



U.S. DEPARTMENT OF THE INTERIOR

**BUREAU OF LAND  
MANAGEMENT**

November 2024

# Buffalo Field Office

Record of Decision and Approved Resource Management Plan Amendment



Total Cost: \$650,000



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# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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Dear Reader:

The Buffalo Field Office (BFO) Approved Resource Management Plan (RMP) Amendment (Approved Plan) Record of Decision has been signed and thus is complete. The decision is to make no federal coal available for future leasing. The BLM has determined that this Approved RMP Amendment is consistent with the federal policies and programs associated with implementing BLM's legal mandates. In addition, this Approved RMP Amendment meets the Purpose and Need by:

- Completing a new coal screening and analysis that considers a no-leasing and limited coal leasing alternatives.
- Disclosing the public health impacts, both climate and non-climate impacts, of burning fossil fuels (coal, oil, and gas) from the decision area.

In addressing these issues, the Approved RMP Amendment complies with the court order in *Western Organization of Resource Councils, et al. v. Bureau of Land Management* [4:20-cv-00076-GF-BMM].

The Approved RMP Amendment makes 48.12 billion short tons of coal unavailable for leasing consideration in order to reduce greenhouse gas (GHG) emissions as a proxy for climate change. The BLM would not accept new coal lease applications, only existing coal leases could be developed, which would continue through their associated lease terms.

The BLM received six protest letters during the 30-day protest period provided for the Proposed RMP Amendment/Final Supplemental EIS in accordance with 43 CFR 1610.5-2. The BLM Director addressed all protests without making significant changes to the Proposed RMP Amendment.

The Wyoming Governor identified 11 inconsistencies between the Proposed RMP Amendment/Final Supplemental EIS and Wyoming's constitution, statutes, and policies as well as with the Campbell and Johnson Counties Natural Resource plans during his consistency review. The Governor's review was provided in accordance with 43 CFR 1610.3-2(e). The State Director decided not to accept the Governor's recommendations as the Proposed RMP Amendment is consistent with federal policies and programs. The Governor appealed the State Director's decision to the BLM Director who determined that the Governor's recommendations were not in balance with the national interest.

The Supplemental EIS supporting this planning process included the necessary National Environmental Policy Act (NEPA) analysis to modify the allocation of BLM administered coal in the BFO. The RMP Amendment does not modify other resource allocation management decisions in the BFO 2015 RMP.

This Record of Decision (ROD) constitutes the final decision of the authorized officer for the allocation of BLM administered coal in the BFO and exhausts internal Department of Interior appeal opportunities.

Copies of the BLM ROD and the Approved Plan are available on the BFO Supplemental EIS/RMP Amendment ePlanning website at <https://eplanning.blm.gov/eplanning-ui/project/2021239/510>.

Provided with this letter is a copy of the ROD and Approved Plan for your reference. We greatly appreciate all who contributed to the completion of this Approved Plan, including the United States Environmental Protection Agency, Office of Surface Mining Reclamation and Enforcement, Wyoming Department of Environmental Quality, the state of Wyoming, Wyoming Department of Game and Fish, Campbell County, Johnson County, and the Campbell County Conservation District. We also appreciate the extensive public involvement during this time by groups, organizations, and individuals. Your interest is appreciated. I hope your involvement will continue as we move forward to monitor the plan and manage the public lands in the BFO.

Sincerely,



Todd D. Yeager  
Buffalo Field Manager  
Bureau of Land Management

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A	Coal Screening Process
B	Reasonably Foreseeable Development

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## ACRONYMS AND ABBREVIATIONS

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Full Phrase

BFO	Buffalo Field Office
BLM	United States Department of the Interior, Bureau of Land Management
CFR	Code of Federal Regulations
EIS	environmental impact statement
NEPA	National Environmental Policy Act
NOA	notice of availability
NOI	notice of intent
RMP	resource management plan
RMPA	resource management plan amendment
ROD	record of decision
SEIS	supplemental environmental impact statement
US	United States

# Part I – Record of Decision

## I.1 INTRODUCTION

### I.1.1 Overview

The United States (US) Department of the Interior, Bureau of Land Management (BLM) has prepared this Record of Decision (ROD) and Approved Resource Management Plan Amendment (RMPA) for the BLM Buffalo Field Office (BFO) to respond to the US District Court for the District of Montana court order (Western Organization of Resource Councils, et al. v. Bureau of Land Management [4:20-cv-00076-GF-BMM]). The district court found the BLM violated NEPA and ordered the BLM to complete a new coal screen and remedial NEPA analysis for the 2019 SEIS/RMPA (BLM 2019). Specifically, the order required that: (1) The BLM must complete new coal screening and NEPA analysis that considers a no-leasing and limited coal leasing alternatives, (2) The BLM must disclose the public health impacts, both climate and non-climate, of burning fossil fuels (coal, oil, and gas) from the planning areas.

### I.1.2 Description of the Planning Area

The Buffalo Field Office administers approximately 800,000 acres of surface lands and 4.7-million acres of subsurface federal mineral estate in Campbell, Johnson, and Sheridan Counties in north-central Wyoming. The decision area for this SEIS and RMPA is BLM-administered federal coal in the 2019 Approved RMPA Coal Development Potential Area (CDPA) as shown in **Figure I-1**.

### I.1.3 The Decision

The decision is hereby made to approve the attached RMP Amendment which makes no federal coal available for future leasing. The BLM has determined that this Approved RMP Amendment is consistent with the purposes, policies, and programs associated with implementing its legal mandates. In addition, this Approved RMP Amendment meets the Purpose and Need by:

- Completing a new coal screening and analysis that considers a no-leasing and limited coal leasing alternatives.
- Disclosing the public health impacts, both climate and non-climate impacts, of burning fossil fuels (coal, oil, and gas) from the decision area.

In addressing these issues, the Approved RMP Amendment complies with the court order in Western Organization of Resource Councils, et al. v. Bureau of Land Management [4:20-cv-00076-GF-BMM].

The Approved RMP Amendment makes 48.12 billion short tons of coal unavailable for further leasing consideration in order to reduce greenhouse gas (GHG) emissions as a proxy for climate change. The BLM would not accept new coal lease applications, only existing coal leases could be developed, which would continue through their associated lease terms.

This Approved RMP Amendment was prepared in accordance with National Environmental Policy Act (NEPA) of 1969; the Council on Environmental Quality regulations implementing NEPA (40 Code of Federal Regulations [CFR] 1500–1508); Department of Interior regulations implementing NEPA (43 CFR 46); and the requirements of the BLM's NEPA Handbook, H-1790-1. Decisions identified in this Approved RMP Amendment are final and become effective when this ROD is signed. The Approved RMPA would

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replace decisions for coal resource leasing availability in the 2019 Buffalo Field Office Record of Decision (ROD)/Approved RMPA.

#### **I.1.4 Decision Rationale**

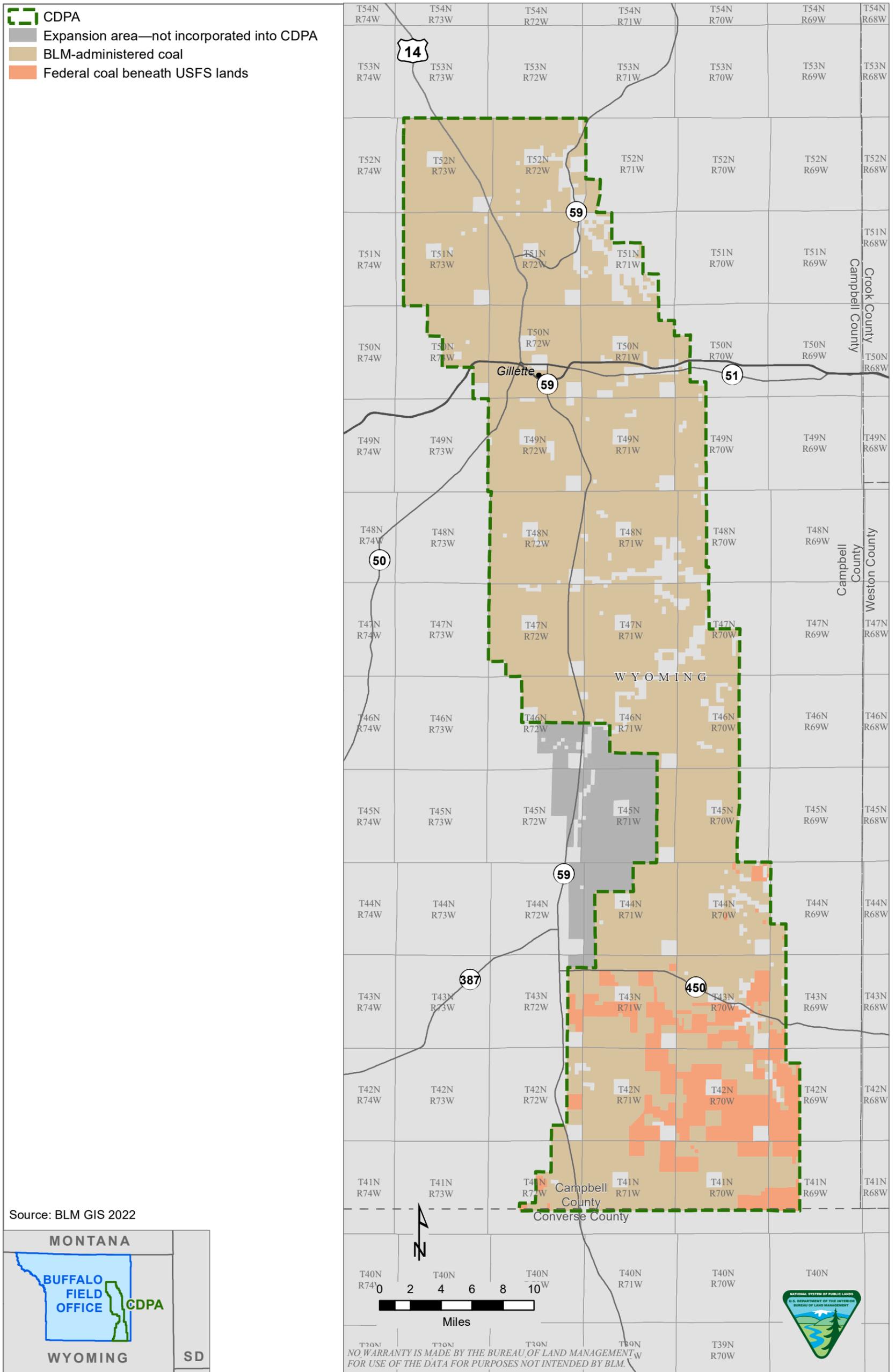
No Leasing is consistent with presidential executive orders 13990 (Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis) and 14008 (Tackling the Climate Crisis at Home and Abroad), and Interior Secretarial Order 3399 (Department-Wide Approach to the Climate Crisis and Restoring Transparency and Integrity to the Decision-Making Process). No further coal leasing also supports the nation's long term climate strategy (November 2021) of putting the U.S. on a pathway to net-zero greenhouse gas emissions by 2050.

The U.S. energy market is moving away from coal to lower priced natural gas and renewable energy sources. In 2023, wind and solar production within the United States was higher than coal from January through May. In 2024, wind and solar produced more energy than coal from January through July (Storrow 2024). Energy storage systems, smart grid technologies, demand response programs, and interconnected grids address renewable production intermittency and provide grid stability (Chomsky 2023). For example, the Texas grid became more stable as its wind capacity sextupled between 2007 and 2020 (Lovins and Ramana 2021). Renewable energy technologies create a system less prone to market shocks and improve resilience and energy security by diversifying power supply options (UN 2024).

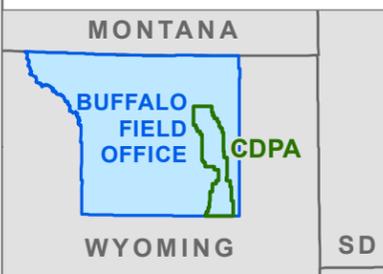
Additionally, Wyoming PRB coal production has declined since peak production in 2008. The 2023 EIA forecast is for continuous reduced production levels below EIA's declining forecast presented in the Proposed RMP/Final SEIS and Appendix B (**Chart I-1**). The last coal fired power plant built in the continental United States came online in 2013. Coal-fired power plants are retiring, Wyoming PRB coal was shipped to ten less power plants in 2023 than in 2021. The lack of demand is also illustrated by two BLM-administered coal Lease by Applications (North Hilight and West Antelope III) that have been in a paused status for five-years or more due to lack of mine operator interest to continue. BLM's last coal lease offering was in 2012 when no offers met the minimum bid.

Carbon capture and alternative uses are in the research and development phase. If these technologies advance to become commercially feasible BLM may revisit their decision through another RMP amendment or revision. The scale of coal production would likely not match that of thermal coal production; therefore, the non-federal coal lands available within and adjacent to presently leased federal coal may satisfy this demand.

