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cc: Steve C.

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Introduction

The Fishlake and Manti-La Sal National Forests and the Bureau of Land Management **DIVISION OF OIL, GAS & MINING** South Fork Lease Modifications project following NEPA requirements. This document provides information on the project, such as the project location, proposed action, and decisions to be made by both the Forest Service and BLM.

The Forest Service and BLM would like to consider your comments and concerns throughout this analysis process and encourage you to reply. Detail on how comments are included is below.

Canyon Fuel Company, LLC proposed lease modifications for federal coal deposits in the Wasatch Coal Field of Sevier County, Utah. Canyon Fuel Company has applied to modify the lease boundaries of federal coal leases UTU-84102 (Greens Hollow Lease) and U-63214 (Quitcupah Lease). These lease modifications are composed of public surface lands managed by the U.S. Department of Agriculture, Forest Service, Fishlake and Manti-La Sal National Forests; and federal minerals managed by the U.S. Department of the Interior, Bureau of Land Management (BLM), Utah State Office.

The agencies are conducting a site-specific analysis to determine whether the proposed lease modifications may cause significant impacts to the human environment and thus require preparation of an environmental impact statement. The analysis will be presented in an environmental assessment in compliance with the National Environmental Policy Act and other federal and state laws and regulations.

The BLM and Forest Service will co-lead the analysis.

Location of the Proposed Action

The lease modifications are adjacent to Sufco Mine's leases near Saline, Utah in Sevier County (**Figure 1**). The lease modifications are proposed in Township 21 South, Range 4 East, Sections 11, 14, 15, 22 and 23 of the Salt Lake Base and Meridian. The surface resources in the northern portion of the lease modification are managed by the Manti-La Sal National Forest and the southern portion by the Fishlake National Forest. The federal minerals (subsurface) resources are managed by the BLM Price Field Office.

