

5.0 CONSULTATION AND COORDINATION

Public Notice

In addition to this EIS¹, other factors and consultations are considered and play a major role in determining the decision on this proposed lease application. These include the following.

Regional Coal Team Consultation

The Maysdorf coal lease application was reviewed and discussed at the May 30, 2002 PRRCT public meeting in Casper, Wyoming. CMC presented information about their existing mine and pending lease application to the PRRCT at that meeting. Voting and nonvoting members of the PRRCT include the governors of Wyoming and Montana, the Northern Cheyenne Tribe, the Crow Tribal Council, the USDA-FS, OSM, USFWS, NPS, and USGS. The PRRCT determined that the lands in the application met the qualifications for processing as a production maintenance tract. The PRRCT recommended that the BLM continue to process the Maysdorf lease application.

Governor's Consultation

The BLM Wyoming State Director notified the Governor of Wyoming on December 5, 2001 that CMC had filed a lease application with BLM for the Maysdorf LBA Tract.

A notice announcing the receipt of the Maysdorf coal lease application was published in the *Federal Register* on April 29, 2002. This notice also announced the date, time, and place of the PRRCT meeting to be held on May 30, 2002 to discuss this application. BLM published a Notice of Intent to Prepare an Environmental Impact Statement and Notice of Scoping in the *Federal Register* on February 1, 2005 and in the Gillette News-Record on January 25, 2005 and February 1, 2005. The publications served as public notice that the CMC coal lease application had been received, announced the time and location of a public scoping meeting, and requested public comment on the lease application.

Parties on the distribution list were sent letters announcing the time and location of a public scoping meeting in January 2005. The public scoping meeting was held on February 15, 2005 in Gillette, Wyoming. At the public meeting, the applicant orally presented information about the Cordero Rojo Mine and the need for the coal. The presentation was followed by a question and answer period, during which no oral comments were made. The scoping period extended from February 1 through April 8, 2005, during which time BLM received four written comments.

The EPA published a Notice of Availability in the *Federal Register* for the DEIS on May 26, 2006. The BLM published a Notice of Availability and

¹ Refer to page xv for a list of abbreviations and acronyms used in this document.

Notice of Public Hearing in the *Federal Register* for the DEIS on May 26, 2006. The 60-day comment period on the DEIS started with the publication of the EPA *Federal Register* Notice and ended on July 25, 2006. A formal public hearing was held on June 13, 2006 to solicit public comments on the DEIS and on the fair market value, the maximum economic recovery, and the proposed competitive sale of coal from the Maysdorf LBA Tract. BLM received written comments from five entities, which are included, with responses, in Appendix H of the FEIS. Parties on the distribution list will be sent copies of the FEIS when it is completed, and the EPA and BLM will publish a Notice of Availability for the FEIS. After a 30-day availability period, BLM will make a decision to hold or not to hold a competitive lease sale for the federal coal in this LBA tract and a ROD will be signed. Copies of the ROD will be mailed to parties on the mailing list and others who commented on this LBA during the NEPA process. After the ROD is signed, there will be a 30-day appeal period before the ROD is implemented.

Department of Justice Consultation

After a competitive coal lease sale, but prior to issuance of a lease, BLM will solicit the opinion of the Department of Justice on whether the planned lease issuance creates a situation inconsistent with federal anti-trust laws. The Department of Justice is allowed 30 days to make this determination. If the Department of

Justice has not responded in writing within the 30 days, BLM can proceed with issuance of the lease

Other Consultations

Other federal, state, and local governmental agencies that were directly consulted in preparation of this EIS are listed in Table 5-1.

List of Preparers

This EIS was prepared by WWC Engineering, 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 prepared and reviewed this EIS.

Distribution List

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

Table 5-1. Federal, State, Tribal, and Local Governmental Agencies.