**Figure 1-1  
Coal Development Potential Area (CDPA)**

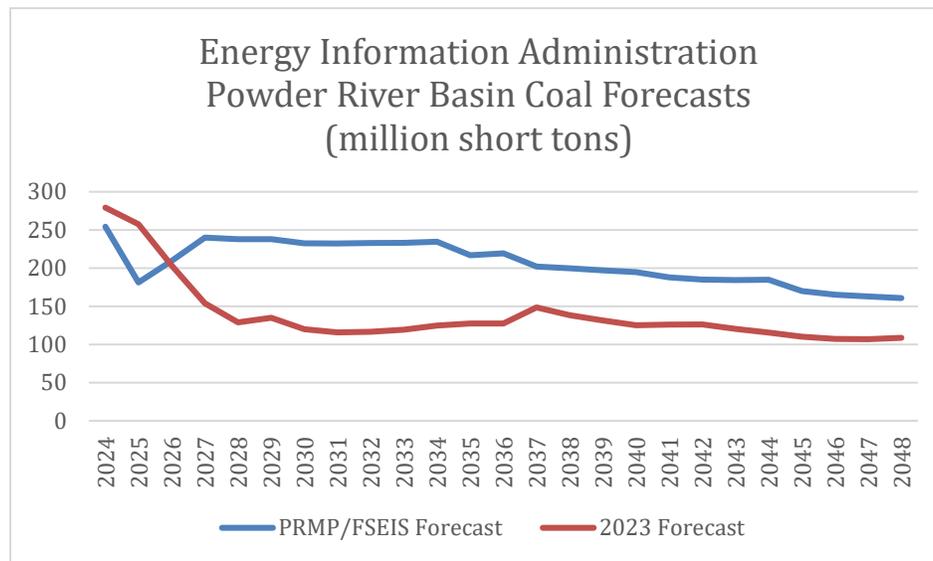


Source: BLM GIS 2022



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**Chart I-1. U.S. Energy Information Administration Powder River Coal Production Forecasts from their 2022, published in the PRMP/FSEIS, and 2023 Annual Energy Outlooks**



### I.1.5 Governor’s Consistency Review

Wyoming’s constitution, statutes, and policies as well as the Campbell County Natural Resource Land Use Plan promote coal as their economic pillar. Johnson County’s Natural Resource Management Plan lists coal as a primary component of their economy. The Governor and the two Counties provided that making BLM-administered coal unacceptable for leasing is inconsistent with several factors within the County plans and State constitution, statutes, and policies; and that BLM made no effort to reconcile these inconsistencies created by selecting the No Leasing Alternative.

The Governor’s consistency letter and appeal correctly identified that BLM made an incorrect statement in the Final SEIS about the Campbell County plan not being consistent with federal laws and regulation. The Campbell County plan is consistent with federal laws and regulations, it is recent federal executive orders and policies where the inconsistencies lie.

The No Leasing Alternative is consistent with presidential executive orders and federal policies enacted in 2021 as identified above in the Decision Rationale. No leasing is also consistent with the Federal Land Policy and Management Act of 1976 (FLPMA).

In FLPMA, Congress declared that the United States receive fair market value for the use of the public lands and their resources unless otherwise provided for by statute (Sec. 102(a)(9)). BLM is additionally responsible for considering a variety of public land resources, including economic but also including but not limited to environmental, social, scenic, recreational, cultural, and historic resources. FLPMA requires that consideration be given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output (FLPMA Section 103(c)). Therefore, BLM must consider not only the beneficial economic effects of coal leasing but also the adverse effects to the public land resources which include environmental and social effects from coal leasing, production, transportation, and combustion. The Proposed RMPA/Final SEIS disclosed these effects in

Chapter 3 and the BLM has determined that the economic benefits from coal leasing no longer balances with the adverse effects to other public land resources.

BLM recognizes the importance of the coal industry in Wyoming. BLM estimated that current reserves for coal under existing leases would support forecasted development levels until 2041 allowing for the adaptation and identification of other public funding sources. In recognition of the impacts transitioning energy communities will experience, Presidential Executive Order 14008 established the Coal and Power Plant Communities and Economic Revitalization Interagency Working Group. While the no-leasing alternative would remove BLM-administered coal from the energy portfolio in 2041, the BLM continues to foster a cooperative and diligent effort to expand the Wyoming energy portfolio in the areas of renewable energy and carbon capture projects. It is a national BLM priority to help lead the way to a clean energy future, leaving no communities behind.

The BLM Director notified the governor in writing and published a notice in the Federal Register of the reasons for the BLM Director's determination to reject the governor's appeal recommendations, in accordance with 43 CFR 1610.3-2(e).

#### **1.1.6 Protest Resolution**

The BLM's planning regulations at 43 CFR 1610.5-2 allow any person who participated in the planning process and has an interest that may be adversely affected by the BLM's planning decisions to protest proposed planning decisions within 30 days of when the notice of availability (NOA) of the Proposed RMP/Final EIS was published in the Federal Register (May 17, 2024). Note that the BFO Proposed RMP Amendment did not contain any implementation decisions that were subject to the appeal process by procedures set out by other BLM regulations.

The BLM evaluated all protest letters to determine which protest letters were complete and timely, and which persons had standing to protest. The BLM received six unique protest letter submissions during the 30-day protest period provided for the BFO Final Supplemental EIS/Proposed RMPA. One letter was addressed to the BLM Director. The sender did not previously participate in the planning process, so this letter was not addressed further. The remaining five letters were complete and timely and were from parties who had standing to protest. All five of these letters contained valid protest issues. The BLM documented the response to the valid protest issues in the protest resolution report. The protest decision is recorded in writing along with the reasons for the decision in the protest resolution report.

Resolution of protests is delegated to the BLM Assistant Director for Resources and Planning whose decision on the protest is the final decision of the U.S. Department of the Interior (43 CFR 1610.5-2(b)) consistent with the BLM Delegation of Authority Manual (MS-1203 Delegation of Authority). The BLM Assistant Director for Resources and Planning decisions on the protests are summarized in the Director's Summary Protest Resolution Report, Buffalo Field Office Final Supplemental EIS and RMPA, which is available on the BLM website: <https://www.blm.gov/programs/planning-and-nepa/public-participation/protest-resolution-reports>. The Assistant Director concluded that the BLM Wyoming State Director followed the applicable laws, regulations, and policies and considered all relevant resource information and public input in developing the Proposed Plan. Each protesting party was notified in writing of the Assistant Director's findings and the disposition of their protests.

The BLM Assistant Director for Resources and Planning resolved the protests without making changes to the Proposed RMP Amendment.

### **1.1.7 Mitigation Measures**

This Approved RMP Amendment does not include any new mitigation measures beyond Appendix J of the 2015 Buffalo Field Office Approved RMP.

### **1.1.8 Plan Monitoring**

The Approved RMP Amendment does not include any new monitoring requirements beyond Appendix X of the 2015 Buffalo Field Office Approved RMP.

## **1.2 ALTERNATIVES**

### **1.2.1 Alternatives Considered but Eliminated from Further Study**

NEPA requires federal agencies to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any that were not developed in detail (40 CFR 1502.14). Through their comments on the proposed action, the public suggested alternative methods for achieving the purpose and need.

#### ***Geographically Limited Leasing***

Twelve independently operating mines are in Wyoming's portion of the Powder River Basin. The BLM considered defining a geographic area sufficient to contain the 1.24 billion short tons of coal necessary to continue uninterrupted coal mining within the basin past 2038; however, the coal quality varies across the CDPA; the individual mines' capacities and capabilities also vary. In addition, the consuming power plants typically purchase coal from multiple Powder River Basin mines, blending the coal for their individual needs, Appendix F of the RMPA and Final SEIS identifies the PRB mines supplying coal to each receiving power plant. It is not possible to define a limited geographic area for leasing without interfering with the competitive free-market environment. Thus, such an alternative would have the effect of favoring individual mines over others, without affecting the total availability of coal. The court ordered a downstream analysis of public health effects; emission-related health effects are correlated with the volume of coal produced, not the acreage mined.

#### ***20-Year Limited Leasing***

A 20-year volume of coal was recommended by a cooperating agency. The coal industry has historically used a 20-year economic prediction model for their production planning. The Limited Leasing Alternative provides sufficient coal for production through 2048, meeting the 20-year recommendation. The Limited Leasing Alternative does provide the coal mines approximately 23-years to plan, lease, and permit federal coal. In addition, the planning period of the Buffalo SEIS is 2022–2038. The 2038 end-date was selected to be consistent with the 2015 Approved RMP and 2019 RMP Amendment planning periods. The BLM will likely have begun preparing a new RMP revision by 2038, which will review coal allocation and leasing decisions.

#### ***1.5°C Limit on Global Temperature Rise (Net-zero Greenhouse Gas Emissions by 2050)***

This alternative was recommended during public scoping and by a cooperating agency. The President's Executive Order on Tackling the Climate Crisis at Home and Abroad (Executive Order 14008, January 2021) and the United States' long-term climate strategy (November 2021) call for putting the US on a pathway to net-zero greenhouse gas emissions by 2050. Achieving net-zero emissions would keep a 1.5°C (2.7°F) limit on global temperature rise within reach, prevent unacceptable climate change impacts and risks, and meet the Paris Accord. The US national long-term strategy of limiting global temperature rise

and net-zero emissions are not a legal requirement, but an expressed national goal. The BLM has no legal authority to impose mitigation measures (including emission offsets or climate change impact fees) of GHG emissions resulting from either transportation/processing activities or end point combustion of fossil fuel products extracted on BLM-administered lands. Only GHG emissions directly resulting from fossil fuel extraction are within the BLM’s jurisdiction. Estimated fossil fuel production emissions total 6.75 MMT CO<sub>2</sub>e, whereas estimated total life cycle emissions attributable to federal fossil fuels extracted from the BFO planning area are 465.54 MMT CO<sub>2</sub>e. Thus, the BLM administratively has some level of control over only the approximately 1.5 percent of CO<sub>2</sub>e attributable to the full life cycle of fossil fuel extracted from the federal mineral estate within the BFO planning area.

### **1.2.2 Alternatives Analyzed in Detail**

The SEIS/RMPA alternatives focus solely on availability for future coal leasing in response to the federal district court’s order in *Western Organization of Resource Councils, et al. v. Bureau of Land Management*, 4:20-cv-00076-GF-BMM (D. Mont. 2022). The range of alternatives meets the purpose of and need for the SEIS/RMPA and responds to issues raised during scoping. In addition, the BLM refined alternatives by updating the coal screening (**Appendix A**) and revising the reasonably foreseeable development scenario (**Appendix B**).

#### ***Alternative A: No Leasing Alternative (environmentally preferred alternative)***

Under Alternative A, the No Leasing Alternative, the application of the multiple-use screen resulted in the coal development potential area (CDPA) being unacceptable for future consideration of federal coal leasing throughout the duration of the planning period (through 2038). At the end of the planning period an RMP revision would reevaluate land use allocations. The CDPA is the decision area which includes approximately 481,000 acres of subsurface federal mineral coal estate. Under Screen 3, 48.12 billion short tons of coal were removed from leasing consideration in order to reduce greenhouse gas (GHG) emissions as a proxy for climate change. The BLM would not accept new coal lease applications, only existing coal leases could be developed, which would continue through their associated lease terms.

#### ***Alternative B: No Action***

Under Alternative B, the No Action Alternative, 48 billion short tons of BLM-administered recoverable coal would be acceptable for the future consideration of leasing in the CDPA.

#### ***Alternative C: Limited Leasing***

Under Alternative C, the Limited Leasing Alternative, 1.24 billion short tons of BLM-administered recoverable coal within the CDPA would be acceptable for the future consideration of leasing. Under Screen 3, 46.88 billion short tons of coal were removed from consideration for leasing in order to reduce GHG emissions as a proxy for climate change in response to the court order. Approximately 1.24 billion short tons would be necessary for the BLM to lease and for the US Office of Surface Mining Reclamation and Enforcement and Wyoming Department of Environmental Quality to permit during the planning period (2038) and prior to 2041, which is when the Energy Information Administration’s forecast predicts the currently leased reserves would be exhausted. This is the estimated minimum amount of coal that would allow the mines to be able to continue without interruption. Economics would be the driving factor determining whether and when lease actions would be pursued, allowing the existing mines to continue production. The BLM would evaluate Lease by Applications as they are received, which would determine where the acceptable coal would be leased. The alternative does not identify a specific area; this is because

it is not possible to define a geographic area for leasing without interfering with the competitive free-market environment of the 12 independent coal mines.

### **Approved Plan Amendment**

The BLM selected Alternative A, No Leasing, as the Approved Plan Amendment making no BLM-administered coal acceptable for leasing consideration within the planning area. The Proposed Amendment does not affect the area with coal development potential (screen 1) or the area determined to be suitable for surface coal mining (screen 2). Collectively, the mines have sufficient federal coal leased to meet forecasted production levels into 2041.

## **I.3 PUBLIC INVOLVEMENT**

### **I.3.1 Public Scoping**

The formal public scoping process for the Draft SEIS/Potential RMPA began with the publication of the NOI in the Federal Register on October 3, 2022 (87 Federal Register 59818); the BLM also posted the NOI on the project website (<https://eplanning.blm.gov/eplanning-ui/project/2021239/510>). The NOI included a call for coal and other resource information and identified SEIS/RMPA topics. The scoping period lasted 30 days, ending on November 2, 2022.

