



Wymer, Rick <rwymmer@blm.gov>

Coal Planning Environmental Document

2 messages

Larry Kennedy <larry.kennedy@cox.net>
To: rwymmer@blm.gov

Mon, Apr 1, 2013 at 3:47 PM

I have reviewed the Draft Resource Management Plan Amendment and Environmental Assessment for federal Coal Leases in Haskell and LeFlore Counties, Oklahoma, DOI-BLM-NM-040-2013-038. Throughout the document it is indicated that the surface is owned by a number of private owners and that the coal is owned by the federal government. I own some land in Section 19 T8N R23E and the coal under that piece of the Section. My family acquired the land and the coal from a coal company that had operated an underground mine there in the early 1900s. The coal company purchased the land and the coal from the Choctaw and Chickasaw Nations. In the 1950s/60s there was a surface mining operation that removed another slice of the coal vein underneath the land and my father received payment for the removed coal. I am not sure what the plan will be to remove more coal in the planned operation, but I wanted to go on record that the coal under that piece of land now belongs to me, not the federal government. I suppose I will need to work out payment for any coal removed with the mine operator.

Let me know if there is anything I need to do at this point.

Larry J Kennedy

2300 Bingham Dr

Choctaw, OK 73020

405 390 9530 (home)

404 390 8124 (cell)

April 2, 2013

Tulsa Field Office
Bureau of Land Management
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145-1352

Mr. Rick Wymer:

I would like to address the issue of the wetlands within the area that you wish to dig up for coal in the Liberty area in Haskell County Oklahoma. There is a low lying area at the southwest corner of the property, and also on the southeast area of the 240 acres, owned by the Green family, which holds water and is a habitat for many animals and water fowl. I have on every occasion seen water fowl in this area while walking this area. This area is quite large (large enough to be seen on satellite maps) and the digging of this land would destroy this wetland. (EPA definition of wetlands: Wetlands are areas where water covers the soil, or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season.)

Source: <http://water.epa.gov/type/wetlands/what.cfm> The EPA definition applies to this piece of property.

I humbly ask you to reconsider the designation of the Green property for the purpose of digging for coal.

Thank You,



Paul Green

2013 APR 26 4 10 PM
-OFFICE-TULSA-

April 11, 2013

Tulsa Field Office

Bureau of Land Management

7906 E. 33rd Street, Suite 101

Tulsa, OK 74145-1352

Mr. Richard Wymer:

I am writing this letter in reference to the leasing of land for coal mining in the Liberty area of Haskell County Oklahoma.

There are many reasons why the Liberty area should not be allowed for lease for coal mining. One reason is that every surface owner that I have contacted object to the mining of coal in the Liberty area. I have been told by the BLM, that if the surface owner objects to the surface mining, the only other option is underground mining, this can also be seen on page 1-2 of your Resource Management Plan Amendment and Environmental Assessment dated March 2013. Even if underground was allowed there are still many reasons against it as well, one reason is due to losing a water source, which is a water source for human life. The cost involved, and the danger as well.

Another reason is the issue of the large electricity lines which cross several areas on the Liberty area. Yes, they can be moved, but why should it be allowed? We had no option, we had to allow them to cross our land, which we did not really want them, so why should the coal company have the right to take down or move the lines.

Another issue would be the wetlands located within the Liberty area, I have the understanding that wetlands are protected by the EPA. There are wetlands located on the lands within Section 32 of the Liberty area. If leasing is allowed, and mining is conducted in this area, these wetlands will be destroyed.

Another issue would be the waterfowl which find habitat within these wetlands.

You may say that they can find new habitat, Yes they could (maybe) but why should they? These areas should be protected.

Another issue would be the large amount of wildlife within the Liberty area, especially on the Green Family Farm. As you walk this land you see whitetail deer running through the trees and there are many. I cannot begin to name all of the wildlife which would be affected in one way or another, if leasing was permitted and mining was conducted.

And if you look you can find American Burying Beetles.

Another issue would be the very large amount of timber that would be destroyed in this area, if this area was allowed to be leased and if mining was conducted. If all of the trees was harvested for lumber you would be looking at a lot of lumber and money.

There are many other issues and reasons why this area should not be leased for mining.

I ask that you have an open mind and understand that if you allow leasing and mining to be conducted within this area, that it will result in great emotional distress to me, my son and many members of my family.

I humbly ask you to not allow leasing and not to allow mining in the proposed lease area of the Liberty area in Haskell County Oklahoma.

Thank You,



Paul Green

APR 26 10 10 AM '08

REC'D - TRUST

Content-Transfer-Encoding: 7bit
Content-Type: text/plain; charset="utf-8"
Date: Tue, 23 Apr 2013 20:12:59 -0500
Disposition-Notification-To: <nptpg@suddenlink.net>
From: <nptpg@suddenlink.net>
Message-ID: <20130423201259.HUU6H.122453.root@txifep01>
MIME-Version: 1.0
Sensitivity: Normal
Subject: Liberty area
To: <rwymmer@blm.gov>
X-Priority: 1 (Highest)

Mr. Wymer,

On page 2-9 of your Resource Management Plan Amendment and Environmental Assessment dated March 2013, it says that the BLM "is" consulting with qualified landowners by letter to determine preference for or against surface mining and to obtain written consent or rejection.

