

Two comment letters were received on the Bledsoe Coal Lease. See below.

Comment Letter	Commenter	Affiliation
1	Jim Scheff	Kentucky Heartwood
2	Lisa LaRue-Baker	United Keetoowah Band of Cherokee Indians in Oklahoma Tribal Historical Preservation Office

Effects Analysis

Comment 1-1

We assert that the well-documented impacts of coal combustion and coal combustion waste on environmental and human health are indirect effects under NEPA which the Forest Service and BLM were legally required analyze and consider in the EA.

In Mid States Coalition for Progress v. Surface Transportation Board, 345 F.3d 520 (8th Cir. 2003), the Surface Transportation Board wanted to allow a new railroad line to be built affecting Wyoming, South Dakota and Minnesota; the express purpose of which was to transport mined coal from the Powder River Basin to market. The 8th Circuit Federal Court of Appeals held that reasonably foreseeable indirect air quality effects of the railroad line, including air emissions from the burning of the coal that could only be transported to market via the rail line, must be analyzed in NEPA's indirect effects analysis.

Similarly, in Border Power Plant Working Group v. Dept. of Energy, 260 F.Supp.2d 997 (S.D. Cal. 2003), where at issue was the NEPA environmental analysis for a major electric transmission line development., the U.S. Court for the Southern District of California found that the defendant's Environmental Assessment (EA) was inadequate because it failed to include in the indirect effects analysis the climate change impacts of a coal-fired power plant that was solely reliant on the proposed action to transport the plant's power to market. Because the transmission line and the power plant were causally connected like links in a chain, the indirect climate change impacts of the power plant were considered a reasonably foreseeable indirect impact of the electric transmission line.

In regards to the Bledsoe Coal Lease, the sole purpose and end-use of the coal proposed for mining is burning. The environmental effects of extracting the coal and burning the coal are inextricably and causally linked. As such, ignoring the very real and well-documented impacts of coal combustion and coal combustion waste violates NEPA and its purpose of fostering a well- informed decision by the deciding official (Comment letter 1, pages 1-2).

Response 1-1

The commenter states that the end use of the coal is for burning, and the effects of burning the coal should be included in the analysis as indirect effects. The Forest Service and the Bureau of Land Management (BLM) acknowledge that if the Bledsoe Coal Lease application is issued, a probable use of the mined coal could be coal combustion, which could introduce impacts relating to greenhouse gas emissions. It is reasonable to assume that coal combustion would result in emissions of pollutants. It is also likely that impacts from coal-burning facilities have been appropriately analyzed by the applicable permitting authority, such that any local or regional impacts from the combustion facilities would not exceed those already authorized. It would be

possible to provide an estimate of air pollutant and greenhouse gas emissions associated with the burning of the mined coal at a specific facility. The use (combustion or otherwise), location of use, gasification, combustion or related technology applied to the coal, and its volumes and control technologies, are unknown, because the emission factors are site-specific and depend on the specific power plant at which it is burned. If the agencies decisions result in offering the lands for lease, the coal would be awarded following a competitive leasing process, and it is unknown where the mined coal would be taken for processing.

The Council on Environmental Quality (CEQ) letter dated February 18, 2010; "Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions," provides guidance for federal agencies on how to consider the effects of greenhouse gas emissions and climate change in NEPA analysis. Page 2 of this CEQ guidance states the following:

"Under this proposed guidance, agencies should use the scoping process to set reasonable spatial and temporal boundaries for this assessment and focus on aspects of climate change that may lead to changes in the impacts, sustainability, vulnerability and design of the proposed action and alternative courses of action. At the same time, agencies should recognize the scientific limits of their ability to accurately predict climate change effects, especially of a short-term nature, and not devote effort to analyzing wholly speculative effects."

The Forest Service letter dated January 16, 2009, "Considering Climate Change in Land Management and Project Planning," included the attachment, "Climate Change Consideration in Project Level NEPA Analysis," dated January 13, 2009, which provides guidance on how to consider climate change in project-level NEPA analysis and documentation. Page 4 of this Forest Service guidance states the following:

"An analysis of GHG emissions and carbon cycles is not always appropriate for every NEPA document. As with any environmental impact, GHG emissions and carbon cycling should be considered in proportion to the nature and scope of the Federal action in question and its potential to either affect emissions or to be affected by climate change impacts. As with any environmental analysis, the scope of the effects needs to be established in timing and geography relative to the scope of the actions being considered in the alternatives."