### **I.3.2 Public Review of and Comment on the Draft RMP Amendment/Supplemental EIS**

The BLM published a notice of availability for the Draft SEIS/Potential RMPA in the Federal Register on May 5, 2023, which initiated the 90-day comment period.

During the public comment period, the BLM received 25 unique written submissions containing 148 substantive comments. The Draft SEIS comments helped the BLM refine the Final SEIS and guided the development of the Proposed RMPA. All public comments are posted on the project's ePlanning website at <https://eplanning.blm.gov/eplanning-ui/project/2021239/510>. **Appendix H** is a record of BLM responses to substantive comments.

### **I.3.3 Consultation and Coordination**

#### **Consultation**

This Approved RMP Amendment and ROD are within the scope of the analysis and consultations supporting the 2015 Buffalo Field Office Approved RMP for the Endangered Species Act and the National Historic Preservation Act.

Consultation with Sovereign Tribal Nations is a requirement of NEPA, FLPMA NHPA, and BLM manual 1780. The BLM sent letters to Sovereign Tribal Nations on August 30, 2022, and October 5, 2022, to ask if the Sovereign Tribal Nations wanted to initiate formal government-to-government consultation. The BLM also followed up with emails and reached out via telephone to Sovereign Tribal Nations. Sovereign Tribal Nations contacted are listed in **Table I-1**. The BLM held a cooperating agency and Sovereign Tribal Nation meeting prior to the public scoping meeting, on October 17, 2022, at the George Amos Memorial Building, 412 S. Gillette Ave., Gillette, Wyoming. Joint cooperating agency and Sovereign Tribal Nation meetings were also held in person at the George Amos Memorial Building in Gillette on December 9, 2022 (which covered alternatives development) and on January 26, 2023 (which discussed the preliminary administrative Draft SEIS/Potential RMPA). A joint cooperating agency and Sovereign Tribal Nation meeting was also held on May 31, 2023, at the George Amos Memorial Building in Gillette to discuss the public Draft SEIS/Potential RMPA.

**Table I-1**  
**Sovereign Tribal Nations Contacted for Government-to-Government Consultation**

<b>Sovereign Tribal Nations Government</b>
Fort Belknap Reservation
Crow Tribe of Indians
Fort Peck Assiniboine and Sioux Tribes
Northern Cheyenne Tribe
Santee Sioux Nation of Nebraska
Three Affiliated Tribes - Mandan, Hidatsa, and Arikara Nations
Standing Rock Sioux Tribe
Spirit Lake Tribe of Fort Totten
Cheyenne River Sioux Tribe
Crow Creek Sioux
Lower Brule Sioux Tribe
Oglala Sioux Tribe
Rosebud Sioux Tribe
Sisseton Wahpeton Oyate Tribes
Yankton Sioux Tribe
Eastern Shoshone Tribe
Northern Arapaho Tribe

### **Cooperating Agencies**

The BLM was the lead agency for the Supplemental EIS/RMP Amendment. The BLM contacted 11 local, state, and federal agencies, inviting them to participate as cooperating agencies for the Supplemental EIS/RMP Amendment (**Table I-2**). In addition, there were other informal meetings, telephone conversations, and visits with agency representatives. As stated above, the BLM also invited Sovereign Tribal Nation to participate in the Supplemental EIS process as cooperating agencies.

**Table I-2**  
**Cooperating Agency Invitations**

Campbell County Commission
Johnson County Commission
Campbell County Conservation District
Office of the Governor, Wyoming
Wyoming Department of Agriculture
Wyoming Department of Environmental Quality
Wyoming Game and Fish Department
United States Environmental Protection Agency, Region 8
United States Department of the Interior, National Park Service
United States Department of the Interior, Office of Surface Mining and Reclamation
United States Department of the Interior, Fish and Wildlife Service

**1.4 AVAILABILITY AND APPROVAL OF THE PLAN**

Copies of the ROD and the Buffalo Approved RMP Amendment may be obtained by viewing or downloading the document from the BLM website at <https://eplanning.blm.gov/eplanning-ui/project/2021239/510> or by obtaining an electronic file at the following locations:

Bureau of Land Management  
Wyoming State Office  
5353 Yellowstone Road  
Cheyenne, WY 82009-4178

Bureau of Land Management  
Buffalo Field Office  
1425 Fort Street  
Buffalo, WY 82834-2436

**BLM Director Approval**

I hereby approve the land use plan decision. My approval of the land use plan decision in accordance with 43 CFR 1610.5-1 is based on an independent review of the Protest Resolution Report, ROD, Proposed RMPA/Final SEIS, and other documents made available to me. My decision constitutes the final decision of the Department of the Interior in accordance with the land use planning regulations at 43 CFR 1610.

  
\_\_\_\_\_  
Tracy Stone-Manning, BLM Director

*Nov. 20, 2024*  
\_\_\_\_\_  
Date

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# Part 2 – Approved Resource Management Plan Amendment

The BFO Approved RMP Amendment is included below and is adapted from the Proposed Plan in the Final Supplemental EIS, as described in the ROD. A component of the purpose and need for the RMP Amendment was to provide additional analysis for land use planning, specifically for screening and analyzing coal in the BFO to determine acceptability for further coal leasing consideration, in response to the federal district court’s order in *Western Organization of Resource Councils, et al. v. Bureau of Land Management* [4:20-cv-00076-GF-BMM]. The decision area is BLM-administered federal coal in the 2019 Approved RMPA Coal Development Potential Area (CDPA) (**Figure 1-1**). To determine acceptability for further coal leasing consideration in the RMP Amendment, the BLM updated the coal screening (**Appendix A**) and updated the reasonably foreseeable development scenario (**Appendix B**). **Figure 2-1** shows the coal acceptability geospatial results of the four-step coal screening process for the RMP Amendment. **Table 2-1** depicts the overall coal screening results for the RMP Amendment.

**Table 2-1  
Coal Screening Results for RMP Amendment**

<b>Coal Screening Criteria<sup>1</sup></b>	<b>Billion Short Tons</b>
CDPA (federal coal) (Screen 1)	61.30
Federal coal mined out	-8.63
Federal coal with development potential	52.66
Unsuitable for all methods of coal mining without exception (Screen 2) <sup>2</sup>	-4.54
Suitable for coal mining	48.12
Multiple-use screen (Screen 3)	-48.12
Unacceptable for all methods of coal mining without exception	
<b>Acceptable for coal leasing</b>	<b>0</b>

Source: BLM Geographic Information System (GIS) 2022

<sup>1</sup> See **Appendix A** for the full coal screening process.

<sup>2</sup> Coal potential includes BLM-administered federal coal, excluding areas where the USFS manages the surface.

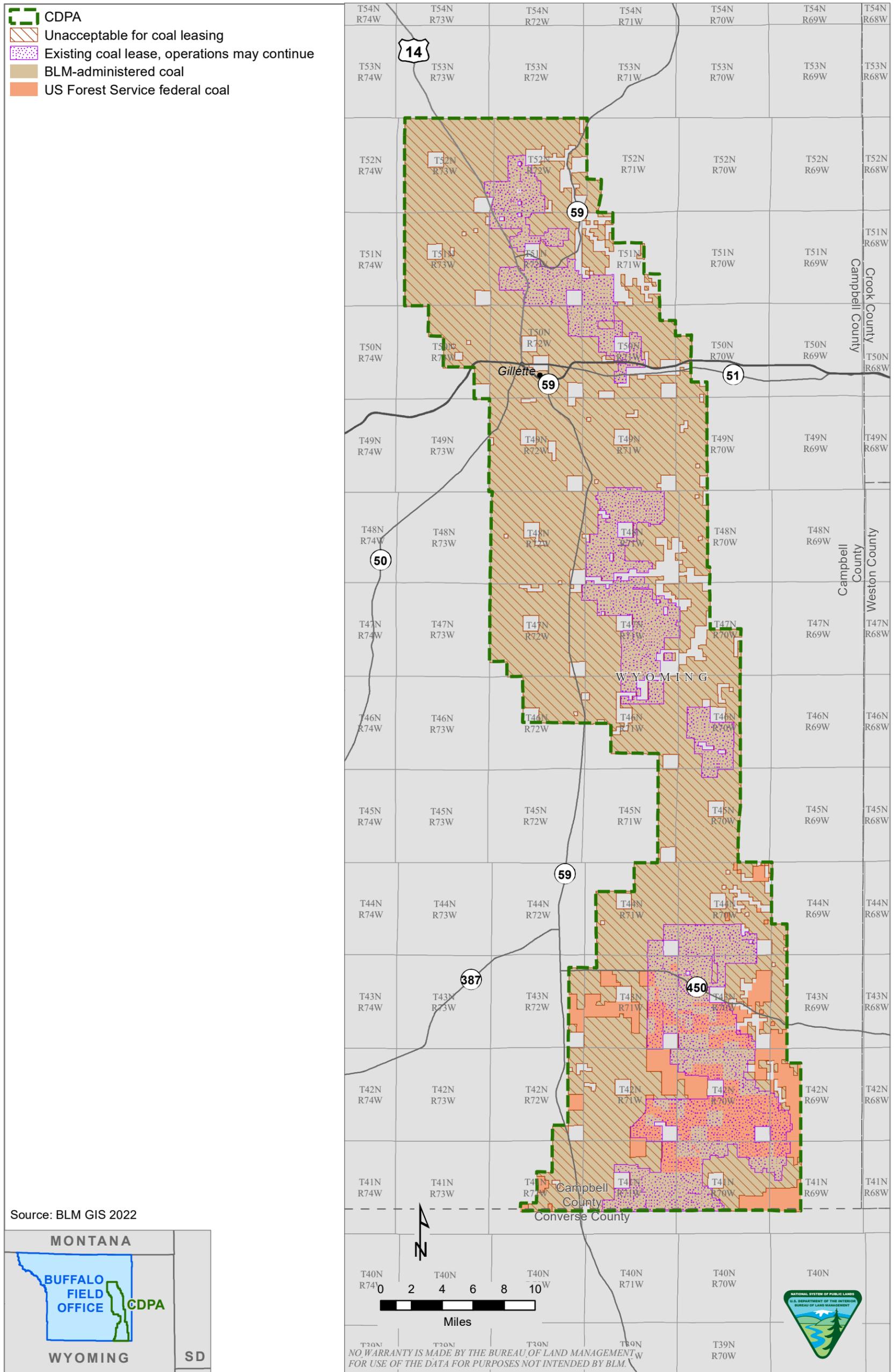
Note: Coal volumes shown in each row are rounded and thus may not sum to the total in the Acceptable for Coal Leasing row.

The Approved RMP Amendment does not modify other resource allocation management decisions in the BFO 2015 RMP; it only modifies the decisions for allocation of BLM administered coal in the BFO. Goals, objectives, and management actions from the 2015 RMP for resources not related to the allocation of BLM administered coal remain valid and applicable to future management decisions.

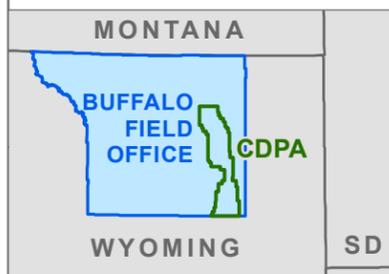
Only land use plan-level decisions related to the allocation of BLM administered coal are made in this Approved RMP Amendment; no implementation actions are included. Such actions will require further NEPA compliance and must demonstrate conformance with the RMP and this Approved RMP Amendment.

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**Figure 2-1  
Alternative A: No Leasing**



Source: BLM GIS 2022



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## Part 3 – References

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# Appendix A

## Coal Screening Process

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# Appendix A. Coal Screening Process

## A.1 INTRODUCTION

As part of the land use planning process (regulated under 43 Code of Federal Regulations [CFR] 1600), surface management agencies are charged with screening public land resources through a series of criteria. These criteria separate lands suitable for development of coal resources from those unsuitable due to potential resource conflicts with coal development (43 CFR 3420.1-4(d)).

This appendix describes the screening process for coal resources undertaken by the Wyoming Buffalo Field Office (BFO), complying with 43 CFR 3420.1-4(e)(1-4). The screening process informs potential land use decisions regarding acceptability for coal leasing under the alternatives analyzed in the Draft Supplemental Environmental Impacts Statement (EIS) and Potential Resource Management Plan Amendment (RMPA).

The Bureau of Land Management (BLM) used a coal screen developed for the 2019 Supplemental EIS, which authorizes federal coal resources in the decision area. Currently, the BLM has 42,700 acres of unmined BLM-administered federal coal under leases in the BFO decision area.

The coal screen described in this appendix corrects errors made in 2019 and provides updated information on resources in the BFO decision area since it was last screened in 2019. The BLM did not change any unsuitability criteria interpretations or decisions. Examples of errors corrected include:

- Elk crucial winter range, which was calculated in hectares in 2019 was corrected to acres.
- The 2019 screening included the Interstate 90 bypass which is not an interstate highway and thus should not have been included, this was removed in 2022.
- The travel lanes for each direction of Interstate 90 were calculated separately in 2019 resulting in double counting the acreage, this was corrected to include both directions in a single calculation in 2022.
- The quarter-mile sage-grouse lek area no surface occupancy stipulation buffer used in 2019 was changed to buffer sage-grouse leks by the 2-mile nesting habitat stipulation around sage-grouse leks. Nesting habitat—not breeding habitat—is the limiting factor for sage-grouse populations; nesting habitat is what coal mines would be required to restore following mining.

