

**UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
BOARD OF LAND APPEALS**

WILDEARTH GUARDIANS,)	
)	IBLA No. 2014-
)	
Appellant)	Notice of Appeal,
)	West Antelope II South Coal Lease
)	Modification, WYW-177903,
)	EA #DOI-BLM-WY-060-EA13-147,
)	Converse County, Wyoming
)	

NOTICE OF APPEAL

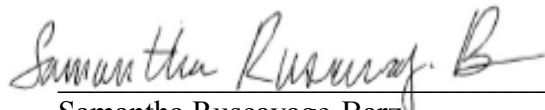
Pursuant to 43 C.F.R. §§ 4.410, 4.411, and 4.413, WildEarth Guardians (“Guardians”) hereby files this Notice of Appeal of a decision made by Bureau of Land Management (“BLM”) Wyoming High Plains District Manager, Stephanie Connolly. Ms. Connolly’s decision authorizes the modification of the West Antelope II South coal lease, WYW-177903, applied for by Antelope Coal Company, a subsidiary of Cloud Peak Energy, and adds 856.61 acres and 15,751,000 tons of coal to the West Antelope II South lease. This decision is documented in a Decision Record (“DR”) and Finding of No Significant Impact (“FONSI”) signed by Ms. Connolly on August 15, 2014. The DR and FONSI rely on Environmental Assessment (“EA”) Number DOI-BLM-WY-060-EA13-147.

Guardians was served with notice of the DR, FONSI, and EA via e-mail on August 15, 2014. Thus, this Notice of Appeal is filed within 30 days of being served with notice of the Decision.

In approving the West Antelope II South coal lease modification, the BLM failed to address potentially significant new air quality impacts associated with additional coal mining from the lease modification area that were not addressed by any prior analyses. The BLM also

continues to rely on a wholly inadequate assessment of cumulative air quality impacts, undermining any assertion that the past, present, and reasonably foreseeable impacts of mining the West Antelope II South coal lease modification will not be significant. Of particular concern is that the BLM failed to address the cumulative impacts of the recent surge of unconventional oil and gas drilling in Converse County, Wyoming, including a proposed 5,000 well drilling project that is currently under analysis. Guardians will provide the bases for its claims that these failures violate the National Environmental Policy Act when it files its Statement of Reasons within 30 days in accordance with 43 C.F.R. § 4.412.

Respectfully submitted this 5th day of September 2014,



Samantha Ruscavage-Barz
Staff Attorney
WildEarth Guardians
516 Alto St.
Santa Fe, NM 87501
(505) 401-4180
Fax: (505) 213-1895
sruscavagebarz@wildearthguardians.org

Attorney for WildEarth Guardians

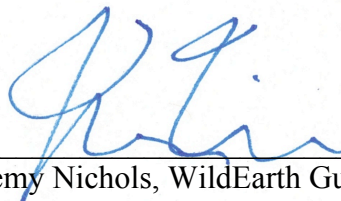
CERTIFICATE OF SERVICE

I certify that on September 5, 2014, I served this Notice of Appeal by certified mail, return receipt requested, upon:

District Manager
Bureau of Land Management
Wyoming High Plains District
2987 Prospector Drive
Casper, WY 82604

Interior Board of Land Appeals
Office of Hearings and Appeals
801 North Quincy St.
Arlington, VA 2220

Regional Solicitor
Rocky Mountain Region
U.S. Department of Interior
755 Parfet St., Suite 151
Lakewood, CO 80215



Jeremy Nichols, WildEarth Guardians