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United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

Ferro[illegible]ce Ranger District
Price Work Center
599 West Price River Drive
Price, Utah 84501

Reply to: 2820 ACT/015/017 #2
ACT/015/018 #1
Copy

Date: February 27, 1996

Copy Lowell, Daron
Joe, Pam
(2-sided)

RECEIVED
MAR 6 1996
DIV OF OIL, GAS & MINING

Mr. Lowell Braxton
Utah Department of Natural Resources
Division of Oil, Gas, and Mining
355 West Temple, 3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Lowell:

My office has been advised by the Bureau of Land Management (BLM) that the terms and conditions of the following Federal Coal Leases are due for readjustment on the dates indicated.

LEASE NUMBER	COMPANY	LOCATION	BLM READJUSTMENT DATE
U-02664	PacifiCorp	Danish Bench	January 1,1997
SL-050862	PacifiCorp	Rilda Canyon	August 5, 1997
U-2810	PacifiCorp	Rilda Canyon	October 1, 1997

The BLM regulations at 43 CFR 3451 require that all coal leases issued prior to August 4, 1976, be subject to readjustment at the end of the first 20-year period and at the end of each 10-year period thereafter. Lease terms and conditions can be updated or changed by the BLM during readjustment.

As the surface management agency for the Federal lands involved with this lease, it is the role of this forest to address management concerns and public issues for surface resources through the environmental analysis process. The BLM has requested that this Forest submit its environmental analysis and recommended stipulations.

I am addressing this correspondence to you since you have been identified as a potentially interested party. The listed leases already have the current stipulations from Appendix B of the Manti-La Sal National Forest, Land and Resource Management Plan.

Your comments will help us develop public involvement for the analysis and refine the issues and alternatives that may be present.

The leases are held by PacifiCorp. The Rilda Canyon leases are part of the Deer Creek Mine, and the Danish Bench Lease is part of their Des-Bee-Dove Mine. All of the leases are in Emery County, Utah, and shown on the attached maps.

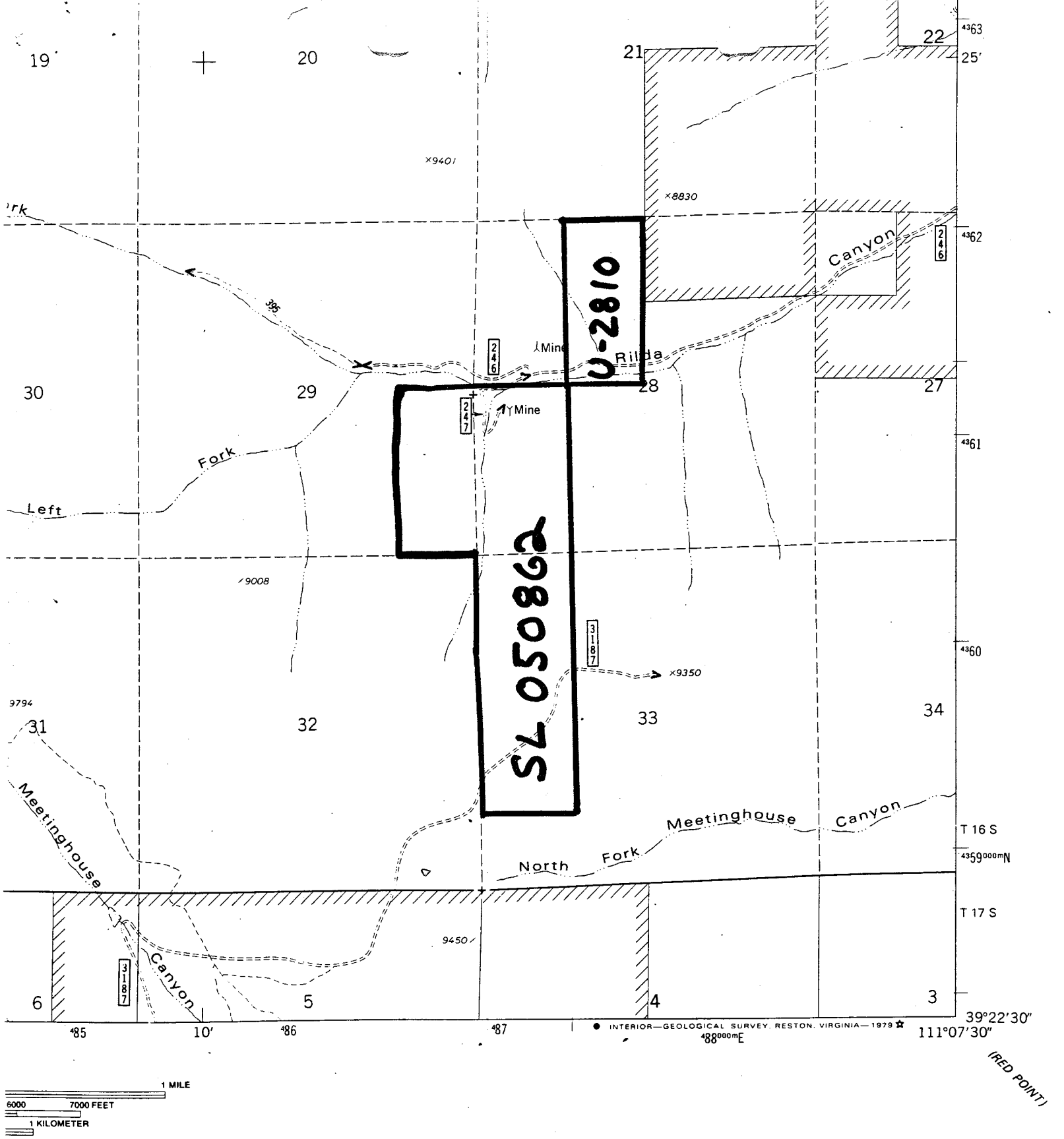
Maps showing the locat of the leases are enclo Forest Service administered lands included in this proposal are being managed with emphasis in forage production and leaseable mineral development pursuant to the direction contained in the Manti-La Sal National Forest Land and Resource Management Plan (Forest Plan). Recommending readjustment of the lease with the application of the attached Special Stipulations is consistent with the Forest Plan and both effected mining and reclamation plan.