The BLM document dated December 14, 2011, "Integrating Climate Change into the NEPA Process", provides guidance and consideration as to how the Bureau of Land Management should address climate change issues during the project-level NEPA process. The last paragraph of page 6 of this BLM document states the following: "The consumption of commodities produced on BLM lands (e.g. coal, oil and gas), would typically not constitute an indirect effect of the proposed action because it is not reasonably foreseeable how those commodities will be used. It is also difficult to discern if the consumption of those or any commodities is actually caused by the BLM's action. For example, how crude oil will be used, whether any or all of the oil will be refined for plastics or other products that will not be burned; the possible mix of ultimate uses with disparate carbon emissions (e.g., auto fuel, bunker oil, diesel, kerosene); and the market forces that may replace lost BLM production with production from other sources are all uncertain. Therefore, the greenhouse gas emissions that may ultimately result from the consumption of products derived from the crude oil generated on BLM lands would not be reasonably foreseeable, and thus would not constitute an indirect effect of a BLM decision to approve the leasing, development, or production of oil in that area."

Emissions effects estimates from such unknown uses, locations, receptors and technologies are unknown and speculative are, and are impacts removed from the project area. Because the location, timing, receptors and control technologies are unknown, there is not a “reasonably close causal relationship” between the proposed action (approving offering the land for lease) and combustion of the coal, the combustion emissions are not within the scope of this EA

Comment 1-2

Because many of the reasonably foreseeable, intrinsically connected indirect effects extend beyond the localized area of analysis in the EA, and many of the environmental impacts of coal combustion and combustion waste are persistent and/or additive (e.g., CO₂, mercury deposition, etc.), the cumulative effects analysis is substantially inadequate in both spatial and temporal extent, and is in clear violation of NEPA (Comment letter 1, page 3).

Consideration 1-2

Coal combustion impacts are not included in this cumulative analysis because these are potential impacts that are speculative, not reasonably foreseeable, and there is not a “reasonably close causal relationship”. Refer to the above response to Comment 1-1. Because this is an underground mine with existing surface infrastructure, its impacts, and the cumulative extent of those impacts are limited. The rationale for choosing the spatial and temporal boundaries for the action area of influence (including cumulative effects) are discussed in Section 2.4.2 of the EA and in the Cumulative Effects section for each resource area in Section 3 of the EA.

The BLM NEPA Handbook (H-1790-1; 2008; Page 57) states:

“Analyzing cumulative effects is more challenging than analyzing direct or indirect effects, primarily because of the difficulty of defining the geographic (spatial) and temporal (time) boundaries. For example, if the boundaries are defined too broadly, the analysis becomes too unwieldy; if they are defined too narrowly, significant issues may be missed, and decision-makers will be incompletely informed about the consequences of their actions.”

The Forest Service document “Climate Change Consideration in Project Level NEPA Analysis,” dated January 13, 2009 (page 6) states:

“As GHG emissions are integrated across the global atmosphere, it is not possible to determine the cumulative impact on global climate from emissions associated with any number of particular projects. Nor is it expected that such a disclosure would provide a practical or meaningful effects analysis for project decisions.”

As described in Section 2.4.2 of the EA, specific factors, such as the small footprint, the lack of surface disturbance, and the surrounding mountainous terrain, limit the potential of the proposed actions effects to interact with surrounding areas. Therefore, the spatial boundaries were limited to the Upper Beech Fork drainage, because extending the analysis to surrounding drainages would disperse the effects over a much larger area that would dilute the potential effects.

