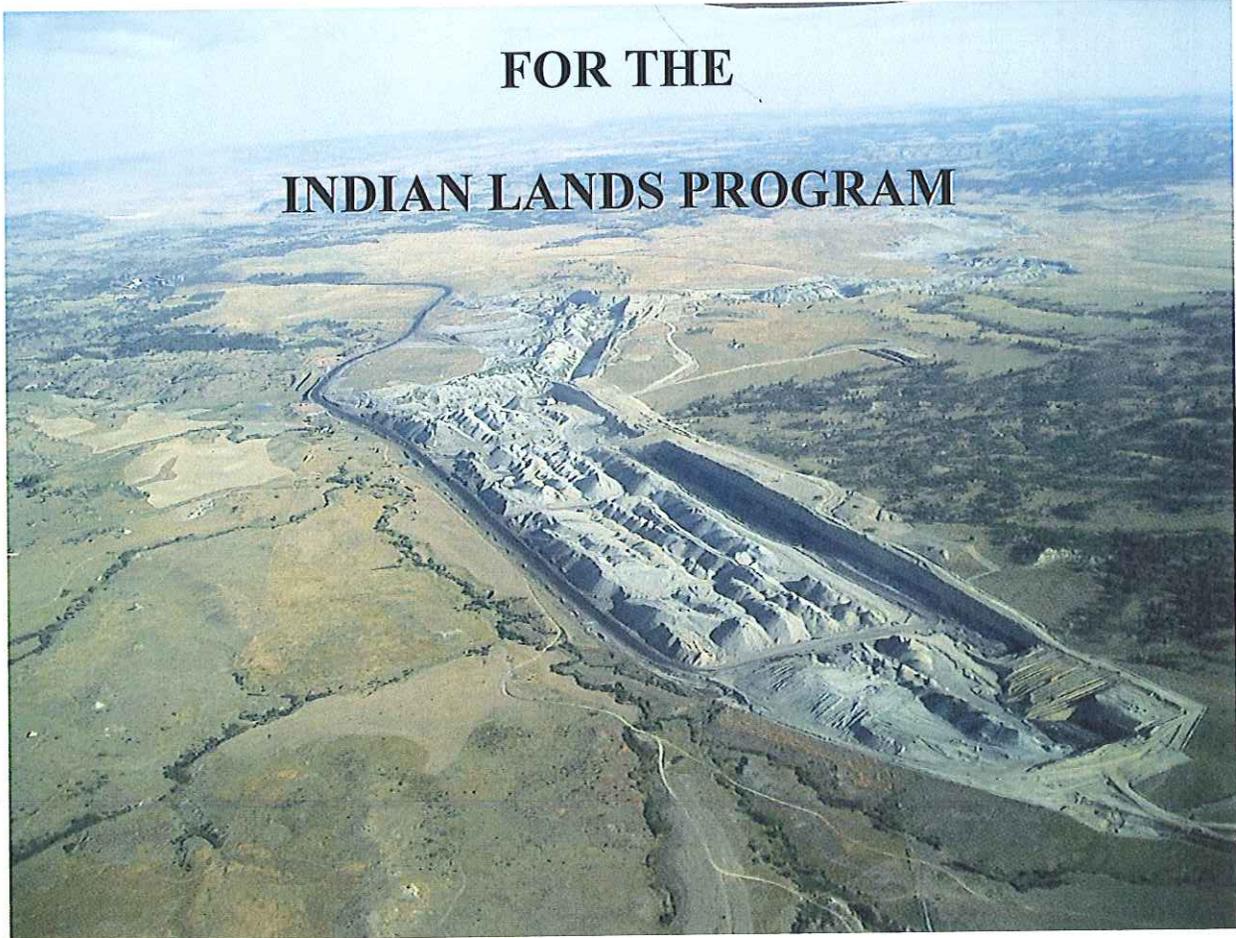


**OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT**

ANNUAL EVALUATION REPORT



CROW TRIBE

EVALUATION YEAR 2011

(October 1, 2010 through September 30, 2011)

Prepared by

**Casper Field Office
October 2011**

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(Cover photo: September 27, 2011 aerial oblique view of Westmoreland Resources, Inc. Absaloka Mine & Absaloka South Extension Mine on the Crow Reservation. View is looking toward the North.)