Agency or Organization	Individual	Position
Powder River Regional Coal Team	5 Voting Members and 21 Nonvoting Members	
Wyoming Game and Fish Department	Lynn Jahnke Bill Wichers Vern Stelter	Wildlife & Fish Supervisor Deputy Director Wildlife Biologist
Wyoming Department of Environmental Quality/ Air Quality Division	Bernard Daily	Program Manager for New Source Review Program
	Judy Shamley	Senior Analyst
	Darla Potter	NEPA & Policy Program Supervisor
	Cara Keslar	Monitoring Project Advisor
Land Quality Division	Donald McKenzie	District III Supervisor
Wyoming Department of Administration and Information	Wayne Liu	Division of Economic Analysis, Senior Economist
Wyoming Department of Revenue	Allen Black	Ad Valorem Tax Division, Administrator
	Randy Bolles	Mineral Tax Division, Administrator
Wyoming Employment Center	Betsy Hockert	Analyst
USDA/Natural Resources Conservation Service	Randy White	Soil Scientist
Tribal Governments		
Cheyenne River Sioux	Apache	
Crow	Kiowa	
Crow Creek Sioux	Comanche	
Eastern Shoshone		
Flandreau Santee Sioux		
Lower Brule Sioux		
Northern Arapaho		
Northern Cheyenne		
Oglala Lakota		
Rosebud Sioux		
Santee Sioux		
Southern Cheyenne/Southern Arapahoe		
Standing Rock Sioux		

5.0 Consultation and Coordination

Table 5-2. List of Contributors and Reviewers.

Name	Project Responsibility
	BLM Casper Field Office
Mike Karbs	Project Supervisor
	BLM Wyoming State Office
Bob Janssen	Coal Program Coordination
Janet Kurman	NEPA Coordination
Mavis Love	Land Adjudication
Susan Caplan	Air Quality and Climate
Rick Schuler	Water Resources
	BLM Wyoming Reservoir Management Group
Dwain McGarry	CBNG Geology
Lee Almasy	CBNG Reservoir Engineering
	BLM Buffalo Field Office
B.J. Earle	Cultural Resources
Tom Bills	Wildlife Resources
	BLM National Science and Technology Center
Craig Nicholls	Air Quality and Climate
Paul Summers	Water Resources
	Office of Surface Mining Reclamation and Enforcement Western Regional Coordinating Center
Floyd McMullen	EIS Project Coordinator
	Wyoming State Planning Office
Ben Brandes	Coal Issues Coordination
	Wyoming Department of Environmental Quality
Kathy Muller Ogle	CHIA Program Supervisor
Darla Potter	NEPA & Policy Program Supervisor
	ENSR International
	Powder River Basin Coal Review
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

Table 5-2. List of Contributors and Reviewers (Continued).

ENSR International	
Powder River Basin Coal Review (Continued)	
James Rumbaugh	Ground Water 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

5.0 Consultation and Coordination

Table 5-3. List of Preparers.

Name	Education/Experience	Responsibility
BLM Casper Field Office		
Nancy Doelger	M.S., B.S. Geology, 30 years professional experience	EIS Project Leader/Editor
WWC Engineering Third-Party Contractor		
Ken Collier	B.S. Geology, 27 years professional experience (Licensed Wyoming Geologist)	Project Management Report Preparation
John Berry	B.S. Wildlife Biology, 26 years professional experience	Report Preparation
Heidi Robinson	15 years professional experience	Document Production
Mal McGill	5 years professional experience	CADD
Intermountain Resources Subcontractor for WWC		
Jim Orpet	M.S., B.S. Wildlife Management, 26 years professional experience	Wildlife Resources
Russell Tait	B.S. Wildlife Management, 13 years professional experience	Wildlife Resources
Aqua Terra Consultants Subcontractor for CMC		
Steve Stresky	B.S. Geology, M.S. Hydrology, 18 years professional experience	Environmental Resources
TRC Mariah Associates, Inc. Subcontractor for WWC		
Edward Schneider	B.A., M.A. Anthropology, 20 years professional experience	Cultural Resources
Erathem-Vanir Geological Subcontractor for WWC		
Gustav Winterfeld	B.S. Zoology, M.A., Ph.D. Geology, 29 years professional experience	Paleontological Resources

Table 5-4a. BLM Distribution List for Coal Leasing.