Coal Combustion

Comment 1-3

The EA provides that the direct CO_{2EQ} emissions from the proposed action will be 272.15 metric tons/year with 57,468.15 metric tons/year indirect emissions. The EA cites the Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions as providing that a quantitative analysis ought to be performed if direct emissions exceed 25,000 metric tons/year. However, the 2010 CEQ Guidance is clear that 25,000 metric tons CO_{2EQ}/year of direct effects is not a hard-set threshold, but a guideline for considering effects in order to make an informed decision. Based on the projections in the EA that there are 455,080 metric tons of recoverable coal in the proposed lease, we estimate that 1,301,528.8 metric tons CO₂ will be emitted as an inherently linked, indirect effect of the coal lease (based on a U.S. Energy Information Administration provided ratio of 1 ton of coal to 2.86 tons of CO₂). This is roughly equivalent to adding just over 85,000 cars to U.S. highways over the projected 3 years of the lease (EPA estimates 5.1 metric tons CO₂ per year per vehicle).

While not direct effects, an indirect, inherently connected emission of 433,843 tons of CO₂/year substantially exceeds the 25,000 metric tons CO_{2EQ}/year considered significant enough for consideration in the CEQ Guidelines, and stands in addition to the 272.15 metric tons/year of direct 57,468.15 metric tons/year of indirect emissions already discussed in the EA. In total, this would be 491,583.2 tons of CO₂/year, or the equivalent of 96,389 additional average vehicles on U.S. highways per year of the lease. A reasonable person would consider the carbon emissions of nearly 100,000 vehicles a significant environmental impact and worthy of analysis. These CO₂ emissions need to be considered both in terms of their immediate and cumulative effects. The Forest Service and BLM cannot pretend that the carbon impacts of the coal proposed for extraction end at the portal. To do so is arbitrary and capricious and a clear violation of CFR 1508 (Comment letter 1, pages 3-4).

Consideration 1-3

The predicted direct GHG emissions from this project, as described in Table 3.6-4 in the EA, are 272.15 metric tons/year, which is 1% of the CEQ guidance (EA, Table 3.6-4). The 2010 CEQ draft climate change guidance states:

“Specifically, if a proposed action would be reasonably anticipated to cause direct emissions of 25,000 metric tons or more of CO₂-equivalent GHG emissions on an annual basis, agencies should consider this an indicator that a quantitative and qualitative assessment may be meaningful to decision makers and the public (page 1).”

“CEQ does not propose this reference point for use as a measure of indirect effects, the analysis of which must be bounded by limits of feasibility in evaluating upstream and downstream effects of Federal agency actions (page 3).”

As described in the response to Comment 1-1, emissions released from coal combustion are a potential impact that would not occur from the project area. Estimates of the effects of emissions from such unknown uses are speculative, do not have a “reasonably close causal relationship” and are outside of the scope of this EA.

To provide context, the emission of 491,583.2 tons of CO₂ eq/ year, as cited in the comment, would constitute less than 0.009% of the annual GHG emissions in the United States. The net GHG emissions for the United States in 2010 (US EPA 2012) were estimated as 5,747.1 million metric tons CO₂ eq.

Comment 1-4

Burning coal releases a number of recognized pollutants into the atmosphere that have significant environmental impacts, including CO₂, NO_x, SO_x, Mercury, and particulates, among others. These pollutants have well-documented effects on human and natural communities both locally around power plants and at the regional and national scale. Epstein et al. (2011)¹ list among health impacts related to coal combustion an increase in mortality and morbidity due to combustion pollution and a higher frequency of sudden infant death syndrome in areas with high quantities of particulate pollution.

The EA needs to consider the effects of burning 455,000 tons of coal on air quality standards near the point of combustion in relation to human and environmental health and compliance with the Clean Air Act. The effects of these air pollutants are indirect effects of approving the proposed action and should be considered appropriately both in terms of their immediate and cumulative effects.

The burning of coal produces coal ash, which is currently unregulated but no less hazardous. Coal ash typically has high concentrations of arsenic, lead, mercury, cadmium, chromium, and selenium, all of which can have significant human health effects, including cancer and neurological damage. The EPA has documented that the above-listed heavy metals and other toxicants can and do escape from coal ash disposal sites, and have confirmed and measured toxic leaching into water supplies and documented human exposure from contaminated drinking water, eating contaminated fish, or breathing "fugitive dust."