I find this to be interesting due to the fact that I and other surface owners have not seen any letters at this time, or have been consulted with.

Are surface owners being contacted at this time?

Also in your Assessment, It reads on page 2-9, If a significant number of surface owners have expressed a preference against mining, the area may be considered unsuitable for further consideration for surface mining.

What number of surface owners would you consider a significant number?

Thank You,
Paul Green



United States Department of the Interior

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OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Mr. Paul Green
11300 Harvest
Perry, Oklahoma 73077

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Green:

The Bureau of Land Management (BLM), Oklahoma Field Office, received two letters and one email message from you dated April 2, 2013, April 11, 2013, and April 23, 2013, respectively, providing comments on the subject document. In your comments, you reference the Liberty Area in Haskell County and the Green family property in the same area. You indicated your concern for the potential effects on wetland habitat, wildlife, and the American burying beetle in the Planning Area; the potential loss of a water source; the potential loss of a large quantity of timber; relocation of an electric power transmission line; and surface-owner objections to coal mining in the area. In your email, you brought our attention to an oversight regarding surface-owner consultation and its occurrence. The BLM's responses to your comments follow.

Wetland Habitat. All or portions of the land in the lease application area contain wetland and/or riparian areas. According to National Wetland Inventory (NWI) maps, the Liberty Area contains approximately 16.46 acres of mapped wetlands (draft RMPA/EA page 3-77). The lessee would not conduct surface-disturbing activities on these areas without the specific waiver of the BLM Authorized Officer after consultation with Oklahoma Department of Mines, Office of Surface Mining, and the U.S. Army Corps of Engineers. Impacts on or disturbance of wetlands and riparian habitats that occur on the lease must be avoided, minimized, or compensated. The mitigation goal would be no net loss or in-kind habitat. The mitigation would be developed in cooperation with appropriate state and federal agencies. The wetland/riparian stipulation (Coal Lease Stipulation [CLS]-3 – WETLAND PROTECTION, draft RMPA/EA page 2-10) is mandated by Executive Order 11990 of May 24, 1977 – Protection of Wetlands and Section 404 of the Clean Water Act.

Effects on Wildlife and American Burying Beetle. Under both federal and state law, protections for wildlife, including large mammals, are included. These include requirements for passage and protection from hazardous materials. However, it is acknowledged that, if the land is surface mined, some habitat loss may be long term. The landowner should assess the value of the natural resources if the surface is made available for mining. The value of the surface resources should be negotiated with the landowner's contract with the operator if leasing occurs.

The lessee would not be allowed to conduct surface-disturbing activities that would result in unacceptable impacts on the American burying beetle, a federally listed species. The lessee may be required to arrange for a qualified biologist to conduct field surveys, which could result in beetle removal and transplant efforts. Such transplant efforts must be accomplished no more than one year before surface-disturbing activities are to begin. Survey requirements, transplant efforts, and Endangered Species Act of 1973 coordination/consultation would be cooperatively accomplished with the U.S. Fish and Wildlife Service. This stipulation (CLS-4 – AMERICAN BURYING BEETLE PROTECTION, draft RMPA/EA page 2-10) would be attached to federal

coal leases that occur in Bryan, Cherokee, Haskell, Latimer, LeFlore, Muskogee, Pittsburg, Sequoyah, and Tulsa counties. The U.S. Fish and Wildlife Service concurred with the BLM finding that the current proposed action (leasing) may affect, but is not likely to adversely affect, the American Burying Beetle in their letter dated July 24, 2012.

Loss of Water Source. All mining must be conducted to minimize disturbance of the hydrologic balance in the mined and adjacent areas. To this end, groundwater and surface-water monitoring must be conducted prior to mining and every three months throughout mining and until release of the reclamation bond. Furthermore, the coal operators must augment the water supply (domestic, agricultural, industrial or other) of an owner where the water supply has been adversely affected by contamination, diminution, or interruption resulting from mining activities (OAC [Oklahoma Administrative Code] 460:20-43-8).

Loss of Timber. The landowner should assess the value of the timber available if the surface is to be made available for mining. The value of the surface resources, or loss of use of a resource, should be negotiated into the landowner's contract with the operator if leasing occurs. Oklahoma State University has prepared a guide to coal leasing for surface owners that provides additional information.

Electric Power Transmission Line. Relocation of an electric power transmission line is a matter negotiated between the lessee and the utility company that owns and operates the transmission line. If it is impractical to relocate the right-of-way established for the line, surface mining would be prohibited within the right-of-way and to within a 100-foot buffer zone from the outside of the right-of-way. Relocation approval of both the holder and issuing parties in the right-of-way would be required (CLS-1 – ROW [Right-of-way], draft RMPA/EA page 2-10).

Objections to Mining. To clarify, no mining is planned during the planning or leasing phases; although, an exploration license could be granted through a process outline in 43 CFR 3410. Permission from surface owners must be acquired before any such exploration occurs.

In the document, we state on page 2-9 that "If a significant number of surface owners have expressed a preference against mining, the area may be considered unsuitable for further consideration for surface mining." In response to your question regarding "significant number," it was intended in this context to describe the instance where a large portion the coal-planning area has qualified surface owners who do not consent to surface mining during the leasing phase. In other words, there is so much acreage eliminated from surface mining that there is no longer enough coal remaining to mine economically by surface methods.

