

Interagency  
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**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

JON M. HUNTSMAN, JR.  
*Governor*  
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*Executive Director*      JOHN R. BAZA  
*Division Director*

July 28, 2010

Joe Pizarchik, Director  
Office of Surface Mining  
Reclamation and Enforcement  
Washington, D.C., 20240

Dear Mr. Pizarchik:

In response to your letter of June 22, 2010, I am requesting that the Utah Division of Oil, Gas and Mining (OGM) be considered for cooperating agency status in preparing an Environmental Impact Statement (EIS) with the Office of Surface Mining Reclamation and Enforcement (OSM). The EIS has been explained as an effort to analyze the effects of potential rule revisions under the Surface Mining Control and Reclamation Act of 1977 to improve protection of streams from the adverse impacts of surface coal mining operations.

We have read the Notice of Intent to prepare an EIS (published April 30, 2010) and have supplied comments to OSM as outlined in the Notice. OGM feels that the chance to give input into the EIS process will be valuable for both agencies.

The meeting you held in Denver on June 17, 2010 was very productive and the varying ideas and opinions expressed there revealed a need for input from differing perspectives and needs. As the agency that will be responsible for enforcing the revised rules in conditions that differ greatly from other areas of the country, we feel it is imperative that we have an opportunity to aid OSM in crafting the EIS.

Please advise us as to the steps we need to take to develop and adopt a Memorandum of Understanding with you for this project. If you have any questions or would like to further discuss this request, you may contact me at (801) 538-5334 ([johnbaza@utah.gov](mailto:johnbaza@utah.gov)), or Dana Dean at (801) 538-5320 ([danadean@utah.gov](mailto:danadean@utah.gov)).

Thank you for this opportunity, we look forward to working with you.

Sincerely,

John R. Baza  
Director

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cc: Jim Fulton