



Dear United States Bureau of Land Management,

King County Executive Dow Constantine spoke this past June on behalf of the Safe Energy Leadership Alliance, a coalition of more than 165 elected leaders from four western states and British Columbia, he was in firm support of the comprehensive review of the federal coal leasing program. In his testimony, he mentioned some of the many problems the coal and oil industry causes, including negative externalities that go unaccounted for, detrimental environmental and economic impacts, and an unfair return to the public. We write today to reinforce our support for his message, our support for the hold on new coal leases in conjunction with a comprehensive review of the federal coal program, and our support for continuing this critical conversation.

The overarching theme of the coal industry's effect on our people and our planet is one of underestimation. We underestimate the risks and costs to our communities when we approve coal mining proposals. We underestimate the pollution that will clog our air and our lungs, and the undermining of climate change efforts when we allow greater numbers of coal trains to traverse our country's railroads. We underestimate the future loss of land and danger to the public when we see coal trains derail one after the other, and go on as if nothing happened. We underestimate the challenge the coal transport industry poses for local farmers and manufacturers with its mile-and-a-half long trains that crowd out other rail transportation and make it nearly impossible for many companies to get their high-profit goods where they need to go. The Department of the Interior has already made tremendous progress in addressing climate change and modernizing federal regulations to fit the 21<sup>st</sup> century, but the necessity of continuing this good work is something we cannot emphasize enough, and something that must not become merely another addition to a long list of underestimations.

This update to the current federal coal program is needed to meet the following goals:

- **Improve Transparency, Coordination, and Comprehensiveness of Environmental Review**

The DOI should strengthen its oversight process to ensure achievement of the Bureau of Land Management's multi-use mandate. To improve transparency and coordination of environmental reviews, the DOI should: hold at least a 30-day comment period on *all* federal mine plans coinciding with an environmental analysis under the National Environmental Policy Act; post notices in the Federal Register and on the Office of Surface Mining's website, and notify interested parties.

The DOI should make affirmative findings that the requirements of the Surface Mining Control and Reclamation Act are met in all mining plans approved by the Secretary. Additionally, the DOI should finalize its stream protection rule, including additional protections for water quality and habitat.

The scope of environmental review should assess not only the local impacts of the mining proposal, but also the risks and costs to health, safety, environment, traffic, and the economy in communities along rail and barge transport corridors associated with proposed coal extraction.

- **Ensure Fair Market Value Returned to Public**

The DOI should establish minimum bids for each coal region, as required by current regulations, taking into account geologic conditions, coal quality and supply, and demand for federal coal (including exports). The DOI “pause” on new lease sales is a great first step; new prices for proposed lease modifications should not be established until regional minimum bids are finalized. Further, the DOI should increase the royalty rate for surface-mined coal from 12.5 percent to 18.75 percent for all new leases and lease renewals.

- **Provide Greater Certainty for Reclamation**

The DOI’s Inspector General should conduct an audit of the self-bonding program and its use by companies to ensure companies have adequate funds or assets to cover the full cost of reclaiming lands and waters after mining. In doing so, the DOI should also seek independent review of bond amounts by hiring a consultant familiar with mine reclamation costs. This review is especially important for bonds held by the federal government for federal lands and minerals

Therefore, the review of the federal coal leasing program must confront the conflict between the destructive effects of coal leasing and the United States’ commitment to protecting its people, its lands, and combatting climate change. These changes are necessary moving forward, as they will transition the federal coal leasing system from a single-minded one with a very narrow focus that underestimates the majority of costs and risks associated with coal extraction and transport, to a system that holds the right parties accountable and does not let any costs go ignored.

Thank you again for all of your work on this important issue, and for allowing us to weigh in once more to share our comments with you.

Sincerely,

A handwritten signature in black ink that reads "Dow Constantine". The signature is fluid and cursive, with the first name "Dow" and last name "Constantine" clearly distinguishable.

Dow Constantine, King County Executive

Safe Energy Leadership Alliance, Chair