Federal & State Officials

Governor of Wyoming Dave Fruedenthal
 Governor of Montana Brian Schweitzer
 U.S. Representative Barbara Cubin
 U.S. Senator Craig Thomas
 U.S. Senator Mike Enzi
 Wyoming Senator Michael Von Flatern
 Wyoming Senator John Hines
 Wyoming Representative Thomas Lubnau
 Wyoming Representative Erin Mercer
 Wyoming Representative Sue Wallis

Federal Agencies

BLM, Washington D.C.
 BLM, Buffalo WY
 BLM, Casper WY
 BLM, Billings MT
 BLM, Miles City MT
 BLM, Cheyenne WY
 Bureau of Indian Affairs, Washington D.C.
 Bureau of Indian Affairs, Billings MT
 Bureau of Reclamation
 Department of Energy
 Department of Interior
 HQ-USAF/CEVP
 Mineral Management Service
 National Park Service, Washington D.C.
 National Park Service, Denver CO.
 Devils Tower National Monument
 OSM, Washington D.C.
 OSM, Western Region, Denver CO
 OSM, Casper WY
 USDI Rocky Mountain Regional Solicitor
 U.S. Army Corps of Engineers, Cheyenne WY
 U.S. EPA Region VIII, Denver CO
 U.S. Fish & Wildlife Service, Arlington, VA
 U.S. Fish & Wildlife Service, Cheyenne WY
 U.S. Geological Survey, Reston VA
 U.S. Geological Survey, Denver CO
 U.S. Geological Survey, Cheyenne WY
 USDA-Forest Service, Douglas WY
 USDA-Forest Service, Washington D.C.
 USDA-Forest Service, Denver CO

State Agencies

Montana Office of the Governor
 Wyoming State Lands and Investment Office
 Wyoming Treasurer's Office
 WY Employment Research & Planning Dept.
 Wyoming Department of Education
 Wyoming Dept. of Environmental Quality
 Wyoming Division of Economic Analysis
 Wyoming State Planning Office
 Wyoming Oil and Gas Conservation Comm.
 Wyoming Parks & Cultural Resources Dept.
 Wyoming State Engineer's Office

Wyoming Department of Transportation
 Wyoming State Historic Preservation Office
 Wyoming Game & Fish Department
 Wyoming Business Council
 Wyoming Department of Agriculture
 Wyoming Industrial Siting Division
 Wyoming Public Service Commission
 Wyoming State Geological Survey
 Wyoming State Inspector of Mines
 Wyoming Water Development Commission

Local Agencies and Government

Big Horn County, Montana Planning Board
 Campbell Co., WY Board of Commissioners
 Campbell Co., WY Conservation District
 Campbell Co., WY School Superintendent
 City of Gillette, Wyoming
 Gillette Dept. of Community Development
 Powder River County, Montana
 Rosebud County, Montana Commission
 Town of Wright, Wyoming
 Weston Co., WY Board of Commissioners

Native American Tribal Organizations

Apache Tribe of Oklahoma
 Arapahoe Business Council
 Cheyenne River Sioux Tribal Council
 Comanche Business Committee
 Crow Tribal Council
 Crow Creek Sioux Tribe
 Flandreau Santee Sioux Tribe
 Kiowa Business Committee
 Lower Brule Sioux Tribal Council
 Northern Cheyenne Tribal Council
 Oglala Sioux Tribal Council
 Rosebud Sioux Tribal Council
 S. Cheyenne/S. Arapaho Tribes
 Santee Sioux Tribal Council
 Shoshone Business Council
 Standing Rock Sioux Tribal Council
 Standing Rock Sioux Tribe

Table 5-4a. BLM Distribution List for Coal Leasing (Continued).

Organizations

Advisory Council on Historic Preservation
Biodiversity Conservation Alliance
Campbell County Economic Dev. Corp.
Converse Area New Dev. Organization
Foundation for N. American Wild Sheep
Izaak Walton League of America
Medicine Wheel Coalition
National Mining Association
National Wildlife Federation
Natural Resources Defense Council
Petroleum Association of Wyoming
Powder River Basin Resource Council
Sierra Club
Thunder Basin Coalition
Wildlife Management Institute
Wyoming Assoc of Professional Archeologists
Wyoming Bankers Association
Wyoming Business Alliance
Wyoming Mining Association
Wyoming Outdoor Council
Wyoming Stock Growers Association
Wyoming Wildlife Federation
Wyoming Wool Growers Association

Companies/Businesses

All American Equipment
American Colloid Company
Antelope Coal Company
Ark Land Company
Arnjac
Bjork, Lindley, Little, P.C.
Bridgeview Coal Company
Buckskin Mine
Burlington Northern Santa Fe Railroad Co.
Burns & McDonnell
C.H. Snyder Company
CE&MT, Incorporated
Consol, Inc., Exploration & Land Dept.
Cordero-Rojo Mine
Decker Coal Company
Dry Fork Coal Company
Ducker, Montgomery, Lewis, & Aronstein
Environmental Solutions, Inc.
Evergreen Enterprises
Foster-Wheeler Environmental
Foundation Coal West, Incorporated
Great Points Energy
Hardin & Associates
Intermountain Resources
Interwest Mining Company
Jacobs Ranch Coal Corporation
Kenneth R. Paulsen Consultants
Kiewit Mining Company
KN Energy
L.E. Peabody & Associates

