



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Price Field Office
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 (UT-070)

Justin K
C/007/0013

April 27, 2007

Mary Ann Wright
 Associate Director, Mining
 State of Utah
 Department of Natural Resources
 1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, UT 84114-5801

RECEIVED
 5/2/07
 MAY 02 2007
msw
 DIRECTOR

Subject: Requesting Signatures for the Programmatic Agreement – Protection Measures for Lila Canyon Extension, UtahAmerican Energy, Inc. (UEI), Horse Canyon Mine, C/007/0013, Task #2714, Outgoing File

Dear Ms. Wright:

The Bureau of Land Management (BLM) is in receipt of your letter dated April 19, 2007, requesting signature for the Programmatic Agreement (PA) for the Lila Canyon Extension of the Horse Canyon Mine.

There are still issues that need to be resolved before the BLM can be a signatory on the agreement. We are concerned that a number of the changes we had suggested in our April 4 submittal have not been incorporated into the agreement. As we indicated, these changes need to be made in order for the BLM to continue as a signatory to the document. In addition to our concerns with the basis for the agreement, the document, as it now stands, contains provisions and requirements that cannot be reasonably performed on the ground. Further, before the BLM can sign the agreement, the "whereas" clauses we had identified need to be removed. These particular clauses conflict with the fact that the previous Federal Mine Plan Approval is not the Federal Undertaking that provides a basis for this PA. If the Division still wants the BLM to be a signatory to the document, we should meet to discuss and resolve our concerns.

As the BLM discussed with you and members of your staff during a phone call on April 18, unless there was a resolution on some of these points and issues, the BLM would not be able to sign the document as written. The Assistant Secretary, Lands and Minerals (ASLM) has already approved the Federal Mining Plan for this operation. Unless the

ASLM determines that this approval should be withdrawn, the BLM has concluded that no further Mineral Leasing Act approvals are required before mining can start.

Thank you for the opportunity to provide comments for the PA. The diligent efforts of the Division staff and general intent to provide protection to valuable cultural and historic resources are commendable.

Please feel free to call any one of us if there are any questions or concerns: Roger Bankert (435) 636-3600, Jim Kohler (801) 539-4037, Steve Rigby (435) 636-3604, or Jeff McKenzie (801) 539-4038.

Sincerely,

A handwritten signature in black ink that reads "Roger L. Bankert". The signature is written in a cursive style with a large initial "R" and "B".

Roger Bankert
Field Manager
Bureau of Land Management, Price Field Office

cc: James Kohler, BLM-SO