



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Colorado State Office
2850 Youngfield St
Lakewood, 80215



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
WESTERN REGION
1999 Broadway, Suite 3320
Denver, CO 80202

In Reply Refer To: 3432
COC-62920 (COS01000)

NOTICE OF SUPPLEMENTAL SCOPING
Public Input Requested
DOI-BLM-CO-S010-2011-0074-EA
GCC King II Coal Mine

January 06, 2017

OPTIONAL REPLY: DUE FEBRUARY 05, 2017

The Department of the Interior (DOI) Bureau of Land Management (BLM) and U.S. Office of Surface Mining Reclamation and Enforcement (OSMRE), are seeking additional public input regarding related proposals submitted by GCC Energy, LLC (GCC) for the continued mining of federal coal at the King II Coal Mine in La Plata County, Colorado. The BLM initiated an environmental assessment (EA) (DOI-BLM-CO-S010-2011-0074-EA) in 2011 and conducted public scoping in response to a lease modification proposal submitted by GCC. OSMRE is joining with the BLM to prepare a single EA analyzing related proposed federal actions in accordance with the National Environmental Policy Act of 1969 (NEPA), Council on Environmental Quality (CEQ) regulations for implementing NEPA, Departmental Manual Part 516, and additional DOI, BLM, and OSMRE policies and guidance. Additional scoping has been deemed necessary in order to adequately address the modified proposed action. Separate decision documents will be issued by each agency. Copies of this letter, maps, and previous scoping materials are available on BLM's ePlanning website at: <http://go.usa.gov/x92jw>.

The following is a legal description of the location of the proposed lease modification:

New Mexico Principle Meridian, La Plata County, Colorado
Tract A - containing 220.00 acres more or less
T. 35 N., R. 11 W., N.M.P.M., Sec. 19, NE, S2SE, and Sec. 20, NWNW
Tract B - containing 360.55 acres more or less
T. 35 N., R. 11 W., N.M.P.M., Sec. 30, lots 1-4, E2NW, and NWNE;
T. 35 N., R. 12 W., N.M.P.M., Sec. 25, lots 3-8
Tract D - containing 10.00 acres more or less
T. 35 N., R. 12 W., N.M.P.M., Sec. 26, SENENE
Tract E - containing 360.00 acres more or less
T. 35 N., R. 12 W., N.M.P.M., Sec. 35, NENW, S2NW, SW, and S2SE
Containing 950.55 acres, more or less.

DECISIONS TO BE MADE

As Joint Lead agencies, the BLM and OSMRE must analyze potential impacts to the human environment resulting from, and make separate decisions regarding, the following proposed federal actions:

1. The BLM must decide whether to: 1) approve, 2) approve with modifications, or 3) deny a modification of existing Federal Coal Lease COC62920 for the King II Coal Mine. If approved, the lease modification would result in the expansion of Federal Coal Lease COC62920 by approximately 950 acres on four tracts adjacent to the current operation. Most of the lease area consists of split estate, in which the federal government manages the subsurface mineral estate, but not the surface lands.
2. OSMRE must decide whether or not to approve a Permit Revision Application Package consisting of a water monitoring program, Probable Hydrologic Consequences analysis, Right of Entry information, Subsidence Control Plan, and a Reclamation Performance Bond and Reclamation Plan.

3. OSMRE must decide whether or not to approve an application to renew Federal Mine Permit CO-106A. The permit would reauthorize operations associated with the mining of federal coal from the areas within Federal Coal Lease COC62920 where the surface of the land is under the ownership of the Ute Mountain Ute Tribe, but outside of the Ute Mountain Ute Indian Reservation.
4. The DOI Assistant Secretary for Land and Minerals Management must decide whether to: 1) approve; 2) approve with conditions; or 3) deny a mining plan modification to incorporate the lease expansion into Surface Mining Control and Reclamation Act Permit C-1981-035.

BACKGROUND

GCC began conducting operations at the King II Coal Mine in 2007. King II is an underground room-and-pillar coal mine currently consisting of approximately 26 acres of surface facilities on state-leased lands and approximately 565 acres of underground disturbance so far. The low sulfur, ash, and alkali content coal is mined from the Menefee Formation and used primarily to fuel cement plants and a narrow gauge railroad. The coal is transported by truck via La Plata County Road 120 (under La Plata County Class II Land Use Permit #2012-0089) and Colorado State Highway 140 to either a railhead in Gallup, New Mexico or directly to market.

In 2014, the King II Mine was authorized to produce up to 1.3 million tons of coal annually through federal, State of Colorado, and private mineral leases, with the majority of production under Federal Coal Lease COC62920. At the present mining rate, it is estimated that the coal in the current lease area would be exhausted in less than three years. The additional tracts would extend the life of the current mine by an estimated five to seven years. On July 16, 2016, GCC was granted an emergency exclusion from a pause in the issuance of new leases and lease modifications under Secretarial Order 3338, Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program (Section 6a). The exclusion enables GCC to pursue the lease modification while the Federal Government conducts a review of the federal coal program.

HOW TO COMMENT

Submit your substantive comments and information related to this proposal in writing to the BLM by February 05, 2017. Your name and address must be included in order for your submission to be considered. All submissions received will be forwarded to OSMRE. OSMRE may hold informational meetings, at which time additional comments would be accepted.

Email: coalcommenttresrios@blm.gov
Postal Service: BLM Tres Rios Field Office
Attn: King II Coal Mine EA
29211 Highway 184
Dolores, CO 81323

By including your address, phone number, email address, or other personally identifying information in your comment, you should be aware that your entire comment, including your personally identifying information, may be made publically available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

If you have questions about the BLM coal program or analysis, please contact James Blair at (970) 882-7296. For questions regarding the OSMRE regulatory process, please contact Paul Clark at (303) 293-5065.

Sincerely,



Lonny R. Bagley
Deputy State Director, Energy, Lands and Minerals
BLM



Marcelo Calle
Manager, Program Support Division
OSMRE