An update included for the 2022 screening was the mixed-grass prairie vegetation type, which was used to model swift fox habitat, in concurrence with the Wyoming Game and Fish Department (WGFD), instead of the prairie dog colony GIS layer, which was used as a proxy for swift fox habitat in 2019. Also, in 2022, the BLM was able to acquire the Wyoming Department of Environmental Quality's declared alluvial valley floors (AVF) layer to supplement the US Geological Survey's potential AVF GIS layer that was used in 2019. Declared AVFs are unacceptable for leasing (no exceptions), whereas potential AVFs may be leased with mitigation.

## A.2 REGULATORY OVERVIEW

Federal coal resources are governed by Section 522(b) of the Surface Mining Control and Reclamation Act and the regulations at 43 CFR 3400 and 1600. One aspect of coal leasing governed under these

regulations is land use planning (43 CFR 3420.1-4(d) and 1610.7-1) and the review of federal lands for suitability for coal leasing (43 CFR 3461). These regulations identify certain lands as categorically unacceptable for leasing because they contain significant values that conflict with coal development. These include components of the National Wildlife Refuge System, the National System of Trails, and incorporated cities, towns, and villages, among other entities. Other areas disqualified for leasing are critical habitat for threatened and endangered species and cultural resources listed on the National Register of Historic Places.

The regulations at 43 CFR 3420 govern the land use planning process as it pertains to coal, including the four-step screening process for identifying areas acceptable for further consideration for leasing (43 CFR 3420.1-4). Under this process, the BLM must complete the following:

1. Identify coal with development potential—Lands determined to have development potential are considered acceptable for further consideration for leasing and are applied to the remaining coal screens. Lands determined to not have development potential are eliminated from further consideration for leasing.
2. Apply unsuitability criteria—Lands with coal potential are assessed with procedures outlined in 43 CFR 3461. Lands with coal potential may be eliminated from further consideration from leasing if they are determined to be unsuitable without stipulation or exception.
3. Analyze multiple-use conflicts—According to 43 CFR 3420.1-4e(3), “Multiple land use decisions shall be made which may eliminate additional coal deposits from further consideration for leasing, to protect resource values of a locally important or unique nature not included in the unsuitability criteria.” Multiple-use values may include air and water quality; wetlands, riparian areas and sole-source aquifers; the Federal lands which, if leased, would adversely impact units of the National Park System, the National Wildlife Refuge System, the National System of Trails, and the National Wild and Scenic Rivers System. Lands with coal potential may be eliminated from further consideration for leasing where multiple uses conflict.
4. Consult surface owners—This screen requires the BLM to consult with qualified surface owners whose land overlies federal coal with development potential. The BLM asks the qualified surface owners for their preference for or against offering the coal deposits under their land for lease. Lands with coal potential may be eliminated from further consideration for leasing based on qualified surface owner preference.

The BLM will undertake additional analysis and consultation, as necessary, before it issues new leases.

### **A.3 SCREENING PROCESS OVERVIEW**

#### **A.3.1 Screen 1—Coal Development Potential**

The BLM determined the BFO’s coal development potential area (CDPA) using stripping ratios, where appropriate and available. Where the BLM’s own data were not available, the BLM used drill data from the Wyoming Oil and Gas Conservation Commission.

The adjustment of the CDPA is based on coal quality and the stripping ratio (that is, the cost to produce). Coal quality is measured partly by the British thermal unit (Btu) range at which it burns, with higher-quality coal burning hotter (that is, at a higher Btu). Mines in the northern part of the decision area produce coal that burns in the 8,200 to 8,400 Btu range, the mines in the central part of the decision area produce coal

in the 8,400 to 8,600 Btu range, and the mines in the southern part of the decision area produce coal in the 8,600 to over 8,800 Btu range.

To balance the cost of production and quality, and in keeping with the current pricing in the coal market, the BLM used stripping ratios of 4:1, 5:1, and 6:1 for mines in the northern, central, and southern parts of the decision area, respectively.

The stripping ratio is most accurate and most predictive near the western end of active mines. This is because the western end is where most drill data are collected, in anticipation of westward progression of mining activity. Where BLM data were sparse—notably, the east side of the Southern Mine Group—the BLM used the Wyoming Oil and Gas Conservation Commission’s drill data to determine the availability of coal; the BLM modified the CDPA to reflect these findings. Although there is coal on the Southern Mine Group’s eastern boundary, available data suggest what is available is not economical to develop. There was no update in 2022 for the CDPA.

### **A.3.2 Screen 2—Unsuitability Assessment**

The BLM BFO interdisciplinary team of resource specialists reviewed available data and solicited expertise from state and federal agencies to assess the applicability of each of the 20 unsuitability criteria to the decision area. **Table A-2** provides a detailed breakdown of each criterion, lands found unsuitable under each criterion, and total acreages identified and designated as unsuitable for coal development under each criterion.

The BLM's interpretation of the unsuitable criteria have not changed since 2019 when cooperating agencies, including the Wyoming Department of Environmental Quality and Wyoming Game & Fish participated in the Unsuitability Criteria screening. These criteria were described in the administrative draft documents shared with cooperating agencies and presented at cooperating agency meetings. State and local cooperating agencies did not raise any issues with impacts to State trust lands from application of the unsuitability criteria.

The United States Forest Service screens and makes the allocation decision for federal coal beneath the Thunder Basin National Grassland surface; the BLM consults with that agency during lease actions.

The BLM corrected errors discovered in the 2019 screening and updated resource data, where available, for the unsuitability assessment. In addition to the errors and updates identified in the *Introduction* section, the 2022 data included additional nonlinear rights-of-way (ROWs), one additional bald eagle nest, and several additional golden eagle nests.

### **A.3.3 Screen 3—Evaluation of Multiple Land Use Decisions to Protect Other Resource Values and Land Uses**

The alternatives analyzed in the Draft Supplemental EIS and Potential RMPA may eliminate additional coal deposits from further consideration for leasing. The BLM would eliminate these deposits to protect other resource values and land uses, where they are not protected under the 20 unsuitability criteria, through coordination with other government agencies and organizations. In particular, the no-leasing and limited leasing alternatives seek to protect public and environmental health by reducing climate change causing greenhouse gas emissions. See **Figure A-1** and **Figure A-2** for a geographical depiction of the alternatives.

Additional coal deposits can be eliminated from further consideration for leasing through site-specific analyses completed before lease sales. Because almost all BLM-administered federal coal deposits lie beneath lands owned or administered by other entities, the BLM will consult with those entities before eliminating those federal coal deposits from further consideration for leasing.

#### **A.3.4 Screen 4—Consultation with Qualified Surface Owners**

The BLM sent letters to all identifiable private surface owners with parcels overlying BLM-administered federal coal resources within the CDPA. The BLM requested that the surface owners confirm that they are qualified to express their preference on mining federal coal resources (see 43 CFR 3400.0-5(gg)(1) and (2)). The BLM also asked that the surface owners respond with their preference for or against mining by other-than-underground methods—that is, surface mining—on the BLM-administered federal coal resources beneath their land. A sample of the letters sent to private surface owners can be found in **Attachment I**.

To be a qualified surface owner in accordance with the regulations at 43 CFR 3400.0-5, the individuals must have the following characteristics:

- Hold legal or equitable title to the surface of split-estate lands.
- Have their principal place of residence on the land, or personally conduct farming or ranching operations on a farm or ranch unit to be affected by surface mining operations, or receive directly a significant portion of their income, if any, from such farming and ranching operations.
- Have met the first two conditions for a period of at least 3 years, except for persons who gave written consent less than 3 years after they met the requirements.

In computing the 3-year period, the BLM Authorized Officer should include periods during which the title was owned by a relative of such person by blood or marriage if, during such periods, the relative would have met the requirements of this section.

The BLM will verify qualified surface ownership and surface owners' preference for or against mining by other-than-underground methods (surface mining) before issuing any lease for federal coal resources beneath privately owned parcels. The BLM will not issue any leases for surface mining without qualified surface owner consent.

#### **A.4 COAL DEVELOPMENT POTENTIAL RESULTS**

The total acres of BLM-administered recoverable coal with development potential are tabulated under **Table A-1** and mapped in **Figure A-3**.

**Table A-1**  
**BLM-Administered Recoverable Coal Resources**

<b>Federal Coal Status</b>	<b>Acres</b>	<b>Billion Short Tons</b>
CDPA	481,000	61.30
Federal coal mined out	-67,750	-8.63
Federal coal with development potential	413,250	52.66

Source: BLM GIS 2022

## A.5 UNSUITABILITY ASSESSMENT RESULTS

The acres designated unsuitable under each unsuitability criterion are tabulated under **Table A-2** areas identified as unsuitable under each unsuitability criterion are mapped in **Figure A-4** through **Figure A-8**. For each criterion, resources that trigger unsuitability are identified. (Note that the resources identified are only those resources that overlie areas with coal potential identified under Screen 1 and that result in unsuitable designation.)

Acres are not additive across the table because of overlapping resources. For example, some of the bald and golden eagle site, which drive unsuitability, are also the same area that includes habitat for species of state interest; thus, the same acre is counted in Criterion 11 and Criterion 15.

**Table A-2**  
**Application of Unsuitability Criteria**

<b>Criterion</b>	<b>Criterion Name and Applicable Resources in the Decision Area, Including Data Sources</b>	<b>Acres Unsuitable</b>	<b>Billion Short Tons</b>
Criterion 1 (no exception)	Federal lands for preservation, such as national parks, national wildlife refuges, and wilderness areas, and cities (13,390 acres) Source: BLM surface ownership layer; Wyoming incorporated cities	13,390	1.71
Criterion 2 (with exception)	Federal lands within ROWs or easements, or surface leases for residential, commercial, industrial, or other public purposes: <ul style="list-style-type: none"> <li>• Nonlinear ROWs—290 acres</li> <li>• Linear ROWs—110 acres</li> </ul> Source: BLM ROWs and easements layer	400	0.05
Criterion 3 (with exception)	Buffer zones along road ROWs and next to communities, public schools, occupied dwellings, churches, public parks, and cemeteries: <ul style="list-style-type: none"> <li>• Buildings—17,210 acres</li> <li>• County roads—1,980 acres</li> <li>• State highways—740 acres (Wyoming Highway 59 and Wyoming Highway 450)</li> <li>• US highway—310 acres (US Route 16)</li> <li>• Agency roads—10 acres</li> </ul>	20,240	2.58
Criterion 3 (no exception)	<ul style="list-style-type: none"> <li>• Cemeteries—310 acres</li> <li>• Interstate highways—450 acres (Interstate 90)</li> </ul> Sources: Campbell County building and cemetery layers; BLM transportation layer	760	0.09
Criterion 4	Wilderness study areas Source: BLM wilderness study area layer	0	0
Criterion 5	Scenic areas Source: BLM visual resources inventory layer	0	0
Criterion 6	Scientific study <sup>1</sup> Source: BLM 2015	0	0
Criterion 7	Historic lands and sites Source: BLM cultural layer	0	0
Criterion 8	Natural areas Source: BLM surface ownership	0	0
Criterion 9	Federally designated critical habitat for threatened and endangered species Source: US Fish and Wildlife Service critical habitat layer	0	0
Criterion 10	State-listed threatened and endangered species <sup>2</sup>	0	0

Criterion	Criterion Name and Applicable Resources in the Decision Area, Including Data Sources	Acres Unsuitable	Billion Short Tons
Criterion 11	Bald and golden eagle sites: <ul style="list-style-type: none"> <li>Bald eagle nest buffers—2,540 acres</li> <li>Golden eagle nest buffers—11,650 acres</li> </ul> Source: BLM raptor nest layer	14,190	1.98
Criterion 12	Bald and golden eagle roost and concentration areas Source: BLM eagle roost layer	0	0
Criterion 13	Falcon nesting sites Source: BLM raptor nest layer	0	0
Criterion 14	Migratory birds of high federal interest Source: US Fish and Wildlife Service	0	0
Criterion 15	Habitat for species of state interest: <ul style="list-style-type: none"> <li>Greater sage-grouse lek buffers—34,560 acres</li> <li>Sharp-tailed grouse leks—650 acres</li> <li>Burrowing owl habitat—5,370 acres</li> <li>Elk crucial winter range—1,610 acres</li> <li>Elk calving areas—30 acres</li> <li>Swift fox habitat—41,420</li> </ul> Sources: WGFD big game seasonal ranges and migration corridor layers; WGFD sage-grouse and sharp-tailed grouse lek layers; WGFD sage-grouse core population and connectivity corridor layers; WGFD prairie dog layer	83,640	11.65
Criterion 16	100-year floodplain Source: Federal Emergency Management Agency national floodplain hazard layer	0	0
Criterion 17	Municipal watersheds Source: Campbell and Sheridan Counties	0	0
Criterion 18	Natural resource waters Source: BLM 2001	0	0
Criterion 19	Declared AVFs (no exception) Source: Wyoming Department of Environmental Quality declared AVFs layer	1,700	0.22
Criterion 20	State proposed criteria Source: BLM Washington Office	0	0

Source: BLM GIS 2022

<sup>1</sup> No scientific study areas have been determined unsuitable.

