disturbance will be temporary and will include approximately 30 acres. Most effects will be short-term.

RATIONALE:

The decision to allow the proposed action does not result in any undue or unnecessary environmental degradation and is in conformance with the 1989 Uncompahgre Basin Resource Management Plan. It has been made in consideration of the impacts to the affected resources.

The surface area is managed by the US Forest Service, Grand Mesa, Uncompahgre, and Gunnison National Forest (GMUG). This activity is consistent with the GMUG Forest Plan, the Gunnison National Forest Travel Management Plan (USFS, 2010), and Forest Service Handbook (FSH) 2800. The Bureau of Land Management (BLM) consulted with the US Forest Service and

has received concurrence on the terms of this exploration plan approval, as required by 43 CFR 3482.2(a)(1).

This action will fulfill BLM management obligations regarding the federal coal resource by obtaining information which allows the BLM to verify the recoverable reserves. That information may provide an opportunity to extend the life of the mine, and be consistent with BLM management goals and prescriptions for the area.

This decision balances exploration of the coal resource with protection of other resources and resource uses consistent with the applicable laws, regulations, BLM policy and Resource Management Plan goals and objectives, standards and guidelines, and multiple-use decisions. The coal exploration plan was submitted under the Mineral Leasing Act of 1920, Federal Coal Leasing Amendments Act of 1976, and 43 CFR 3400. It was reviewed in accordance with the regulations found at 43 CFR 3482.

#### STIPULATION MEASURES:

Exploration activities will conform with the stipulations attached in Appendix A.

The proposed action conforms to the overall guidance given in the Forest Plan, which encourages environmentally sound energy and mineral development. None of the lands were found to be unsuitable based on the criteria. No additional restrictions or need for stipulations were identified as a result of applying the criteria (USFS, 1983).

#### MONITORING:

The GMUG will conduct normal routine compliance inspections periodically throughout the life of the exploration activities. The inspections will be designed to monitor environmental effects of the project and to insure that the operator complies with the stipulation measures noted above.

#### COMPLIANCE WITH MAJOR LAWS:

The decision is in compliance with applicable laws, regulations and policy, including the Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, Clean Air Act, and the National Historic Preservation Act.

#### PUBLIC INVOLVEMENT:

The GMUG evaluated the impacts of leasing and a future development scenario in an environmental impact statement (EIS) (USFS, 2012a), then issued a record of decision (ROD) (USFS, 2012b) consenting to the lease modifications. Subsequently the BLM issued a ROD which authorized the lease modifications, and then issued the modifications.

Scoping was completed during the EIS. Issues raised were addressed in the EIS. Site specific impacts for the exploration plan project are disclosed in DOI-BLM-CO-S050-2013-0027 EA. Wild Earth Guardians submitted comments on the exploration plan in April 2013.

This project was added to the Uncompahgre Field Office's online NEPA register on April 29, 2013.

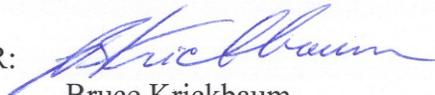
FINDING OF NO SIGNIFICANT IMPACT:

A Finding of No Significant Impact (FONSI) was prepared, based on the information contained in the EA and my consideration of criteria for significance (40 CFR 1508.27). It is my determination that: 1) the implementation of the proposed action will not have significant environmental impacts; 2) the Proposed Action is in conformance with the Uncompahgre Basin Resource Management Plan; and 3) the Proposed Action does not constitute a major federal action having significant effect on the human environment. Therefore, an Environmental Impact Statement is not necessary.

APPEAL PROCEDURES:

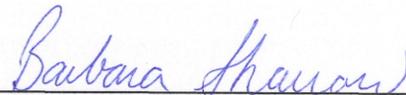
The BLM decision to approve the exploration plan is subject to appeal to the Interior Board of Land Appeals (IBLA). Anyone wishing to appeal will have 30 days from this decision to appeal to the Board of Land Appeals, Office of the Secretary, in accordance with regulations at 43 CFR Part 4. Appeal and stay procedures are outlined in Form 1842-1.

ENVIRONMENTAL COORDINATOR:

  
Bruce Krickbaum

DATE 6-27-2013

SIGNATURE OF AUTHORIZED OFFICIAL:



Barbara Sharrow  
Field Manager  
Uncompahgre Field Office

DATE SIGNED 6-27-13

