

## 5.0 CONSULTATION AND COORDINATION

As part of the EIS process, the BLM notifies the general public when the draft and final documents, and the ROD, are available for review and comment. In addition to accepting public comments, the BLM consults with multiple state and federal agencies and entities regarding impacts on various resources. This collective input plays a major role in the BLM's decision on proposed lease applications. The public notification and consultation processes are described below.

### 5.1. Regional Coal Team Consultation

The Hay Creek II LBA included in this EIS was reviewed and discussed at a PRRCT public meeting held on April 19, 2006, in Casper, Wyoming. The applicant presented information about the existing mine and lease application at that meeting. Voting and nonvoting members of the PRRCT include the governors of Wyoming and Montana; Northern Cheyenne Tribe and Crow Tribal Council; USDA Forest Service and USFWS; and National Park Service, OSM, and USGS. The PRRCT determined that the land in the Hay Creek II LBA met the qualifications for processing as a production maintenance tract and recommended that the BLM continue to process the coal lease application.

### 5.2. Governor's Consultation

On September 18, 2006, the BLM Wyoming State Director notified the Governor of Wyoming that the Buckskin Mine had filed a coal lease application with the BLM for the Hay Creek II tract.

### 5.3. Public Notice

The BLM published a notice of intent to prepare an EIS and notice of scoping in the *Federal Register*, the *Gillette News-Record*, and a BLM news release on January 17, 2008. The publication served as public notice that the Hay Creek II coal lease application had been received, announced the time and location of a public scoping meeting, and requested public comment on the LBA.

Parties on the distribution list were sent letters announcing the time and location of a public scoping meeting on January 31, 2008, in Gillette, Wyoming. At the public meeting, the applicant presented information about their mine and their need for the coal. The presentation was followed by a question and answer period, during which no oral comments were made. The scoping period was extended from December 21, 2007, through March 29, 2008, during which time the BLM received written, e-mailed, and telephoned comments from interested individuals and entities.

The EPA published a notice in the *Federal Register* on March 12, 2010, announcing the availability of the draft EIS. A 60-day comment period on the draft EIS commenced with publication of that notice. The BLM also published a notice of availability/notice of public hearing in the *Federal Register* on March 12, 2010. That notice announced the date and time of a public hearing to be held during the 60-day comment period. The purpose of the hearing, held in Gillette, Wyoming on April 22, 2010, was to solicit public comments on the draft EIS and on the fair market value, the maximum economic recovery, and the proposed competitive sale of federal coal from the proposed tract. The BLM also published a notice of public hearing in the *Gillette News-Record* and other local newspapers.

All substantive written comments received on the draft EIS have been included, with corresponding responses from the BLM, in appendix D of this final EIS. Both the BLM and the EPA will publish a notice of availability of the final EIS in the *Federal Register*, and all parties on the distribution list will be sent copies of that document immediately following the publication date. After a 30-day availability period, the BLM will make a decision to hold or not to hold a competitive lease sale for the federal coal in the LBA tract and a ROD will be signed. Copies of the ROD will be sent to all parties on the mailing list and others who commented on this LBA during the NEPA process. An appeal of the BLM's decision must be filed within 30 days from the date that the notice of availability for the ROD is published in the *Federal Register*. The decision can be implemented at the end of the 30-day appeal period, if no appeal is received. If a competitive lease sale is held, it will follow the procedures set forth in 43 CFR 3422, 43 CFR 3425, and BLM Handbook H 3420 1 (Competitive Coal Leasing).

## 5.4. Department of Justice Consultation

After a competitive coal lease sale, but before the lease is issued, the BLM must solicit the opinion of the U.S. Department of Justice on whether the planned lease issuance creates a situation inconsistent with federal antitrust laws. The Department of Justice has 30 days to make this determination. If the Department of Justice has not responded in writing within the 30 days, the BLM can issue the lease.

## 5.5. Other Consultations

Other federal, state, local, and Native American government agencies that were consulted in preparation of this EIS or will be consulted prior to making a decision to hold or not hold a federal coal lease sale are listed in Table 5-1.

