

was offered the opportunity to provide written comments throughout the scoping process.

In 2015, pursuant to Executive Order 13175, the BLM initiated government-to-government consultation with interested tribes, including the Confederated Tribes of the Goshute Reservation, the Hopi Tribe, the Kaibab Band of Paiute Indians, the Kanosh Band of Paiute Indians, the Navajo Nation, the Paiute Indian Tribe of Utah, the Skull Valley Band of Goshute, and the Ute Indian Tribe. Beginning in 2015, the BLM coordinated with the Utah State Historic Preservation Office and seven other consulting parties that requested to participate in the Section 106 process, to develop a Programmatic Agreement to outline a process to be used to avoid, mitigate, or treat adverse effects to historic properties.

In August 2015, the BLM invited agencies to participate as Cooperating Agencies in the Project. The following agencies accepted the invitation: The U.S. Department of Defense (Utah Test and Training Range), the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the State of Utah, and Millard and Beaver Counties. These agencies and governments reviewed the Draft EIS before it was available to the public and their comments have been incorporated into the document.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware 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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 40 CFR 1506.6, 40 CFR 1506.10.

**Anita Bilbao,**  
Associate State Director.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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### Notice of Availability of the Draft Environmental Impact Statement for the Proposed Caldwell Canyon Mine Project, Caribou County, Idaho

**AGENCY:** Bureau of Land Management, Interior.

#### ACTION: Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended, the Bureau of Land Management (BLM) has prepared a Draft Environmental Impact Statement (EIS) for the proposed Caldwell Canyon Mine Project, and by this notice is announcing the opening of the comment period.

**DATES:** To ensure the BLM considers all comments, the BLM must receive written comments on the Draft EIS for the proposed Caldwell Canyon Mine Project within 45 days following the date the Environmental Protection Agency publishes this Notice of Availability in the **Federal Register**. The BLM will announce public comment meetings at least 15 days in advance through public notices, media release, and/or mailings. To assist the BLM in identifying issues and concerns related to this project and the Draft EIS, comments should be as specific as possible.

**ADDRESSES:** You may submit comments related to the Caldwell Canyon Mine Project Draft EIS by any of the following methods:

- *Website:* <https://bit.ly/2SaxWcO>.
- *Email:* [blm\\_id\\_caldwell\\_canyon\\_mine\\_eis@blm.gov](mailto:blm_id_caldwell_canyon_mine_eis@blm.gov).
- *Mail:* Caldwell Canyon Mine EIS, c/o Tetra Tech, 2525 Palmer Street, Suite 2, Missoula, MT 59808.

Please reference “Caldwell Canyon Mine Draft EIS” on all correspondence. The BLM has made CD-ROM and print copies of the Caldwell Canyon Mine Draft EIS available in the BLM Pocatello Field Office at the following address: 4350 Cliffs Drive, Pocatello, ID 83204. In addition, the BLM has made an electronic copy of the Draft EIS available online at the BLM Land Use Planning and NEPA Register website: <http://bit.ly/2zuZ8Mn>.

**FOR FURTHER INFORMATION CONTACT:** For further information contact Bill Volk, Planning and NEPA Specialist, phone (208) 236–7503; address, BLM Pocatello Field Office, 4350 Cliffs Drive, Pocatello, ID 83204; email, [wvolk@blm.gov](mailto:wvolk@blm.gov); and fax, (208) 478–6376.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FRS) at (800) 877–8339 to contact Mr. Volk. The FRS is available 24 hours a day, 7 days a week, to leave a message or question for Mr. Volk. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The BLM, as the Federal lease administrator, is the lead agency. The Idaho Department of Environmental Quality, Idaho

Department of Lands, the U.S. Army Corps of Engineers, and the Idaho Governor’s Office of Energy and Mineral Resources are cooperating agencies.