In addition to the clear environmental impacts in need of analysis in this EA, unregulated coal ash dumps also pose a significant environmental justice issue as many dumps are located in areas of high poverty. It is inappropriate for the preparers of this EA to only consider the economic gains to coal companies and some people near the lease site while completely ignoring the very real plights of individuals living and dying with the waste created from the burning of coal.

As with the above issues, coal ash is a reasonably foreseeable and intrinsically connected action that must be considered for its immediate and cumulative effects (Comment letter 1, page 4).

¹ Paul R. Epstein, Jonathan J. Buonocore, Kevin Eckerle, Michael Hendryx, Benjamin M. Stout III, Richard Heinberg, Richard W. Clapp, Beverly May, Nancy L. Reinhart, Melissa M. Ahern, Samir K. Doshi, and Leslie Glustrom. 2011. Full cost accounting for the life cycle of coal in "Ecological Economics Reviews." Robert Costanza, Karin Limburg & Ida Kubiszewski, Eds. Ann. N.Y. Acad. Sci. 1219: 73-98.

Consideration 1-4

A probable use of the mined coal could be coal combustion, which could introduce emissions of air pollutants, including CO₂, NO_x, SO_x, mercury, and particulates. The use (combustion or otherwise), location of use, gasification, combustion or related technology applied to the coal,

and its volumes and control technologies, are unknown, because the emission factors are site-specific and depend on the specific power plant at which it is burned. If the agencies decisions result in offering the lands for lease, the coal would be awarded following a competitive leasing process. It is unknown where the mined coal would be taken for processing.

As described in the response to Comment 1-1, because the types and locations of specific facilities where the coal might be burned is not known, estimates of the effects of coal ash and other pollutants released from coal combustion are speculative, not reasonably foreseeable, and are outside of the scope of this EA. In addition, it is likely that the impacts from the destination facilities have been appropriately analyzed by the applicable permitting authorities, such that any local or regional impacts would not exceed those already authorized. Air emissions from coal combustion are regulated by EPA and the states. Coal ash disposal is regulated by the states.

Purpose and Need

Comment 1-5

The EA states:

Coal leasing in this area helps meet the national growing demand for energy in the generation of electricity for residential and industrial uses. It also supports the President's Energy Initiative and the 1984 Memorandum of Understanding on Energy Leasing. Mining of this coal would provide economic returns to the national, state, and local economies. (EA-1.2)

And further:

The need for the project is to assist in addressing the national need for coal. (EA-1.3)

Both statements ignore the well-documented fact that demand for coal in the United States is dropping due to market forces (i.e., low natural gas prices, warm winter temperatures), with mines shut down and workers laid off as capacity exceeds demand. The EA appears to suggest the opposite is true, and the uniformed reader would wrongfully assume that there is a real need for federal coal to "meet the national growing demand for energy" and address "the national need for coal." With information presented thus, no reasonably informed decision can be made (Comment letter 1, page 5).

Consideration 1-5

This comment reflects a disagreement with the stated purpose of and need for the proposed action. Over the next two years, the demand for coal is expected to increase. The US Energy Information Administration Short-Term Energy Outlook report USEIA (2013), Table 6, estimates that 892.6 million short tons were consumed in 2012 and predicts a demand of 912.1 million short tons for 2013 and 927.4 million short tons for 2013. As stated in Section 1.3 of the EA (Need) the Forest Service and BLM are required, under the Mining and Minerals Policy Act of 1970 to, "Facilitate orderly exploration, development and production of mineral resources within the National Forest System on lands open to these activities."

Comment 1-6

The EA touts the need and benefits of extracting federal coal from beneath the national forest, but then states that the connected facilities will operate at the same rates and volumes regardless of whether or not the lease is approved. If there will be no change in the amount of coal being processed locally, how will opening federal reserves to mining help the local economy? It is arbitrary and capricious, at the very least, for the preparers to state that certain impacts will not change if the lease is approved because the amount of coal locally processed and transported will not change regardless of the decision, and then describe at length the economic benefits to the local economy of approving the lease (Comment letter 1, page 5).