**Table 5-1. Federal, State, and Local Government Agencies Consulted in Preparation of the Environmental Impact Statement**

<b>Name</b>	<b>Project Responsibility</b>
<b>NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION</b>	
Pieter Tans	Earth System Research Laboratory Global Monitoring Division Carbon Cycle and Greenhouse Gases Senior Scientist
<b>UNIVERSITY OF WYOMING</b>	
Bonnie Heidel	Wyoming Natural Diversity Database Botanist
Ron Hartman	Rocky Mountain Herbarium Curator
B. Ernie Nelson	Rocky Mountain Herbarium Manager
<b>BLM NATIONAL SCIENCE AND TECHNOLOGY CENTER (POWDER RIVER BASIN COAL REVIEW)</b>	
Craig Nicholls	Air Quality and Climate
Paul Summers	Water Resources
<b>ENSR INTERNATIONAL (NOW AECOM) (POWDER RIVER BASIN COAL REVIEW)</b>	
Valerie Randall	Project Manager
Dolora Koontz	Assistant Project Manager and Task 2 Manager (Existing Development and Reasonably Foreseeable Development)
Eldon Strid, Matt Reilly	Existing and Projected Coal Development and Coal Transportation Scenarios
Doree Dufresne	Database Development
Bruce MacDonald, PhD	Air Quality
Robert Berry, PhD	Water Resources
James Rumbaugh	Groundwater Modeling
Brad Anderson	Surface Water
Ron Dutton, George Blankenship	Socioeconomics
Bernhard Strom	Land Use, Transportation, and Utilities
William Berg	Topography, Geology, and Minerals
James Burrell, James Nyenhuis	Soils and Alluvial Valley Floors
Jon Alstad	Vegetation, Wetlands, and Grazing
Charles Johnson	Wildlife
Rollin Daggett	Fisheries
Kim Munson	Native American Concerns and Paleontological Resources

## 5.6. List of Contributors, Reviewers, and Preparers

This EIS was prepared by ICF International, a third-party contractor, under the direction of the BLM. Representatives from cooperating agencies reviewed and contributed to the EIS. Tables 5-2 and 5-3 provide listings of the BLM, OSM, and WDEQ interdisciplinary team and the third-party consultant personnel who contributed to, reviewed, and prepared this EIS.

**Table 5-2. List of Contributors and Reviewers**

<b>Name</b>	<b>Project Responsibility</b>
<b>BLM WYOMING STATE OFFICE</b>	
Brenda Neuman	Coal Program Coordination
Bob Janssen	Coal Program Coordination
Janet Kurman	NEPA Coordination
Mavis Love	Land Adjudication
Larry Jensen	Socioeconomics
Dale Hansen	Paleontology
Brent Breithaupt	Paleontology
Steve Hageman	Minerals Appraiser
Susan Caplan	Air Quality and Climate Change
John Zachariassen	Air Quality and Climate Change
Melissa Hovey	Air Quality and Greenhouse Gas
Robert Means	Greenhouse Gas and Climate Change
Rick Schuler	Water Resources
Julie Weaver	Land Adjudication
<b>BLM WYOMING STATE OFFICE RESERVOIR MANAGEMENT GROUP</b>	
Dwain McGarry	CBNG Geology
Lee Almasy	CBNG Reservoir Engineering
Karl Osvald	Senior Geologist
<b>BLM BUFFALO FIELD OFFICE</b>	
Buck Damone	Cultural Resources
Leigh Grench	Cultural Resources
Clint Cargo	Cultural Resources
B.J. Earle	Cultural Resources
Patrick Cole	Wildlife, T&E Species, BLM Sensitive Species
Don Brewer	Wildlife
Gerald Queen	Geology, Minerals, Mining Claims
<b>OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT WESTERN REGIONAL COORDINATING CENTER</b>	
Foster Kirby	Archaeologist, EIS Cooperating Agency Representative
Heather Erickson	EIS Project Coordinator
<b>WYOMING STATE PLANNING OFFICE</b>	
Steve Furtney	Coal Issues Coordination, Cooperating Agency Representative
<b>WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY</b>	
Dan Clark	Ombudsman, EIS Liason

Table 5-2. Continued

Name	Project Responsibility
<b>LAND QUALITY DIVISION</b>	
Don McKenzie	Administrator
Kathy Muller Ogle	CHIA Program Supervisor
Doug Emme	Blasting Program Principal
Mark Rogaczewski	District III Supervisor
<b>AIR QUALITY DIVISION</b>	
Kelly Bott	Engineer, EIS Cooperating Agency Division Representative
Paige Smith	Planning Section Manager
<b>WATER QUALITY DIVISION</b>	
John Wagmer	Water Resources
<b>WYOMING DEPARTMENT OF TRANSPORTATION</b>	
Larry Konetzki	EIS Cooperating Agency Representative
<b>WYOMING GAME AND FISH DEPARTMENT</b>	
John Emmerich	Deputy Director – External Programs