P4 Production, LLC (P4), a subsidiary of Bayer AG, developed and submitted a Mine and Reclamation Plan (M&RP), the Proposed Action, for the Caldwell Canyon Mine. The Proposed Action consists of mining Federal Phosphate Leases IDI–02, IDI–014080, and IDI–13738 and State of Idaho Mineral Lease E07959. Portions of the mine’s waste rock would be placed into the nearby inactive Dry Valley Mine on Federal Phosphate Lease IDI–014184. P4 will request modifications to enlarge the phosphate lease boundaries for the Caldwell Canyon leases, and obtain authorization for a haul road across BLM public land as outlined in the Draft EIS. The BLM has fully evaluated alternatives to the Proposed Action, including a No Action Alternative, in the Draft EIS and addressed issues identified during scoping and analysis.

The BLM will make decisions to either approve, approve with modifications, or deny the Caldwell Canyon Mine M&RP and modification of the Dry Valley Mine M&RP. In addition, the BLM will determine whether to modify the lease boundaries, and whether to issue a right-of-way or phosphate use permit for a haul road on BLM lands. These decisions will consider public and agency input received on the Draft and Final EISs.

The BLM published a Notice of Intent (NOI) to prepare this EIS in the **Federal Register** on March 22, 2017, initiating a 30-day public scoping period for the Proposed Action during which the BLM accepted written comments. Public scoping identified concerns related to the following topics: The potential impacts to water quantity from dewatering; potential impacts to water quality from elevated levels of selenium and other constituents of concern; potential effects of increased noise on wildlife, safety, and socioeconomics; effects to tribal interests; cultural resources; wildlife; vegetation, visual quality; reclamation and financial assurance; and mitigation and monitoring of mine operations.

Before including your phone number, email address, or other personal identifying information in your comment, you should be aware 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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authorities:** 42 U.S.C. 4321 *et seq.*; 40 CFR 1500 through 1508; 43 CFR 46; 43 U.S.C. 1701; 43 CFR 3590.

**Peter J. Ditton,**  
BLM Idaho State Director, Acting.

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### Notice of Availability of the Western Energy Company's Rosebud Mine Area F Final Environmental Impact Statement; S1D1S SS08011000 SX064A000 190S180110; S2D2S SS08011000 SX064A000 19XS501520

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Office of Surface Mining Reclamation and Enforcement (OSMRE) has prepared a Final Environmental Impact Statement (EIS) for the Western Energy Company's Rosebud Mine Area F (Project) in southeastern Montana. This notice is announcing its availability. The Montana Department of Environmental Quality (DEQ) is a co-lead on this EIS process.

**DATES:** The OSMRE will not issue a final decision on the Proposed Action and Alternatives for a minimum of 30 days from the date that the U.S. Environmental Protection Agency (USEPA) publishes this notice in the **Federal Register**.

**ADDRESSES:** The Final EIS is available for review at: <https://www.wrcc.osmre.gov/initiatives/westernEnergy/documentLibrary.shtml>. Paper and computer compact disk (CD) copies of the Final EIS are available for review at the OSMRE Western Region Office, 1999 Broadway Street, Suite 3320, Denver, Colorado 80202. In addition, a paper and CD copy of the Final EIS are available for review at each of the following locations:

Rosebud County Library, 201 North 9th Avenue, Forsyth, MT 59327, Between the hours of 11:00 a.m. and 7:00 p.m. Monday through Thursday; 11:00 a.m. to 5:00 p.m. Friday; 10:00 a.m. to 1:00 p.m. Saturday (Closed Sunday).

Montana DEQ Headquarters (Lee Metcalf Building), 1520 East 6th Avenue, Helena, MT 59620, Between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday (Closed Saturday and Sunday).

BLM Miles City Field Office, 111 Garryowen Road, Miles City, MT 59301, Between the hours of 7:45 a.m. and 4:30 p.m. Monday through Friday (Closed Saturday and Sunday).

