

U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
FINDING OF NO SIGNIFICANT IMPACT AND ADOPTION
OF THE ENVIRONMENTAL ASSESSMENT
FOR
Bowie Resources, LLC
Bowie No. 2 Mine
Federal Coal Lease COC61209 and COC37210
Mining Plan Decision Document

A. Introduction

Bowie Resources, LLC on September 4, 2012, submitted a permit application package (PAP) for a permit revision for the Bowie No. 2 Mine to the Colorado Division of Reclamation, Mining and Safety (CDRMS). CDRMS approved the permit revision on April 5, 2012. The PAP proposed extending underground mining operations into 502 federal coal acres of Federal Leases COC61209 and COC37210. Under the Mineral Leasing Act of 1920, the Assistant Secretary, Land and Minerals Management, as designated by the Secretary of the Interior, must approve, approve with conditions, or disapprove the proposed mining plan modification for Federal Coal Lease COC61209 and COC37210. Pursuant to 30 CFR Part 746, the Office of Surface Mining Reclamation and Enforcement (OSM) is recommending approval of the mining plan action without special conditions.

B. Statement of Environmental Significance of the Proposed Action

The undersigned person has determined that the above-named proposed action would not have a significant impact on the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C), and therefore, an Environmental Impact Statement is not required.

This Statement of NEPA Adoption and Compliance is based on the attached *United States Department of the Interior Bureau of Land Management, Final Environmental Assessment DOI-BLM-CO-S050-2012-0001 EA, August 2012, Bowie Coal Lease Modification Application*, the associated FONSI, the Combined Geologic and Engineering Report (GER) and the Maximum Economic Recovery Report (MER) which was prepared by the Uncompahgre Field Office of the Colorado Bureau of Land Management (BLM). OSM was a cooperating agency in the development of the Environmental Assessment (EA). In accordance with 43 CFR 46.320, OSM has independently reviewed the EA and finds that the EA complies with 43 CFR Part 46, Subpart D, the relevant provisions of the Council on Environmental Quality (CEQ) regulations and other program requirements, including impacts of greenhouse gases and global climate change. Based on this review, OSM has adopted the EA prepared by the BLM and referenced above. This finding is also based on consideration of the CEQ criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

In addition, BLM's review and approval of the Resource Recovery and Protection Plan, the PAP, and CDRMS's Written Findings for the PAP have been independently reviewed by OSM. These documents reviewed in conjunction with the referenced EA adequately and accurately assess the environmental impacts of the proposed mining plan action. The opportunity for public input was provided during and with completion of the EA, with submission of the PAP, and during issuance of the state of Colorado mining permit.

The undersigned has also determined that OSM's public involvement requirements for EAs have been met. The EA was subject to public review and comment prior to publication of the final EA. Forty-seven comments on the EA were received. Those comments were reviewed and analyzed by the BLM and the EA was revised as appropriate. Comments outside the scope of the EA or that required a response not included in the EA were addressed in the BLM Finding of No Significant Impact (FONSI) and Decision Record. There were no comments on the PAP. In addition, the referenced EA and this FONSI will be made publicly available on the OSM Western Region's website.



Elaine Ramsey, Manager
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Program Support Division
Western Region

11/21/2013
Date

Attachment