



**Warrior Met Coal, Inc.  
Mining Plan Approvals for  
Federal Coal Leases  
ALES-055797 Mine No. 4 and  
ALES-056519 Blue Creek Mine No. 1**

**Record of Decision**



United States Department of the Interior  
Office of Surface Mining Reclamation and Enforcement

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For  
Federal Coal Leases ALES-055797 Mine No. 4  
and  
ALES-056519 Blue Creek Mine No. 1

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**Cover Photo:**

Aerial photo of the Blue Creek Mine No. 1 mining complex.

Source: <https://warriormetcoal.com/operations/>

## 1.0 INTRODUCTION

This Record of Decision (ROD) documents the Office of Surface Mining Reclamation and Enforcement's (OSM) decision to adopt the Bureau of Land Management's (BLM) Environmental Impact Statement (BLM Warrior Met EIS), *Warrior Met Coal, Inc. Federal Coal Lease by Application for ALES-055797 Mine No. 4 and ALES-056519 Blue Creek Mine No. 1*, published on September 12, 2025, to satisfy National Environmental Policy Act (NEPA) requirements in support of two OSM mining plan approval recommendations under the Mineral Leasing Act of 1920 (MLA), as amended.

On September 30, 2025, BLM conducted competitive lease sales for Federal coal tracts ALES-055797 and ALES-056519 and issued the leases to Warrior Met Coal Mining, LLC and Warrior Met Coal BC, LLC (hereafter, Warrior Met), effective December 2, 2025. Under the MLA, Federal implementing regulations, and Departmental policy, mining of leased Federal coal may not proceed until the Department of the Interior's (DOI) Assistant Secretary for Land and Minerals Management (ASLM) approves an operator's mining plan to mine leased Federal coal. Pursuant to 30 Code of Federal Regulations (CFR) part 746, OSM is responsible for reviewing proposed mining plans for Federal coal leases and submitting a recommendation to the ASLM for approval, disapproval, or approval with conditions.

BLM prepared the BLM Warrior Met EIS to analyze the environmental impacts associated with leasing the Federal coal tracts and reasonably foreseeable development of those leases. OSM participated in preparation of the BLM Warrior Met EIS as a cooperating agency and has conducted an independent review of the EIS and supporting documentation to determine whether the analysis adequately addresses the potential environmental effects of the proposed mining plans and satisfies OSM's responsibilities under NEPA. OSM has determined that the BLM Warrior Met EIS provides an appropriate basis for its mining plan recommendations.

## 2.0 PURPOSE AND NEED

The purpose of OSM's action is to respond to Warrior Met's request for approval of a Federal mining plan for leased Federal coal for each of two mines—Mine No. 4 and Blue Creek Mine No. 1. Approved mining plans are required before Federal coal can be mined from Federal coal leases ALES-055797 and ALES-056519. Mine No. 4 and Blue Creek Mine No. 1 are existing deep-shaft underground mines operated by Warrior Met under the Alabama Surface Mining Commission (ASMC)-issued Permit Nos. P-3260 and P-3964. These mines produce high-quality metallurgical coal. ASMC is the primary regulatory authority responsible for issuing permits and enforcing its State program for regulating surface coal mining operations under the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

Recovery of Federal coal would occur beneath non-Federal surface lands using existing mine infrastructure. No new mining areas, surface facilities, or access routes are introduced by OSM's decision beyond those analyzed in the BLM Warrior Met EIS.

OSM's recommendation is informed by its independent review of the ASMC's findings and recommendations for its State-issued permits and the enforceable conditions contained therein, the BLM's environmental analysis and lease stipulations, documentation demonstrating compliance with other applicable Federal laws and executive orders, comments from Federal and State agencies and the public, and OSM's findings under 30 CFR Chapter VII, Subchapter D. This process ensures that Federal coal recovery, if approved, proceeds in an environmentally responsible manner, protective of public health and safety, and consistent with statutory and regulatory requirements.

### **3.0 PROPOSED ACTION**

OSM's Proposed Action is to recommend approval of the Federal mining plan for Mine No. 4 and the Federal mining plan for Blue Creek Mine No. 1. If both mining plans are approved, the Proposed Action would authorize extraction of approximately 53.2 million tons of Federal coal, in addition to an estimated 49.9 million tons of private coal recovered concurrently, using underground longwall mining methods.