I. Introduction

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) created the Office of Surface Mining Reclamation and Enforcement (OSM) in the Department of the Interior. Section 710 of SMCRA provides authority to OSM to regulate coal mining operations on Indian Lands. Indian Lands mean all lands, including mineral interests, within the exterior boundaries of any Federal Indian reservation, notwithstanding the issuance of any patent, and including right-of-ways and all lands including mineral interests held in trust for or supervised by an Indian tribe. OSM shares the regulatory authority responsibilities for the Indian Lands Program on the Crow “Ceded Lands” with the Montana Department of Environmental Quality (MT-DEQ). The reason for this shared authority is because the Absaloka mine is located outside the boundary of the Crow Indian Reservation on the Ceded Lands (Ceded Area) where the Crow Tribe owns the minerals, but not the surface. A court ordered Memorandum of Understanding (MOU) exists between MT-DEQ and OSM. MT-DEQ takes the lead in the permitting actions on the Ceded Area under the Montana State regulatory program, while OSM provides input. The MOU does not relieve OSM of its responsibility for regulation of Indian Lands and carrying out all of the usual aspects of the Indian Lands Program. OSM is the sole regulatory authority on the Crow Indian Reservation, as MT-DEQ does not have jurisdiction within the boundaries of the Crow Indian Reservation.

OSM also oversees the implementation of and provides Federal funding for the Montana State regulatory program approved by OSM as meeting the minimum standards specified by SMCRA. This report contains summary information regarding the Crow Indian Lands program under the authority of SMCRA as specified in Section 710. This report does not include the information reported in the Montana Annual Evaluation Report for the Montana Regulatory Program. This report covers the period of October 1, 2010 to September 30, 2011.

The Crow Tribe has an Abandoned Mine Land (AML) Reclamation Plan for reclamation jurisdiction on the Crow Indian Reservation including the Ceded Area. The Director of OSM, on behalf of the Secretary, concurred April 1, 2008 with the Crow Tribe’s certification that all coal-related abandoned mine land problems have been abated or reclaimed. With passage of the 2006 Amendment to SMCRA, collections generated from coal production from certified States and Tribes are excluded from State and Tribal share AML funds distribution because certified States and Tribes are ineligible to receive State or Tribal share. FY 2011 is the third year that Certified in Lieu Funds (Treasury funds) have been distributed to certified States and Tribes. For FY 2011 AML funds distribution, certified States and Tribes are eligible for Treasury funding equivalent to 75% of FY 2010 collections. The FY 2011 distribution is reduced to 75% as required by Section 411(h)(3)(B) of SMCRA. The collections generated from 5.467 million tons of coal produced in calendar year 2010 from the Absaloka Mine were \$846,378. Of this amount \$634,784 was available to the Crow Tribe as Certified in Lieu Funds. In addition, the Tribe received \$1,318,208 of prior balance replacement funds and \$83,062 in de-obligated Tribal share moneys from past years for total FY 2011 AML grant funding of \$2,036,054 (Table 9).

The following is list of acronyms used in this report:

AML	Abandoned Mine Land
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CFO	Casper Field Office
DOI	Department of Interior
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
MOU	Memorandum of Understanding
MT-DEQ	Montana Department of Environmental Quality
OSM	Office of Surface Mining Reclamation and Enforcement
PAP	Permit Application Package
SMCRA	Surface Mining Control and Reclamation Act of 1977
TIPS	Technical Innovations and Professional Services
WR	Western Region
WRI	Westmoreland Resources, Inc.
WRTT	Western Regional Technical Team

II. Overview of the Mining Operations

The Crow Indian Reservation, an area approximately 2,226,000 acres, is located in south-central Montana adjacent to the Wyoming border. Adjoining the Reservation to the north is the 1,100,000 acre Crow Ceded Area, where the Crow Tribe of Indians holds extensive mineral rights. Prior to 1904, the Ceded Area was a part of the Reservation. Congress required the Tribe to return the surface rights of the area to the United States through legislation enacted in 1904. The surface was then acquired by non-Indians, and the tribe retained ownership of the minerals. Under the Indian Lands Restoration Act of 1958 (Public Law 85-420), approximately 10,260 acres of vacant and indisposed-of ceded lands were restored to tribal ownership, subject to valid existing rights, and added to and made a part of the existing reservation.