M&K Oil Company, Incorporated
Marston & Marston
McGraw-Hill
McVehil-Monnett Associates, Inc.
Meineadair Consultants
Mine Engineers, Incorporated
Mining Associates of Wyoming
NERCO Coal Company
Norwest Corporation
P&M Coal Mining Company
Peabody Energy Company
Powder River Coal Company
Powder River Energy Corporation
Rio Tinto Energy America, Inc.
Riverside Technology, Incorporated
Royal Gold Incorporated
San Juan Coal Company
Thunder Basin Coal Company
Thunderbird Jones and Stokes
TRC Environmental
URS Greiner Woodward Clyde
U.S. West Communications
Union Pacific Railroad
Western Energy Company
Western Fuels Association
WWC Engineering
Wyodak Resources Dev. Corporation
Yates Petroleum Company, et al.

Press

Associated Press
Casper Journal
Casper Star Tribune
Cheyenne-Wyoming Eagle
Douglas Budget
Gillette News-Record
Rocky Mountain Oil Journal
Western Coal Newsletter

Educational Institutions

Northwestern Univ. Policy Research Inst.
UW Libraries, Coe Reference Department
CSU, The Libraries

Individuals

Barbero, Ralph
Benson, Scott
Bierman, Sheldon
Cundy, Cecil
Daub, Jerry
Nyenhuis, Jim
Papp, Alex
Saulcy, Bill
Williams, John
Winland, Mark

Table 5-4b. Distribution List for Final EIS, Maysdorf Coal Lease Application.

Individuals

Atkins, Mary A.
 Ballard, Lexi
 Bell, Sammy S., Jr.
 Burch, George Ann
 Clabaugh, Bonnie, Trust
 Clabaugh, Glenn, et al.
 Coltrane, Mary K. Wagensen
 Davis, Marjorie L. Brandner
 Drane, Donna R.
 Dunlap, Helen J
 Duvall, Kenneth R., Trust
 Duvall, Norma L., Trust
 Evans, Tanya L. and
 Fisher, Leslie J. Wagensen
 Floyd, Fred, Jr.
 Garrett, Tess, Trust
 Garrett, Labin, Trust
 Garrett, Peter, Trustee
 Graham, Helen Clabaugh
 Haight, Bruce L., Trust
 Haight, Jillaine L., Trust
 Haight, Leslie E and Sandra K
 Haight, Macsy, et al.
 Haight, Mark T. and Deena R.
 Hayden, Alta V.
 Hayden, Gary
 Hayden Kerry
 Hayden, Randy L.
 Hayden, Tony
 Hayden, Troy
 Knapp, Everett D., et ux
 Knapp, Joseph M., et ux
 Mankin, Aline E. and John A., Trust
 Mankin, Karen
 Peters, Margaret Z., et al.
 Pittman, Ginger A.
 Riggle, Kenton L.
 Rudebush, Betty L.
 Sachau, B.
 Shaddock, Steven
 Stock, Christopher R. & Barbara J.
 Tarver, Timothy
 Thrush, Earl D., et al.
 Wilmot, Neva
 Wilson, Ira D., Trustee
 Winninger, Lora

Flying T Land Co. LP., et al.
 Foundation Wyoming Land Co.
 Freeman Investments
 Keidel Family LP
 Key Production Company, Inc.
 Lance Oil and Gas Company
 Little Buffalo Ranch LLC, et al.
 Mankin Land LP
 Marquiss Minerals, Inc.
 NPC, Inc.
 Pickrel Land and Cattle Company.
 Production Development Corp.
 RHD Coal Partners LLC
 Rocky Mountain Gas, Inc.
 Seyon LLC
 T-7 Ranch LLC
 T-7 Ranch LP
 Warren Exploration & Production

Businesses and Organizations

A.G. Andrikopoulos Resources, Inc.
 Bowden Energy Company
 Chaco Energy Company
 Club Oil & Gas, Ltd.
 DCD, Inc.
 Duncan Oil, Inc.
 Dunlap Farms
 Dunlap Investments