Surface disturbance would be limited to areas already analyzed in the BLM Warrior Met EIS, including access roads, ventilation infrastructure, and coarse refuse disposal sites. Operations would be conducted in accordance with Federal lease stipulations and the ASMC-approved permits, which include various permit conditions and five-year Subsidence Control Plans (SCPs) that provide for the minimization or prevention of material damage caused by subsidence.

Any additional, future site-specific surface-disturbing activities, such as the placement or configuration of ventilation infrastructure or coarse refuse disposal areas not already included in the ASMC permits, would require revisions to the ASMC-issued permits. Depending on the scope of any revision, it may constitute a mining plan modification under 30 CFR § 746.18 and would require additional approval by the ASLM. Any such revision would also trigger additional environmental review under NEPA and consultation under the Endangered Species Act (ESA) and National Historic Preservation Act (NHPA), as appropriate. Therefore, environmental protections will remain effective throughout the life of the mining operations.

### **4.0 MITIGATION AND MONITORING**

OSM's recommendation is supported by enforceable mitigation measures and monitoring requirements to protect the environment, public health, and safety. ASMC-issued permits implement the permanent performance standards for underground coal mining under 30 CFR part 817, addressing subsidence control, protection of surface structures and water resources, drainage management, and other measures necessary to prevent environmental damage. An SCP, contained within each ASMC-issued permit for an underground mine, provides detailed methods to prevent or minimize subsidence impacts, and any material damage resulting from subsidence must be corrected through reclamation, compensation, or replacement of affected water supplies.

For each of these mines, each ASMC permit also contains a permit condition that prohibits underground mining within a 30-degree angle of draw of any occupied dwelling until enforceable methane monitoring measures are in place. Any future site-specific surface-disturbing activities, including modifications to ventilation infrastructure, refuse disposal areas, or other facilities, would be subject to ASMC permit revisions, potential ASLM approval if the changes meet the criteria for a mining plan modification under 30 CFR § 746.18, and additional environmental review as required under NEPA, the ESA, and the NHPA (see Section 3.0).

## **5.0 NEPA COMPLIANCE**

### **5.1 Basis for Adoption of BLM Warrior Met EIS**

OSM, as a cooperating agency in the preparation of the BLM Warrior Met EIS for Federal coal leases ALES-055797 (Mine No. 4) and ALES-056519 (Blue Creek Mine No. 1), independently reviewed the EIS and supporting documentation. OSM determined that the BLM Warrior Met EIS may be adopted to support OSM's decision to recommend approval of the Federal mining plans. This determination is made in accordance with Appendix 3 of the DOI Handbook of National Environmental Policy Act Implementing Procedures (DOI NEPA Handbook) located at 516 Department Manual (DM) 1.

### **5.2 Evaluation Using DOI Adoption Criteria**

Consistent with Section 3 of Appendix 3 of the DOI NEPA Handbook, before relying on an existing environmental document, the Responsible Official must review the document and determine whether it adequately covers the proposed action currently under consideration, and must document substantive, detailed responses to the applicable review questions with specific citations to the existing environmental document.

OSM used the following criteria in its review of the BLM Warrior Met EIS to determine whether additional NEPA analysis is required:

- 1. Is the new proposed action a feature of, or essentially like an alternative analyzed in the existing environmental document?*

OSM's Proposed Action, to recommend approval of the Federal mining plans for Mine No. 4 and Blue Creek Mine No. 1, implements the recovery of Federal coal authorized under the BLM Proposed Action described in section 2.2 and analyzed in Chapter 4 of the BLM Warrior Met EIS. The scope, mining methods, and operational context of the Proposed Action are consistent with those evaluated by BLM. No new mining techniques, surface facilities, or operational approaches are introduced. Therefore, OSM's Proposed Action is substantially the same as the alternative analyzed in the BLM Warrior Met EIS.

- 2. Is the proposed action within the same analysis area, or if the location of the proposed action is different, are the geographic and resource conditions sufficiently like those analyzed in the existing environmental document? If there are differences, can the bureau explain why they are not substantial?*

The Proposed Action would affect the same geographic area analyzed in the BLM Warrior Met EIS, encompassing Mine No. 4 (section 2.2.1) and Blue Creek Mine No. 1 (section 2.2.2) in west-central Alabama. All affected resources, including geology, predicted subsidence, water resources, air quality, wildlife, socioeconomics, and public health and safety, are the same as those analyzed in Chapter 3 of the BLM Warrior Met EIS. Any differences are non-substantial and do not alter the environmental setting or impact pathways evaluated by BLM.

