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United States  
Department of  
Agriculture

Forest  
Service

Manti-La Sal  
National Forest

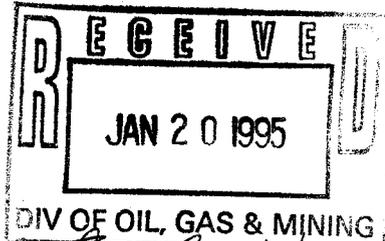
599 West Price River Dr.  
Price, Utah 84501  
(801) 637-2817

*Par: which memo is SL 066116? (De - Bee - Dove) Par*

File Code: 2820-4

Date: January 18, 1995

Utah Division of Oil, Gas and Mining  
ATTN: Mr. Lowell P. Braxton  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203



✓

*Route to Lowell, then file  
ACT/015/017 # 2*

Dear Lowell,

I have made a decision to consent to the readjustment of Federal Coal Lease SL-066116 by the Bureau of Land Management. I have chosen Alternative C, which is to readjust the lease with the special stipulations listed in the Manti-La Sal National Forest Land and Resource Management Plan.

One comment was received during the 30-day predecisional period, and is addressed in the enclosed Decision Notice/Finding of No Significant Impact. There were no changes made to the Environmental Assessment, which was mailed to you on December 5, 1994.

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.7. Any written appeal must be postmarked or received by the Appeal Deciding Officer, Regional Forester Dale Bosworth, 324 25th Street, Ogden, Utah 84401, within 45 days of the date of the legal notice. Appeals must meet content requirements of 36 CFR 215.14.

For further information regarding this project, contact District Ranger Charlie Jankiewicz or Dale Harber at (801) 637-2817.

Sincerely,

*Deane H. Zeller*  
for  
DEANE H. ZELLER  
Acting Forest Supervisor

Enclosure

DECISION NOTICE

AND

FINDING OF NO SIGNIFICANT IMPACT

FOR THE READJUSTMENT OF  
FEDERAL COAL LEASE SL-066116

PRICE RANGER DISTRICT  
MANTI-LA SAL NATIONAL FOREST  
EMERY COUNTY, UTAH

Federal Coal Lease SL-066116 was issued to Samuel K. Howard on June 1, 1955. It was later held by various mining companies, and is currently held by PacifiCorp. The lease was last readjusted effective July 1, 1979, and was modified on March 10, 1981. The Forest Supervisor must decide whether or not to consent to readjustment of the lease by the Bureau of Land Management for a new 10-year period, and under what terms and conditions. If the lease is not readjusted, it will remain active with the current terms and stipulations. This is a routine action, as all coal leases are periodically subject to readjustment. This action requires an environmental analysis pursuant to the National Environmental Policy Act of 1969.

Coal leasing and development are under the authority of the following authorizing actions: The Mineral Leasing Act of February 25, 1920, as amended; the Federal Land Policy and Management Act (FLPMA) of 1976; the Surface Mining Control and Reclamation Act (SMCRA) of 1977; the Multiple Minerals Development Act of August 4, 1977; the National Environmental Policy Act (NEPA) of 1969; the Federal Coal Leasing Amendments Act of 1976, as amended; regulations: Title 43 CFR Group 3400 and Title 30 CFR Group 700; and the Manti-La Sal National Forest Land and Resource Management Plan (LRMP) and Final Environmental Impact Statement (FEIS), 1986.

An Environmental Assessment (EA) was prepared and is available for review at the Manti-La Sal National Forest Supervisor's Office in Price, Utah. It is my decision, based on the analysis presented in this EA, to consent to readjustment of the lease by the Bureau of Land Management as described under Alternative C - Readjustment of the Lease with Existing and Additional Forest Service Stipulations. Under this alternative, stipulations listed in Appendix B of the EA (the standard lease stipulations from the LRMP) will replace those which are presently included in Section 30, Special Stipulations, of the lease. This alternative best provides for protection of resources while allowing coal mining, and is consistent with Forest Service policy and management decisions and direction specified in the Manti-La Sal National Forest LRMP and Final Environmental Impact Statement FEIS. The current Cottonwood Mine Mining and Reclamation Plan (MRP) is consistent with the special stipulation requirements. A "no action" alternative was also considered.