The Absaloka Mine permit located on Ceded Lands, separate from the Absaloka South Extension Mine permit located on the Crow Indian Reservation, is the only active mining operation within jurisdictional status of Indian Lands, while being outside the exterior boundaries of an Indian reservation. The Absaloka Mine, Federal permit number MT0007F, is operated by Westmoreland Resources, Inc. (WRI), in Bighorn County, Montana. OSM approved the Tract III Significant Permit Revision Application effective July 7, 2009. Approval of this revision application authorized the mining of approximately 13 million tons of additional recoverable coal and the disturbance of an additional 635 acres of land within the existing Federal Permit MT0007F area. This additional coal recovery and disturbance area is located entirely within the approved permit boundary for the Absaloka Mine and represents the southernmost extent of proposed mining within Indian Coal Lease 1420-0252-4088. The Absaloka Federal mine permit consists of approximately 6,470 acres of privately owned land. Approximately 4,414 acres of the permit have been disturbed by mining and 2,556 acres of these disturbed acres have been backfilled, graded, topsoiled, and permanently seeded to final reclamation standards. Administration of the existing Absaloka permit is a jointly held responsibility between the State (MT-DEQ) and OSM, as per the existing MOU.

The Absaloka South Extension Mine, Federal permit number MT-0021A was approved by OSM effective August 18, 2009. The approved permit area of the Absaloka South Extension Mine covers approximately 3,317 acres in Bighorn County, Montana, completely within the boundaries of the Crow Indian Reservation, and is an expansion of the existing Absaloka Mine to the north. OSM is the sole regulatory authority for this new permit, as MT-DEQ does not have jurisdiction within the boundaries of the Crow Indian Reservation. Approximately 283 acres of the permit have been disturbed by mining.

III. Overview of Interagency Cooperation

Notwithstanding the shared regulatory responsibilities with MT-DEQ on the Ceded Area, all regulatory responsibilities with respect to surface coal mining and reclamation operations on Crow Indian lands are administered by the OSM Casper Field Office (CFO). These responsibilities include permitting and inspection/enforcement functions. The Bureau of Indian Affairs (BIA) is the lead agency representing the Secretary of the Interior in the Federal-Indian trust relationship and consultation with the Indian mineral owners. The Bureau of Land Management (BLM) administers operational aspects of exploration, development, and production on Indian lands. All three Department of Interior (DOI) agencies operate under the terms of a Memorandum of Understanding that provides the procedures for cooperation and coordination for the management of coal mining and exploration on Indian lands in the western United States. In an effort to enhance interagency communication and coordination between the Crow Tribe, the three DOI agencies responsible for the management of coal mining and exploration on the Crow Reservation, and MT-DEQ; CFO conducts quarterly coordination meetings with the Crow Tribe, BLM, BIA, and MT-DEQ. These meetings have been successful in identifying and discussing issues associated with current and anticipated future coal mining and exploration on the Crow Reservation, expanded energy development from the Tribe's other natural resources, and to discuss the tribe's plans for pursuing Title V primacy.

IV. Major Accomplishments/Issues/Innovations

SMCRA provides that, if certain conditions are met, a State may assume primary authority for the reclamation of abandoned mine lands within its borders, and more recently in 2006, Congress enacted legislation allowing Tribes to acquire primacy. In December 2006, the Tax Relief and Health Care Act of 2006 became law (Public Law 109-432). A part of this law amended SMCRA to allow tribes to apply for, and obtain Federal approval of, tribal regulatory programs to regulate surface coal mining and reclamation operations on their reservations under SMCRA. Once a Tribe has an approved regulatory program, OSM has an oversight responsibility to conduct investigations, evaluations, and inspections necessary to determine if the Tribal program is being administered in accordance with approved program provisions. The Crow Tribe has indicated it will pursue tribal primacy under a phased approach toward eventual full implementation of a tribal regulatory program. Under this phased approach, the tribe will first seek primacy for inspection and enforcement and bond release functions in 2012.