Land owner consultation. This comment correctly identifies an oversight made in the draft RMPA/EA. Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Land owners of tracts identified as available for leasing will be contacted at that time.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,



Stephen G. Tryon
Field Manager
Oklahoma Field Office



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Mr. Larry Kennedy
2300 Bingham Drive
Choctaw, Oklahoma 73020

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Kennedy:

The Bureau of Land Management (BLM), Oklahoma Field Office, received an email message from you, dated April 1, 2013, providing a comment on the subject document. In the message you state that you own land in Section 19, Township 8 North, Range 23 East and the coal under that portion of the section.

The description you provided is not specific enough to validate this claim. BLM records indicate the Planning Area for this current project includes only federally owned coal; the United States owns coal and asphalt under the SESW and S/2SE of Section 19, Township 8 North, Range 23 East.

Please do not hesitate to contact Larry Levesque or Rick Wymer in this office at (918) 621-4100 if you have questions or would like to discuss this further.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office



Wymer, Rick <rwymmer@blm.gov>

BLM Mine Projects: Milton and McCurtain

2 messages

Jeremy Warren <jeremy@sansbois.com>
To: rwymmer@blm.gov

Wed, Apr 3, 2013 at 11:44 AM

Dear Rick,

I own property which will be affected by both of these projects. I am the sixth generation of my family to live on this land and God willing many more generations of my family will have this ranch to enjoy. Ranching and farming is a symbiotic way of life for some of us in this area. We bond with the land in a way which is hard to describe unless you have property and have sunk deep roots where you are located. While I am excited about finally getting these projects up and running for our local economy, I would also like to express my concern on two specific issues, subsidence and water pollution.

I have witnessed first hand what subsidence has done to areas around McCurtain. I do not know whether or not it is the soil, subsoil, or shale formations that allow for this even to occur, but I have seen areas where underground mining was done in the past around the McCurtain area and where ground actually sunk in and created a low spot which eventually filled in with water or had to be leveled out. Since we are primarily a cattle operation our grazing is of vital importance to our way of life and our family revenue. I want to make sure that the land is protected from subsidence and given some type of assurance that either the BLM or the coal companies will come back and remedy this situation. The problem is, it sometimes takes many years for the subsidence to occur. <http://www.greenpeace.org/international/en/campaigns/climate-change/coal/Mining-impacts/>

I have also witnessed what water pollution can do in these mining areas. I had a sting of fence which had metal T-post in the ground just West of where the old Washer Pit is located in Section 13, T8N, R22E in Haskell County. One day the fence was down and my cattle were out, I went to examine the fence and found that the portion of the T-post which were in the ground had been eaten away by the acid content in the soil. This was from the water runoff from the old washer pit. This was never cleaned up, it was left and is still there to this day. I am no expert but I can assure you this is not normal for our type of soil in this area. <http://www.safewater.org/PDFS/resourcesknowthefacts/Mining+and+Water+Pollution.pdf>

There are many streams and pits which were left after the underground mining and strip mining around the McCurtain area. I just want to be assured that the water quality is maintained and that the soils and pasture land is taken care of for my children and future grand children.

Jeremy Warren

**President/CEO/Founder
Sans Bois Health Services, Inc.
1505 E. Main, Ste. C
Stigler, OK 74462
918-967-1001 Office
918-448-2000 Mobile**



United States Department of the Interior

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OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Mr. Jeremy Warren
President/CEO/Founder
San Bois Health Services
1505 East Main, Suite C
Stigler, Wyoming 74462

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Warren:

The Bureau of Land Management (BLM), Oklahoma Field Office, received an email message from you, dated April 3, 2013, providing comments on the subject document. In your message you indicate your concern with subsidence and water pollution related to the potential mining activities in the Planning Area. The BLM's responses to your comments follow.

Subsidence. Prior to any underground mining activity, a Mine Plan must be developed by the operator and provided to the Oklahoma Department of Mines and Office of Surface Mining. The Mine Plan must incorporate subsidence control in accordance with Oklahoma Administrative Code (OAC) 460:20-43-47. This section of the law also requires the operator to correct any material damage resulting from subsidence caused to surface land to maintain its use equivalent to that prior to subsidence.

Water Pollution. If the area is mined, discharges of water must be in compliance with all applicable water-quality laws and regulations and with the effluent limitations for coal mining promulgated by the U.S. Environmental Protection Agency set forth in 40 Code of Federal Regulations (CFR) Part 434. It is acknowledged that the McCurtain area includes many abandoned mine lands, which predate these regulations.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office

April 25, 2013

Gentlemen;

I am responding to your invitation to comment on your "Coal Planning Environmental Document".

The photograph at the front of that document is representative of the entire content, i.e.; It is a pornographic image of our Mother (earth) being raped while her children stand helplessly by

My name is Carl J. Green and I am President of the San Bois District Historical Association, a 501C3 based in Stigler (Haskell County), Oklahoma. Our mission is "to assist the community in the preservation of it's history, culture and natural beauty".

I am a native of this region having been born on the "Green 240", Section 32 of the Liberty Area in 1943. I am intimately familiar with the flora, fauna, folklore, culture and history of this region of Oklahoma.

