

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

|                      |   |  |
|----------------------|---|--|
| WILDEARTH GUARDIANS, | ) |  |
|                      | ) | IBLA No. 2013-                         |
| Appellant            | ) |  |
|                      | ) | Notice of Appeal, El Segundo Mine Coal |
|                      | ) | Lease by Application, NMNM-126813,     |
|                      | ) | EA #DOI-BLM-NM-F010-2013-0139-EA,      |
|                      | ) | McKinley County, New Mexico            |
|                      | ) |  |

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**NOTICE OF APPEAL**

Pursuant to 43 C.F.R. §§ 4.410, 4.411, and 4.413, WildEarth Guardians hereby files this Notice of Appeal of a decision made by Bureau of Land Management (“BLM”) New Mexico State Director, Jesse Juen. Mr. Juen’s decision authorizes the sale and issuance of coal lease by application NMNM-126813, which was applied for by Peabody Natural Resources Company, and is meant to expand the company’s El Segundo surface coal mine in McKinley County in northwestern New Mexico. This decision is documented in a Decision Record (“DR”) and Finding of No Significant Impact (“FONSI”) signed by Mr. Juen on May 24, 2013. The coal lease comprises 640 acres and approximately 11 million tons of coal. The decision will enable Peabody to extract approximately 136 million tons of coal from its El Segundo coal mine. The DR and FONSI relies on Environmental Assessment Number DOI-BLM-NM-F010-2013-0139-EA. WildEarth Guardians will file a Statement of Reasons within 30 days in accordance with 43 C.F.R. § 4.412.

Respectfully submitted this 24<sup>th</sup> day of June 2013



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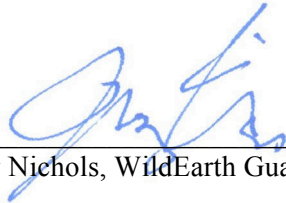
**CERTIFICATE OF SERVICE**

I certify that on June 24, 2013, I served this Notice of Appeal by certified mail, return receipt requested, upon:

Bureau of Land Management  
New Mexico State Office  
PO Box 27115  
Santa Fe, NM 87502

U.S. Department of the Interior  
Office of the Solicitor  
Regional Solicitor, Southwest Region  
U.S. Department of Interior  
505 Marquette Ave., NW, Suite 1800  
Albuquerque, NM 87102

Peabody Natural Resources Company  
El Segundo Mine  
PO Box 757  
Grants, NM 870202



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Jeremy Nichols, WildEarth Guardians