Table 5-3. List of Preparers

Name	Education/Experience	Responsibility
<b>BLM CASPER FIELD OFFICE</b>		
Teresa Johnson	M.S. course work in Ecosystem Management, B.S. Earth Systems Ecology, Native American Cultural Emphasis Phase, 11 years professional experience	EIS Project Manager
Mike Karbs	M.S., B.S. Mineral Engineer, Public Policy, 34 years professional experience	Assistant District Manager Solid Mineral
Sarah Bucklin	M.S. Zoology, B.S. Biology, Nationally Certified Wildlife Biologist, 11 years professional experience	Wildlife, T&E Species – Environmental Protection Specialist
Ginger Vickers	B.A. Resource Management, 3 years of professional experience	Public Involvement, Distribution List – Legal Assistant
<b>ICF INTERNATIONAL (THIRD-PARTY CONTRACTOR)</b>		
Gwyn McKee	M.S. Wildlife Management/Ecology, B.S. Wildlife Management, 21 years professional experience	EIS Project Manager, Wildlife, T&E Species, Report Preparation, Document Review
Kim Stevens	B.S. Geography, 8 years professional experience	Project Coordinator, Report Preparation
Bryan Morse	B.S. Urban Planning, 5 years professional experience	Project Assistant, Report Preparation
Jim Wilder	M.S. Environmental Engineering, B.S. Civil Engineering, 32 years professional experience	Noise Assessment, Report Preparation

Table 5-3. Continued

Name	Education/Experience	Responsibility
Rose Difley	M.S., B.S. Geology, 6 years professional experience	Paleontology Survey, Report Preparation
Deborah Bartley	B.A. Political Science, U.D. International Relations, 11 years professional experience	Lead Editor
Brent Bouldin	M.A. Communications, B.S. Communications, 32 years professional experience	Technical Editor, Document Production
Corrine Ortega	A.A. Communications, 20 years professional experience	Document Production
Kate Walsh	B.A. History, B.A. Photography, 9 years professional experience	Document Production
Bobby Tuttle	M.S. Biology, B.S. Planning, 18 years professional experience	Wetlands Survey, Project Director
<b>SUBCONTRACTORS FOR ICF INTERNATIONAL</b>		
Ron Dutton Sammons/Dutton LLC	M.S. Economics, B.S. Economics, 33 years professional experience	Socioeconomic Evaluation
Brenda Schladweiler	Ph.D. , M.S. Soil Science, B.S. Range Mgt (Land Rehabilitation), 31 years professional experience	Soil Survey, Report Preparation
Jamie Eberly BKS Environmental Associates, Inc.	B.S. Range Management, 6 years professional experience	Report Preparation
Gregory S. Newberry Antiquus Cultural Resource Consulting	M.A. Anthropology, B.A. Anthropology, 31 years professional experience	Cultural Resource Survey, Report Preparation
<b>SUBCONTRACTORS FOR BUCKSKIN MINE</b>		
Julie Gerlach Steve Stresky Robert Tilden Aqua Terra Consultants, Inc.	Manager Lands & Permitting, 32 years professional experience Geologist, 31 years professional experience Geologist, 6 years professional experience	Land Use Assessment, Water Resources Analysis, Geology and Minerals Evaluation, Alluvial Valley Floor Assessment, Report Preparation
Richard Bonine, Jr. Habitat Management, Inc.	B.S. Agronomy, 23 years professional experience	Vegetation Survey, T&E Vegetation Survey, Report Preparation
Richard Bonine, Jr. LandTrak Resources, Inc.	B.S. Agronomy, 23 years professional experience	Vegetation Survey, T&E Vegetation Survey, Report Preparation
Ronn Smith Inter-mountain Laboratories, Inc.	MBA, B.S. Engineering Physics, 32 years professional experience	Air Quality Assessment, Report Preparation

## 5.7. Distribution List

This EIS was distributed to Congressional offices, federal agencies, state governments, local governments, Native American government agencies, industry representatives, interest groups, and individuals for their review and comment (Table 5-4).

