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Ladies and Gentlemen:

It is imperative that USDA Forest Service acknowledge the reality that coal combustion is a leading contributor to the warming of Earth's atmosphere and oceans. Any accommodation of a coal mining company on federal lands does, therefore, contribute significantly to climate change and the consequent damage it is already doing, and will continue to do, to the American economy and national security and worldwide biodiversity losses, increased flooding, greater risk of famine and spread of disease, and more tension among nations.

The National Environmental Policy Act requires a federal agency to consider the environmental consequences of its actions. The proposed action is obviously likely to lead to more coal consumption which, in turn, will contribute to warming of the atmosphere and ocean. I believe there is a recent U.S. district court decision that confirms an understanding that NEPA requires consideration of those impacts.

The environmental impact statement (and, yes, an EIS is clearly required by NEPA in this case) should include, as the law demands, a "no action" alternative. USDA Forest Service should adopt that option because the environmental damage of additional coal production, as well as to the National Forest and its roadless area that will be directly impacted by mining and the means to access coal reserves, clearly outweighs any public benefit from allowing the mining.

Roadless areas are intended, with very few exceptions, to be kept sacrosanct. That was the goal of the Roadless Area Conservation Rule finalized in early 2001 and of the Colorado-specific exemption to it. USDA Forest Service must identify the strong legal basis that would allow it to carve out a loophole for coal mining and supporting infrastructure that was not anticipated by the text of either RACR or the Colorado exemption to RACR.

Thanks for considering my comments.