



State of Utah

Department of Natural Resources

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September 11, 2006

James Fulton, Chief
Office of Surface Mining
Western Regional Coordinating Center
P.O. Box 46667
Denver, Colorado. 80201-6667

Subject: Appended Comments to Annual Evaluation Summary Report July 1, 2005 through June 30, 2006

Dear Mr. Fulton:

Please append this letter to Utah's Annual Evaluation Summary Report for evaluation year 2006. The format required for the tables in the report by the OSM Reg-8 Directive do not provide an accurate accounting of the work Utah does. Utah seldom permits new "disturbed" acreage because underground mine surface facilities are relatively static while the underground mined acreage does increase each year. Due to the way information is defined and reported in Tables 2 and 3 it would appear to the report reader that Utah's Coal Program is hardly doing anything because the permitted/disturbed acreage barely changes from year to year. In fact, the Coal Regulatory Program provides a great deal of analysis regarding the surface impacts from underground mining in permitting these additional coal lease acreages.

The reporting format may also lead the reader to believe that the Office of Surface Mining (OSM) is fulfilling its statutory obligation to fund the Utah Program under SMCRA. Table 9 should show that OSM has not met this obligation.

In order to accurately report the funding and activity for the Utah Coal Program we request the following information be appended to the Annual Evaluation Summary Report.

- Modify Table 2 to reflect the following:

Inspectable Units	
Coal mines and related facilities	Permitted acreage
State and Private Lands	59,666
Federal Lands	121,046
Total All Lands	180,713

- Table 3 should be modified to show:

State Permitting Activity	
Type application	Acres issued
Renewals	59,195
Revisions and IBC	13,134

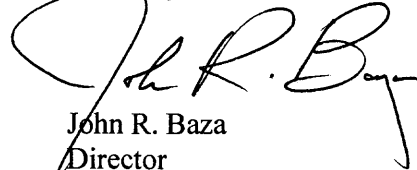
IBC = Incidental Boundary Change

- Modify Table 9 to:

Administration and Enforcement Funds Granted to Utah by OSM		
Funds Requested	Federal Funds Awarded	Shortfall in Federal Funding
\$2,143,426	\$1,743,698	\$399,728

Should you have questions, please contact Susan White, Evaluation Team Co-lead at (801) 538-5258, or Mary Ann Wright, Associate Director, Mining at (801) 538-5306.

Sincerely,



John R. Baza
Director