- 3. Is the range of alternatives analyzed in the existing environmental document appropriate with respect to the new proposed action, given current environmental concerns and resource values?*

The BLM Warrior Met EIS evaluated a reasonable range of alternatives, including the Proposed Action (section 2.2) and the No Action alternative (section 2.3). This range adequately captures the potential environmental effects of either approving or not approving recovery of the leased Federal coal. Because BLM has issued the Federal coal leases and approved the associated Resource Recovery and Protection Plans (R2P2s), no unresolved conflicts regarding alternative uses of the coal resource remain. Accordingly, the range of alternatives analyzed in the BLM Warrior Met EIS is appropriate for OSM's Proposed Action.

The general size and scale of activities associated with the Proposed Action are detailed in section 2.5 of the BLM Warrior Met EIS, including underground longwall mining methods, subsidence control methods, mine ventilation systems, coarse refuse disposal, product transportation, and water utilization, and analyzed in Chapter 4. Any future additional site-specific surface-disturbing activities beyond what was analyzed, including modifications to ventilation infrastructure, refuse disposal areas, or other facilities required to address unforeseen changed conditions at the mine, would be subject to a permit revision approved by the ASMC. Any application for a permit revision must be sent to OSM to determine whether the proposed revision meets the criteria for a mining plan modification under 30 CFR § 746.18. If so, OSM will prepare additional environmental and other reviews as required by 30 CFR § 746.18, that include NEPA, the ESA, and NHPA compliance (see Section 3.0).

Because any future site-specific surface-disturbing activities not already analyzed in the BLM Warrior Met EIS are not reasonably foreseeable at this time and are not authorized to occur without additional permitting and consultation, no further alternatives analysis is required to support OSM's adoption of the BLM Warrior Met EIS.

4. *Is the existing analysis valid considering new information or circumstances relevant to the proposed action? Can the bureau reasonably conclude that new information and new circumstances do not warrant substantial change to the analysis of the new proposed action?*

OSM reviewed the BLM Warrior Met EIS considering any new information and circumstances since its publication on September 12, 2025. Certain analyses in the EIS, including impacts on geology and minerals (section 4.3), public health and safety (section 4.6.5), and realty and land use (section 4.7), assumed implementation of the enhanced methane monitoring and well inventory requirements described in section 2.5.5.A of the BLM Warrior Met EIS in the approved SMCRA permit on or before September 30, 2025. OSM learned that, on September 24, 2025, ASMC indefinitely suspended these requirements, meaning that a key assumption in the BLM Warrior Met EIS was not implemented as assumed at the time of the EIS's issuance.

On January 6, 2026, however, ASMC approved amended permit revisions for Mine No. 4 and Blue Creek Mine No. 1, which include an enforceable permit condition prohibiting underground mining within the 30-degree angle of draw of any occupied dwelling until enforceable methane monitoring measures are in place. Based on current information and the ASMC-approved SCPs for 2025-2030, it is expected to be several years before the mining in the Federal coal reaches the 30-degree angle of draw of any occupied dwelling.

ASMC's September 24, 2025, suspension of the enhanced methane monitoring measures does not invalidate the BLM Warrior Met EIS or OSM's reliance on that EIS because the enforceable condition placed on each ASMC permit in January 2026 prohibits underground mining within the 30-degree angle of draw of any occupied dwelling until adequate methane monitoring measures are in place. These conditions achieve the same protection of realty and public health and safety analyzed in the BLM Warrior Met EIS; thus, OSM can reasonably conclude that the State's suspension of the requirements described in section 2.5.5.A of the BLM Warrior Met EIS does not warrant substantial change to the analysis to support OSM's Proposed Action.

5. *Are the environmental effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing environmental document?*

The environmental effects that would result from implementation of OSM's Proposed Action are both quantitatively and qualitatively similar to those analyzed in the BLM Warrior Met EIS, as described below. No new impact mechanisms or substantially different resource effects beyond those analyzed in the BLM Warrior Met EIS are expected. Applicable mitigation measures analyzed in the BLM Warrior Met EIS are incorporated through enforceable permit conditions and regulatory requirements.