V. Success in Achieving the Purposes of SMCRA

To further the concept of reporting end results and on-the-ground success, findings are prepared from performance standard evaluations of 1) off-site impacts, 2) reclamation success, and 3) customer service. These findings are collected and reported for a national perspective in terms of the number and degree of off-site impacts associated with inspectable units, the number of acres that have been mined and reclaimed and which meet the bond release requirements for the various phases of reclamation, and the effectiveness of customer service provided by the regulatory authority.

A. Off-Site Impacts

For the purpose of oversight, a negative off-site impact is defined as anything resulting from a surface coal mining and reclamation activity or operation that causes a negative effect on people, land, water, or structures outside the permit area. In addition, the impact on the resource must be substantiated and be related to mining and reclamation activity, and it must be outside the area authorized by the permit for conducting mining and reclamation activities. As regulatory authorities, MT-DEQ and OSM must protect the environment and the public from negative off-site impacts resulting from surface and underground mining operations on Indian lands in Montana.

Several sources of information have been selected for identifying off-site impacts. These include but are not limited to 1) Tribal, State and OSM inspection reports, 2) State and OSM enforcement actions and civil penalty assessments, 3) citizens' complaints, 4) special studies, and 5) information from other environmental agencies. If an off-site impact is identified, the sources of information and the basis used to identify and report these impacts will be clearly recorded. Field evaluations for off-site impacts were conducted during routine inspections by Tribal, MT-DEQ and OSM inspectors. No off-site impacts were identified during the reporting period (see Appendix 1, Table 5).

B. Reclamation Success:

Reclamation success at the Absaloka mine is measured in two ways. (1) The number of acres disturbed within the permit area is compared with the standards set forth in the approved permit. (2) Reclamation success is also analyzed by comparing the number of acres disturbed with the number of acres that meet the bond release standards and have been released. Table 6 of Appendix A catalogues the acreage of land released from bond for Phase I, II and III.

C. Customer Service:

Both the MT-DEQ and OSM regulatory programs provide service to all parties requesting assistance, documents or information related to the coal mining industry within the Crow Indian Reservation and the State of Montana. These services include, but are not limited to attending or making presentations at public meetings, discussions with individuals or groups regarding the Indian Lands Program on the Crow Indian Reservation or related regulatory, reclamation, or government activities.

In addition to the services provided to the general public, the programs' staff and management also contribute to task forces and ad-hoc committees in relation to inter- and

intra-agency problem solving committees and panels. Some program personnel also plan and/or participate in various symposia, seminars, and workshops in relation to technical and legal aspects of coal prospecting, mining, and reclamation.

VI. General Oversight Topic Reviews

A. Inspection and Enforcement

CFO and MT-DEQ continue to conduct frequent and thorough inspections of the Absaloka Mine, Federal permit number MT0007F. CFO conducts frequent and thorough inspections of the Absaloka South Extension Mine, Federal permit number MT-0021A. CFO conducted eight complete Federal inspections and 18 partial Federal inspections during the evaluation period (Table 10). Enforcement actions were not issued during the evaluation period (Table 11).

B. Bond Release

During this evaluation year, bond releases did not occur.

VII. Regulatory Program Problems and Issues

During this evaluation year, there were no regulatory program problems that required correction. There were no regulatory problems that remain uncompleted at the end of the evaluation year.

VIII. OSM Assistance

A. National Technical Training Program (NTTP)

During the evaluation year, Crow Office of Reclamation staff members attended Effective Writing Training provided by the National Technical Training Program (NTTP).

B. Technical Innovation and Professional Services (TIPS)

During the evaluation period, a technology coordinator from the Technical Innovation & Professional Services (TIPS), Technology Transfer branch met with the Crow Tribe and informed them of all aspects of services available from TIPS and Technology transfer. TIPS supported the Crow Tribe by providing software upgrades, and submitted requests for hardware and software support via the CFO.

The Crow Tribe continues to use their GeoXT GPS during regulatory inspections conducted with OSM. The Crow Tribe, who works in conjunction with the CFO, continues to benefit not only from TIPS mobile computing hardware and its corresponding software, but, they also benefit from the data received from the TIPS remote sensing group. The Crow tribe has previously received satellite imagery for use during their regulatory work with the Absaloka mine. The imagery is evaluated in conjunction with the CFO. This satellite imagery is available to use in conjunction with other TIPS applications such as ArcGIS. This imagery is available to upload from their computer database directly to their mobile computing units for regulatory use.

