

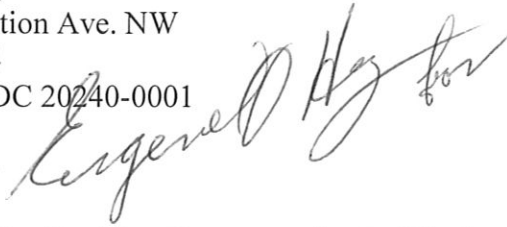
March 21, 2013

Memorandum

CO-0032  
BY OVERNIGHT MAIL

TO: John Trelease,  
1951 Constitution Ave. NW  
Mail Stop 204  
Washington, DC 20240-0001

FROM: Foster Kirby



SUBJECT: Mining Plan Decision Document for the Elk Creek and Sanborn Creek Mine.

Enclosed is your copy of a mining plan decision document for the Elk Creek and Sanborn Creek Mine. Please review it and have the Director and the Assistant Secretary, Land and Minerals Management sign the tagged signature pages.

After the document is signed by the Director and Assistant Secretary, please:

- 1) **Make copies of the signed and dated pages** for your copy of the document; also **make copies of the surname sheets**
- 2) **Fax me a copy** of the signed pages; and,
- 3) **Return the original signed and dated pages and the original Surname sheets** to this office via FEDEX so that we may insert them into the original decision document which is kept on file here.

I understand that your normal review/signature process can be completed within 2 weeks of the date of this memo. The Elk Creek and Sanborn Creek Mine is an underground mine and has encountered an underground fire. They need to move the longwall equipment into the lease area as soon as possible. Please advise me if you expect the review and signature process to extend beyond that time period.

It should be noted that the June 7, 2011, EA and FONSI were challenged by Wildearth Guardians who alleged that BLM failed to adequately discuss impacts of Green House Gases, their effect on air quality and global climate change, alternatives, and possible mitigation measure. They also felt that an EIS was the more appropriate document to address the leasing issues and associated environmental consequences. Visual impacts and consideration of cumulative impacts were also challenged. The Interior Board of Land Appeals found in favor of the BLM (March 27, 2012). BLM moved forward and issued the lease based on the EA.

Thank you for your assistance in this matter.