**Air Resources:** Air resources effects under OSM's Proposed Action would be consistent with those analyzed in section 4.2 of the BLM Warrior Met EIS. The BLM Warrior Met EIS

considered Tuscaloosa County, with direct effects largely confined to the immediate vicinity of mine operations, and reasonably foreseeable emissions from mining, processing, transportation, and end use of coal were evaluated using conservative screening models and emissions inventories. Direct emissions would primarily result from fuel combustion sources and fugitive particulate matter, with coal mine methane managed through ventilation systems and postmining gob wells. Modeling indicates that criteria pollutants and hazardous air pollutants would remain below applicable National Ambient Air Quality Standards and health-based thresholds with conservative setback distances. Estimated hazardous air pollutant concentrations and cancer risk levels fall within the U.S. Environmental Protection Agency's acceptable risk management range. Regional air quality and air quality-related values, including visibility and deposition in the Sipsey Wilderness Area, were evaluated using conservative assumptions and were found to be below applicable thresholds. Transportation-related emissions would be intermittent and are not expected to result in significant air quality impacts. While annual greenhouse gas emission rates would not increase, these annual emissions would extend over the longer life of the mines. OSM's Proposed Action is not expected to result in significant impacts to local or regional air resources, provided applicable permit requirements and dust control measures are implemented.

**Geology and Minerals:** Geology and minerals effects under OSM's Proposed Action would be consistent with those analyzed in section 4.3 of the BLM Warrior Met EIS, including effects to occupied dwellings and commercial facilities, transportation infrastructure, public utilities, coal sterilization, coalbed methane wells, and fugitive methane. Based on industry-standard methods and subsidence modeling, the Proposed Action would increase annual coal production by 14.3 percent at Mine No. 4 and 27.5 percent at Blue Creek Mine No. 1, extending mine life by 7 and 14 years, respectively. Subsidence is predicted to be systematic and manageable, with maximums of 2.20 feet (Mine No. 4) and 2.62 feet (Blue Creek). The subsidence footprints cover 15,148 acres at Mine No. 4 and 29,641 acres at Blue Creek, including residences, water supplies, and roads, but no major commercial or transportation facilities. Adverse effects are expected to be minimal and short-term, and mitigation measures, including ASMC-approved SCPs and Mine Safety and Health Administration-approved ventilation plans, would continue to apply. No new or different subsidence mechanisms or geological effects would result from OSM's Proposed Action.

**Surface and Ground Water Resources:** Impacts to surface water and groundwater resources under OSM's Proposed Action would be consistent with those analyzed in section 4.4 of the BLM Warrior Met EIS. BLM analyzed potential effects of the extended life of the mine operations, increased coal recovery, larger subsidence footprints, and 618 acres of additional coarse refuse disposal at Blue Creek Mine No. 1. Direct and indirect effects to surface water are not expected to increase under the Proposed Action. National Pollutant Discharge Elimination System (NPDES)-compliant discharges, erosion and sediment controls, and permit monitoring requirements would continue to prevent degradation of surface water quality.

Groundwater impacts would remain limited due to mining depths well below potable aquifers and the implementation of required permits and remediation measures. The BLM Warrior Met EIS also analyzed the additional coarse refuse disposal areas at Blue Creek Mine No. 1, including the use of sediment basins and avoidance of jurisdictional waters. These effects are reasonably foreseeable consequences of coal recovery authorized under the Proposed Action and do not differ in nature or magnitude from those disclosed in the BLM Warrior Met EIS.

**Socioeconomics:** Socioeconomic effects under OSM’s Proposed Action would be consistent with those analyzed in section 4.6 of the BLM Warrior Met EIS, including economic vitality (section 4.6.1.B), provisioning of public services (section 4.6.2.B), access to products (section 4.6.3.B), way of life and social cohesion (section 4.6.4.B), and public health and safety (section 4.6.5.B). The Proposed Action would support thousands of direct and indirect jobs and generate billions of dollars in economic output. Public services may experience short-term, localized disruptions due to subsidence-related impacts to infrastructure or private wells; however, these impacts are expected to be temporary and would be mitigated through required repairs and utility connections. The Proposed Action would also generate substantial mineral revenues through rents, royalties, and severance taxes, with approximately half of Federal mineral revenues returned to the State of Alabama, supporting state and local government services. Effects on community character, social cohesion, and public health and safety are expected to be minor, localized, and manageable through existing regulatory requirements, mitigation measures, and monitoring programs. These effects are reasonably foreseeable consequences of coal recovery authorized under the Proposed Action and do not differ in nature or magnitude from those disclosed in the BLM Warrior Met EIS.

