

Office of Surface Mining
Mining Plan Concurrence
Colorado Department of Minerals and
Geology
Exploration Permit
Mining and Reclamation Permit
Colorado Department of Public Health &
Environment—Air Pollution
Control Division
Permit to Construct
Permit to Operate
Colorado Department of Public Health &
Environment—Water Quality
Control Division
Stormwater Discharge Permit
National Pollutant Discharge
Elimination System (NPDES)
Colorado State Engineer
Water Rights
Water Well Permits
Dam Safety Permits
Colorado State Historic Preservation
Office
Historic and Archaeological Review
Colorado Department of Transportation
Highway Access
Delta County
Special Use Permit
Building Permit
Gunnison County
Special Use Permit
Building Permit

There are four underground coal mines (Bowie No. 1 (inactive), Bowie No. 2, Sanborn Creek, and West Elk) located east of Paonia, Colorado, in Delta and Gunnison Counties. Several issues related to these applications were identified during the initial scoping for the EA's in 1998, including the potential impacts to water rights, surface and ground water, agricultural lands, wildlife habitat, noise, train and truck traffic, socio-economics, and access to public lands that may occur if these applications are issued. If you have specific concerns about these issues, or have other concerns or issues that BLM should consider in processing these applications, please address them in writing to the above address. Written comments should be received by May 17, 1999, in order to be fully considered in the draft EIS.

Please note that your comments, name, address, and any other personal information you provide will become part of the public record and will be available for public review. You may request confidentiality by clearly stating your request at the beginning of your comment. The agencies will consider withholding your name, address and any other personal identifying information on a case-by-case basis to the extent allowed by law. Submissions from organizations, businesses, and individuals identifying themselves as representatives or officials of

organizations or businesses will be made part of the public record.

The comment period on the Draft EIS will be sixty (60) days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**. (Now anticipated to be in mid August.) At this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions, *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the Draft EIS stage but that are not raised until after completion of the Final EIS may be waived or dismissed by the courts, *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (e.d. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so that substantive comments and objections are made available to the agencies at a time when they can meaningfully consider them and respond to them. To assist the agencies in identifying and considering issues and concerns on the proposed action, comments on the Draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the Draft EIS or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: April 7, 1999.

Jerald L. Jones,

EIS Project Manager, Uncompahgre Field Office.

Thomas Condos,

Forest Engineer, Grand Mesa, Uncompahgre and Gunnison National Forests.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-030-99-1010-00-1784]

Southwest Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice; Resource Advisory Council Meeting.

SUMMARY: Notice is hereby given that the Southwest Resource Advisory Council (Southwest RAC) will meet in Dolores, Colorado.

DATES: The meeting will be held on Thursday, May 13, 1999.

ADDRESSES: For additional information, contact Roger Alexander, Bureau of Land Management (BLM), Southwest Center, 2465 South Townsend Avenue, Montrose, Colorado 81401; telephone 970-240-5335; TDD 970-240-5366; e-mail r2alexan@co.blm.gov.

SUPPLEMENTARY INFORMATION: The May 13, 1999, meeting will begin at 9:00 a.m. at BLM's Anasazi Heritage Center, 27501 Highway 184, Dolores, Colorado. The agenda will focus on proposed statewide recreation guidelines for BLM administered public lands. Public comment is scheduled for 1:00 p.m.

All Resource Advisory Council meetings are open to the public. Interested persons may make oral statements to the Council, or written statements may be submitted for the Council's consideration. If necessary, a per-person time limit may be established by the Southwest Center Manager.

Summary minutes for Council meetings are maintained in the Southwest Center Office and on the World Wide Web at http://www.co.blm.gov/mdo/mdo_sw_rac.htm and are available for public inspection and reproduction within thirty (30) days following each meeting.

Dated: March 25, 1999.

Roger Alexander,

Public Affairs Specialist.

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