<sup>2</sup> No Wyoming Endangered Species Act

## A.6 RESULTS OF MULTIPLE LAND USE DECISIONS

In addition to the areas eliminated from further consideration for coal leasing by the unsuitability criteria under Screen 2, above, land use decisions to protect resources of high value to the public may eliminate additional coal deposits from further consideration (**Figure A-9**). **Table A-3** includes multiple-use conflicts that the BFO considered but decided not to remove as unacceptable for further consideration for coal leasing; it also shows the rationale behind the decisions.

The BLM considered air quality when completing the multiple-use screen. Existing data and modeling done for the 2019 Supplemental EIS showed no air quality standards were exceeded, based on the national ambient air quality standards under the Clean Air Act; therefore, the BLM did not designate the resulting geographic area as not acceptable for further leasing of coal.

**Table A-3**  
**Multiple-Use Conflicts Not Recommended as Unacceptable for Coal Leasing**

<b>Resource Topic</b>	<b>Resource Potentially in Conflict with Coal</b>	<b>Reason for Not Analyzing</b>
Soils	Soils with depths less than 50 centimeters	Scattered distribution, with limited geographic extent
	Sandy and clayey soils	Scattered distribution, with limited geographic extent
	Reclamation-resistant soil chemistries	Scattered distribution, with limited geographic extent
Grazing	Livestock allotments	Allotment acreages are sufficient to accommodate limited development on BLM-administered surface. Forest Service makes their own coal leasing allocation decisions. Through the screening process, the BLM takes surface owner mining preferences into account.
Solid minerals	Salable mineral pits	Salable pits are related to the coal mines; no direct conflicts are anticipated.
	Locatable mineral plans of operations	No direct conflicts are anticipated from the two free-use permits.
	Uranium	There is no uranium potential.
	Wyoming Department of Environment Quality mining permits	Wyoming Department of Environment Quality permits are related to the coal mines; no direct conflicts are anticipated.
	Active mining claims	There are no active claims.
Fluid minerals	Active wells	Following resolution of Interior Board of Land Appeals (IBLA) 2018-203, the BLM determined that coal leases would lead to suspension of oil and gas activities, where the two conflict.

This appendix describes the coal screening process prior to alternatives development. Within Alternative A—No Leasing and Alternative C—Limited Leasing, greenhouse gas emissions were recognized as a multiple-use screen as a proxy for climate change and described in the descriptions of those alternatives, **Sections 2.2.1 and 2.2.3.**

There are insufficient data for an accurate wetland assessment. Wetlands would be inventoried as part of the leasing application process, where the BLM would make a determination of acceptability, in coordination with the US Army Corp of Engineers and the Wyoming Department of Environmental Quality.

After close review of resources and in consultation with state and federal agencies, the BLM recommended resources as unacceptable for coal leasing due to conflicts in use; therefore, the BLM eliminated them from further consideration for coal leasing under Screen 3. In sum, 940 acres were excluded from leasing under this review (880 acres excluding the acres that overlap Screen 2, no exceptions). Resources that the BLM removed from further consideration because of their significance and potential conflict with coal development are a municipal airport (700 acres) and a special recreation management area (240 acres).

## **A.7 RESULTS OF CONSULTATION WITH QUALIFIED SURFACE OWNERS**

The BFO mailed letters to 278 private landowners who own property larger than 40 acres in the decision area. The 40-acre threshold was based on the qualification criterion that a significant portion of income should come from the parcel. Corporate landowners were included in those who were sent letters; this

is because the parcels they own may likely provide significant income, even where there may not be principal residences on the property.

The BLM sent the letters on October 5, 2022, requesting a response by November 7, 2022. The letters requested verification of landowner qualifications and an opinion on leasing federal coal beneath their surface (in favor of, against, or undecided). The letters also inquired whether the landowners had previously provided consent for surface mining (see the example letter in **Attachment I**). **Table A-4** lists the results; landowner response letters are included in the decision file.

**Table A-4**  
**Private Surface Owner Response within All Alternatives**

Surface Owner Consultation	Status	Letter Number	Percent
Letter delivery	Sent	278	—
	Delivered	277	99
	Returned by the US Postal Service	1	1
Landowner response rate	Responses received	68	24
	Delivered without response	210	76
Landowner opinion on leasing (of responses received)	For	37	54
	Against	22	32
	Undecided	9	13
	Received, no response	0	0

Source: BFO 2022

There is no significant opposition to mining in the areas with the highest likelihood of coal mining. The owners objecting to mining are mostly separated from active mines or are in areas having moderate to low development potential. No areas were made unacceptable based on landowner response due to the inability to form a logical mining unit. Before potential leases are delineated, the BLM would again contact surface owners to solicit their preference for or against surface coal mining, in accordance with the BLM Coal Leasing Handbook.

The information above describes the BLM's screening process and the outcomes to identify lands acceptable for further consideration for leasing, in accordance with federal regulations governing federal coal management and land use planning. The allocations resulting from this process are included in the alternatives considered in the Draft Supplemental EIS and Potential RMPA. These allocations are intended to cover the entire CDPA for the BLM-administered federal mineral estate in that document. The BLM conducted this coal screening to allow future coal leasing decisions in the CDPA. The BLM will undertake additional site-specific analyses and consultation, as necessary, before issuing new leases.

**Table A-5  
Coal Screening Results**

<b>Coal Screen</b>	<b>Results</b>	<b>Acres</b>	<b>Billion Short Tons</b>
Screen 1	Coal development potential	413,250	61.3
Screen 2	No exception	-23,940	-4.54
	Exception (no exception erased)	67,280	8.64
Screen 3	Multiple use (no exception erased)	-880	-0.11
Screen 4	Consultation with landowners	0	0
Acceptable	—	388,430	48.01

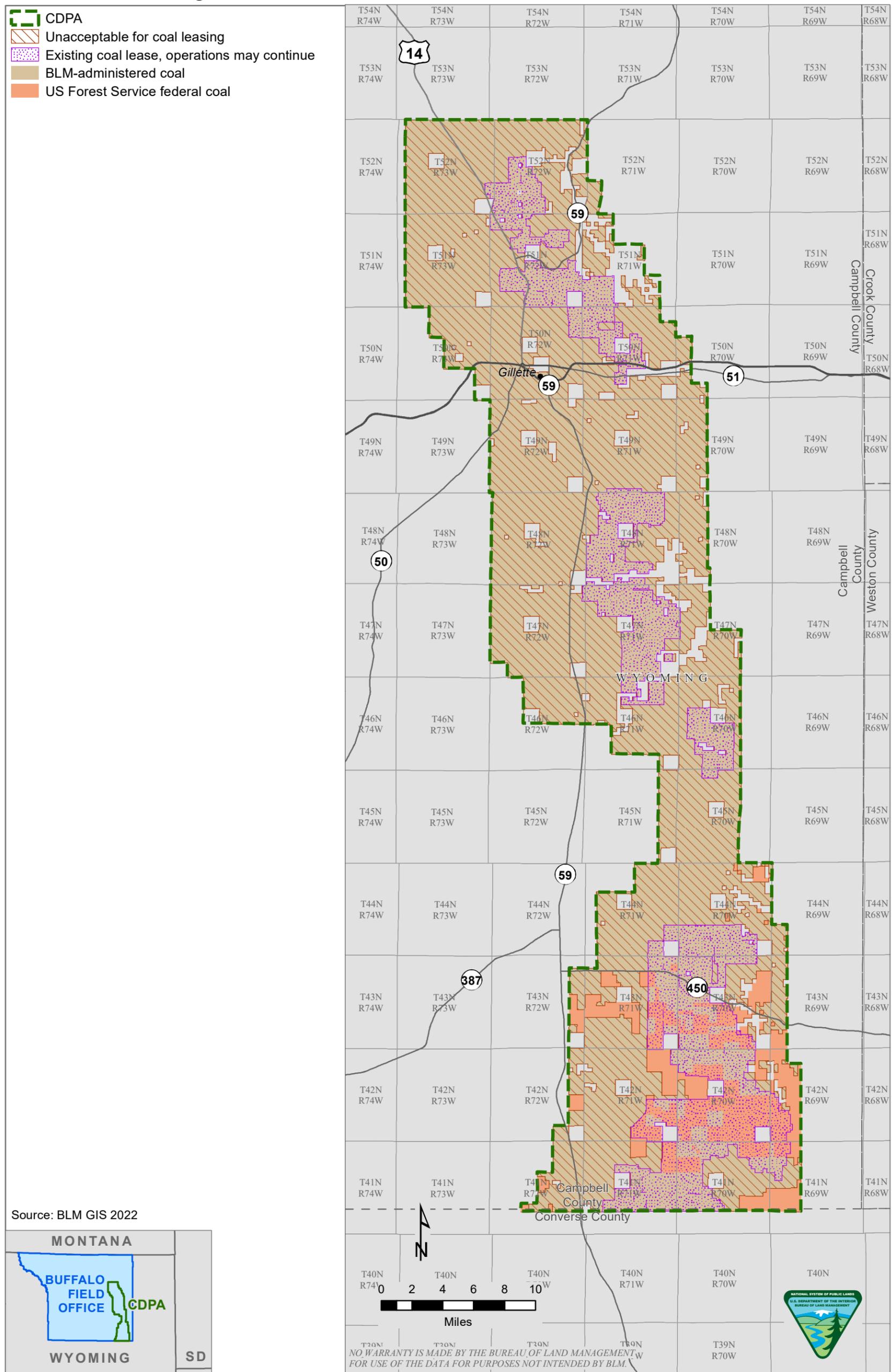
Source: BLM GIS 2022

### **A.8 REFERENCE**

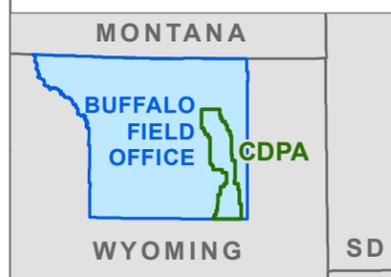
BLM GIS (United States Department of the Interior, Bureau of Land Management geographic information systems). 2022. GIS data on file with the BLM's eGIS server, used for calculations or figures related to the coal development strategy. BLM, Buffalo Field Office, Wyoming.

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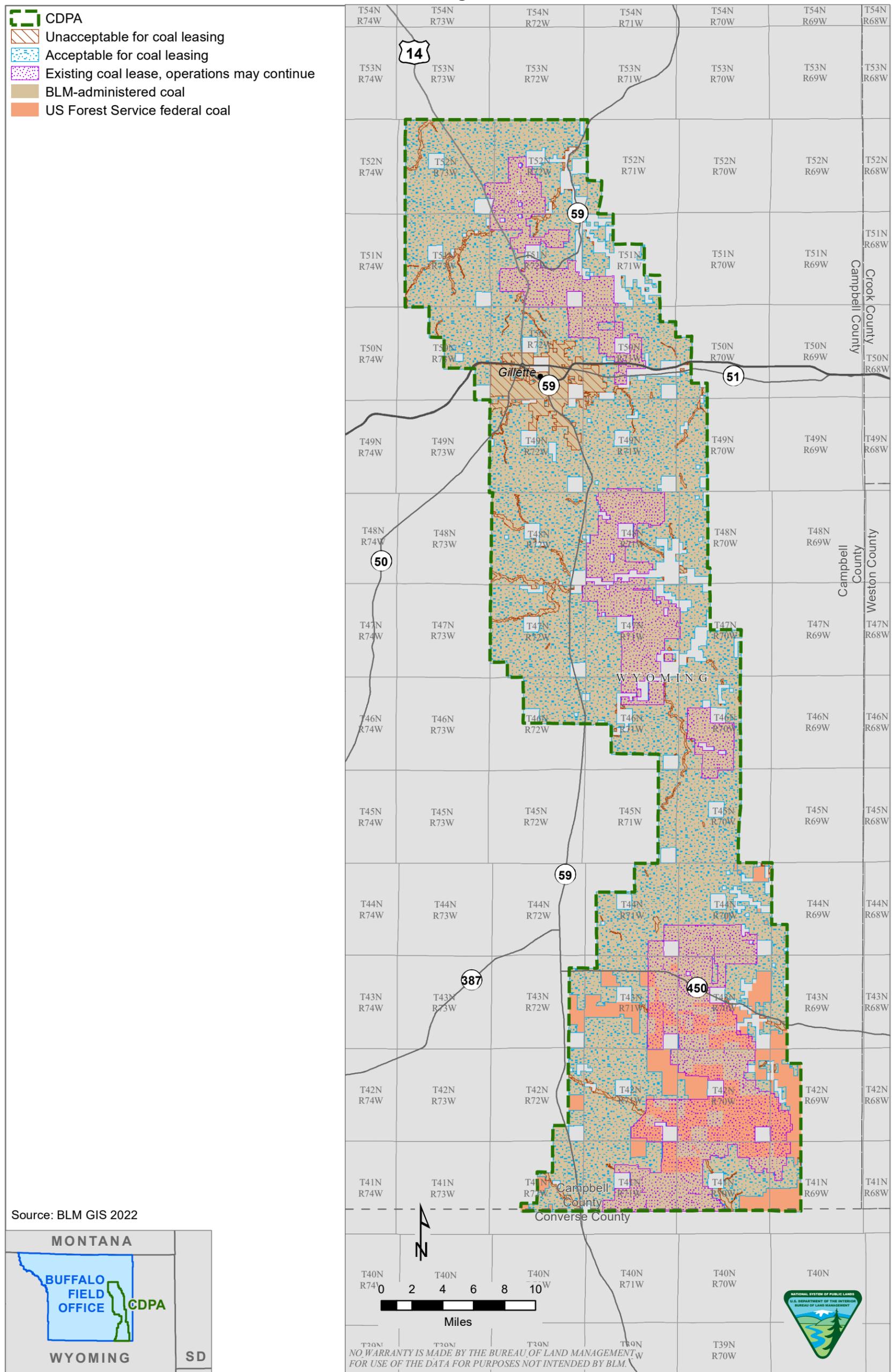
**Figure A-1**  
**Alternative A: No Leasing**



