

From: "Carter Reed" <creed01@fs.fed.us>
To: "Pam Grubaugh-Littig" <PAMGRUBAUGHLITTIG@utah.gov>, <PAMGRUBAUGHLITTIG@utah.gov>
Date: 5/2/03 7:12AM
Subject: Re: JC-3 One-Time Exception to Timing Restriction (Calving/Fawning)

We reviewed Canyon Fuel Company's request for an exception to the restriction that prevents high-intensity activities such as construction and drilling in calving and fawning areas from May 1 through July 5. Upon review of the area and the importance of completing the JC-3 well as soon as possible to meet water demands from Electric Lake and Huntington Creek, we conditionally consent.

Conditions of consent are as follows:

This is a one-time exception to the timing restriction that will continue through July 5, 2003.

The proposed mitigation that involves removal of the culvert on non-Federal lands at the mouth of James Canyon Creek be implemented as soon as possible. Canyon Fuel must submit a plan for removal of the culvert, including sediment control, re-establishment of stream channel integrity and aquatic species habitat, and replacement of riparian vegetation. The plan is subject to approval of UDOGM and Utah Division of Wildlife Resources.

Canyon Fuel must contribute the balance of the \$30,000 to a Forest Service mitigation funds after deducting the costs of the James Canyon Stream Channel Restoration/Culvert Removal Project.

Carter Reed
Forest Geologist
Manti-La Sal National Forest
Supervisor's Office
599 West Price River Dr.
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435-637-2817
creed01@fs.fed.us

"Pam

Grubaugh-Littig"

<PAMGRUBAUGHLITTI

<DARONHADDOCK@utah.gov>, "Jerriann Ernstsen"
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"Susan White" <SUSANWHITE@utah.gov>

To: <creed01@fs.fed.us>

cc: "Daron Haddock"

<JERRIANNERNSTSEN@utah.gov>,

Subject: Fwd: Wildlife

Extension

04/29/2003 10:42

AM

The Division has a request from Canyon Fuel Company, Skyline Mine for an extension to the May 1 Wildlife Closure date for the work occurring in James Canyon to install JC-3. I know that there was a meeting on Friday, April 25 about this and some decisions were made. Please respond to this e-mail (and follow-up by hard copy). Thank you.
----- Message from "Hansen, Chris" <CHansen@archcoal.com> on Mon, 28 Apr 2003 09:50:14 -0500 -----

To: "Pamela Grubaugh-Littig (E-mail)" <pamgrubaughlittig@utah.gov>

cc: "Johnson, Douglas" <DEJohnson@archcoal.com>, "Susan White (E-mail)" <susanwhite@utah.gov>

Subject: Wildlife Extension

Pam:

I am attaching a letter requesting an extension to the May 1 wildlife closure or cessation date for all construction activities in the Forest to allow PacifiCorp to continue with their construction activities at the JC-3 site. This was the major topic of discussion at our meeting on April 25th at the Price offices of the Manti-LaSal National Forest. It is my understanding the meeting ended with a consensus between the Forest, DWR, and DOGM that PacifiCorp would be allowed to continue drilling and completing the well past the May 1 deadline provided they performed \$30,000 worth of mitigation to improve wildlife habitat. This cost or plan does not include the potential shut down of the project related to the closure of the Monument Peak or James Canyon roads. These roads would be closed by the Forest if thawing of the ground results in the road base pumping and rutting.

I appreciate your help in this matter. Call me if you have questions.

(435) 448-2669

Chris

<<Wildlife Extension Letter.doc>>

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CC: "Rod Player" <rplayer@fs.fed.us>, "Mesia Nyman" <mnyman@fs.fed.us>, "Thomas W Lloyd" <twlloyd@fs.fed.us>



April 28, 2003

Pam Grubaugh-Littig
Permit Supervisor
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RE: Extension Request to the May 1 Wildlife Closure for the James Canyon JC-3 Well, Canyon Fuel Company, LLC, Skyline Mine, C/007/005

Dear Ms Grubaugh-Littig:

Canyon Fuel Company, LLC Skyline Mine respectfully requests an extension to the May 1 Wildlife Closure date for the work occurring in James Canyon to install well JC-3. On April 25, 2003, representatives from DOGM, DWR, Manti-LaSal National Forest, PacifiCorp, and Canyon Fuel Company attended a meeting in Price at the Forest office to discuss issues regarding the drilling of JC-3. As you are aware, PacifiCorp is drilling and completing the JC-3 well into Skyline Mine flooded workings to pump water to Electric Lake. The project has experienced numerous set backs and is well behind schedule. Because of the importance of this project to both PacifiCorp, Skyline Mine, and the communities in Emery and Carbon Counties, a request has been made of the agencies present at the meeting to allow the drilling and well completion activities to continue past the May 1 wildlife closure deadline. This deadline is generally in place in the well area to protect elk calving activities. The James Canyon area is a known calving area for elk. The current schedule for the completion of activities at the well site is on or about June 3, 2003. However, if problems continue, the completion date may need to be extended.

It is Canyon Fuel's understanding that an agreement was reached between the attending parties during the April 25th meeting that PacifiCorp would be allowed to continue drilling and completing the well provided they performed wildlife mitigation at a cost of \$30,000. This mitigation may consist of contributing to the Forest's habitat improvement program that includes control burns in areas heavily forested with conifers. Another option discussed was the repair of the culvert under the dike at the mouth of James Canyon. This repair would allow Electric Lake fish to more effectively use James Canyon Creek for spawning. Breaching the dike and removal of the culvert was also discussed as a mitigation tool. Other mitigation efforts would also be considered.

The condition of the Monument Peak and James Canyon Roads were also discussed during the April 25th meeting. The Forest indicated that if either of the roads cannot be maintained as the ground thaws, the roads will be closed to travel until the road base has dried sufficiently. This may occur regardless of this request for the extension to the

Skyline Mines
April 28, 2003

Extension to Wildlife Closure Date
James Canyon
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wildlife closure deadline. The determination to close the roads will be made by the Forest.

If you have any questions, please call me at (435) 448-2669. We appreciate your help in this matter.

Sincerely,

Chris D. Hansen
Environmental Coordinator
Canyon Fuel Company, LLC

enclosures