Few, if any, individuals know more of the pre-history of this area than I do. That is because little, if any, has been done to study the archeological evidence which remains in and above the flood plain of Taloka Creek. (Taloka Creek lays just to the west of Section 32 and drains all of the Liberty Area.)

The 240 acres of the Green property was, and still is, a rich hunting, fishing and farming location. It was also the site of a sizeable Native American Population long before the removal of the Choctaw People to the Indian Territory in the early 1830s.

My knowledge of both the history and pre-history of this land is based, in part, on the oral history which I received from row-crop farmers of the late 1800s and early 1900s. These "modern day" farmers who broke their fields with 12 to 16 inch turning plows spoke of uncovering large numbers of grave sites which were often filled with grave goods of stone, pottery and other materials.

My Father and Grand-Father were two of these early day farmers from whom I gained a wealth of information regarding both the pre-history and history of this land. My family has loved and cared for this land since my Great-Grand-Father (a civil war veteran) moved to Haskell County (then San Bois County, Choctaw Nation, Indian Territory in the late 1800s.

Several acres of the Green 240 have never been broken by a plow. This area is adjacent to an artesian well and is above the flood plain of Taloka Creek. I do not know of anyone who has explored this prime area for it's archeological potential. I have picked up surface finds and still have some in my possession. At one point such finds were so common that they were rarely kept.

It is interesting that 25 miles to the East of the Liberty Area was the capital city of the Spiro Culture approximately 1000 years ago. For those who might not know that civilization was one of the most advanced pre-history civilizations of North America. It had satellite cities in locations such as the one on Taloka Creek. Were this area to be strip mined we will never know.

Although hard evidence is spotty (still yet supportive) oral history leaves us with knowledge of the second white settlement in present day Haskell County being established both on and near the Green Farm in the early 1890s. This frontier town was at first called Longtown after the first family to build on that location. It rapidly attracted a sawmill, down on the creek, more families moved in as well as a general store and the ever present black-smith.

During this flurry of settlement Judge Garland, a well respected Judge in the Choctaw Nation, moved to the location and build a "large home near the artesian well". As the community was in need of U.S. Postal Services Judge Garland applied for a post office for Longtown to be placed in his home. His application was granted however the postal service insisted that the post office be called GARLAND.

This arrangement worked well for the little community for a brief while at which time Judge Garland found a site which he liked better a few miles North-East and he moved there taking the post office and the town name of GARLAND with him to the new location.

My Father remembered when he was a young adult in the 1920s that there was still several houses, a general store and a black-smith shop sitting on the Green farm not far from the steam powered saw-mill on Taloka Creek. Over the next few years with the timber getting scarce and the great depression taking it's toll on the country the sawmill shut down.

The loss of the only (saw-mill) jobs in the little settlement killed Longtown aka (Old) Garland and most of the people as well as the store and blacksmith moved to other locations. As a young child in the 1940s I saw only four houses remaining. Only one remains now; the original post office of GARLAND (aka Longtown)! That is the old farm house where my Uncle and Aunt lived up until his death in 2006.

This historic building deserves preservation and the respect of this local community. It deserves also the same from the United States Government whom the BLM represents!

One more aspect of the history of the Green Property must be given prime consideration and that is the graves located on it. I have already addressed the huge numbers of Native American graves discovered by early farmers. How many of these will be turned under a 100 feet deep as a final insult to a race that early Americans wronged?

If these nameless individuals are of no concern to the federal government (i.e. BLM) then consider the two cemeteries of earlyday white and Choctaw settlers located on the Green property. Over the decades that the white and Choctaw population was concentrated above Taloka Creek many were buried at two locations know to me.

Only three markers remain visable although others could be found if vegetation were cleared. During the time period that these individuals were placed here the poor and the sick (the great flu pandemic of 1918/19) often did well to dig a hole in the ground for their dead. Many times if a marker were placed at all it would be a plank from the old saw-mill and that would be gone from decay in only a few years.

Within a mile or so of this property is a supply of sand stone which was often used as grave markers. These were seldom inscribed with names or dates. I have again located two of these and others would now be covered with grass and leaves in that general vacinty.

One family only that I know of placed a high grade marker at their child's grave and the name is still ledgable. One or more siblings are still living in this community. This particular area is heavily wooded now and remaining grave markers would be very difficult to find.

I have addressed the past. Now I will address the future.

An agreement has been reached in principle between the Board-of-Directors of our 501C3 and the owners of the Green 240 to allow it to be developed into a Nature Center and Camp for the youth of this multicounty region.

If this farm, so rich in history, flora and fauna, is allowed to be strip mined this community will be losing an irreplaceable treasure. It's youth will be deprived of opportunities for countless generations to be enlightened and educated as they will be if it can be developed as planned by this altruistic family.

We, the San Bois District Historical Association, oppose any plans to strip mine the Green 240 acres or any of the propertys with-in one-half mile of it's borders.

Articles supporting the oral history which I have given here are abundant and can be found in

many sources ranging from THE CHRONICALS OF OKLAHOMA to publications available from the Haskell County Historical Society in Stigler, Oklahoma.

I am confident that no one involved in the Resource Management Plan Amendment and the Findings of No Significant Impact has set foot on the Green property. This even though it has such far reaching significance for future generations. I invite any or all of those who will make the final determination regarding this property to walk across it on a guided tour. I will arrange this at any time requested to do so.