One representative from the Crow Tribe participated in numerous monthly conference calls of the Western Region Technical Team (WRTT) with other tribes, states and OSM staff. The representative provides valuable input to the WRTT.

Crow Tribe Annual Evaluation Report Evaluation Year 2011

APPENDIX 1

Summary of Core Data to Characterize the Regulatory Program

The following tables present summary data pertinent to mining operations and regulatory activities under the Indian Lands regulatory program. Unless otherwise specified, the reporting period for the data contained in the tables is the Evaluation Year. Other data and information used by OSM in its evaluation of the Indian Lands program is available for review in the evaluation file maintained by OSM-CFO.

Because of the enormous variations from state to state and tribe to tribe in the number, size, and type of coal mining operations and the differences between state and tribal programs, the summary data should not be used to compare one state or tribe to another.

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- Table 1 Coal Produced for Sale, Transfer, or Use
- Table 2 Permanent Program Permits, Initial Program Sites, Inspectable Units, and Exploration
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- Table 6 Surface Coal Mining and Reclamation Activity
- Table 7 Bond Forfeiture Activity
- Table 8 Regulatory and AML Programs Staffing
- Table 9 Funds Granted to State or Tribe by OSM
- Table 10 State or Tribal Inspection Activity
- Table 11 State or Tribal Enforcement Activity
- Table 12 Lands Unsuitable Activity
- Table 13 OSM Oversight Activity

TABLE 1			
COAL PRODUCED FOR SALE, TRANSFER, OR USE¹ (Millions of short tons)			
Calendar Year	Surface Mines	Underground Mines	Total
2007	7.350	0.000	7.350
2008	4.789	0.000	4.789
2009	5.894	0.000	5.894
2010	5.467	0.000	5.467

¹ Coal production is the gross tonnage (short tons) and includes coal produced during the calendar year (CY) for sale, transfer or use. The coal produced in each CY quarter is reported by each mining company to OSM during the following quarter on line 8(a) of form OSM-1, "Coal Reclamation Fee Repopr." Gross tonnage does not provide for a moisture reduction. OSM verifies tonnage reported through routine auditing of mining companies. This production may vary from that reported by other sources due to varying methods of determining and reporting coal production.

TABLE 2

PERMANENT PROGRAM PERMITS, INITIAL PROGRAM SITES, INSPECTABLE UNITS, AND EXPLORATION

Mines and Other Facilities	Numbers of Permanent Program Permits and Initial Program Sites								Insp. Units ¹	Area in 100's of acres				Total Area
	Permanent Program Permits				Initial Program Sites					Permanent Program Permits (Permit Area)		Initial Program Sites		
	Active	Inactive	Abandoned	Total	Active	Inactive	Abandoned	Total		Federal Lands	State/Tribal and Private Lands	Federal Lands	State/Tribal and Private Lands	
Surface Mines	2	0	0	2	0	0	0	0	2	0.0	97.9	0.0	0.0	97.9
Underground Mines	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0
Other Facilities	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0
Total	2	0	0	2	0	0	0	0	2	0.0	97.9	0.0	0.0	97.9
Permanent Program Permits and Initial Program Sites:				Total Number:		2				Average Acres per Site:		4,895.00		
Average Number of Permanent Program Permits and Initial Program Sites per Inspectable Unit (IU):						1.00				Average Acres per IU:		4,895.00		
Permanent Program Permits in Temporary Cessation:				Total Number:		0				Number More than 3 Years:		0		
EXPLORATION SITES														
Number of Exploration Sites with Permits:				Total number of permit sites:				0				Sites with Federal lands ² :		0
Number of Exploration Sites with Notices:				Total number of notice sites:				0				Sites with Federal lands ² :		0
¹ An Inspectable Unit may include multiple small and neighboring Permanent Program Permits or Initial Program Sites that have been grouped together as one Inspectable Unit, or conversely, an Inspectable Unit may be one of multiple Inspectable Units within a Permanent Program Permit.														
² When a Permanent Program Permit or Initial Program Site contains both Federal and State and Private lands, the acreage for each type of land is in the applicable column.														
³ The number of Exploration Sites with Federal lands includes sites with exploration permits or notices any part of which is regulated by the state under a cooperative agreement or by OSM pursuant to the Federal Lands Program, but excludes exploration sites that are regulated by the Bureau of Land Management														