Several comments were received during the initial scoping period, which were considered during the environmental analysis. All of the commentors were sent copies of the EA and the preliminary Decision Notice/Finding of No Significant Impact (DN/FONSI) for review during the 30-day predecisional period. The only response received during the predecisional period was from the Emery Water Conservancy District. They are concerned that water is being intercepted in the mines and discharged from the portal, diverting water from one drainage to another. Lease SL-066116 is a part of the Des-Bee-Dove Mine, which has always been a dry mine, probably because it is isolated from the major hydrologic system of East Mountain by the Bear Creek Canyon Fault. No significant amount of groundwater has been encountered in this lease in the past within the Des-Bee-Dove Mine and there is no reason to expect future water. Additionally, most of the lease has been mined, further reducing the likelihood of encountering groundwater. Without the existence of groundwater within the mine, the issue of groundwater diversion is moot for this lease. The Emery Water Conservancy District also stated that "Forest Service Stipulation 17 needs to be broadened to include the underground movement of water due to mining activities and to provide additional protection for municipal, industrial, and agricultural uses of water in quantity and quality and that more attention should be applied to its enforcement." Stipulation 17 provides protection for the water needed to support existing vegetation types, habitat, and land uses. The Forest Service ensures the water resource is being preserved by requiring the monitoring of surface water sources (Forest Service Stipulation 7), an indirect measure of the groundwater resource. Because surface water sources and groundwater are interrelated, the mitigation required by Stipulation 17 is effective for quantifying mining impacts to either surface water or groundwater.

This is not a major Federal action that would significantly affect the quality of the human environment (as defined in 40 CFR 1508.27); therefore, an Environmental Impact Statement is not needed. This determination was made considering the following factors:

1. No new surface disturbing operations or facilities are proposed at this time. If surface disturbing operations or facilities are proposed in the future, a site-specific environmental analysis will be required at that time. Additional stipulations may be specified as needed to protect the surface environment.
2. The Special Lease Stipulations would effectively mitigate any of the potential impacts identified in the EA if they should occur.
3. The selected alternative would not have significant effects to prime or unique farmlands, wetlands, timber lands, or rangeland; floodplains; alluvial valley floors; paleontological or cultural resources; nor threatened, endangered, or sensitive plant or animal species. Biological Evaluations were written for both plants and animals and are available for review in the project file.
4. Readjustment of this lease is consistent with the directions and decisions of the LRMP and FEIS, dated November 5, 1986.

Based on this assessment and evaluation, Federal Coal Lease SL-066116 should be readjusted by the Bureau of Land Management and shall include the stipulations listed in Appendix B of the EA.

This decision is subject to appeal in accordance with 36 CFR 215. Any appeal of this decision must include the information required by 36 CFR 215.14 (Content of an Appeal), including the reasons for appeal. One copy of the Notice of Appeal must be filed with Dale Bosworth, Regional Forester, Intermountain Region, Federal Building, 324 25th Street, Ogden, Utah 84401, by March 5, 1995. This decision is also subject to appeal in accordance with 36 CFR 251, as is the case of decisions regarding written instruments authorizing occupancy and use of National Forest System lands. Election to appeal under 36 CFR 251 precludes appeal under 36 CFR 215. Any appeal of this decision taken under 36 CFR 251 must include the information required by 36 CFR 251.90 (Content of Notice of Appeal), including the reasons for appeal and must be filed with the Regional Forester, Intermountain Region, at the above listed address, within 45 days of the date of this decision. A copy of the Notice of Appeal under 36 CFR 251 must be files simultaneously with the Forest Supervisor, Manti-La Sal National Forest, 599 W. Price River Drive, Price, Utah 84501.

The responsible official is the Forest Supervisor. If you would like further information concerning this decision, contact the District Ranger, Price Ranger District, 599 W. Price River Drive, Price, Utah 84501 (phone 801-637-2817).

*for Deane H. Zeller*  
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DEANE H. ZELLER  
Acting Forest Supervisor  
Manti-La Sal National Forest  
599 West Price River Drive  
Price, Utah 84501

*1/17/95*  
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Date