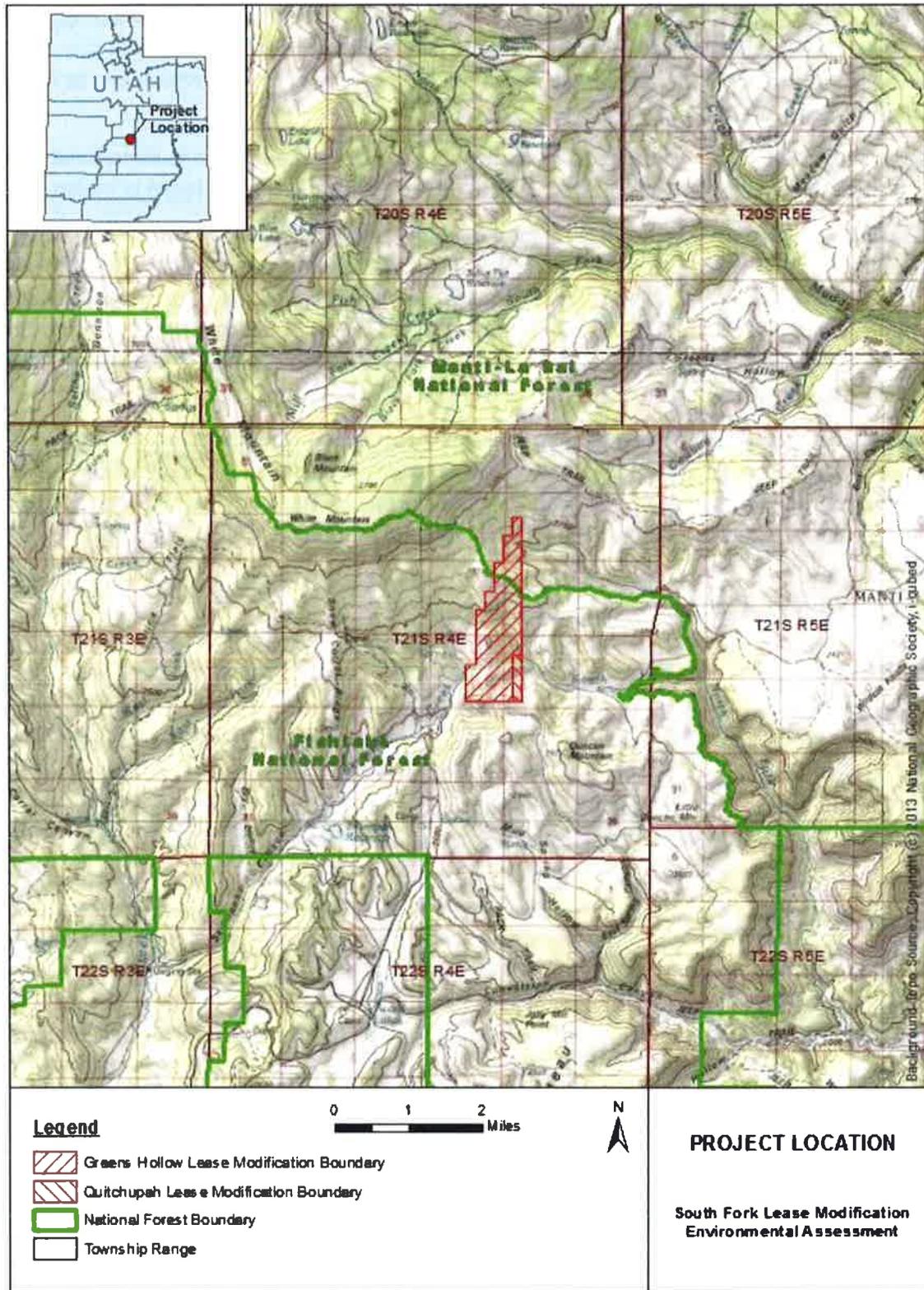
Resource Character

The lease modifications are located on the southeastern slopes of White Mountain at the head waters of Quitcupah Creek (North Fork and South Fork) and Skumpah Creek. Elevation ranges from 8,200 to 9,775 feet. Opportunities for recreation and grazing are limited due to the rugged terrain and limited access. There are minor jeep trails but no highways or infrastructure are present. The prevailing land use is wildlife habitat.

Legal Authority

The BLM regulates coal mining operations primarily to ensure that maximum economic recovery of the coal resource is achieved (43 CFR 3480). The lease modifications will be processed and evaluated under the BLM statutory mandates and authority governing federal coal leasing and other federal authorities listed below:

Figure 1. Location Map



- Mineral Leasing Act of 1920 as amended by the Federal Coal Leasing Amendments Act of 1976
- Federal Land Policy and Management Act of 1976
- Multiple-use Sustained Yield Act of 1960
- National Environmental Policy Act of 1969
- National Forest Management Act of 1976
- Energy Policy Act of 2005

Purpose and Need for Action

The purpose of the Proposed Action is to respond to Canyon Fuel Company's request for lease modifications for federal coal reserves on approximately 790 acres of BLM-administered minerals beneath the Fishlake and Manti-La Sal National Forests surface lands.

Canyon Fuel Company has submitted an application requesting modifications of two federal coal leases. Canyon Fuel Company needs the modifications to develop the two leases and avoid bypassing approximately 6.25 million tons of federal coal reserves.

The need for the Proposed Action is established by the Mineral Leasing Act of 1920, as amended by the Federal Coal Leasing Amendments Act of 1976, and the Federal Land Policy and Management Act of 1976, which state that public lands shall be managed in a manner that recognizes the nation's need for domestic sources of minerals (43 United States Code (U.S.C.) 1701(a)(12)). Regulations at 43 CFR 3400.3-1 also require "Leases for land, the surface of which is under the jurisdiction of any Federal agency other than the Department of the Interior, may be issued only with the consent of the head or other appropriate official of the other agency having jurisdiction over the lands containing the coal deposits, and subject to such conditions as that officer may prescribe to insure that the use and protection of the lands of the primary purpose for which they were acquired or are being administered."

Relationship to Resource Management Plans

The BLM Price Field Office's Resource Management Plan was approved in 2008. The plan guides land use on federal lands. The goals, objectives, actions, standards, and guidelines for the development of mineral resources consistent with other resources and uses are part of an ecologically healthy ecosystem.

The Fishlake and Manti-La Sal National Forests are managed under their respective Land and Resource Management Plan (LRMPs), both approved in 1986. The LRMPs provide standards for the management of natural resources. The LRMPs were developed under the authority of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976. This action responds to the goals and objectives outlined in the LRMPs. The analysis team will review the lease modifications and determine whether the lease modifications are consistent with the LRMP standards.

The lease modifications require a project-level analysis not intended to re-examine the basic land use allocations made in the LRMPs nor proposed broad changes in land use allocations. Instead, planning at the project level involves the development, analysis, and disclosure of potential environmental impacts

from implementation of specific actions designed to achieve the overall goals and objectives of the LRMPs.

Goals in the Fishlake LRMP for minerals are:

- Protect surface resources and environmental quality;
- Encourage mineral exploration, development and extraction consistent with management of surface resources;
- Coordinate minerals management with State and other Federal agencies; and
- Inventory geologic hazards and ground water resources.

Goals in the Manti-La Sal LRMP for minerals and geology are:

- Provide for the interpretation of surface and subsurface geologic conditions and processes such as landsliding;
- Manage geologic resources, common variety minerals, ground water, and underground spaces (superficial deposits, bedrocks, structures, and process) to meet resource needs and minimize adverse effects.
- Provide appropriate opportunities for and manage activities related to locating, leasing, exploration, development, and production of mineral and energy resources; and
- Ensure that adequate reclamation of disturbed areas is accomplished.