**Realty and Land Use:** Realty and land use effects under OSM’s Proposed Action would be consistent with those analyzed in section 4.7 of the BLM Warrior Met EIS. The Proposed Action would extend mine operations and increase the subsidence footprints, with potential indirect effects to residential properties and associated surface features. At Mine No. 4, subsidence could affect occupied residential dwellings and domestic water supplies within the planned development area. At Blue Creek Mine No. 1, similar indirect subsidence-related effects could occur within a larger subsidence footprint affecting residential dwellings and surface features. No direct effects to land use or commercial properties are anticipated. Potential subsidence-related impacts to residences, structures, utilities, and water supplies are expected to be infrequent, short-term, and effectively mitigated through implementation of approved SCPs, including repair, replacement, or utility connection measures. Fugitive methane impacts to property are not anticipated and would be managed through enforceable monitoring and mitigation.

**Wildlife, Special Status Species, and Migratory Birds:** Effects on wildlife, special status species, and migratory birds under OSM’s Proposed Action would be consistent with those analyzed in sections 4.8.2, 4.9.2, and 4.10.2 of the BLM Warrior Met EIS. Extended mine life and increased subsidence footprints under the Proposed Action are not expected to cause direct

effects, as surface facilities largely use existing permitted infrastructure. New surface-disturbing features would require additional review and U.S. Fish and Wildlife Service (FWS) concurrence. Gradual, predictable subsidence, combined with monitoring, erosion controls, riparian buffers, and mitigation measures, minimizes indirect effects. Most listed species are not known to occur in the action areas; for those with suitable habitat, the effects of potential stressors from implementation of the Proposed Action are expected to result in discountable or insignificant effects. The Proposed Action is not expected to result in effects that would jeopardize the continued existence of any listed or proposed species. Designated critical habitat for the Black Warrior waterdog occurs within the Mine No. 4 action area, but the Proposed Action is not likely to adversely modify the designated critical habitat. No designated critical habitat occurs at Blue Creek Mine No. 1. Migratory birds and bald eagles are not expected to be affected, as habitat and hydrologic conditions remain largely unchanged.

### **5.3 Finding**

Based on the evaluation above and in accordance with Appendix 3 of the DOI NEPA Handbook, OSM finds that the BLM Warrior Met EIS:

- a. Adequately addresses the environmental impacts of OSM's Proposed Action.
- b. Satisfies OSM's NEPA compliance requirements in connection with recommending approval of the mining plans.
- c. Adequately addresses OSM's comments and suggestions as a cooperating agency.

Accordingly, OSM adopts the BLM Warrior Met EIS to support its decision to recommend approval of the Federal mining plans for Mine No. 4 and Blue Creek Mine No. 1.

### **6.0 PUBLIC INVOLVEMENT**

OSM, as a cooperating agency in the preparation of the BLM Warrior Met EIS, participated in all relevant opportunities for public and interagency involvement. The BLM Warrior Met EIS process included public notices, scoping meetings, and comment periods in accordance with NEPA. All substantive public comments were considered in preparing the final BLM Warrior Met EIS, and Appendix L to the EIS includes responses to concerns regarding environmental impacts, mitigation measures, and resource management.

OSM reviewed BLM's public involvement activities, including scoping comments and other substantive correspondence, and determined that the process was adequate for informing OSM's decision. No additional public review is required because OSM is relying on the BLM Warrior Met EIS under the cooperating agency provisions outlined in 516 DM 1, Appendix 3.

### **7.0 COMPLIANCE AND CONFORMANCE**

OSM's recommendation to approve the Federal mining plans for Mine No. 4 (ALES-055797) and Blue Creek Mine No. 1 (ALES-056519) is consistent with applicable Federal laws and regulations governing coal leasing, mining, and environmental protection. These laws include the MLA, the

Mineral Leasing Act for Acquired Lands of 1947, as amended, the Federal Coal Leasing Amendments Act of 1976, and its implementing regulations at 43 CFR part 3400.

OSM has also reviewed compliance with applicable land use plans, and other applicable Federal laws, including the Clean Water Act, the Clean Air Act, the ESA, and the NHPA.