Consideration 1-6

This comment reflects a disagreement with the stated purpose of and need for the proposed action. While the production rates and volumes would not change, the mining of the federal coal in addition to nearby private leases would extend the life of the facilities by up to three years.

Economics

Comment 1-7

It is also important to note here that, while the EA goes into detail regarding the economic benefits at the local, regional, and federal scales (while unwilling to do so for environmental impacts), a report titled "The Impact of Coal on the Kentucky State Budget," prepared in 2009 by the Mountain Association for Community Economic Development found that, even in the absence of well-documented health-related economic impacts, the budgetary impact of coal on the state of Kentucky was a conservative net loss of \$115,000,000 (Comment letter 1, page 6).

And yet another paper, by Levy et al. (2009)², estimated the economic costs per ton of coal based on health and premature mortality from PM_{2.5}, SO₂, and NO_x, with the following results (wide ranging values related to the type of coal, age power plant, and other factors):

<i>PM_{2.5}</i>	<i>\$30,000 - \$500,000</i>
<i>SO₂</i>	<i>\$6,000 - \$50,000</i>
<i>NO_x</i>	<i>\$500 - \$15,000</i>

Considering the estimated 455,000 tons of recoverable coal in the proposed lease, that would roughly translate to monetized human health losses (e.g., illness and death) from combustion alone (not including well-documented health impacts to miners and local communities) ranging from \$16,607,500,000 to \$257,075,000,000.

If the USFS and BLM are to make an informed decision relying, in part, on the economics of coal extraction in Kentucky, then the agencies must incorporate this real and vetted data – even if it goes against the prevailing mythology of coal as an economic engine. The purpose of the EA is to offer a clear and unbiased accounting of the pros and cons of the proposed action,

and not simply act as a cheerleader for the coal industry to facilitate the extraction of federal coal (Comment letter 1, page 7).

2 Levy, Jonathan I., Lisa K. Baxter, and Joel Schwartz. 2009. Uncertainty and Variability in Health--Related Damages from Coal-Fired Power Plants in the United States. Risk Analysis 2(7): 1000--1014.

Consideration 1-7

. The *Mountain Association for Community Economic Development* study includes costs calculated on a state-wide basis, in general for the coal industry, but does not provide meaningful data for evaluating costs relative to an individual operation.

Concerning the Levy study, as stated in the response to Comment 1-1, because the types and location of specific facilities where the coal might be burned is not reasonably foreseeable, estimates of the effects of emissions from such unknown uses are speculative, and are outside of the scope of this EA.

Impacts of Mining Activities on Miners and the Surrounding Community

Comment 1-8

In addition to the health impacts related to indirect effects of the proposed action discussed above, numerous health impacts stemming directly from the action and localized in coal communities have been documented. Epstein et al. (2011), cited above, list a variety of documented health effects on coal miners and coal mining communities including, but not limited to:

- *Morbidity and mortality of mine workers resulting from air pollution (e.g., black lung, silicosis)*
- *Increased mortality and morbidity in coal communities due to mining pollution*
- *Hospitalization costs resulting from increased morbidity in coal communities*
- *Local health impacts of heavy metals in coal slurry*
- *Health impacts resulting from coal slurry spills and water contamination*
- *Mental health impacts*
- *Dental impacts reported, possibly from heavy metals*
- *Death and injuries from accidents during transport*
- *Impacts from emissions during transport*

(Comment letter 1, pages 7-8).

Consideration 1-8

We have reviewed the article cited in the comment letter and support the analysis presented in the EA. The health impacts cited in the referenced studies can cause impacts removed from the project area, but cannot be applied directly to the proposed action, because it includes a broad review of coal mining, including combustion, effects from surface mining, methane emission from mines, etc., that are not part of the proposed action, and are outside the scope of the EA.