Thank you, Carl J. Green, President
San Bois District Historical Association
20250 E CR 1205
Stigler, Okla 74462

918 967-4078
carljgreen@uslogon.com



United States Department of the Interior

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OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Mr. Carl J. Green, President
San Bois District Historical Association
20250 E CR 1205
Stigler, Oklahoma 74462

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Green:

The Bureau of Land Management (BLM), Oklahoma Field Office, received a letter from you, dated April 25, 2013, providing comments on the subject document. In your letter you state your concerns regarding the historic preservation of the Green 240 property, Section 32 of the Liberty Planning Area along with the historic buildings and grave sites, as well as informing us of the potential development of a Nature Center and camp in the area and your opposition to mining. The BLM's responses to your comments follow.

Historic Preservation and Grave Sites. In accordance with the provisions of the National Historic Preservation Act of 1966 and Title 36 Code of Federal Regulations (CFR) Part 800, the BLM would be consulting with the Oklahoma State Historic Preservation Officer, Oklahoma Archaeological Survey, American Indian tribes, and interested public regarding the potential impacts the proposed mining may have on cultural resources. Once final mine plans are developed by the lessee, these areas would be surveyed for cultural resources. Any cultural resources identified that may be affected by the proposed project would be evaluated and treated in accordance with 36 CFR 800. Refer also to Coal Lease Stipulation (CLS) 5 – CULTURAL RESOURCES (draft RMPA/EA pages 2-10 and 2-11). If human remains are discovered during any phase of the project, all activity in the area (within 200 meters of the discovery) would cease and local law enforcement, the landowner, and the Assistant Director of the Mid-Continent Region of the Office of Surface Mining and the BLM Authorized Officer should be notified immediately. Procedures will follow those outlined in the Native American Graves and Repatriation Act (NAGPRA) (Public Law 101-601, 104 Statute 3048; 43 CFR Part 10) or the Oklahoma Burial Desecration Law (Oklahoma Statute Chapter 47, Section 1168.0 – 1168.6), as appropriate. If law enforcement determines that the remains are ancient then the Oklahoma Archaeological Survey may advise on retrieval or retrieve the remains with the landowner's permission. The Oklahoma Archaeological Survey also may advise on the determination of ownership and disposition of Native American remains in accordance with state statute. Work will resume at the discretion of the appropriate agency in consultation with Oklahoma Archaeological Survey. If law enforcement determines that the remains are modern or historic non-Native American, the Oklahoma Burial Desecration Law will apply.

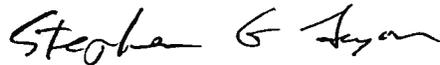
Nature Center and Camp. The center is in the planning stage, but should be considered in the future should it become active during the leasing or mining phases of the area.

Opposition to Mining. Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Landowners of tracts identified as available for leasing will be contacted at that time.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

A handwritten signature in black ink that reads "Stephen G. Tryon". The signature is written in a cursive style with a large, stylized "S" and "T".

Stephen G. Tryon
Field Manager
Oklahoma Field Office

Mr. Richard Wymer :

My name is Nate Green and I'm 13 years old. I'm writing this letter in regard to mining of the Green Family Farm. Before my grandpa passed away I would go with him in his 79 ford pickup and feed cattle. My dream has always been to own that 240 acres and raise cattle on it exactly the way it is now. Trees, animals, ponds, and all. Will I be able to fulfill my dream if you mine the land? No!!

I shot my first deer there with my 243 rifle 2 years ago. Then last year I shot another deer. I want to keep hunting deer along with other animals in the future. Again will I be able to do that if you mine the land? No!!

Please do not destroy my dream.

Sincerely,
Nate Green
Nate Green

2013 APR 26 10:02

1-0350-TULSA



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Mr. Nate Green
c/o Mr. Paul Green
11300 Harvest
Perry, Oklahoma 73077

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Green:

The Bureau of Land Management (BLM), Oklahoma Field Office, received a letter from you, dated April 2, 2013, providing comments on the subject document. In your letter you indicate your concerns with the effects on the use of the land for cattle grazing on the Green Family property and the effects on hunting due to displacement of wildlife related to the potential mining activities in the planning area. The BLM's responses to your comments follow:

Natural Resources. The landowner should assess the value of the natural resources and foreseeable land use if the surface is to be made available for mining. The value of the surface resources, or loss of use of a resource, should be negotiated into the landowner's contract with the operator if leasing occurs. Under both federal and state law, the operator of a mine is required to reclaim the land after mining is complete and, to the extent feasible, restore the land to pre-mining condition and uses. Oklahoma State University has prepared a guide to coal leasing for surface owners that provides additional information.

Objection to Mining. Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Landowners of tracts identified as available for leasing will be contacted at that time.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office

April 5, 2013

Tulsa Field Office
Bureau of Land Management
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145-1352

2013 APR 11 A 11:05
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Mr. Rick Wymer:

I would like to object to designating the Green property North of Stigler (Liberty area) for the digging of coal. As part Choctaw and with a roll number, I enjoy the land which my Dad co-owns with his two brothers and sister. My sons enjoy the outdoors and have fished and hunted deer on this wonderful land. Over the years we have been on the property, we have observed deer on almost every occasion. Based on our observations, we believe there to be no less than 50 to 100 deer on the 240 acres. These deer are well protected as the property is mostly dense forest. In many cases, the forest is so dense, once cannot traverse the forest except by walking.

