



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

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April 29, 1996

Val Payne, Sr. Environmental Engineer
 PacifiCorp
 Energy West
 P.O. Box 310
 Huntington Utah 84528

Re: Facilitate Mining with Approved Resource Recovery and Protection Plan (R2, P 2), 3rd, 4th, 5th East Development, 4th and 5th East Longwall Panels, PacifiCorp, Trail Mountain Mine, ACT/015/009-96A, Folder #2, Emery County, Utah

Dear Mr. Payne,

As of the writing of this letter I am in receipt of comments from the U.S. Fish and Wildlife Service, U.S. Forest Service, Bureau of Land Management, and Susan White, Jesse Kelley and Bill Malencik of our staff. It is my understanding that Bill Bates, Utah Division of Wildlife Resources, Biologist from the Price Resource area has verbally concurred with the State and Federal Entities in attendance at the meeting held in Salt Lake on April 25th, 1996 that first mining for the development of longwall panels in the referenced areas will not affect the presence of the Perigrine Falcon. With that in mind our agency is approving the referenced amendment as follows:

- The approval of amendment 96A is valid for first mining only as described in the Bureau of Land Managements approved R2 P2 and must not be considered, implied, or construed that follow-up longwall mining beneath the escarpment will be approved on 4th and 5th longwall panels as a result of the approval of first mining, until such time as a subsequent amendment is submitted and cleared through other responsible coordinating agencies.
- Mining of the bleeder and setup entries associated with the 4th East Longwall panel will not proceed beyond the Castle Gate escarpment.
- The permittee must resubmit maps delineating this change.



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Enclosed is a stamped copy for incorporation into your approved Mining and Reclamation Plan. Please send one additional copy for the Divisions files at your earliest convenience.

Sincerely,



Joseph C. Helfrich
Permit Supervisor

enclosure

cc:

M. Page - DWR Price (w/o enclosure)
D. Ariotti - Health Price (w/o enclosure)
B. Bates - Wildlife Price (w/o enclosure)
PFO

H:payne.wpd