TABLE 3

PERMITS ALLOWING SPECIAL CATEGORIES OF MINING			
Special Category of Mining	30 CFR Citation Defining Permits Allowing Special Mining Practices	Numbers of Permits	
		Issued During EY	Total Active and Inactive Permits
Experimental Practice	785.13(d)	0	0
Mountaintop Removal Mining	785.14(c)(5)	0	0
Steep Slope Mining	785.15(c)	0	0
AOC Variances for Steep Slope Mining	785.16(b)(2)	0	0
Prime Farmlands Historically Used for Cropland	785.17(e)	0	0
Contemporaneous Reclamation Variances	785.18(c)(9)	0	0
Mining on or Adjacent to Alluvial Valley Floors	785.19(e)(2)	0	0
Auger Mining	785.20(c)	0	0
Coal Preparation Plants Not Located at a Mine Site	785.21(c)	0	0
In-Situ Processing	785.22(c)	0	0
Remining	773.15(m) and 785.25	0	0
Activities in or Within 100 Feet of a Perennial or Intermittent Stream	780.28(d) and/or (e) 784.28(d) and/or (e)	0	0

TABLE 4

PERMITTING ACTIVITY

Type of Application	Surface Mines			Underground Mines			Other Facilities			Totals		
	App. Rec.	Issued/ Appvd	Acres	App. Rec.	Issued/ Appvd	Acres ¹	App. Rec.	Issued/ Appvd	Acres	App. Rec.	Issued/ Appvd	Acres
New Permits	0	0	0	0	0	0	0	0	0	0	0	0
Renewals	0	0		0	0		0	0		0	0	
Transfers, sales, and assignments of permit rights	0	0		0	0		0	0		0	0	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits										0	0	
Exploration notices ²											0	
Revisions that do not add acreage to the permit area		8			0			0			8	
Revisions that add acreage to the permit area but are not incidental boundary revisions	0	0	0	0	0	0	0	0	0	0	0	0
Incidental boundary revisions	0	0	0	0	0	0	0	0	0	0	0	0
Totals	0	8	0	0	0	0	0	0	0	0	8	0

Permits terminated for failure to initiate operations:	Number:	0	Acres:	0.0
Acres of Phase III bond releases (Areas no longer considered to be disturbed):			Acres:	0.0
Permits in temporary cessation	Notices received:	0	Terminations:	0
Midterm permit reviews completed that are not reported as revisions	Number:	0		

¹Includes only the number of acres of proposed surface disturbance

²State approval not required. Involves removal of less than 250 tons of coal and does not affect lands designated unsuitable for mining.

TABLE 5

**OFF-SITE IMPACTS
EXCLUDING BOND FORFEITURE SITES**

RESOURCES AFFECTED		People			Land			Water			Structures		
DEGREE OF IMPACT		Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major
TYPE OF IMPACT EVENT	NUMBER OF EVENTS												
Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0
Hydrology	0	0	0	0	0	0	0	0	0	0	0	0	0
Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0

Total Number of Inspectable Units²:

2

Inspectable Units with one or more off-site impacts:

0

Inspectable Units free of off-site impacts:

2

% of Inspectable Units free of off-site impacts¹:

100

OFF-SITE IMPACTS AT BOND FORFEITURE SITES

RESOURCES AFFECTED		People			Land			Water			Structures		
DEGREE OF IMPACT		Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major	Minor	Moderate	Major
TYPE OF IMPACT EVENT	NUMBER OF EVENTS												
Blasting	0	0	0	0	0	0	0	0	0	0	0	0	0
Land Stability	0	0	0	0	0	0	0	0	0	0	0	0	0
Hydrology	0	0	0	0	0	0	0	0	0	0	0	0	0
Encroachment	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0

Total Number of Inspectable Units²:

0

Inspectable Units with one or more off-site impacts:

0

Inspectable Units free of off-site impacts:

0

% of Inspectable Units free of off-site impacts¹:

0

TABLE 6

SURFACE COAL MINING AND RECLAMATION ACTIVITY

Areas of Phase I, II, and III Bond Releases During the Evaluation Year (EY)

Phase I Releases	Phase II Releases		Phase III Releases			Total Acres Released During the EY	
	Total Acres Released in Approved Phase II Releases	Acres not previously released under Phase I	Total Acres Released in Approved Phase III Releases	Acres not previously released under Phase II	Acres not previously released under Phase I or II		
0		0			0	Phase I	0
	0			0		Phase II	0
			0			Phase III	0
Cumulative Total Acres Released under All Bond Release Phases at the End of the Evaluation Year						0	
Number of Permanent Program Permits Terminated under Phase III Bond Release and Initial Program Sites with Jurisdiction Terminated During the Evaluation Year						0	

Areas of Permits Bonded for Disturbance by Surface Coal Mining and Reclamation Operations

	Total Acres at Start of EY	Total Acres at End of EY	Change in Acres During EY
New Area and Cumulative Area Bonded for Disturbance	7,089	7,089	0
Area Bonded for Disturbance without Phase I Bond Release	0	4,029	4,029
Area Bonded for Disturbance for which Phase I Bond Release Has Been Approved	637	637	0
Area Bonded for Disturbance for which Phase II Bond Release Has Been Approved	2,423	2,423	0
Total Area Bonded for Disturbance	3,060	7,089	4,029
Area Bonded for Remining	0	0	0
Areas of Permits Disturbed by Surface Coal Mining and Reclamation Operations			
Disturbed Area	4,412	4,697	285

TABLE 7

BOND FORFEITURE ACTIVITY (Permanent Program Permits)			
Bond Forfeiture and Reclamation Activity	Number of Sites	Dollars	Acres
Sites with bonds forfeited and collected that were un-reclaimed at the start of the current Evaluation Year (i.e, end of previous Evaluation Year) ¹	0		0
Sites with bonds forfeited and collected during the current Evaluation Year	0	0	0
Sites with bonds forfeited and collected that were re-permitted during the current Evaluation Year	0		0
Sites with bonds forfeited and collected that were reclaimed during the current Evaluation Year	0		0
Sites with bonds forfeited and collected that were un-reclaimed at the end of the current Evaluation Year ¹	0		0
Sites with bonds forfeited but un-collected at the end of the current Evaluation Year	0		0
Forfeiture Sites with Long-Term Water Pollution			
Bonds forfeited, lands reclaimed, but water pollution is still occurring	0		
Bonds forfeited, lands reclaimed, and water treatment is ongoing	0		
Surety/Other Reclamation Activity In Lieu of Forfeiture			
Sites being reclaimed by surety/other party at the start of the current Evaluation Year (i.e., the end of previous Evaluation Year) ²	0		0
Sites where surety/other party agreed during the current Evaluation Year to do reclamation	0		0
Sites being reclaimed by surety/other party that were re-permitted during the current Evaluation Year	0		0
Sites with reclamation completed by surety/other party during the current Evaluation Year ³	0		0
Sites being reclaimed by surety/other party at the end of the current Evaluation Year ²	0		0
¹ Includes data only for those forfeiture sites not fully reclaimed. ² Includes all sites where surety or other party has agreed to complete reclamation and the site is not fully reclaimed. ³ These sites are also reported in Table 6, Surface Coal Mining and Reclamation Activity, because Phase III bond release would be granted on these sites.			

TABLE 8

REGULATORY AND AML PROGRAMS STAFFING	
Function	Number of FTEs
Regulatory Program	
Permit Review and Maintenance	0.00
Inspection	2.00
Other (supervisory, clerical, administrative, fiscal, personnel, etc.)	2.50
Regulatory Program Total	4.50
AML Program Total	6.00
TOTAL	10.50

TABLE 9

FUNDS GRANTED TO STATE OR TRIBE BY OSM (Actual Dollars Rounded to the Nearest Dollar)			
Type of Funding	Federal Funds Awarded	Total Program Cost	Federal Funds Awarded as a Percentage of Total Program Costs
Regulatory Funding			
Administration and Enforcement Grant	407,600		
Other Regulatory Funding, if applicable	0		
Subtotal (Regulatory Funding)	407,600	407,600	100
Small Operator Assistance Program Grant Funding	0	0	
Abandoned Mine Land Reclamation Funding	2,036,054	2,036,054	100
Watershed Cooperative Agreement Program	0	0	
TOTAL	2,443,654		