Recently, while my Dad and Uncle Paul were fixing the north fence they had to cut some trees to get the four-wheeler (with posts and tools) back to the north fence. Even with cutting some trees, they could not travel directly north, due to the dense vegetation, and had to travel a circuitous route, at times getting temporarily lost.

Where would these deer go once a coal company started to dig up this land? Certainly, they could not go the north, northeast, northwest, south, southeast, southwest, or east. Overall the

property to the west is not as heavily forested, as Mr. Brant runs cattle. and has cleared parts of the property for grazing.

I ask you to reconsider designating the Green property for the digging of coal.

Sincerely,

Kimberly Lane

Kimberly Lane



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Ms. Kimberly Lane
31444 West County Road 1240
Quinton, Oklahoma 74561

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Ms. Lane:

The Bureau of Land Management (BLM), Oklahoma Field Office, received a letter from you, dated April 5, 2013, providing comments on the subject document. Your letter indicates your objection to mining on the Green Family property and your concern about displacement of deer due to loss of forested habitat related to the potential mining activities in the Liberty Planning Area. The BLM's responses to your concerns follow.

Objection to Mining. Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Landowners of tracts identified as available for leasing will be contacted at that time.

Protection of Wildlife. Under both federal and state law, protections for wildlife, including large mammals, are included. These include requirements for passage and protection from hazardous materials. However, it is acknowledged that, if the land is surface mined, some habitat losses may be long term. The landowner should assess the value of the natural resources if the surface is to be made available for mining. The value of the surface resource should be negotiated into the landowner's contract with the operator if leasing occurs.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office

April 5, 2013

Tulsa Field Office
Bureau of Land Management
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145-1352

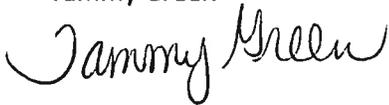
Mr. Rick Wymer:

I would like to object to designating our property (Liberty area) for the digging of coal. There are two known graves of children on this property. They are marked with a headstone, albeit difficult to read, we can determine they were young children. However, such a large property with so much forest and as so many people, in the old days, buried family on their own property years ago, there could be other graves, we have yet to find. It does not seem proper to dig up the graves of these young children.

I humbly ask you to reconsider the designation of the Green property for the purpose of digging for coal.

Kind regards,

Tammy Green



2013 APR 26 4:13:02

BLM-TULSA



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Ms. Tammy Green
c/o Mr. Paul Green
11300 Harvest
Perry, Oklahoma 73077

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Ms. Green:

The Bureau of Land Management (BLM), Oklahoma Field Office, received a letter from you, dated April 5, 2013, providing comments on the subject document. In your letter you indicate your concern regarding the historic grave sites that may be located on the Green Family property.

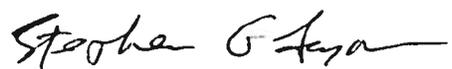
Historic Properties and Grave Sites. The land around the known graves has been determined to be unsuitable for surface mining by the BLM.

In accordance with the provisions of the National Historic Preservation Act of 1966 and 36 CFR 800, the BLM would be consulting with the Oklahoma State Historic Preservation Officer, Oklahoma Archaeological Survey, American Indian tribes, and interested public regarding the potential impacts the proposed mining may have on cultural resources (historic properties). Once final mine plans are developed by the lessee, these areas would be surveyed for cultural resources. Any cultural resources identified that may be affected by the proposed project would be evaluated and treated in accordance with 36 CFR 800. Refer also to Coal Lease Stipulation (CLS) 5 – CULTURAL RESOURCES (draft RMPA/EA pages 2-10 and 2-11). If human remains are discovered during any phase of the project, all activity in the area (within 200 meters of the discovery) would cease and local law enforcement, the landowner, and the Assistant Director of the Mid-Continent Region of the Office of Surface Mining and the BLM Authorized Officer should be notified immediately. Procedures will follow those outlined in Oklahoma Burial Desecration Law (Oklahoma Statute Chapter 47, Section 1168.0 – 1168.6), as appropriate. Work will resume at the discretion of the appropriate agency in consultation with Oklahoma Archaeological Survey. If law enforcement determines that the remains are modern or of historic nature the Oklahoma Burial Desecration Law will apply.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen G. Tryon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen G. Tryon
Field Manager
Oklahoma Field Office

April 15, 2013

Tulsa Field Office
Bureau of Land Management
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145-1352

Mr. Rick Wymer:

We would like to object to designating the Green property, North of Stigler (Liberty area), for the digging of coal.

Our property is one of the few forested properties in the immediate area. Therefore, we have an extensive number of deer and other wild animals. I would estimate a deer population of no less than 75-100 deer. Obviously, any forested area with water (three ponds, a swampy area in the southeastern corner, a creek in the northwestern corner, and other areas of standing water) there is an extensive number of wildlife indigenous to eastern Oklahoma. Essentially, the Green property is a wildlife preserve. Where would the hundreds of wildlife go if this property is dug up? I dare say many animals and wildlife would be killed or die in the process of the digging.

Please reconsider authorizing the digging of coal on the Green property.