## **7.1 Conformance with Land Use Plans**

The decision also aligns with the 2009 Alabama and Mississippi Resource Management Plan (RMP), which guides mineral development and land use within the Warrior Basin. The RMP specifies that non-Federal mineral ownership in the Warrior Basin is available for further coal leasing consideration, limited to underground mining methods, and that best management practices are applied as appropriate when processing a Lease by Application. OSM's recommendation, based on adoption of the BLM Warrior Met EIS, is consistent with these RMP provisions.

## **7.2 Endangered Species Act**

The ESA requires Federal agencies to ensure that their actions are not likely to jeopardize the continued existence of federally listed species or adversely modify designated critical habitat. Section 7(a)(2) of the ESA establishes the procedures for interagency consultation with FWS for actions that may affect listed species or designated critical habitat, and for conferencing on species proposed for listing and proposed critical habitat.

As part of the Federal coal leasing decision, the BLM completed informal consultation with FWS for the No Action Alternative and the Proposed Action at Mine No. 4 and Blue Creek Mine No. 1. On April 29, 2025, FWS concurred with BLM's determinations that the Proposed Action would have no effect on certain listed species and may affect, but is not likely to adversely affect, other listed and proposed species, as well as designated critical habitat for the Black Warrior waterdog.

OSM, as the Federal action agency responsible for making a recommendation to ASLM on whether to approve, deny, or approve with conditions the mining plans, initiated informal consultation with FWS under section 7 of the ESA to ensure that the Proposed Action is not likely to jeopardize the continued existence of any federally listed species or adversely modify designated critical habitat. OSM's Biological Assessment and effects determinations submitted to FWS considered the mining plan approvals and incorporated the analyses and conclusions from the BLM consultation, as appropriate.

On January 12, 2026, FWS concurred with OSM's determinations that the Proposed Action may affect, but is not likely to adversely affect the Black Warrior waterdog (*Necturus alabamensis*), dark pigtoe (*Pleurobema furvum*), inflated heelsplitter (*Potamilus inflatus*), orangenacre mucket (*Hamiota perovalis*), white fringeless orchid (*Platanthera integrilabia*), monarch butterfly (*Danaus plexippus*), Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), alligator snapping turtle (*Macrochelys temminckii*), and flattened musk turtle (*Sternotherus depressus*), as well as designated critical habitat for the Black

Warrior waterdog. FWS also acknowledged OSM's no effect determinations for the gray bat (*Myotis grisescens*), Alabama moccasinshell (*Medionidus acutissimus*), ovate clubshell (*Pleurobema perovatum*), and triangular kidneyshell (*Ptychobranchus greenii*), for which concurrence is not required.

This consultation addresses only the potential effects of approving the mining plans as currently proposed; it does not evaluate future mining plan modifications, State permit revisions under SMCRA, or other subsequent Federal or State actions, which would require separate review and consultation, as appropriate. Approval of the mining plans does not authorize surface-disturbing activities beyond what is currently in the ASMC-approved permits. Likewise, it does not affect the need for additional ESA compliance if there is a change to the mining plans or new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation.

Current ASMC-approved SCPs cover underground mining operations (including expansion into the Federal coal if the mining plans are approved) from 2025 through 2030 and do not overlap designated critical habitat for the endangered Black Warrior waterdog. Based on the information currently available, FWS concurred with OSM's determination that the Proposed Action may affect but is not likely to adversely affect designated critical habitat for the Black Warrior waterdog in the Yellow Creek located in the subsidence footprint for Mine No. 4. Any potential effects to critical habitat would be reevaluated during approval of a future SCP, and if new information indicates that adverse effects are likely, a mining plan modification and additional section 7 consultation with FWS may be required.

Based on the BLM consultation record, the fish and wildlife protection and enhancement plan in the approved SMCRA permits, and OSM's consultation with FWS, OSM finds that the Proposed Action is consistent with the requirements of section 7 of the ESA.

### **7.3 National Historic Preservation Act**

Section 106 of the NHPA and its implementing regulations under 36 CFR part 800 require all Federal agencies to consider effects of Federal actions on cultural resources eligible for or listed in the National Register of Historic Places (NRHP). OSM consulted with the Alabama Historical Commission (AHC), acting as the State Historic Preservation Officer, and other appropriate parties to identify historic properties and evaluate potential effects of the Proposed Action.

The Proposed Action involves subsurface mine expansion only and does not authorize surface-disturbing activities beyond what is currently in the ASMC-approved permits. Accordingly, the Area of Potential Effects is limited to areas potentially subject to subsidence-related ground movement.

