

***** SAMPLE LETTER *****

[Date]

Dennis Winterringer
Western Regional Office
Office of Surface Mining, Reclamation and Enforcement
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Denver, CO 80201-6667
Phone: 303-844-1400, ext 1440
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Re: Request for Suspension or, in the alternative, Indefinite Extension to Submit Written Comments on Black Mesa Project Draft Environmental Impact Statement

Dear Mr. Winterringer:

We are writing to request that OSM grant an immediate suspension or, in the alternative, an indefinite extension of time in which to comment on the "reopened" Black Mesa Project Draft Environmental Impact Statement and which was re-released for comment on May 23, 2008.

In particular, we respectfully request that the Office of Surface Mining, Reclamation and Enforcement ("OSM"), at a minimum, indefinitely suspend any proposed comment period until such time as Peabody has properly amended its permit revision application for the Black Mesa Mine Complex to remove proposed plans and activities that supported supplying coal to Mojave Generating Station. Additionally, our request for suspension or, in the alternative, indefinite extension is made in consideration of the cultural importance of the area; the complexity and scope of the issues; and, the need to reconsider the applicability of previous comments with respect to newly proposed project and preferred alternative, modified Alternative B.

The proposed Black Mesa Project will have many harmful impacts to the ecological and cultural life ways on Black Mesa, particularly to the environment, and Navajo and Hopi communities.[1] The spiritual significance of the area is manifest, providing religious shrines and/or offering places. To the Dineh (Navajos), the whole Black Mesa region including Navajo Mountain represents one of the supreme deity Female Mountain and the belief is that she possess both human and divine forms and qualities as she lie across from her male companion, the Chuska Mountains . Both of these ranges are considered alive, and that which dictate systems for all life forms across these particular landscapes. According to Dineh spiritual understanding, Black Mesa as a female entity is the provider of medicinal herbs, tobacco blends and regional floras and faunas.

The Dineh's spiritual view further describes that Navajo Mountain in Utah is the head, Marsh Pass below the north rim of Black Mesa is a turquoise necklace, in her left hand she holds a sacred staff (the El Captain spire), in her right hand she holds a medicine basket (Cowsprings Formation around the confluences of Moenkopi-Cowsprings washes and Coal Mine canyon), and her bare feet are the jutting mesas of Hopi country. The Dineh, children of Female Mountain, were given the responsibility of ritual prayer offerings to insure the continuation of the hydrologic cycles that replenishes (her) bodily fluids (Navajo Aquifer) and that also regenerates the natural springs throughout.

Coal is the liver embodiment of this female mountain and its functions will be jeopardized if it is furthered extracted. Despite scientifically supported methods of reclamation and hydrological analyses, the terrain and its ecosystem will lack soil nutrients that the liver provides which are necessary to rebuild natural landscapes and to re-energize plant ecology. Thus, the modified Alternative B as it concludes in the Draft EIS inadequately interprets the destructive processes of aquifer and coal extraction of Dineh and Hopi lands that encompasses mostly pristine topography that contain numerous cultural and religious sites. The haste in soliciting comments for an entirely new project precludes an adequate representation of these harms.

Further, the Draft EIS addresses a wide range of complex issues on such matters as hydrological impacts of water withdrawals and mining operations. The public should be provided full opportunity to review the Draft EIS with full disclosure of the proposed project, as outlined in the permit revision. In fact, the public may be entitled to another scoping comment period and draft environmental impact statement. In short, it is premature to request comments by July 7, 2008 given the scope and complexity of the document, unavailability of amendments to Peabody's pending permit revision and dramatic shift in project objectives, proposed project, and preferred alternative. Lastly, numerous tribal members and interested stakeholders that have previously submitted scoping and other comments have received no notification of the re-release of the Draft EIS and its associated modifications that require additional review.

For these reasons, we strongly urge you to suspend or, in the alternative, grant an indefinite extension of time so that these issues may be resolved and meaningful public comment provided.

Sincerely,

Name:
Mailing Address:
Phone (optional):
E-mail:

***** END SAMPLE LETTER *****