Regards,


Harry Green, ABD, MPA, MBA
U.S. Air Force, Retired


D. Elvina Green
1235 Waters Edge Dr.
Rockwall, TX 75087

2013 APR 19 P 4:10
TULSA-OKEFO



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<http://www.blm.gov>



Mr. Harry Green
Ms. D. Elvina Green
1235 Waters Edge Drive
Rockwall, Texas 75087

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Green and Ms. Green:

The Bureau of Land Management (BLM), Oklahoma Field Office, received a letter from you, dated April 15, 2013, providing comments on the subject document. In your letter you state your concern with the effects of the proposed mining activities on the Green Family property.

Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Landowners of tracts identified as available for leasing will be contacted at that time.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office



TRIBAL HISTORIC PRESERVATION OFFICE

Date: April 23, 2013

File: 1213-1153OK-4

RE: BLM, Oklahoma Field Office Two Competitive and Two Non-Competitive Coal Leases in Haskell and LeFlore counties, Oklahoma

Oklahoma Field Office, BLM
Richard Fields
7906 E. 33rd Street, Suite 101
Tulsa, OK 74145

Dear Mr. Fields,

The Osage Nation Historic Preservation Office has received the Draft Resource Management Plan Amendment and Environmental Assessment for the proposed BLM, Oklahoma Field Office Two Competitive and Two Non-Competitive Coal Leases in Haskell and LeFlore counties, Oklahoma. **The Osage Nation requests copies of the cultural resources survey reports for the Milton Planning Area in Haskell and LeFlore counties, Liberty Planning Area in Haskell County, and McCurtain Planning Area in Haskell and LeFlore counties once final mine plans are developed by the lessee.** The Osage Nation understands that at this time no ground disturbance is planned for the Spiro Planning Area in LeFlore County. Should these plans change, please notify the Osage Nation Historic Preservation Office.

In accordance with the National Historic Preservation Act, (NHPA) [16 U.S.C. 470 §§ 470-470w-6] 1966, undertakings subject to the review process are referred to in S101 (d)(6)(A), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969).

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. **The Osage Nation anticipates reviewing and commenting on the planned Phase I cultural resources survey reports for the proposed BLM, Oklahoma Field Office Two Competitive and Two Non-Competitive Coal Leases in Haskell and LeFlore counties, Oklahoma.**

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.


James Munkres
Archaeologist I

17 01 A 4 24 APR 2013
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Osage Nation
ATTN: James Munkres, Archaeologist I
Tribal Historic Preservation Office
627 Grandview
Pawhuska, Oklahoma 74056

Subject: Draft RMPA and EA for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Munkres:

The Bureau of Land Management, Oklahoma Field Office, received your letter, dated April 23, 2013, in which you requested a copy of the cultural resources survey report for the Milton Planning Area in Haskell and LeFlore counties, Liberty Planning Area in Haskell County, and McCurtain Planning Area in Haskell and LeFlore counties, for the subject project once final mine plans are developed.

A cultural resource pedestrian survey will be required by the Oklahoma Department of Mines and the Office of Surface Mining at the mine-permitting stage, which is after leasing, and the report should be provided by these agencies to the Osage Nation for consultation.

If you have questions, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office



Levesque, Laurence <llevesqu@blm.gov>

Coal Planning Environmental Document

3 messages

Jonikeith33 <jonikeith33@aol.com>

Fri, Apr 5, 2013 at 12:29 PM

To: rwymer@blm.gov, llevesqu@blm.gov

Mr. Wymer and Mr. Levesque,

I tried to open the Draft Resource Management Plan Amendment online and because of the size and number of pages could not review the documents. First I am requesting a copy for review sent to my address on file:

Brian and John L Keith
6911 Breeland Drive
Huntington Beach, CA 92647

My brother and I now own property in Oklahoma which was passed down to us after my father's passing. This property has been in our family dating back to the early 1900's. We have a grass lease with Larry Watson from Stigler, Oklahoma. If the area in question is drilled on, it could interfere with this process. We have questions on what land is being drilled on and what portions are being considered as segregated coal land. We have been told that segregated land is in two different areas and would interface with the cattle and ponds that have already established there own habitat. We fear that by drilling in these areas would be detrimental to grazing and could cause issues with the top soil nutrients provided by the land.

As a family we are very concerned and against allowing any drilling on our property because this property has been in our family for many years. Thank you in advance for your cooperation we look forward to reviewing the requested documents.

Regards,
Brian Keith

Levesque, Laurence <llevesqu@blm.gov>

Fri, Apr 5, 2013 at 1:01 PM

To: Jonikeith33 <jonikeith33@aol.com>

Cc: Rick Wymer <rwymer@blm.gov>

Brian,
We are sending a CD of the Draft RMPA to you today.

Thank you for your time and we look forward to your comments.

Laurence Levesque
[Quoted text hidden]

-

Laurence Levesque

Planning & Environmental Coordinator
Oklahoma Field Office
Bureau of Land Management
7906 East 33rd, St., Ste. 101
Tulsa, OK 74145

llevesu@blm.gov
918.621.4136

Jonikeith33 <jonikeith33@aol.com>
To: rwymer@blm.gov, llevesu@blm.gov

Fri, Apr 26, 2013 at 5:36 PM

Mr. Wymer and Mr. Levesque,

After reviewing the Resource Mgmt Plan Amendment with my brother we will not allow drilling on our property for any reason.

