

Lila Ernstsens

0125

From: <Jeff_McKenzie@blm.gov>
To: "Jerriann Ernstsens" <JERRIANNERNSTSEN@utah.gov>
Date: 03/19/2007 3:47 PM
Subject: Re: Lila PA MOA signatory review meeting
Attachments: SLC-428429-vDOC-UEI Memorandum of Agreement from DOGM.DOC; Redline.rtf;
3

Agree
-8-07 SUWA letter to MAW - draft pa comments.pdf; SLC-428429-v3-UEI Memorandum of Agreement from DOGM.DOC; SLC-428429-vDOC-UEI Memorandum of Agreement from DOGM.DOC; Denise A. Dragoo.vcf; UEI Programmatic Agreement from DOGM.DOC; Redline.rtf

CC: "Blaine Miller" <Blaine_Miller@blm.gov>, "Foster Kirby" <fkirby@osmre.gov>
Ok, it is reserved for 28 March 2 to 4pm...

866-782-3847 access code: 1606521#

(remember the # sign)

*Spring OK
3/20/07*

"Jerriann Ernstsens" <JERRIANNERNSTSEN@utah.gov>
To "Blaine Miller" <Blaine_Miller@blm.gov>, "James Kohler" <James_Kohler@blm.gov>, "Jeff McKenzie" <Jeff_McKenzie@blm.gov>, "Steve Falk" <Steve_Falk@blm.gov>, "Steve Rigby" <Steve_Rigby@blm.gov>, "Foster Kirby" <fkirby@osmre.gov>, "Lori Hunsaker" <LHUNSAKER@utah.gov>, "Mary Ann Wright" <MARYANNWRIGHT@utah.gov>, "Matthew Seddon" <MSEDDON@utah.gov>, "Pam Grubaugh-Littig" <PAMGRUBAUGHLITTIG@utah.gov>, "Steve Alder" <STEVEALDER@utah.gov>, "Wayne Hedberg" <WAYNEHEDBERG@utah.gov>
cc
"Jerriann Ernstsens" <JERRIANNERNSTSEN@utah.gov>
Subject
Lila PA MOA signatory review meeting

Mon 3/19 as of 2:30

It sounds like the best date for this meeting is

Wed 3/28 at 2:00 PM. Place DNR.

We will need to conference Steve Rigby in St. G, Steve F and Blaine Miller in PFO, and Foster in Denver. Jeff - since I do not have a conference number, would/could you please set up a conference number for this meeting??? We would really appreciate that effort.

Please come prepared to comment on all the recommendations made so far. My plan - unless guided otherwise - for the group to address each comment - one at a time, then prepare and send a letter to the participating consulting parties letting them know why we incorporated or did not incorporate their comments. If I receive any tribal comments, I will send them to you prior to our meeting.

Mon 3/19

I have received confirmation only from three folks so far. If you think that you should attend, please let me know

AVAILABLE DATES AND TIMES: TO DATE WE NOW HAVE

- 3/27 Tues all day
- 3/28 Wed 8-10:30, 2-5
- 3/29 Thurs 4:00 PM
- 3/30 Fri - if need be

Thurs 3/15th

Matt just wrote the following:

Of your dates, I can only do it 3/27 (but anytime that day). Or 3/28 in pm, 3/29 and 3/30 all day. Please use these dates instead of the ones I sent earlier to provide me with AVAILABLE DATES AND TIMES.

Jerriann is AVAILABLE for the following DATES AND TIMES:

- 3/27 Tues all day
- 3/28 Wed all day
- 3/29 Thurs 4:00 PM
- 3/30 Fri - if need be

Signatories:

Attached are the comments that we have received from the consulting parties other than the tribes.

Following my process that I drafted last year, we are now to the point for all the signatories to go over the consulting party comments. I thought that we could go ahead and start with reviewing the attached comments, first - while we are waiting for the remainder of the tribal comments. Perhaps the tribes won't issue huge changes.

As signatories, please review and prepare your comments. I would like to set up a meeting for the weeks of 3/19 or 3/26 to go over your comments. I prefer to have all signatories at the "review table" all at one time.

As a word of caution - and Matt please correct me if I am wrong - major changes at this time could be problematic for UEI. The unchanged documents are the documents that SHPO concurred on. These are the documents that have been sent out to the tribes and ACHP. If there are significant revisions to these documents 1) SHPO may not concur or 2) we may have to restart the consultation process for the PA and MOA for review of basically different documents.