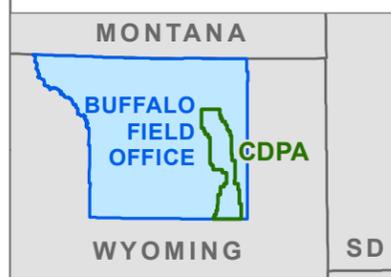
Source: BLM GIS 2022



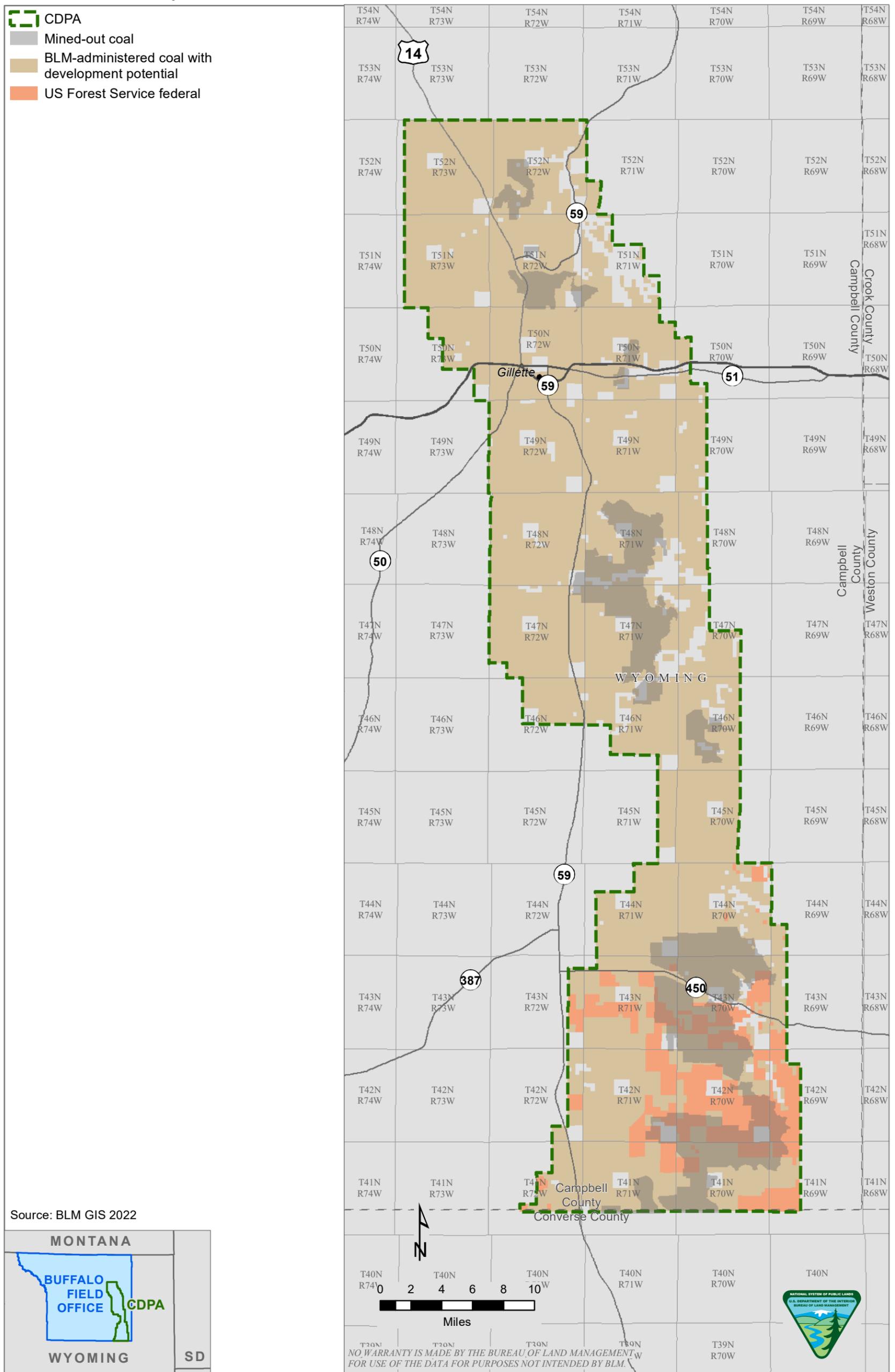
**Figure A-2**  
**Alternative B: No Action and Alternative C: Limited Leasing**



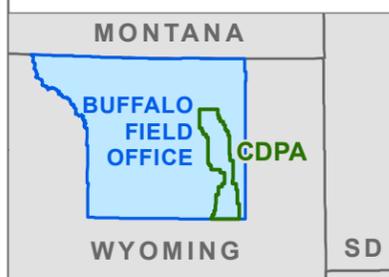
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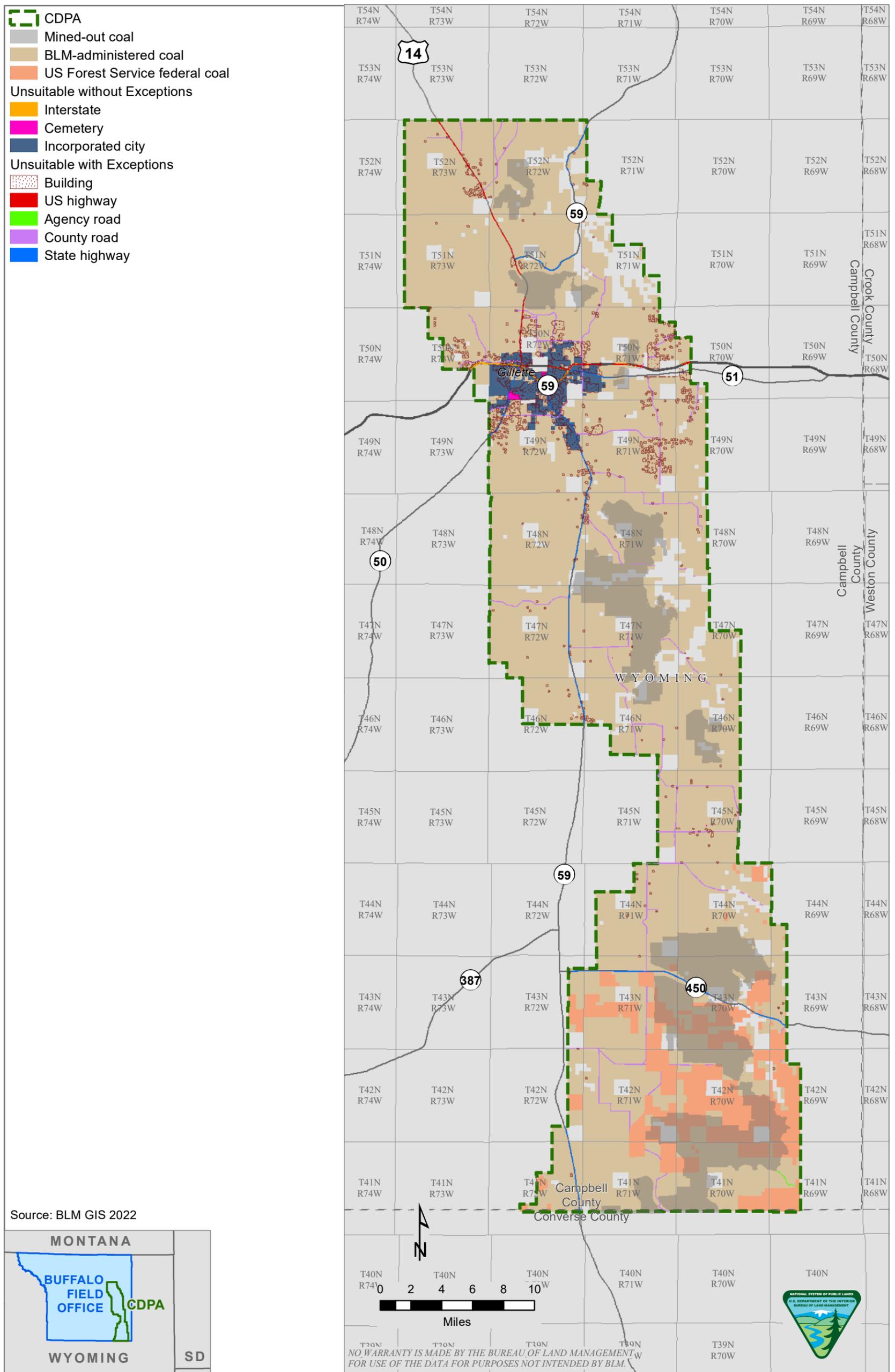
**Figure A-3**  
**Screen 1 Coal Development Potential**



