

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
Peabody Natural Resources Company
El Segundo Mine
Federal Coal Lease NMNM 126813
Mining Plan Decision Document

A. Introduction

Peabody Natural Resources Company submitted a permit application package (PAP) for a permit revision for the El Segundo Mine to the state of New Mexico Energy, Minerals and Natural Resources Department (EMNRD). The PAP proposed extending surface mining operations into 430 acres of Federal Lease NMNM 126813. EMNRD approved the permit revision on September 4, 2013. Under the Mineral Leasing Act of 1920, the Assistant Secretary, Land and Minerals Management, must approve, approve with conditions, or disapprove the proposed new mining plan for Federal Lease NMNM 126813. 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 finding of no significant impact (FONSI) is based on the attached *Environmental Assessment El Segundo Mine Lease by Application Section 34, Township 17 N, Range 9 W Revised January 2014 (EA)*, the associated FONSI, and Decision Record (DR) which was prepared by the Farmington Field Office of the Bureau of Land Management (BLM) in the development of the Environmental Assessment (EA). In accordance with 43 CFR 46.320, OSMRE has independently reviewed the EA and finds that the EA complies with 43 CFR 46, Subpart D, the relevant provisions of the Council on Environmental Quality (CEQ) regulations and other program requirements. Based on this review, OSMRE is adopting 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 has reviewed and approved the Resource Recovery and Protection Plan, the PAP, and the EMNRD written findings for the PAP have been independently reviewed by OSMRE. These documents reviewed in conjunction with the attached EA adequately and accurately assess the environmental impacts of the proposed mining plan

action. The opportunity for public input was provided during and with BLM's completion of the EA and with submission of the PAP to the EMNRD, and during issuance of the state mining permit revision.

The undersigned has determined that OSMRE'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. Several comments on the EA were received. No comments on the PAP were received. In addition, the referenced EA and this FONSI will be made publicly available on the OSMRE Western Region's website.



Manager, Program Support Division
Western Region

4/30/2014

Date

Attachment