For Blue Creek Mine No. 1 (ALES-056519), intensive cultural resources investigations identified archaeological sites, architectural resources, and one cemetery. None of the archaeological or

architectural resources were determined eligible for the NRHP. Based on predicted subsidence magnitude and distribution, subsidence is not expected to affect the integrity of the cemetery.

For Mine No. 4 (ALES-055797), earlier investigations identified one archaeological site and one historic architectural resource (HAR 3) as potentially eligible for the NRHP. Subsequent testing determined the archaeological site to be ineligible. HAR 3 remains potentially eligible; however, mining activities are limited to subsurface expansion and predicted subsidence is not expected to alter its integrity.

The McMillian Homeplace, listed on the Alabama Register of Landmarks and Heritage on March 12, 2025, was identified after completion of BLM's leasing consultation. Although its NRHP eligibility has not been formally evaluated, predicted subsidence is not expected to adversely affect the property. Warrior Met developed a subsidence monitoring and protection plan for the property, which was accepted by the landowner on February 24, 2025. Final AHC concurrence confirming a no-effect finding was received on January 5, 2026.

Both the ASMC-approved permits and the mining plan approvals, if approved by the ASLM, include enforceable conditions requiring Warrior Met not to disturb such resources and to notify and consult with ASMC, OSM, and AHC upon discovery of previously unknown historic resources, artifacts, or archeological features.

Based on coordination with the AHC, predicted subsidence analyses, and the absence of authorized surface disturbance, OSM finds that the Proposed Action will result in No Historic Properties Affected, as defined in 36 CFR § 800.4(d)(1). The Section 106 process is complete, and the Proposed Action complies with the NHPA. Tribal consultation conducted in parallel with the Section 106 process is described below.

#### **7.4 Tribal Consultation**

Consultation with potentially affected Native American tribes is required under section 106 of the NHPA and the DOI Policy on Consultation with Indian Tribes. This consultation is intended to identify historic properties, including traditional cultural properties and other sites of religious or cultural significance, that may not be archaeological sites or historical structures and that could be affected by the Proposed Action.

On December 15, 2025, OSM mailed consultation letters to federally recognized Tribes with potential historic or cultural interests in areas within the predicted subsidence footprints of Mine No. 4 and Blue Creek Mine No. 1. These letters invited Tribes to identify any historic properties or culturally significant resources that may not have been identified during the BLM leasing process.

Tribes contacted by OSM had previously been consulted by BLM during preparation of the BLM Warrior Met EIS, and that process did not identify any unresolved or outstanding tribal concerns related to the leasing decision.

The Tribes contacted by OSM included the Cherokee Nation, United Keetoowah Band of Cherokee Indians in Oklahoma, the Chickasaw Nation, the Choctaw Nation of Oklahoma, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Alabama-Coushatta Tribe of Texas, Coushatta Tribe of Louisiana, Kialegee Tribal Town, the Muscogee (Creek) Nation, Poarch Band of Creek Indians, Thlophlocco Tribal Town, and the Seminole Tribe of Florida.

OSM received one response, from the Chickasaw Nation, indicating support for the Proposed Action and concurrence with OSM's no effect determination.

OSM engaged with federally recognized Tribes and other interested tribal parties in a manner consistent with Executive Order 13175, the Department's tribal consultation policy, and applicable guidance. Tribal concerns related to cultural resources, environmental impacts, and land use were considered in OSM's review and recommendation. If future site-specific activities require permit revisions or meet the criteria for a mining plan modification, OSM would conduct additional consultation under the NHPA, as appropriate.

## **7.5 Clean Air Act**

The Clean Air Act (CAA) requires Federal agencies to ensure that their actions comply with applicable Federal and state air quality requirements. In Alabama, the U.S. Environmental Protection Agency has delegated primary authority for implementation and enforcement of the CAA to the Alabama Department of Environmental Management (ADEM) through an approved State Implementation Plan.

The BLM Warrior Met EIS section 4.2.3 evaluated air quality impacts associated with the Proposed Action in relation to the National Ambient Air Quality Standards for criteria pollutants, including particulate matter, ozone precursors, nitrogen dioxide, sulfur dioxide, carbon monoxide, and lead. The analysis considered existing regional air quality conditions, background concentrations, and projected emissions from mining-related activities. The EIS concluded that emissions associated with the Proposed Action would not cause or contribute to violations of the National Ambient Air Quality Standards.