**Table 5-4. General BLM Information Distribution List for Coal Leasing**

<b>FEDERAL AND STATE OFFICIALS</b>	
Governor of Montana - Honorable Brian Schweitzer	Senator John Hines
Governor of Wyoming - Honorable Matt Mead	Senator Michael Von Flatern
Representative Gregg Blikre	US Senator John Barrasso
Representative Norine Kasperik	US Senator Mike Enzi
Representative Thomas Lubnau	US Congresswoman Cynthia M. Lummis
Representative Sue Wallis	
<b>FEDERAL AGENCIES</b>	
BLM - Wyoming State Office, Cheyenne, Wyoming	OEPC - Denver, CO
BLM - Montana State Office, Billings, MT	OSM - Casper, WY
BLM - Buffalo, WY	OSM - Denver, CO
BLM - Casper, WY	OSM - Washington, DC
BLM - Miles City, MT	OSM Library - Denver, CO
BLM - Washington, DC	Rocky Mountain Region Solicitor
BLM Library - Denver, CO	US Army Corps of Engineers - Cheyenne, WY
Bureau of Indian Affairs - Washington, DC	US EPA - Washington, DC
National Park Service - Washington, DC	US EPA Region VIII - Denver, CO
Department of Natural Resources & Conservation - Helena, MT	US Fish & Wildlife Service - Arlington, VA
Department of Energy - Casper, WY	US Fish & Wildlife Service - Cheyenne, WY
Department of Energy - Washington, DC	US Fish & Wildlife Service - Buffalo, WY
Department of the Interior - Denver, CO	US Geological Survey - Cheyenne, WY
DOI Natural Resource Library - Washington, DC	US Geological Survey - Denver, CO
MMS - Denver, CO	US Geological Survey - Reston, VA
MMS - Helena, MT	US Government Printing Office - Washington, DC
MMS - Herndon, VA	USDA Forest Service - Golden, CO
MMS Solid Min/Geothermal CAM - Denver, CO	USDA Forest Service - Douglas Ranger District, Douglas, WY
National Park Service - Denver, CO	USGS Water Resources Division - Cheyenne, WY
<b>STATE AGENCIES</b>	
Department of Transportation	Game & Fish Department - Lander, WY
Office of State Lands & Investments	Game & Fish Department - Sheridan, WY
Office of the State Treasurer	Oil and Gas Conservation Commission
WDEQ - Air Quality Division - Cheyenne, WY	Parks and Cultural Resources Department
WDEQ - Land Quality Division - Sheridan, WY	Public Service Commission

**Table 5-4. Continued**

WDEQ - Water Quality Division - Cheyenne, WY	State Engineer's Office
WDEQ Land Quality Division - Cheyenne, WY	State Geological Survey
Department of Agriculture	State Historic Preservation Office
Department of Education	State Planning Office
Department of Employment, Research & Planning	Water Development Commission
WDEQ - Industrial Siting Division	Economic Analysis Division
Game & Fish Department - Cheyenne, WY	
<b>LOCAL GOVERNMENT AGENCIES</b>	
Big Horn County Commission, MT	Converse County School District, WY
Campbell County Department of Public Works, WY	Converse County Special Projects, WY
Campbell County Board of Commissioners, WY	Devils Tower National Monument, WY
Campbell County Conservation District, WY	Gillette Department of Community Development, WY
Campbell County School District 1, WY	Medicine Bow National Forest, WY
City of Douglas, WY	Rosebud County Commission, MT
City of Gillette, WY	Town of Wright, WY
Converse County Commission, WY	Weston County Board of Commissioners, WY
Converse County Joint Powers Board, WY	
<b>TRIBAL ORGANIZATIONS AND INDIVIDUALS</b>	
Apache Tribe of Oklahoma	Lower Brule Sioux Tribal Council
Apache Tribe of Oklahoma Tribal Chairman	Lower Brule Sioux Tribe
Arapahoe Business Council	Northern Arapaho Business Council
Cheyenne River Sioux Tribe	Northern Arapaho Tribe
Cheyenne River Sioux Tribe THPO	Northern Cheyenne Cultural Commission
Cheyenne-Arapaho Tribes of Oklahoma	Northern Cheyenne Tribe
Comanche Nation	Oglala Sioux Tribe
Comanche Nation Tribal Chairman	Oglala Sioux Tribe THPO
Comanche Tribe NAGPRA Office	Rosebud Sioux THPO
Crow Creek Sioux Tribe THPO	Rosebud Sioux Tribal Council
Crow Creek Sioux Tribe, South Dakota	Rosebud Sioux Tribe
Crow Tribe, Montana	Santee Sioux Tribe
Eastern Shoshone Tribe	Shoshone Business Council
Flandreau Santee Sioux Tribe	Standing Rock Sioux Tribe
Flandreau Santee Sioux Tribe Office of Cultural Preservation	Standing Rock Sioux Tribe THPO
Kiowa Business Committee Environmental Director	

