

September 16, 2009

**VIA ELECTRONIC MAIL**

Ms. Teresa Johnson  
BLM, Wyoming High Plains District Office  
2987 Prospector Drive  
Casper, WY 82604

Re: Comments to South Gillette Area Final Environmental Impact Statement

Dear Ms. Johnson:

Thank you for your responses to Ark Land Company's December 12, 2008 comments to the Draft Environmental Impact Statement for the South Gillette Area Coal Lease Applications. Ark appreciates the revisions the BLM has made to the Environmental Impact Statement. The FEIS contains a thorough discussion of the direct and cumulative impacts of greenhouse gas emissions, which were the focus of Ark's comments.

Ark notes the BLM's efforts to provide a context and measure of the significance of greenhouse gas emissions from proposed LBAs as compared to overall greenhouse gas emissions. Ark also appreciates the BLM's addition of a section discussing measures that may be employed to help mitigate greenhouse gas emissions, and observes, as the BLM noted in its responses to various comments, that an in-depth discussion of alternative energy sources is beyond the scope of this EIS. In particular, the primary source of greenhouse gas emissions is from the combustion of the coal by end users, any potential mitigation of which is solely under the control of those users and permitting authorities, and beyond the scope of the EIS. The remaining identifiable source of greenhouse gases is through the release of coalbed methane. In addition to well established protocols to maximize development of coalbed methane resources in advance of coal mining, Ark agrees with the BLM's observation in Section 2.5.2 that ongoing development of the coal bed natural gas resource may continue after the tracts are leased, further mitigating greenhouse gas emissions associated with this activity.

For the reasons discussed above, Ark believes the analysis of climate change in the FEIS is thorough and complete, except that the discussion of federal climate change legislation on page 4-116 should be updated to reflect recent events, such as passage in the House of the American Clean Energy and Security Act of 2009 (Waxman-Markey Bill).

In addition, Ark would like to make the following minor factual clarifications to the FEIS:

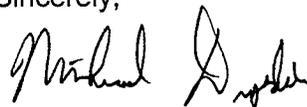
- Tables ES-3 (page ES-12) and 2-4 (page 2-58) state that the current Coal Creek Mine air quality permit is for 25.0 mmt. Coal Creek Mine is actually permitted for 50.0 mmt.

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- Page ES-19, subheading Paleontology Resources, paragraph 1, suggests that paleontology surveys have not been conducted. Coal Creek Mine has conducted and submitted the report of a paleontology survey of the West Coal Creek LBA to BLM's EIS contractor.
- On page 3-100, paragraph 1, the reference to Caballo Mine should be to Coal Creek Mine.
- On page 3-153, under the subheading "Regulatory Compliance, Mitigation and Monitoring," the EIS states: "At least 20 percent of the native vegetation area would be reclaimed to native shrubs at a density of one per square meter as required by current regulations." Because the WDEQ regulations allow a lesser density under certain circumstances, the sentence should state: "Except where a lesser density is justified from premining conditions under applicable regulations, at least 20 percent of the native vegetation area would be reclaimed to native shrubs at a density of one per square meter as required by current regulations."
- On pages 4-76 and 4-77, the FEIS mentions the Antelope Creek, Upper Cheyenne River, Upper Belle Fourche River, and Little Powder River surface water sub-watersheds. Neither the Antelope Creek nor the Little Powder River sub-watersheds are part of the study areas for the four South Gillette LBA tracts considered in the FEIS, and naming them here is incorrect.

Thank you for your work on the South Gillette EIS.

Sincerely,



Michael Drysdale

cc: Doug Downing, Ark Land Company