Data Integrity

Comment 1-9

The EA relies on data provided by Shamrock and Bledsoe Coal companies, both of which are owned by James River Coal Company, and the EA follows an application submitted by Bledsoe Coal to gain access to the coal in this tract. Bledsoe Coal Company is a pervasive violator of the law, and was in April 2011 one of the first two companies since passage of the 1977 Mine Act to be subject to a "Pattern of Violations enforcement action" by the Mine Safety and Health Administration for violations at the Abner Branch mine, which is apparently part of the complex of mines connected to the proposed Bledsoe Coal Lease. After being issued a Potential Pattern of Violations notice for roof control problems, coal dust accumulation, mine ventilation, and electrical wiring issues, rather than abiding by the law and safety regulations, Bledsoe Coal allowed their rate of serious violations to increase and were as such issued a Pattern of Violations determination. The company had one miner die 2010 as a result of failing to maintain and follow a roof control plan, and in the 13 months following the 2010 fatality had 21 accidents, including 10 injuries.

In June of 2012, MHSA [sic] inspectors performed a surprise inspection of the Abner Branch Mine and found, according to MSHA:

The 19 citations and 12 withdrawal orders inspectors issued as a result of violations found effectively shut down the entire mine for eight days. Violations included accumulations of combustible materials in the motor compartment of a utility vehicle located in the primary escapeway; accumulations of loose coal, coal dust, black float coal dust and hydraulic oil on the roof bolting machine, along the mine floor and against the ribs; and an improperly functioning methane monitor, which did not provide a warning or de-energize the mechanized mining unit when necessary. MSHA also cited the operator for defective, bare electrical wires and inadequate splices on the utility vehicle in the primary escapeway. If left uncorrected, these conditions could spark a methane ignition, which, combined with inadequate rockdusting, could cause or contribute to a coal dust explosion.

Additionally, the mine operator did not provide adequate roof/rib control and failed to follow the mine's approved roof control plan. The operator also failed to identify, record and correct the absence of mesh that would prevent the fall of sections of the mine's ribs and roof.

"The Federal Mine Safety and Health Act requires operators to provide a safe workplace, and that includes finding and fixing hazards in order to keep miners from

getting injured or killed. If operators ignore that responsibility and leave it to MSHA to find their problems, they should know that MSHA will use the full force of the law — including closure orders — to protect the nation's miners," said Joseph A. Main, assistant secretary of labor for mine safety and health.

"It is clear that, in the case of Abner Branch, a mine already on a pattern of violations, all of MSHA's tools may not be enough. But until that changes, we will use what we have and aggressively enforce the law to ensure men and women who go into a mine at the beginning of a shift can come back out at the end of it."

This is the company that the USFS and BLM is relying on for a great deal of environmental data in the EA. As Bledsoe Coal is a company that flagrantly violates U.S. law and disregards federal regulators, we call into question reliance on any data provided by these bad actors, and demand that the USFS and BLM acquire independent data and reanalyze the project (Comment letter 1, pages 8-9).

Consideration 1-9

The CEQ NEPA Regulation (40 CFR 1506.5a) provides that an agency may use environmental data submitted by an applicant, if the agency independently evaluates the data. The environmental data used in the EA have been provided to state and federal regulators and are believed to be accurate. While the monitoring results were provided to the BLM and the Forest Service by Shamrock and Bledsoe, the data used were provided as laboratory reports prepared by an independent analytical laboratory, which have been reviewed by agency specialists. These reports are available in the administrative record.

The CEQ NEPA regulations (40 CFR 1605.5b) provides that an agency shall make its own evaluation of the environmental issues, and is responsible for the scope and content of the environmental assessment when an applicant prepares an EA. While the proponent, Bledsoe Coal Leasing, has hired a third party contractor to prepare the EA for this proposal, both the BLM and the Forest Service have been heavily involved in the creation and review of the document and its supporting data.

Comment 1-10

The USFS and BLM should in no way allow a criminal company such as Bledsoe Coal or its partner subsidiaries of James River Coal access to this tract through approval of the Bledsoe Coal Lease or subsequent leasing process. It is an offence to the public trust that such bad actors could be allowed to profit from the public asset of federal coal by externalizing the real costs and impacts to the general public (Comment letter 1, page 9).

Consideration 1-10

If approved, the coal lease would be awarded through a competitive leasing process. The competitive leasing process is outside the scope of this analysis. At this time, the successful bidder is not known. However, the successful bidder would be required to have a mining plan approved by the Office of Surface Mining, Mine Safety and Health Administration and Kentucky Division of Mine Permits.

