



File Code: 2820-4

Date: July 23, 2008

Dear Interested Party:

Enclosed is the Grand Mesa, Uncompahgre and Gunnison National Forests (GMUG) Environmental Assessment (EA), and Decision Notice and Finding of No Significant Impact (DN/FONSI) for the *Federal Coal Lease COC-61209 Modification 4 Environmental Assessment* (COC-61209 Modification 4 EA).

The Decision consents to Bureau of Land Management (BLM) to modify federal coal lease COC-61209 by adding 560 acres as described in the Proposed Action of the COC-61209 Modification 4 EA. It also identifies the terms and conditions under which the lessee may develop the lease modification while protecting natural resources and providing for public access and safety which came from stipulations of the parent coal lease and extra conditions based specifically on analysis of the lease modification area. These Conditions of Approval (Stipulations) will be included in BLM's approval of the lease modification for coal mining activities. The environmental effects of the lease modification are disclosed in the COC-61209 Modification 4 EA.

This decision is subject to administrative review pursuant to Federal Regulations at 36 CFR 215.11. Appeals (including attachments) must be in writing and filed (regular mail, fax, e-mail, hand-delivery, express delivery, or messenger service) with the Appeal Deciding Officer (§ 215.8) within 45 days following the date of publication of this legal notice. The publication date of this legal notice is the exclusive means for calculating the time to file an appeal (§ 215.15 (a)). Those wishing to appeal should not rely upon dates or timeframe information provided by any other source. Pursuant to 36 CFR 215.13 (b), only those individuals or organizations who submitted comments during the comment period may file an appeal.

The addresses for filing appeals are:

USDA, Forest Service, Region 2
Attn: Appeal Deciding Officer
740 Simms Street
Golden, CO 80410

Fax: 303-275-5134 to the attention of Appeals;

Email: appeals-rocky-mountain-regional-office@fs.fed.us.

It is an appellant's responsibility to provide sufficient activity-specific evidence and rationale, focusing on the decision, to show why the Responsible Official's decision should be reversed. At a minimum, an appeal must include the following (§215.14): (1) Appellant's name and address (§ 215.2), with a telephone number, if available; (2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal); (3) When multiple names are listed on an appeal, identification of the lead appellant (§ 215.2) and verification of the identity of the lead appellant upon request; (4) The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the



date of the decision; (5) The regulation under which the appeal is being filed, when there is an option to appeal under either this part or part 251, subpart C (§ 215.11(d)); (6) Any specific change(s) in the decision that the appellant seeks and rationale for those changes; (7) Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement; (8) Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and (9) How the appellant believes the decision specifically violates law, regulation, or policy. Notices of Appeal that do not meet the requirements of 36 CFR 215.14 will be dismissed.

Pursuant to 36 CFR 215.9(a), if no appeal is filed, implementation of this decision may occur on, but not before, the fifth day from the close of the appeal period.

Copies of this EA and decision may be downloaded from the internet at:

<http://www.fs.fed.us/r2/gmug/policy/>

For further information or to obtain copies of the EA or DN/FONSI, please contact Niccole Mortenson, Engineering and Minerals NEPA Project Specialist, at 970-874-6616 or nmortenson@fs.fed.us.

Sincerely,

/s/ Charles S. Richmond
CHARLES S. RICHMOND
Forest Supervisor