Proposed Action

Based on the consent from the National Forest supervisors, the BLM proposes to modify the leases by adding approximately 740 acres to federal coal lease UTU-84102 and by adding approximately 50 acres to federal coal lease UTU-63214. The modifications would assure compliance with laws and regulations that require maximum economic recovery.

Fishlake National Forest Supervisor, Mel Bolling, and Manti-La Sal National Forest Supervisor, Mark Pentecost, propose to consent to modifying the two federal coal leases and to identify non-mineral resource protection measures that will include stipulations derived from the original (i.e. parent) coal leases.

The proposed action assumes a practical and economical mine plan scenario, where the coal would be mined from the Sufco Mine using typical long-wall subsidence and full support room and pillar techniques. Based on average production, Canyon Fuel Company anticipates that mining would be completed in one year. No surface disturbance is anticipated; however, if subsidence occurs, the surface would be reclaimed.

Decision Framework

The responsible officials are the BLM Utah State Director, Ed Roberson, and the Forest Supervisors of the Fishlake and Manti-La Sal National Forests, Mel Bolling and Brian Pentecost, respectively. The State Director will decide whether to approve the lease modifications. The Forest Supervisors will

decide whether to consent to the leasing with non-mineral resource protection stipulations to protect the federal surface resources.

Public Involvement

By soliciting public comments, the BLM and the Forest Service ensures that a wide range of interests and perspectives are considered in the development and refinement of the proposal and that any site-specific natural resource concerns are identified. From a procedural perspective, soliciting public comment provides a means to meet the NEPA requirements for public scoping, and it provides the interested public with a formal notice and opportunity to comment prior to a decision by the responsible officials.

1.1.1 Scoping

Scoping is the process of obtaining public comments about proposed federal actions to determine the range of issues to be addressed. This document and the accompanying cover letter initiate the public scoping process for the proposed lease modifications. This analysis will be posted on the BLM's NEPA Register and Forest Service's Schedule of Proposed Actions, and the announcement will be mailed to government entities, elected officials, special interest groups, and individuals known to be interested in the project.

Comments received will be analyzed and categorized as 1) identifying a site-specific natural resource concern to be addressed and tracked through the analysis; 2) outside the scope of the proposed action; 3) already decided by law, regulations, resource management plan, or higher level decision; 4) irrelevant to the decision to be made; or 5) conjectural and not supported by scientific or factual evidence. The Council on Environmental Quality NEPA regulations require this delineation in Section 1501.7(a)3; "*Identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review...*"

Comments identified as in the site-specific natural resource concerns category will be used to generate alternatives to the proposed action, to modify the proposed action, or assist in the analysis of impacts.

1.1.2 Formal Notice of Opportunity to Comment

This document and letter also serve as the formal notice and opportunity to comment. This project is subject to the Forest Service's 36 CFR 218 objection process before the Forest Supervisors make a final decision. While scoping comments may be submitted at any time during the analysis, **to be eligible to file an objection, your comments must be submitted during this formal 30-day comment period.**

Written, facsimile, hand-delivered, oral, and electronic comments will be accepted for 30 calendar days following publication of this notice in the *Richfield Reaper* and the *Sun Advocate* newspapers. The publication date in the newspapers of record is the exclusive means for calculating the comment period. Do not rely upon dates or timeframe information provided by any other source. Moreover, the regulations prohibit extending the length of the comment period.

Written comments must be submitted to either Mel Bolling, Forest Supervisor, Fishlake National Forest, 115 E. 900 N., Richfield, UT 84701 or Mark Pentecost, Forest Supervisor, Manti-La Sal National Forest, 599 West Price River Drive, Price, UT 84501; hand-delivered comments to the above addresses

must be provided during normal business hours (8 a.m. to 4:30 p.m., Monday through Friday). Faxed comments should be sent to (435) 896-9347. Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text (.rtf), Adobe (.pdf), or Microsoft Word (.doc) format to comments-intermtn-fishlake@fs.fed.us. Include in the subject line: South Fork Lease Modification.

Only those who submit timely comments will be eligible to object to the project under 36 CFR 218. It is the responsibility of those providing comments to submit them by the close of the 30-day comment period. Comments must meet the information requirements of 36 CFR 218.25(a)(3). Submissions must provide the following information:

1. Name and postal address.
2. Title of the proposed action (South Fork Lease Modifications)
3. Specific written comments as defined in 36 CFR 218.2 regarding the proposed action, along with supporting reasons.
4. Signature or other verification of identity upon request and identification of the individual or entity who authored the comments. For comments listing multiple entities or individuals, a signature or other means of verification must be provided for the individual authorized to represent each entity and for each individual. A scanned signature or other means of verifying the identity of the individual or entity may be used for electronically submitted comments.
5. Individual members of an entity must submit their own comments to establish personal eligibility; comments received on behalf of an entity are considered as those of the entity only.