TABLE 10

STATE OR TRIBAL INSPECTION ACTIVITY

Permits and Sites		Complete Inspections			Partial Inspections		
Activity Status	Number of Permits and Sites	Inspections Required Annually	Approximate Number of Required Inspections ¹	Number of Complete Inspections Conducted	Inspections Required Annually	Approximate Number of Required Inspections ¹	Number of Partial Inspections Conducted
Approximate Number of Required Inspections of Permanent Program Permits							
Active	2	4	8		8	16	
Inactive	0	0	0		0	0	
Abandoned	0	0	0		0	0	
Approximate Number of Required Inspections of Initial Program Sites							
Active	0	0	0		0	0	
Inactive	0	0	0		0	0	
Abandoned	0	0	0		0	0	
Inspections Conducted and Approximate Number Required on All Permanent Program Permits and Initial Program Sites							
Total Active	2		8	8		16	18
Total Inactive	0		0	0		0	0
Total Abandoned	0		0	0		0	0
Total	2		8	8		16	18
Exploration Sites with Permits and with Notices							
All Exploration	0			0			0

¹ The number of required inspections are approximations because part way through the Evaluation Year sites may change "activity status" or become eliminated because final Phase III bond release was approved or the regulatory authority terminated its jurisdiction under the Initial Program. Likewise, as new permits are issued throughout the Evaluation Year, the number of Permanent Program Permits would increase, but only some of the "Inspections Required per Site Annually" would be required for those sites permitted part way through the year. Additionally, some sites may be consolidated into one inspectable unit, thus one inspection may cover multiple sites.

TABLE 11

STATE OR TRIBAL ENFORCEMENT ACTIVITY

Type of Enforcement Action	Number of Actions ¹	Number of Violations ¹
Notice of Violation	0	0
Failure-to-Abate Cessation Order	0	0
Imminent Harm Cessation Order	0	0

¹ Does not include actions and violations that were vacated.

TABLE 12

LANDS UNSUITABLE ACTIVITY

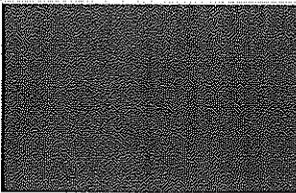
Activity	Number	Acres
Petitions Received	0	
Petitions Rejected	0	
Petitions Accepted	0	
Decisions Denying Petition	0	
Decisions Declaring Lands Unsuitable	0	0
Decisions Terminating Unsuitable Designations	0	0

TABLE 13

OSM OVERSIGHT ACTIVITY**Oversight Inspections and Site Visits**

	Complete		Partial		Total
	Joint	Non-Joint	Joint	Non-Joint	
Oversight Inspections	0	0	0	0	0
Site Visits	Technical Assistance		Other		Total
	0		0		0

Violations Observed by OSM and Citizen Requests for Inspection¹

Type of Action	Total number of each action
How many violations were observed by OSM on oversight inspections?	0
Of the violations observed, how many did OSM defer to State action during inspections?	0
Of the violations observed, how many did OSM refer to the State through Ten-Day Notices? ²	0
How many Ten-Day Notices did OSM Issue for observed violations? ³	0
How many Ten-Day Notices did OSM issue to refer citizen requests for inspection?	0
How many Notices of Violation did OSM issue?	0
How many Failure-to-Abate Cessation Orders did OSM issue?	0
How many Imminent Harm Cessation Orders did OSM issue?	0

OSM Action for Delinquent Reporting or Non-Payment of Federal AML Reclamation Fees

How many Ten-Day Notices for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?	0
How many Notices of Violation for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?	0
How many Federal Failure-to-Abate Cessation Orders for delinquent reporting or non-payment of Federal AML reclamation fees did OSM issue?	0

¹ This section does not include actions for delinquent reporting or non-payment of Federal AML fees that are reported in the last section of the table.

² Number of violations contained in Ten-Day Notices not including those issued to refer citizen requests for inspection.

³ Number of Ten-Day Notices issued not including those to refer citizen requests for inspection.