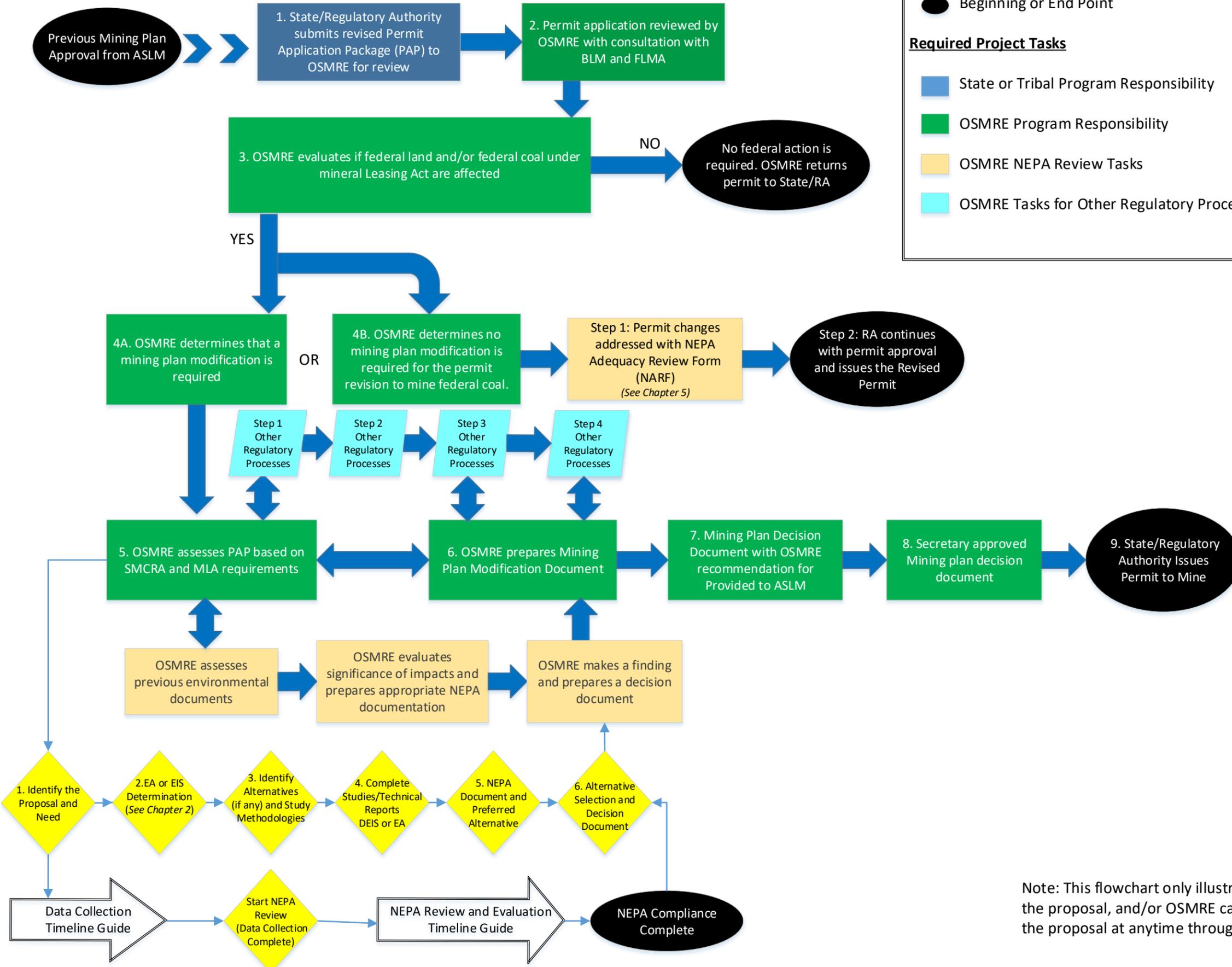# APPENDIX 4.2-3
Federal Lands-Mining Plan Modification Process

Legend

- ⬛ Beginning or End Point
- ➡ Task Direction Arrows
- ⬌ Iterative Task Direction Arrows

Required Project Tasks

- 🟦 State or Tribal Program Responsibility
- 🟩 OSMRE Program Responsibility
- 🟧 OSMRE NEPA Review Tasks
- 🟦 OSMRE Tasks for Other Regulatory Processes

Timing Guide in relation to Tasks

- 🔶 Milestone and Decisions Points
- ⬜ NEPA Schedule Guide
- → Guidelines for Milestones and Decisions Point Timing *(Note: Approximately located as a sliding scale based on specific project circumstances)*

Previous Mining Plan Approval from ASLM

→ **1. State/Regulatory Authority submits revised Permit Application Package (PAP) to OSMRE for review**

→ **2. Permit application reviewed by OSMRE with consultation with BLM and FLMA**

↓

3. OSMRE evaluates if federal land and/or federal coal under mineral Leasing Act are affected — NO → **No federal action is required. OSMRE returns permit to State/RA**

YES ↓

4A. OSMRE determines that a mining plan modification is required   OR   **4B. OSMRE determines no mining plan modification is required for the permit revision to mine federal coal.** → **Step 1: Permit changes addressed with NEPA Adequacy Review Form (NARF)** *(See Chapter 5)* → **Step 2: RA continues with permit approval and issues the Revised Permit**

Step 1 Other Regulatory Processes → Step 2 Other Regulatory Processes → Step 3 Other Regulatory Processes → Step 4 Other Regulatory Processes

5. OSMRE assesses PAP based on SMCRA and MLA requirements ⬌ **6. OSMRE prepares Mining Plan Modification Document** → **7. Mining Plan Decision Document with OSMRE recommendation for Provided to ASLM** → **8. Secretary approved Mining plan decision document** → **9. State/Regulatory Authority Issues Permit to Mine**

↓

OSMRE assesses previous environmental documents → **OSMRE evaluates significance of impacts and prepares appropriate NEPA documentation** → **OSMRE makes a finding and prepares a decision document**

🔶 **1. Identify the Proposal and Need** → 🔶 **2. EA or EIS Determination** *(See Chapter 2)* → 🔶 **3. Identify Alternatives (if any) and Study Methodologies** → 🔶 **4. Complete Studies/Technical Reports DEIS or EA** → 🔶 **5. NEPA Document and Preferred Alternative** → 🔶 **6. Alternative Selection and Decision Document**

⬜ **Data Collection Timeline Guide** → 🔶 **Start NEPA Review (Data Collection Complete)** → ⬜ **NEPA Review and Evaluation Timeline Guide** → **NEPA Compliance Complete**

Note: This flowchart only illustrates an approval process. An applicant can withdraw the proposal, and/or OSMRE can request additional information, and/or not approve the proposal at anytime throughout the review process.