

0025

From: Jerriann Ernstsén
To: dshaver@coalsource.com
Date: 11/26/2007 7:49 AM
Subject: Re: Fwd: Upper Colorado River Endangered Fish Recovery Program deficiency, DO, and Wildcat mid term,

Outgoing JK
11/26/07 3:32

CC: Dana Dean; Jim Smith; Pam Grubaugh-Littig
Dave,

I'm not sure where you are with the CORF, but I would prefer that you address the fish with the Midterm. The reason why the deficiency was not included in June was because we understood that you were going to address the fish with the application - then you withdrew. To put this requirement to rest, I think that it would be best for you to address the fish now with the Midterm. If not, then the next best is for a DO. I do not think that it is in the best interest of all to postpone.

When you submit the application, again, you will need to update the numbers to reflect the expansion. The recalculation ought to be easy, given that you will have already gone through the exercise.

Thanks,

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>>> Jim Smith 11/21/2007 7:21 AM >>>
>>> "Shaver, Dave" <dshaver@coalsource.com> 11/20/2007 4:14 PM >>>
Jim...I plan to address this deficiency in the expansion/DO submittal.
Although we withdrew the application after the Crandall Canyon disaster
we are now planning to re-submit it in the near future, now that it
looks like the Tower Mine may be coming back into production.

Dave