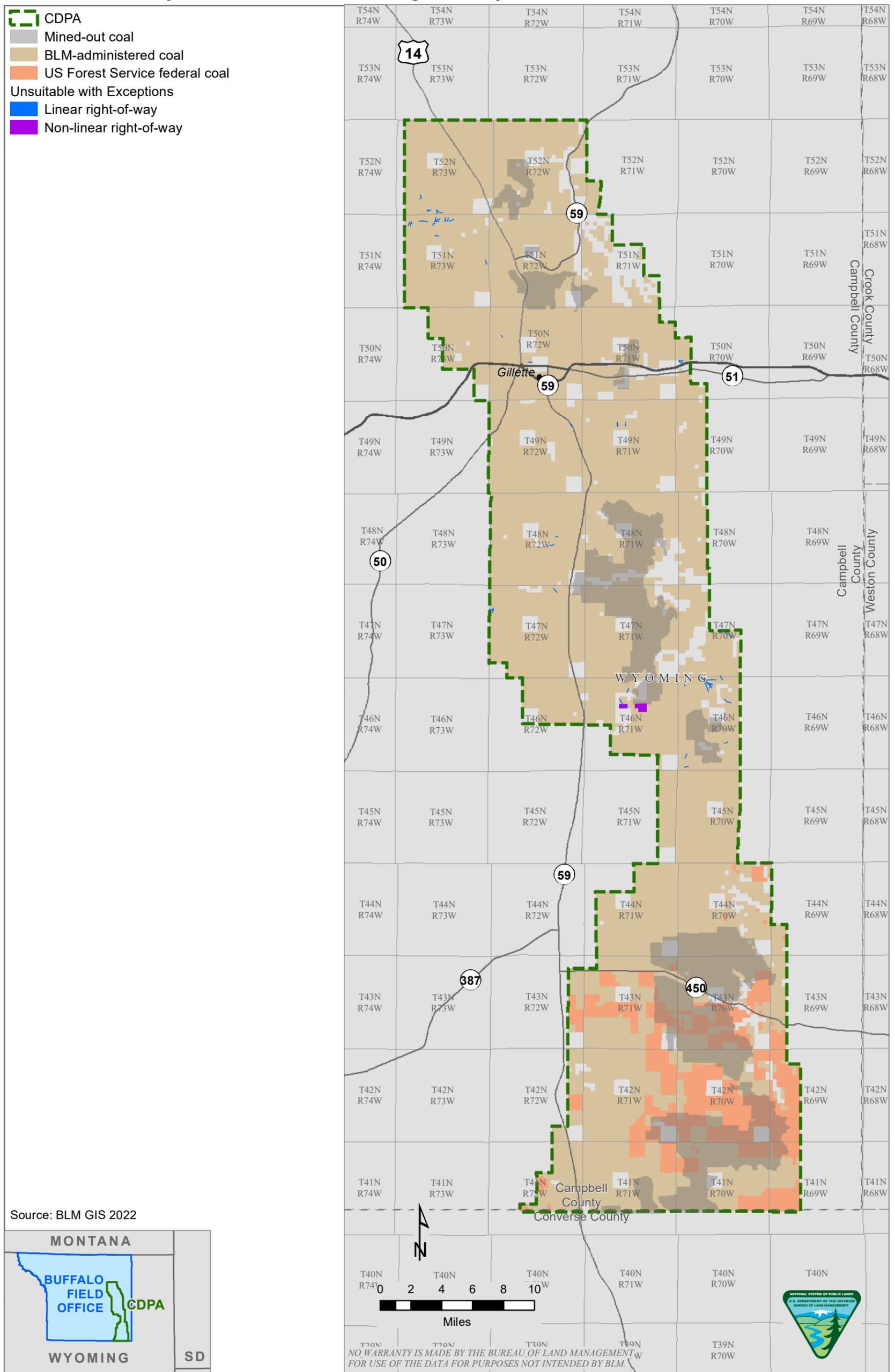
Source: BLM GIS 2022



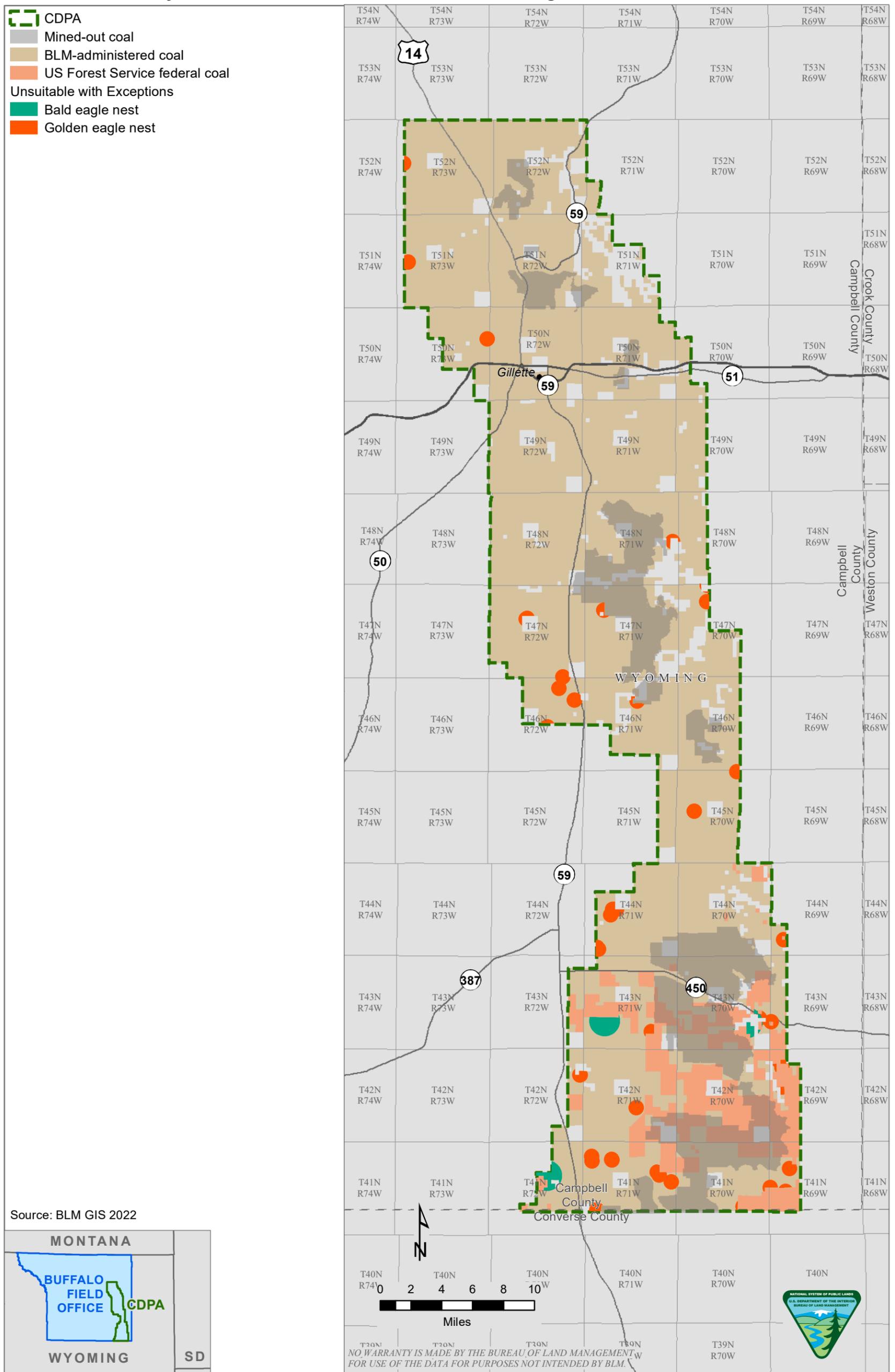
**Figure A-4**  
**Screen 2 Unsuitability Assessment: Criteria 1 and 3 — Public Roads, Schools, Parks, Qualified Buildings, and Other**



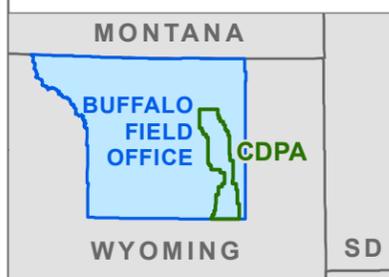
**Figure A-5**  
**Screen 2 Unsuitability Assessment: Criterion 2 — Rights-of-Ways**



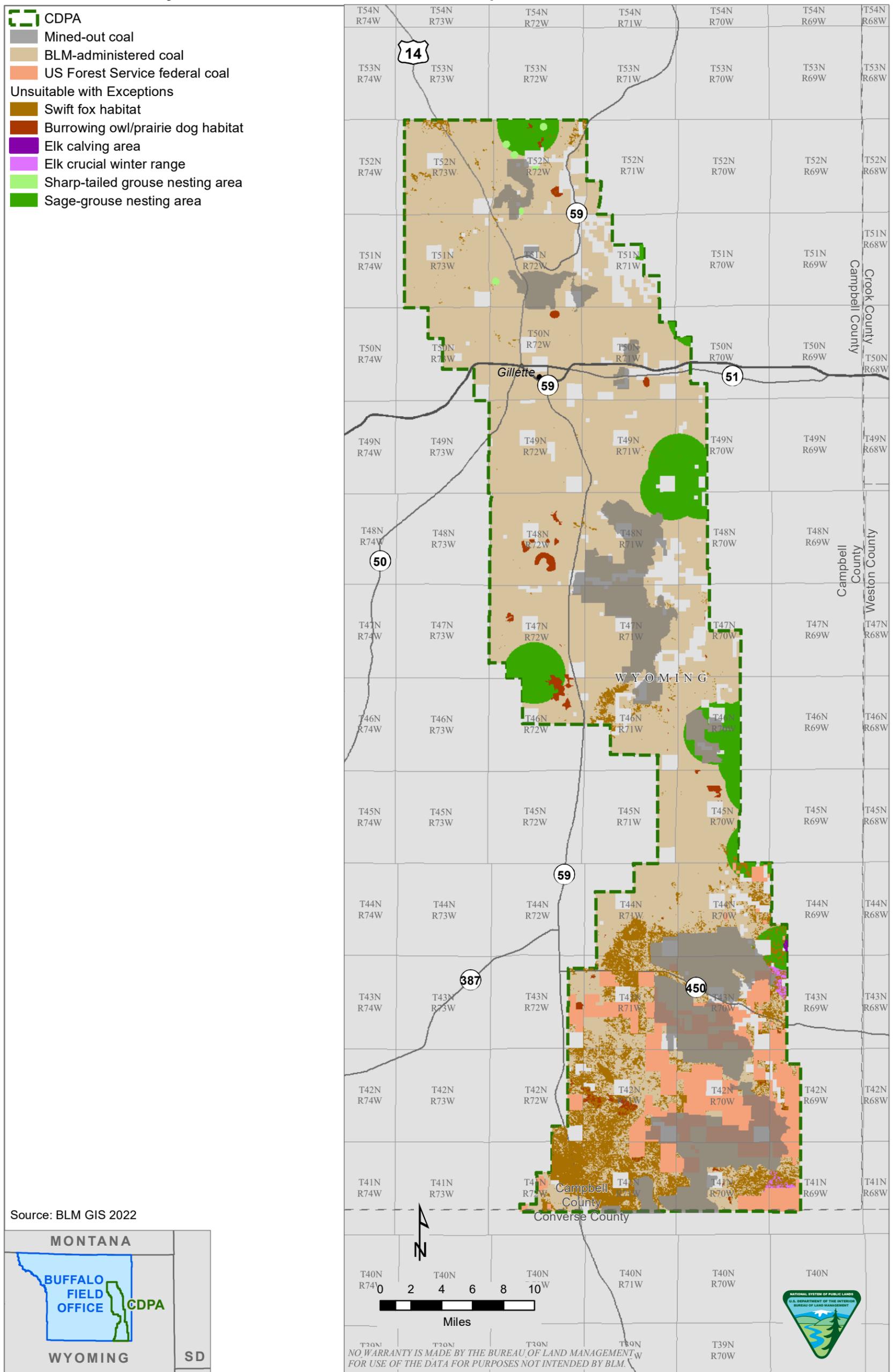
**Figure A-6**  
**Screen 2 Unsuitability Assessment: Criteria 11 — Bald and Golden Eagle Sites**



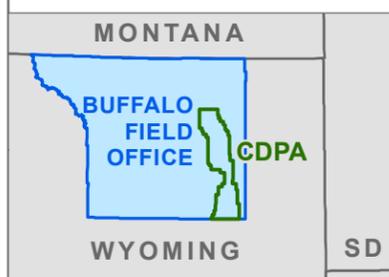
Source: BLM GIS 2022



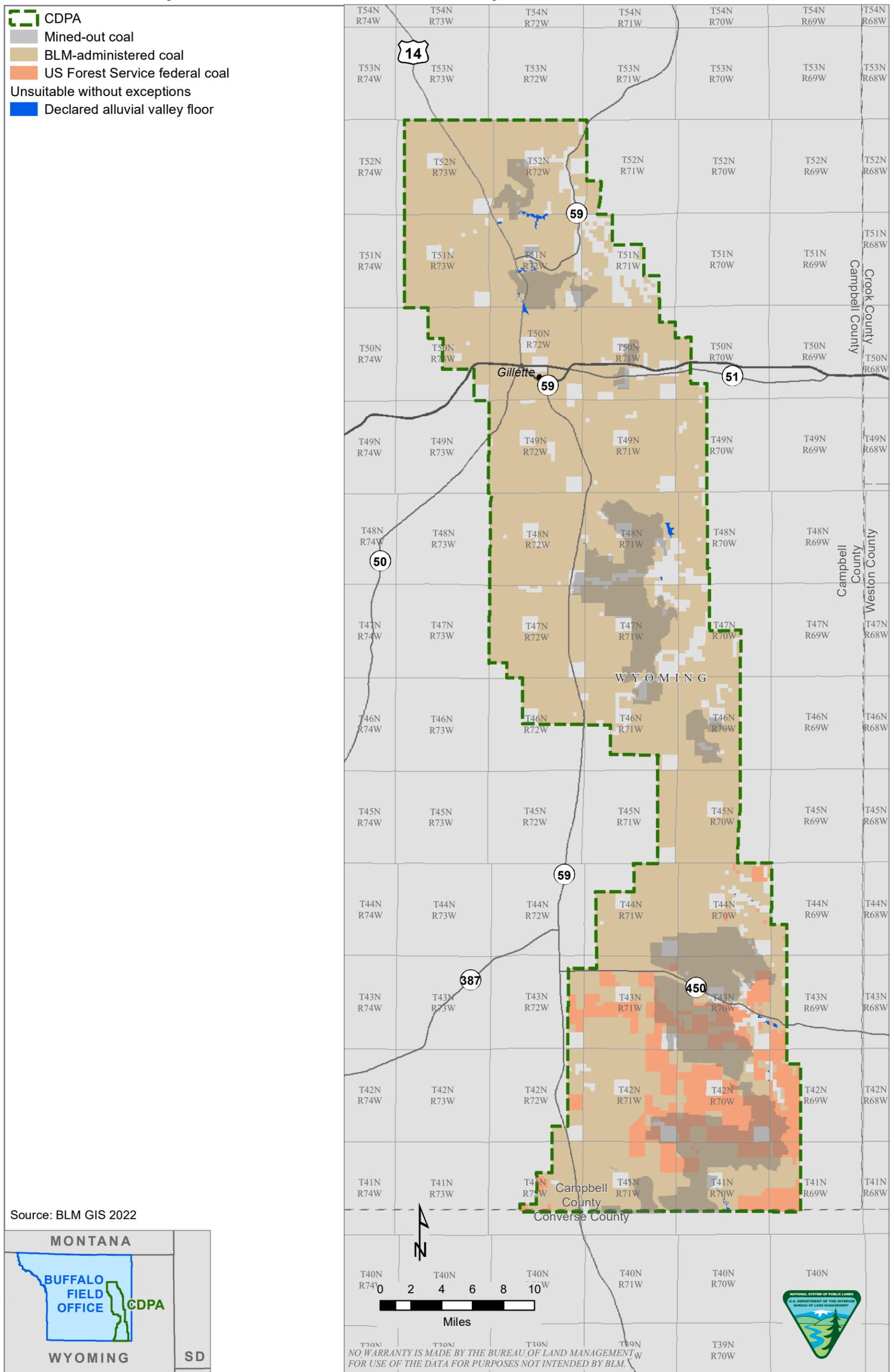
**Figure A-7**  
**Screen 2 Unsuitability Assessment: Criteria 15 — Habitat for Species of State Interest**