Regards,
Brian B. Keith and John L. Keith
[Quoted text hidden]



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7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Messrs. Brian John L. Keith
6911 Breeland Drive
Huntington Beach, California 92647

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Messrs Keith:

The Bureau of Land Management (BLM), Oklahoma Field Office, received email messages from you, dated April 5 and April 26, 2013, providing comments on the subject document. In your letter you express your concerns with the potential mining on your property interfering with livestock grazing and effecting topsoil, and express your objection to potential mining.

In response, no drilling is planned during the planning or leasing phase, although an exploration license could be granted through a process outlined in 43 CFR 3410. Permission from surface owners must be acquired before any such exploration occurs. Surface-owner consultation is a step that the BLM State Office will conduct when the leasing phase begins. Landowners of tracts identified as available for leasing will be contacted at that time.

If the surface is to be made available for mining, the landowner should assess the value of the natural resources and foreseeable land use. The value of the surface resources, or loss of use of a resource, should be negotiated into the landowner's contract with the operator if leasing occurs. Under both federal and state law, the operator of a mine is required to reclaim the land after mining is complete and, to the extent feasible, restore the land to pre-mining condition and uses. Oklahoma State University has prepared a guide to coal leasing for surface owners that provides additional information (The Coal Mining Lease, Oklahoma Cooperative Extension Service AGEC-828, <http://osufacts.okstate.edu>).

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss your concerns further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office



Levesque, Laurence <llevesqu@blm.gov>

Draft RMPA and EA for Oklahoma

1 message

Mark Frauenhoff <mrfrauenhoff@farrellcooper.com>
To: Laurence Levesque <Laurence_Levesque@blm.gov>
Cc: Robert Cooper <rcooper@farrellcooper.com>

Mon, Apr 29, 2013 at 3:24 PM

Larry,

These are our comments regarding the RMPA

Page 3-12 Section 3.4.3, No discussion of previous mining prevalent in the area. Some reclaimed in accordance with the current mining laws at the time of mining and some left unreclaimed.

Page 3-28 Section 3.8.3, Soils rated as poor for reclamation, but the majority are also listed as prime farmland soils. Seems to be a conflict. Or, if not a conflict, then an explanation rebutting the "poor" soils rating should be provided.

Page 3-15 Section 3.6.3, Liberty Planning area. The Stigler coal seam lies approximately 80 to 220 feet below the surface in the mining area. This information is from Open File Report 79-307.

Page 3-16 Section 3.7.1.3, Liberty Planning area. The thickness of the Stigler coal bed in the area ranges from 1.5 ft. to 2.1 ft. This information is also from the same report. In that same report are two holes drilled in the area. One of these holes drilled in the NE corner of Sec. 32, T10N, R21E, indicates a mineralized zone of 3.6 ft. described as "Black boney shale with coal seams", with no breakdown of the coal thickness and the black boney shale thickness. This hole cannot be used for coal thickness delineation as the log simply indicates that the zone is primarily shale. The other hole drilled in the SE corner of the NW/4 of the NE/4 of Sec. 33, T10N, R21E has a note that the drilled thickness of 2.8 ft. is in conflict with the measured thickness of the core in the description of 25 inches. Again the 2.8 ft. thickness is in doubt and should not be used to determine the coal thickness in the area.

The average of the drill holes in the area from the report excluding the problematic holes is 1.6 ft. This thickness should be used for all estimates of reserves and should be stated in the RMPA. Here is no 3 ft. Stigler coal in Haskell County.

The coal thickness also needs to be changed in the table of the "Unsuitability Analysis for Four Federal Tracts" to reflect a maximum thickness of 2.1 ft.

We believe that these should be addressed so as not overstate the reserve.

Thank you for your attention.

Mark



United States Department of the Interior

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OKLAHOMA FIELD OFFICE
7906 E. 33rd St., Suite 101
TULSA, OK 74145-1352
<http://www.blm.gov>



Farrell-Cooper Mining Company
ATTN: Mark Frauenhoff
6001 Zero Street
Fort Smith, Arkansas 72903

Subject: Draft Resource Management Plan Amendment and Environmental Assessment (RMPA/EA) for Coal Leases in Haskell and LeFlore Counties, Oklahoma

Dear Mr. Frauenhoff:

The Bureau of Land Management (BLM), Oklahoma Field Office, received an email message from you, dated April 29, 2013, providing comments on the subject document. In your message, you suggested including information about previous mining activity prevalent in the area, you indicate a potential conflict in the information provided in the RMPA/EA regarding soils, and provide clarification regarding the (1) depth of the coal seam in the Liberty Area and (2) thickness of the Stigler coal bed. In response to your comments, the BLM provides the following.

A notation of previous mining activities in the Liberty Planning Area will be added in Section 3.4.3.

The description of the "poor" rating for reclamation is provided on page 3-27, Section 3.8 of the draft RMPA/EA. The ratings are reported as obtained from the Natural Resources Conservation Service Web Soil Survey.

The input you have provided for clarification is appreciated and will be incorporated during the leasing phase.

Thank you for sending your comments regarding the Draft RMPA and EA for coal leases in Haskell and LeFlore Counties.

If you have questions or would like to discuss this further, please contact either Larry Levesque or Rick Wymer in this office at (918) 621-4100.

Sincerely,

Stephen G. Tryon
Field Manager
Oklahoma Field Office