

**File Code:** 1570; 2800  
18-02-00-0003-218B

**Date:**  
**DEC 06 2017**

Dr. Julie Martenson  
P.O. Box 7879  
Austin, Texas 78713-7879

Dear Dr. Martenson:

This letter is in response to your objection to the Supplemental Final Environmental Impact Statement (SFEIS) and draft Record of Decision (ROD) for the Federal Coal Lease Modifications COC-1362 & COC 67232 on the Grand Mesa, Uncompahgre and Gunnison National Forests. The legal notice for this project was published in the Daily Sentinel on September 8, 2017, which initiated the 45-day objection period. Your objection was timely and was reviewed pursuant to Title 36 of the Code of Federal Regulations, Part 218 (36 CFR 218) Subparts A and B.

On November 29, 2017, an objection resolution meeting was held via conference call between multiple objectors, Forest Supervisor Scott Armentrout, Forest Service support staff, and myself pursuant to 36 CFR 218.11(a). The purpose of the meeting was to discuss a potential resolution of objections and to clarify objection issues. Although we did not reach a resolution, I appreciate the discussion we had at the meeting.

I have read the objections, reviewed the SFEIS and the supporting documentation, and have considered public comments relative to this project. This document contains my written response to your objection issues that were raised during the designated opportunity to comment as required by 36 CFR 218.11(b).

**Project Description and draft ROD**

An SFEIS for Federal Coal Lease Modifications COC-1362 & COC-67232 has been prepared by the Grand Mesa, Uncompahgre and Gunnison National Forests in cooperation with the Bureau of Land Management (BLM), Western Region of the Office of Surface Mining, Reclamation and Enforcement and Colorado Division of Reclamation, Mining, and Safety. The Forest Service, as surface managing agency, is responsible for deciding whether to consent to BLM's leasing decision and if consent is provided, prescribing stipulations for protection of surface resources.

The draft ROD selected Alternative 3, which authorizes the following:

- Consent to the BLM modifying existing Federal Coal Lease COC-1362 by adding 800 acres according to the Federal Coal Leasing Amendments Act of 1976
- Consent to the BLM modifying existing Federal Coal Lease COC-67232 by adding 920 acres according to the Federal Coal Leasing Amendments Act of 1976
- Specific lease stipulations as prescribed for non-mineral surface resources



**Objection Responses**

Specific to your objection, I conducted my review of the record, SFEIS, response to comments, and draft ROD. Based on my review, I conclude the following:

**Objection Topic:** Please explain the justification for adding to Arkland's existing lease COC-1362 and COC-67232 resulting in a cumulative increase of 1,720 acres? What criteria was used in making this authorization? Please also explain the stipulations put in place to protect non-mineral forest resources?

**Response:** The primary authorities for issuing coal lease modifications are found in the SFEIS, Section 1.6 and include: Mining and Minerals Policy Act of 1970 and Mineral Leasing Act of 1920, as amended, Surface Mining Control and Reclamation Act of 1977 (SMCRA) and Energy Policy Act of 2005. Lease modification direction, including acreage, is located within the Energy Policy Act of 2005. Stipulations are provided in the SFEIS and ROD.

**Suggested Remedies**

There were no suggested remedies offered in your objection letter to be considered.

**Conclusion**

Based on the review of your objection I find the draft decision is consistent with all policy, law, direction, and supporting evidence. The record contains site-specific documentation regarding resource conditions, and the Responsible Official's draft decision document is based on the record and reflects a reasonable conclusion. Responsible Official, Forest Supervisor Scott Armentrout, may proceed with the issuance of the ROD. This written response is the final administrative review by the Forest Service or the Department of Agriculture [36 CFR 218.11(b)(2)].

Sincerely,



MARIBETH GUSTAFSON  
Deputy Regional Forester

cc: Scott Armentrout, Levi Broyles, Niccole Mortenson, Kelly Honors