Based on the BLM Warrior Met EIS and OSM's independent review, OSM finds that the Proposed Action complies with the CAA.

## **7.6 Clean Water Act and Protection of Hydrologic Balance Under SMCRA**

The Clean Water Act (CWA) establishes requirements to protect surface water quality. In Alabama, the EPA has delegated authority for CWA implementation, including NPDES, to ADEM. Coal mining operations are also regulated by ASMC under SMCRA, which requires protection of the hydrologic balance and prevention of material damage to water resources.

Mine No. 4 and Blue Creek Mine No. 1 operate under existing ADEM-issued NPDES permits that establish enforceable discharge limits, monitoring, and reporting requirements for mine-water discharges. Surface runoff from disturbed areas is routed through sediment-control structures prior

to discharge to State waters, and water quality is monitored in accordance with permit conditions and ASMC-approved hydrologic monitoring plans.

The BLM Warrior Met EIS section 4.4.3 evaluated potential effects to surface water and groundwater resources associated with the Proposed Action and concluded that, with compliance with existing permits and best management practices, water quality standards would not be violated.

Based on the BLM Warrior Met EIS and OSM's independent review, OSM finds that the Proposed Action complies with the CWA and SMCRA.

## **8.0 DECISION RATIONALE**

OSM's decision to recommend approval of the Federal mining plans for Mine No. 4 (ALES-055797) and Blue Creek Mine No. 1 (ALES-056519) reflects a thorough evaluation of environmental, regulatory, technical, economic, and policy considerations.

OSM has adopted the BLM Warrior Met EIS for these leases (see Section 5, above), which provides a comprehensive analysis of the environmental impacts associated with recovery of the federally leased coal, including subsidence, water resources, air quality, biological resources, socioeconomic, and public health and safety.

The Proposed Action is consistent with the terms and special stipulations of the Federal coal leases, the requirements of the ASMC-issued SMCRA permits, and other applicable Federal laws. Enforceable permit conditions ensure that all practicable means to avoid or minimize environmental harm are applied. Subsidence-related fugitive methane migration risks are specifically addressed by a permit condition in each permit that prohibits mining within the 30-degree angle of draw of any occupied dwelling until adequate and enforceable monitoring measures are in place.

Any additional future site-specific surface-disturbing activities, including modifications to ventilation infrastructure, refuse disposal areas, or other facilities, and any changes to SCPs would be subject to ASMC permit revisions and potential ASLM approval, if the changes meet the criteria for a mining plan modification under 30 CFR § 746.18. If a mining plan modification is required, OSM would ensure NEPA, the ESA, and the NHPA (see Section 3.0) compliance at that time.

Economic and other policy considerations further support approval. Recovery of the leased Federal coal will maintain employment, support local and State economies, and provide access to a USGS-designated critical mineral essential for steel production, which is important for national security. Approval of these mining plans aligns with national policy objectives, including Executive Orders 14154, *Unleashing American Energy*; 14156, *Declaring a National Energy Emergency*; 14261, *Reinvigorating America's Beautiful Clean Coal Industry*; and 14241, *Immediate Measures to Increase American Mineral Production*, and Secretary's Order 3418, all of which promote energy security, revitalization of the coal industry, and domestic critical mineral production.

Based on these environmental, regulatory, technical, economic, and policy considerations, OSM finds that the Proposed Action best meets the purpose and need, incorporates all practicable mitigation measures, and represents the appropriate recommendation to the ASLM. Accordingly, OSM recommends approval of the Federal mining plans for Mine No. 4 and Blue Creek Mine No. 1, with the standard mining plan conditions.

## **APPROVAL**

After considering the information presented in this ROD, I approve the selection of the Proposed Action for Mine No. 4 (ALES-055797) and Blue Creek Mine No. 1 (ALES-056519), as described herein. The State of Alabama has already approved the SMCRA permits for these two mines that include enforceable conditions to prevent environmental harm, protect public health and safety, and manage subsidence and water resources.

Accordingly, I recommend approval of the Federal mining plans to the ASLM consistent with the Proposed Action and with the standard mining plan conditions. Implementation of this action may proceed following ASLM approval of the mining plans. This ROD is effective upon signature.

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William L. Joseph  
Regional Director  
Office of Surface Mining Reclamation and Enforcement  
Interior Regions 3, 4, & 6