Comment 1-11

Overall, the EA for the Bledsoe Coal Lease ignores real and significant environmental, human, and economic costs intrinsically stemming from the proposed action, and selectively discusses information to create the impression that the mining and burning of coal associated with the proposed action is a net-positive at the local and regional scale. The purpose of NEPA is to allow for the deciding official(s) to make an informed decision regarding the proposed action. When an EA or EIS is so heavily biased in favor of a particular outcome an informed decision cannot be made.

Further, while the surface impacts to the Daniel Boone National Forest may be minimal, this does not abdicate the US Forest Service in its responsibility to consider all information and make a decision the best benefits the people for whom our public resources are held in trust. The overwhelming evidence from the social and environmental sciences unequivocally reveals that mining and burning coal comes at a tremendous cost to at-risk communities and our nation as a whole, with a legacy in terms of pollution and global climate change that will haunt our children and our children's children for generations to come.

The reality of coal extraction and combustion is with us. Where private resources are in question, pursuant to current laws and regulations, coal will be mined. However, in this instance where the coal is a public asset, and where the net costs to society are so heavy, it is incumbent upon the agencies to reject the proposed action and not allow the Bledsoe Coal Lease to go forward. (Comment letter 1, pages 9-10).

Consideration 1-11

We believe the EA adequately identifies the effects of the proposed action.

Heritage Resources

Comment 2-1

The United Keetoowah Band of Cherokee Indians in Oklahoma has reviewed your projects for Section 106 NHPA purposes, and cultural resources. At this time, we have no objection or comment. However, if any human remains or funerary items are inadvertently discovered, please cease all work and contact us immediately. (Comment letter 2, page 1)

Consideration 2-1

The archaeological survey report was submitted to the Kentucky State Historic Preservation Office (SHPO) for consultation under the Section 106 review process. The Kentucky SHPO concurred with the findings and recommendations contained in the report. The concurrence letter is located in the administrative record. If any human remains or funerary items are discovered, all work will cease until the United Keetoowah Band of Cherokee Indians in Oklahoma are contacted and the appropriate course of action is determined.

References

- Council on Environmental Quality. 2010. Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions. February 18.
- Epstein, Paul R., Jonathan J. Buonocore, Kevin Eckerle, Michael Hendryx, Benjamin M. Stout III, Richard Heinberg, Richard W. Clapp, Beverly May, Nancy L. Reinhart, Melissa M. Ahern, Samir K. Doshi, and Leslie Glustrom. 2011. Full cost accounting for the life cycle of coal in “Ecological Economics Reviews.” Robert Costanza, Karin Limburg & Ida Kubiszewski, Eds. *Ann. N.Y. Acad. Sci.* 1219: 73–98.
- Levy, Jonathan I., Lisa K. Baxter, and Joel Schwartz. 2009. Uncertainty and Variability in Health--Related Damages from Coal-Fired Power Plants in the United States. *Risk Analysis* 2(7): 1000--1014.
- USDA Forest Service. 2010. Climate Change Considerations in Project Level NEPA Analysis. January 13.
- USDI Bureau of Land Management. 2011. Integrating Climate Change into the NEPA Process. December 14.
- US Energy Information Administration 2013. Short –Term Energy Outlook (STEO). January 2013. Available on the internet at http://www.eia.gov/forecasts/steo/pdf/steo_full.pdf
- US EPA 2012. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2010. April 15, 2012. EPA 430-R-12-001.

Documents Consulted

- Interior Board of Land Appeals 2010. IBLA Decision , Dated November 2. 2010. Powder River Basin Resource Council. Appeal from a decision of the Wyoming State Director, Bureau of Land Management, authorizing the offering of two proposed Federal coal leases in the Powder River Basin, Wyoming. WYW163340; WYW177903.
- Interior Board of Land Appeals 2012. IBLA Decision , Dated March 27. 2012. Wild Earth Guardians & Sierra Club. . Appeal from a decision of the Colorado State Office, Bureau of Land Management, approving a lease by application for the mining of Federal coal adjacent to and as a continuation of an existing underground coal mine. COC-70615.