BLM State Office, Billings, MT, 5001 Southgate Drive, Billings, MT 59101, Between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday (Closed Saturday and Sunday).

**FOR FURTHER INFORMATION CONTACT:**  
Logan Sholar, OSMRE Project Coordinator; Telephone: 303-293-5036; Address: 1999 Broadway Street, Suite 3320, Denver, Colorado 80202-3050; email: [lsholar@osmre.gov](mailto:lsholar@osmre.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Project Purpose

The purpose of the Project is to consider continued operations at the Rosebud Mine by permitting and developing a new surface mine permit area, known as permit Area F. Western Energy submitted a permit application package to DEQ for the proposed 6,746-acre permit Area F (also referred to as the project area) at the Rosebud Mine, which is an existing 25,455-acre surface coal mine annually producing 8.0 to 10.25 million tons of low-sulfur subbituminous coal. DEQ is the regulatory authority for permitting actions involving federal coal in Montana. 30 CFR 926.10. If DEQ approves the permit and a Federal mining plan for the Project is approved as proposed, at the current rate of production, the operational life of the Rosebud Mine would be extended by 8 years. Mining operations in the project area, which would commence after all permits and approvals have been secured and a reclamation and performance bond has been posted, would last 19 years. Western Energy estimates that 70.8 million tons of recoverable coal reserves exist in the project area and would be removed during the 19-year operations period. As with other permit areas of the Rosebud Mine, all coal would be combusted locally at the Colstrip and Rosebud Power Plants.

Western Energy is required to obtain a surface coal mine operating permit from DEQ (pursuant to the Montana Strip and Underground Mine Reclamation Act (MSUMRA), Section 82-4-221 *et seq.*, Montana Code Annotated) and federal approval of the mining plan to mine leased federal coal in accordance with the Mineral Leasing Act of 1920 as Amended for the proposed project area to access additional coal reserves in Federal coal lease M82186 and in privately held leases G-002 and G-002-A. The OSMRE's purpose for the Project is to

review the mining plan and make a recommendation to the Assistant Secretary for Land and Minerals Management (ASLM) in the form of a mining plan decision document to approve, disapprove, or approve with conditions, the proposed mining plan for the Project (30 CFR 746). The ASLM will decide whether the mining plan is approved, disapproved, or approved with conditions.

The DEQ's purpose for the Project is to review and make a decision on Western Energy's surface mine operating permit application under MSUMRA and to review and make decisions on the following related permits: (1) An application for a new Montana Pollutant Discharge Elimination System (MPDES) permit, and (2) an application to modify Montana Air Quality Permit #1570\*07 to include the project area. The Bureau of Land Management (BLM) is a cooperating agency on the Final EIS.

The Final EIS considers three alternatives and evaluates the direct, indirect, and cumulative effects of the Proposed Action and the other two alternatives on the environment.

OSMRE is complying with Section 106 of the National Historic Preservation Act (NHPA Section 106) (16 U.S.C. 470f), as provided in 36 CFR 800.2(d)(3), concurrently with the NEPA process, including public involvement requirements and consultation with the State Historic Preservation Officer and Historic Preservation Officers with Tribal nations. Native American Tribal consultations are ongoing and have been conducted in accordance with applicable laws, regulations, and U.S. Department of the Interior (DOI) policy. Federal, Tribal, State, and local agencies, along with other stakeholders that may be interested in or affected by the Federal agencies' decisions on the Project, are invited to submit comments on the Final EIS.

As part of its consideration of the proposed Project's impacts on threatened and endangered species, OSMRE conducted informal consultation as well as streamlined consultation per the final 4(d) rule for the northern long-eared bat with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act (ESA) (16 U.S.C. 1536), and its implementing regulations, as provided in 50 CFR 400. The Section 7 consultation considered direct and indirect impacts from the proposed Project, including mining and related operations in the project area and continued operation of the Colstrip and Rosebud Power Plants.