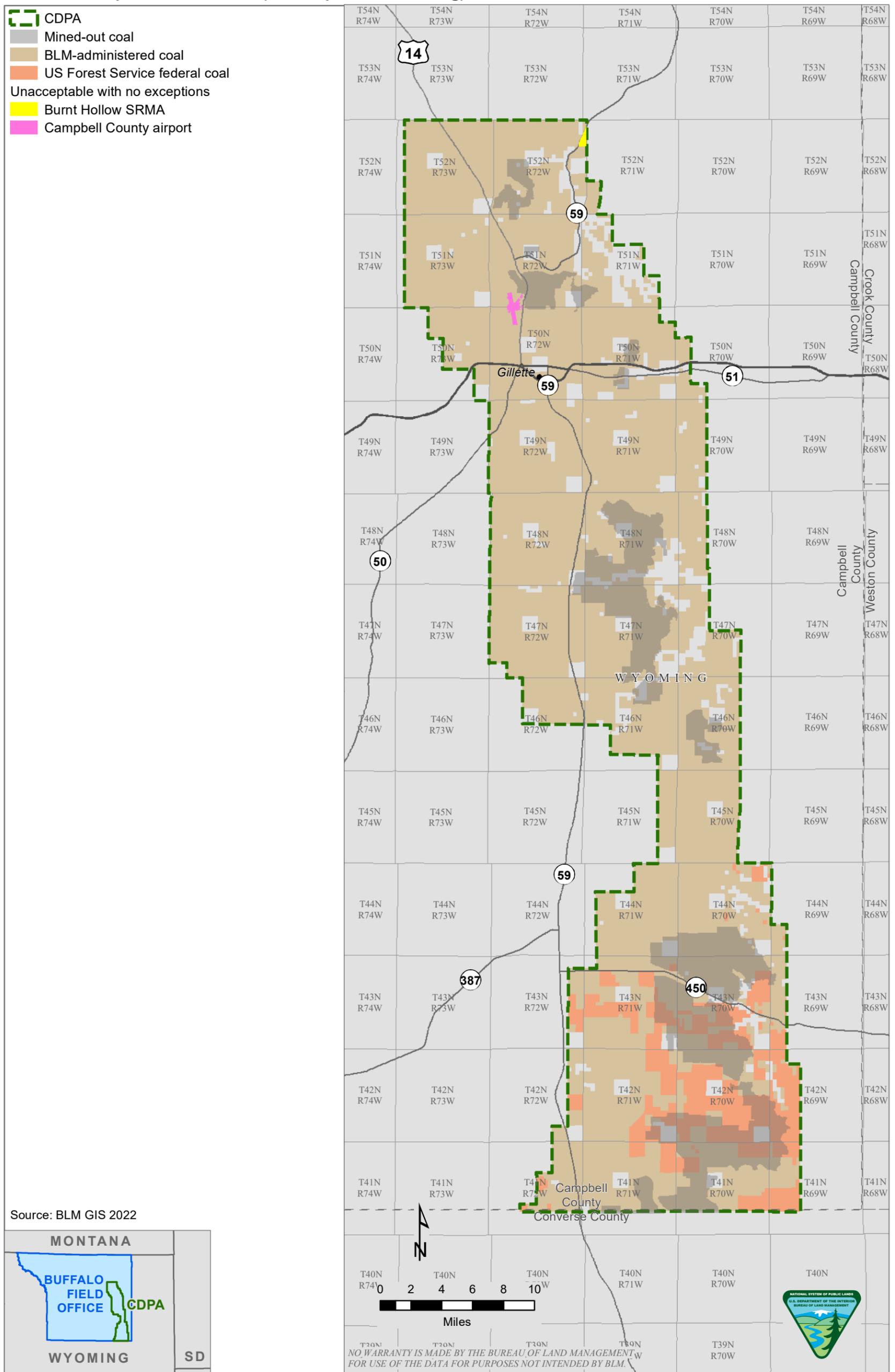
Source: BLM GIS 2022



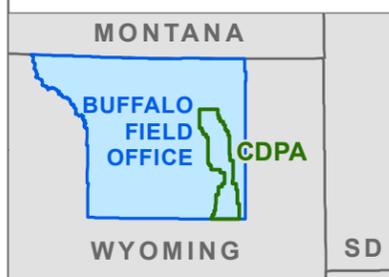
**Figure A-8**  
**Screen 2 Unsuitability Assessment: Criteria 19 — Alluvial Valley Floors**



**Figure A-9**  
**Screen 3 Multiple-Use Decisions (Unacceptable to Leasing)**



Source: BLM GIS 2022



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# Attachment I

Sample Private Landowner Letter

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# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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1425 Fort Street

Buffalo, WY 82834



In Reply Refer To:  
1610

October 5, 2022

RE: Surface Owner Consultation Coal Screen – Supplemental Environmental Impact Statement to the Approved Resource Management Plan for the Buffalo Field Office.

Dear Surface Owner:

On October 3, 2022, the Bureau of Land Management (BLM) published a [Notice of Intent](#) (NOI) for a potential amendment to the Approved Resource Management Plan (RMP) for the Buffalo Field Office and to prepare an associated Supplemental Environmental Impact Statement (SEIS). This potential amendment and associated SEIS is in response to a United States Montana District Court order (Western Organization of Resource Councils, et al vs BLM; 8/03/2022).

In response to the order, the BLM is re-evaluating the four coal screens in accordance with 43 CFR 3420.1-4(e). The coal screens include: identification of coal development potential, 20 unsuitability criteria, multiple use conflicts, and surface owner consultation. The BLM has identified your private lands, which overlie federal coal deposits, as lands determined to have potential for coal development.

This is the second court order for coal screening in three years. You may recall receiving a similar letter in January 2019.

In accordance with 43 CFR 3420.1-4(e)(4)(i), BLM requests you notify the Buffalo Field Office in writing by **November 7, 2022** on the following information:

1. If you are a surface owner for lands within the coal development potential area identified on the attached map.
2. Your preference for or against mining by other than underground mining techniques on Enclosure 1.

3. Any additional information on your lands that would be beneficial in determining the suitability or unsuitability for coal leasing.

To facilitate this request, the BLM has enclosed a document, Enclosure 1, with the appropriate information being requested. Please use Enclosure 1 to notify the Buffalo Field Office on the points listed above and return it by using the enclosed envelope by **November 7, 2022**.

Any views provided through this request may be used in the completion of the SEIS and may be available for public review. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold, from public view, your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations, from businesses, and from individuals identifying themselves as representatives of organizations or businesses, will be available for public review.

Because this is a planning document, lands considered under this SEIS would be analyzed to determine if they are acceptable for further considerations for coal leasing or unacceptable for further considerations for coal leasing. Leasing decisions would be considered under separate NEPA reviews when an application for leasing is submitted to the BLM. Therefore, the BLM would not be making leasing decisions at this time.

BLM is hosting a public meeting initiating this SEIS at the Campbell County Public Library (2101 S. 4J Road, Gillette, WY) on October 17 from 5:00 pm to 7:00 pm.

After review of the surface owner consultation responses, the SEIS will be prepared. Additional information including screening results and the SEIS will be posted on the BLM [e-Planning website](#). BLM plans to have the SEIS available for public comment in early 2023.

We look forward to hearing from you on this project. If you have any questions, please contact Tom Bills, Planning and Environmental Coordinator, at (307) 684-1133.

Sincerely,

*/s/ Todd D. Yeager*

Todd D. Yeager  
Field Manager

Enclosure 1 – Documentation of Surface Owner Consultation  
Map – BLM Coal Development Potential Area, Campbell County  
Return Envelope

**Enclosure 1.**

Please returned to the Buffalo Field Office by November 7, 2022.

**Please Check One:**

I am authorized to express my views as a qualified surface owner in accordance with 43 CFR 3400.0-5(gg), having met the following requirements; I hold legal or equitable title of this land surface. I have my principal residence on this land, or I personally farm or ranch on this land, or I receive a significant portion of my income from farm or ranch operations on this land. I have met the requirements since (year) \_\_\_\_\_.

I do not meet the requirements for a qualified surface owner in accordance with 43 CFR 3400.0-5(gg). Please explain below.

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Please identify your view(s) on leasing as listed below by aliquot or group of land description also listed below. Multiple views can be identified by aliquot or group land description(s). Provide additional information on the reserve side.

1. I am in favor of leasing of federal coal on these lands. \_\_\_\_\_
2. I am against leasing of federal coal on these lands. \_\_\_\_\_
3. I am undecided in favor or opposed to federal coal leasing on these lands. \_\_\_\_\_
4. I have already given written consent for surface mining of federal coal on these lands. \_\_\_\_\_

*Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold, from public view, your personal identifying information, we cannot guarantee that we will be able to do so. All submissions from organizations, from businesses, and from individuals identifying themselves as representatives of organizations or businesses, will be available for public review.*

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# Appendix B

Reasonably Foreseeable Development

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# Appendix B. Reasonably Foreseeable Development

The information contained in the Reasonably Foreseeable Development Scenario in the 2019 Supplemental Environmental Impact Statement (BLM 2019) is still considered valid, unless it is contradicted by the analysis in this document. The United States Department of the Interior, Bureau of Land Management (BLM) updated the results of that document to reflect the current alternatives, as explained and displayed below.

The United States Energy Information Administration (EIA) produced projections of the demand for coal from the Wyoming Powder River Basin in the future. The BLM used these projections of coal demand to analyze the number of years of mining remaining, given the amount of coal under existing leases—but not yet mined—and given the amount of coal acceptable for lease under each alternative. The results in **Table B-I**, below, show that under Alternative A, under which no coal would be offered for leasing, the 4.36 billion tons of coal under existing leases would run out in 2041. Under Alternative B, under which approximately 48 billion short tons would be made acceptable for consideration for leasing, mining would continue until approximately 2338 (EIA projections end in 2048; therefore, to analyze this alternative, the BLM assumed the demand level in 2048 of 160.75 million tons per year would continue forward for each following year until reserves are exhausted). Under Alternative C, under which 1.24 billion short tons would be made acceptable for consideration for leasing, mining of existing leases plus the 1.24 billion short tons made acceptable would be able to continue until 2048 before reserves are exhausted.

**Table B-I**  
**Coal Remaining by Year in the Wyoming Powder River Basin by Alternative**

Year	EIA Projected Demand (million short tons)	Alternative A (million short tons)	Alternative C (million short tons)	Alternative B (million short tons)
Amount remaining in existing leases plus acceptable for lease		4,360.00	5,560.00	52,175.32
2022	268.508	4,091.49	5,291.49	52,175.32
2023	262.757	3,828.73	5,028.73	51,906.82
2024	254.241	3,574.49	4,774.49	51,644.06
2025	181.205	3,393.29	4,593.29	51,389.82
2026	209.551	3,183.74	4,383.74	51,208.61
2027	239.974	2,943.76	4,143.76	50,999.06
2028	237.813	2,705.95	3,905.95	50,759.09
2029	237.894	2,468.06	3,668.06	50,521.28
2030	232.498	2,235.56	3,435.56	50,283.38
2031	232.370	2,003.19	3,203.19	50,050.88
2032	232.811	1,770.38	2,970.38	49,818.51
2033	233.107	1,537.27	2,737.27	49,585.70
2034	234.643	1,302.63	2,502.63	49,352.60
2035	216.807	1,085.82	2,285.82	49,117.95
2036	219.280	866.54	2,066.54	48,901.15
2037	202.116	664.42	1,864.42	48,681.87

Year	EIA Projected Demand (million short tons)	Alternative A (million short tons)	Alternative C (million short tons)	Alternative B (million short tons)
2038	199.722	464.70	1,664.70	48,479.75
2039	197.063	267.64	1,467.64	48,280.03
2040	194.675	72.96	1,272.96	48,082.96
2041	187.956	-114.99	1,085.01	47,895.01
2042	184.995	—	900.01	47,710.01
2043	184.432	—	715.58	47,525.58
2044	184.769	—	530.81	47,340.81
2045	169.869	—	360.94	47,170.94
2046	165.166	—	195.78	47,005.78
2047	162.982	—	32.80	46,842.80
2048	160.755	—	-127.96	46,682.04
2049	—	—	—	46,521.29
2050	—	—	—	46,360.53
2338	—	—	—	Continues to be extracted at an assumed rate of 160.75 million tons per year for the following 290 years.

Source: BLM 2019; EIA 2022; BLM staff analysis 2023

## B.1 REFERENCES

BLM (United States Department of Interior, Bureau of Land Management). 2019. Buffalo Field Office Supplemental Environmental Impact Statement and Resource Management Plan Amendment. BLM, Buffalo Field Office, Buffalo, Wyoming. September 2019.

EIA (United States Energy Information Administration). 2022. US Energy Information Administration, Annual Energy Outlook 2022 (AEO2022), Washington, DC, March 2022. Internet website: <https://www.eia.gov/outlooks/aeo/>.