Table 5-4. Continued

ORGANIZATIONS	
Advisory Council on Historic Preservation	Thunder Basin Coalition
Biodiversity Conservation Alliance	Trout Unlimited
Campbell County Economic Development Corporation	Wyoming Association of Professional Archaeologists
Center for Biological Diversity	Wyoming Bankers Association
Defenders of Wildlife	Wyoming Business Alliance
Foundation for North American Wild Sheep	Wyoming Business Council/NE Region
National Resource Defense Council	Wyoming Mining Association
National Wildlife Federation	Wyoming Outdoor Council
NWU Policy Research Institutes	Wyoming Public Service Commission
Petroleum Association of Wyoming	Wyoming Stock Growers Association
Powder River Basin Resource Council	Wyoming Wildlife Federation
Sierra Club	Wyoming Wool Growers Association
Theodore Roosevelt Conservation Partnership	
COMPANIES/BUSINESSES	
American Colloid Company	JIREH Exploration and Consulting LLC
All American Equipment	Kenneth R Paulsen Consultants
Alpha Coal West, Inc.	Kiewit Mining Properties Inc., Omaha
Antelope Coal, LLC	LandTrak Resources, Inc.
Ark Land Company	LE Peabody & Associates
Belle Fourche Pipeline Company	M & K Oil company Inc.
Bill Barrett Corporation	Majestic Petroleum Operations, LLC
Bitter Creek Pipelines, LLC	Marston & Marston
Bjork Lindley Little PC	McGraw-Hill
BKS Environmental Associates, Inc.	McVehil-Monnett Associates Inc.
Blackstone Energy Inc.	Meineadair Consultants
BNSF Railway Company	National Mining Association
Bridgeview Coal Co.	NM Doelger Consulting, LLC
Buckskin Mining Company	Norwest Corporation
Burns & McDonnell	NRCS
CANDO	P & M Coal
Carbon Recovery Technology	P & M Coal Mining Co
CH Snyder Company	Peabody Energy
Cloud Peak Energy Resources LLC	Peabody Powder River Mining, LLC

**Table 5-4. Continued**

CONSOL Inc Expl & Land Dept.	Powder River Energy Corporation
Cordero Rojo Mine	Preston Reynolds & Co., Inc., Denver
Cucker, Montgomery, Aronstein & Bess, PC	QWEST Corporation (PKA)
Devon Energy Production Co. LP	Redstone Resources Inc.
Dry Fork Coal Company	Resolute Wyoming
Ducker Montgomery et al.	Riverside Technology Inc.
Economic Analysis Division	Storm Cat Energy (Power RVR) LLC
EDE Consultants	Tetra Tech EC, Inc.
ENSR	Thunder Basin Coal Company
Environmental Solutions Inc., Beulah, WY	TRC Environmental
Environmental Solutions Inc., Sedalia, CO	Union Pacific Railroad
EOG Resources Inc.	US West Communications
Great Points Energy	Western Energy Company
Harden & Associates	Western Fuels Association
HQ-USAF/CEVP	Woodward Enterprises LLC
ICF International	WWC Engineering
Intermountain Resources	Yates Petroleum Corporation
Interwest Mining Company	Mining Associates of Wyoming
Jacobs Ranch Coal Company	
<b>PRESS</b>	
Associated Press	Gillette News-Record
Casper Star Tribune	Platts
Douglas Budget	Wyoming - Tribune Eagle
<b>EDUCATIONAL INTUITIONS</b>	
CSU Library	University of Wyoming Libraries
Northwestern University	URS Greiner Woodward Clyde Library
<b>INDIVIDUALS</b>	
Barbero, Ralph	McGee, Carl
Belden, Scott	McGee, John
Benson, Scott	McGee, Keith
Bierman, Sheldon	McGee, Russell
Brown, Geraldine	Miller, Faustine
Brown, Maurice	Nichols, Jeremy
Bullock, Van	Nyenhuis, Jim

Table 5-4. Continued

Carter, Wilma	Oedekoven, Byron & Marjorie
Chase, Dorothy	Persson, Irene
Chase, Russel	Phoenix (aka Phoenix), Donna Jean
Chase, William	Saulcy, Bill
Collins, Kristina	Semple, William
Couch, Marion	Turner, Dr., Jenny
Couch, Tom	Turner, Dr., Wendy
Craft, Lecia	Turner, Dan
Glustrom, Leslie	Turner, LJ
Greub, Twyla	Turner, Mike
Heisner, Bill	Ukeiley, Robert
Kass Dr., Thomas	Wanke (aka Vincent), Jeanie
Long, Robert	Ward, Linda
Maurice, Brown W.	Williams, John
McAfee, Paul	Williams, Keith
McCormick, Betty Jo & John J.	Williams, Monica
McGee Harlow, Helen Marie	Winland, Mark
<b>TRUSTS</b>	
Avis Harrod Trust	Frank Ford, Trustee
Cecle L & Laverne L. Cook Trust	Joe W. King RevocableTrust