Please provide me with FIVE DATES AND TIMES (2 HOUR SLOT) that you will be AVAILABLE to meet the weeks of 3/19 or 3/26.

I am AVAILABLE for the following DATES AND TIMES:

3/20 Tues 10:00 AM
3/21 Wed 2:00 PM
3/22 Thurs all day
3/26 Mon all day
3/27 Tues all day

Hopefully, I can facilitate a meeting on one of these days to fit everyone's schedules.

Cheers,

Jerriann Ernstsens, Ph.D.
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(See attached file: SLC-428429-vDOC-UEI Memorandum of Agreement from DOGM.DOC)(See attached file: Redline.rtf)(See attached file: 3-8-07 SUWA letter to MAW - draft pa comments.pdf)

----- Message from "Dragoo, Denise" <ddragoo@swlaw.com> on Fri, 2 Feb 2007 14:50:37 -0700 -----

To: "Mary Ann Wright" <MARYANNWRIGHT@utah.gov>, "Jerriann Ernstsén" <JERRIANNERNSTSEN@utah.gov>

cc: <Blaine_Miller@blm.gov>, <James_Kohler@blm.gov>, <Steve_Rigby@blm.gov>, <fkirby@osmre.gov>, <johnharja@utah.gov>, <stevealder@utah.gov>, "Wayne Hedberg" <WAYNEHEDBERG@utah.gov>, <wmartin@utah.gov>, <jmarshall@utahamerican.com>, "McKown, Mike" <mmckown@coalsource.com>, <jevicky@dinslaw.com>, "Jody Patterson" <jpatterson@montarch.com>, "Pam Grubaugh-Littig" <pamgrubaughlittig@utah.gov>, <mseddon@utah.gov>, "Sheila Morrison" <SHEILAMORRISON@utah.gov>, <lhunsaker@utah.gov>

Subj Lila Canyon Mine Extension: MOA and PA as revised are attached in ect: redline and clean

<<UEI: Programmatic Agreement from DOGM.DOC>> Ma <<Redline.rtf>> ry Ann and Jerriann, attached are UtahAmerican Energy, Inc's comments on the Programmatic Agreement and the Memorandum of Agreement. It appears that our comments and your submission to the SHPO have crossed in the e-mail traffic. UEI is not a signatory to the Programmatic Agreement however, we are providing our comments for your consideration. UEI will be a signatory to the Memorandum of Agreement and we request that our changes be incorporated into that agreement. Thanks for your assistance in this matter. Denise

Denise A. Dragoo
Snell & Wilmer L.L.P.

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Note: This communication is intended only for the designated recipients, and may contain confidential or privileged information. If you are not a designated recipient, please disregard this communication, and contact the sender immediately. Thank you.

(See attached file: SLC-428429-v3-UEI Memorandum of Agreement from DOGM.DOC)(See attached file: SLC-428429-vDOC-UEI Memorandum of Agreement from DOGM.DOC)(See attached file: Denise A. Dragoo.vcf)(See attached file:

UEI Programmatic Agreement from DOGM.DOC)(See attached file: Redline.rtf)
----- Message from "Matthew Seddon" <msteddon@utah.gov> on Thu, 08 Feb 2007
09:29:26 -0700 -----

To: "Jerriann Ernstsens" <JERRIANNERNSTSEN@utah.gov>

Subject: Re: term

Sure, thanks! Matt

>>> Jerriann Ernstsens 2/8/2007 9:20 AM >>>

I think we should add the full intent and not leave things open for assumption/interpretations of our intentions. We can add this info when we get all the responses back. Is that fine with you?

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>>> Matthew Seddon 02/08/2007 8:45 AM >>>

Yeah, that was my intention. Have an archaeologist, not a miner, look (e.g. on maps) at the surface disturbance from subsidence area relative to past survey work and sites and decide what needs to be done. THEN, depending on whether it has been surveyed or not, has a site or not, implement appropriate field visits. Do you think that's clear enough? Has UEI been reading it another way....

Matt

>>> Jerriann Ernstsens 2/8/2007 7:34 AM >>>

In the PA stips, the phrase used is "examination". I assumed that to mean exam, decide what needs to be done - nothing, class i ii iii survey. Was that your intention of the word? If you meant survey or inventory, then perhaps that should be clarified. I know late, but please consider.

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