

U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
FINDING OF NO SIGNIFICANT IMPACT AND ADOPTION OF
THE ENVIRONMENTAL ASSESSMENTS
FOR
Beulah Mine, REV 27
Federal Coal Lease NDM041765
Mining Plan Decision Document

A. Introduction

Dakota Westmoreland Corporation submitted a permit application package (PAP) for a permit revision for the Beulah Mine to the North Dakota Public Service Commission (PSC). The PAP proposed extending surface mine mining operations into approximately 400 acres of Federal Lease NDM041765. Under the Mineral Leasing Act of 1920, the Assistant Secretary, Land and Minerals Management, must approve, approve with conditions, or disapprove the proposed mining plan modification for Federal Lease NDM041765. Pursuant to 30 CFR Part 746, the Office of Surface Mining Reclamation and Enforcement (OSMRE) 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 *Environmental Assessment DOI-BLM-MT-030-94-08* and *Environmental Assessment DOI-BLM-MT-C030-2013-154-EA* which were prepared by BLM's Miles City Field Office. OSMRE was a cooperating agency in the development of the environmental assessments (EAs). In accordance with 43 CFR 46.320, OSMRE has independently reviewed the EAs and finds that the EAs comply with 43 CFR Part 46, Subpart D, the relevant provisions of the Council on Environmental Quality (CEQ) regulations and other program requirements. Based on this review OSMRE has adopted the EAs 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 environmental assessments. Also, this finding of no significant impact (FONSI) is based on the fact that OSMRE has not identified any changes or new information that would change the analysis contained in the EA and; accordingly, OSMRE finds that the EA adequately and accurately assesses the environmental impacts of the proposed action and provides sufficient evidence and analysis for the FONSI.

Beulah Mine Permit Revision REV 27 was advertised for 30 days in two local newspapers. No public comments were received by PSC. The EA's and this FONSI will be made publicly available on OSMRE's website.

The undersigned has determined that OSMRE's public involvement requirements for EAs have been met. The EAs were subject to public review and comment prior to publication of the final EAs.

Robert Postle, Manager,
Program Support Division
Western Region, OSMRE

Date

Attachment