Please provide any comments that you may have on the proposal by March 15, 1996. If you have any questions don't hesitate to contact me or my staff geologist, Jeff DeFreest, at the above address or call (801) 637-2817.

Sincerely,

CHARLES J. JANKIEWICZ
District Ranger

Enclosures



ROUTE MARKERS

- 74 Interstate
- 47 U.S.
- 448 State
- 423 County
- 498 National Forest, Well Maintained for Automobiles
- 076 National Forest, Maintained for Automobiles
- 067 National Forest, Not Maintained for Automobiles
- 187 National Forest Trail

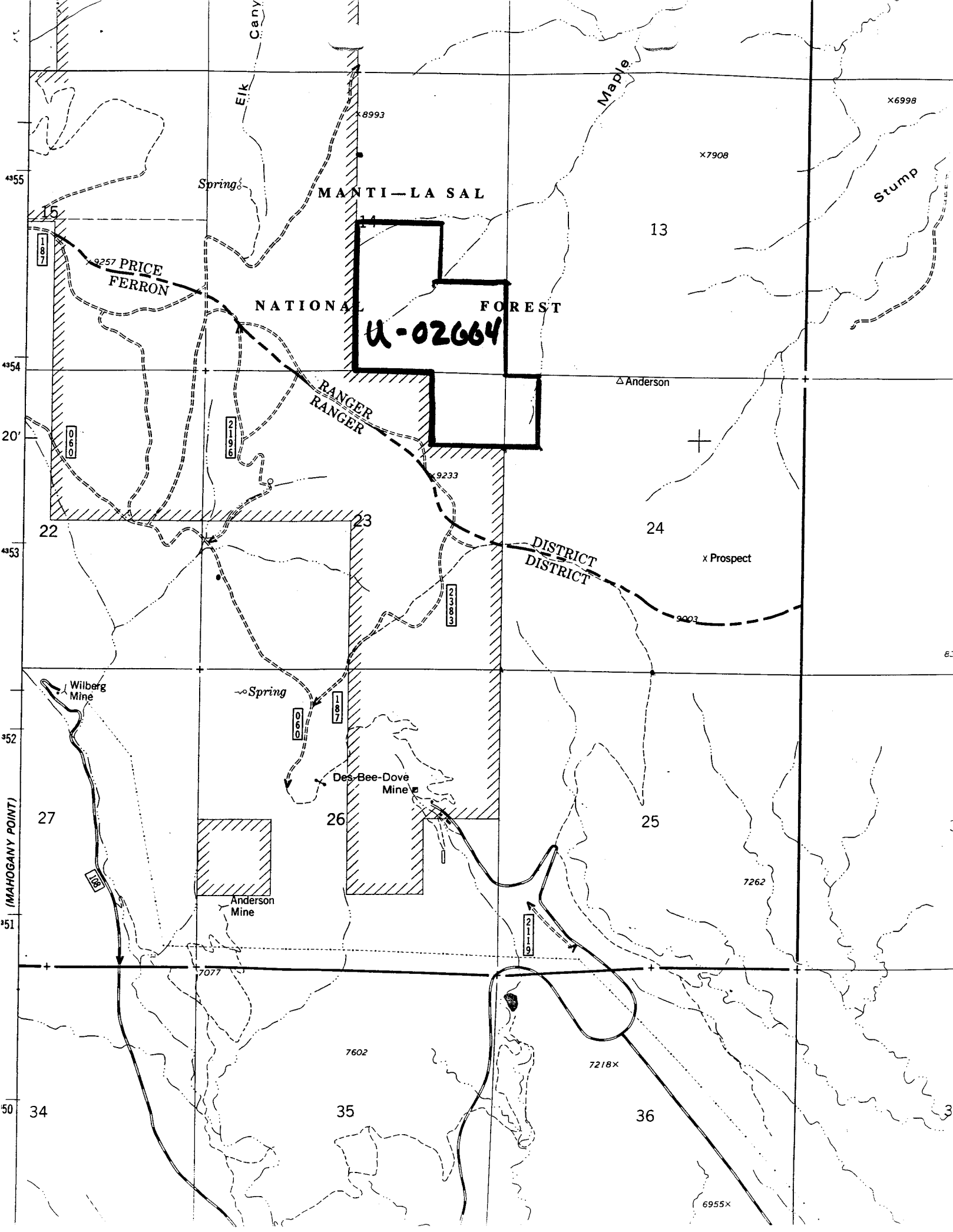
Surface

RILDA CANYON, UTAH

N3922.5—W11107.5/7.5

1979

DMA 3762 I NW—SERIES V897


Elk
Canyon
Maple
Stump
Spring
MANTI—LA SAL
NATIONAL FOREST
U-02664
PRICE
FERRON
RANGER
RANGER
DISTRICT
DISTRICT
Anderson
Prospect
Wilberg Mine
Spring
Des-Bee-Dove Mine
Anderson Mine
(MAHOGANY POINT)
8993
6998
7908
9257
9233
9003
7262
7077
7602
7218
6955
15
14
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26
25
34
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36
187
060
2196
2383
108
2119

SPECIAL STIPULATIONS

Federal Regulations 43 CFR 3400 pertaining to Coal Management make provisions for the Surface Management Agency, the surface of which is under the jurisdiction of any Federal agency other than the Department of Interior, to consent to leasing and to prescribe conditions to insure the use and protection of the lands. All or part of this lease contain lands the surface of which are managed by the United States Department of Agriculture, Forest Service - Manti-La Sal National Forest.

The following stipulations pertain to the Lessee responsibility for mining operations on the lease area and on adjacent areas as may be specifically designated on National Forest System lands.

Forest Service Stipulation #1.

Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the Lessee may be required to conduct a cultural resource inventory and a paleontological appraisal of the areas to be disturbed. These studies shall be conducted by qualified professional cultural resource specialists or qualified paleontologists, as appropriate, and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified cultural or paleontological resources.

If cultural resources or paleontological remains (fossils) of significant scientific interest are discovered during operations under this lease, the Lessee prior to disturbance shall immediately bring them to the attention of the appropriate authority. Paleontological remains of significant scientific interest do not include leaves, ferns or dinosaur tracks commonly encountered during underground mining operations.

The cost of conducting the inventory, preparing reports, and carrying out mitigating measures shall be borne by the Lessee.

Forest Service Stipulation #2.

If there is reason to believe that Threatened or Endangered (T&E) species of plants or animals, or migratory bird species of high Federal interest occur in the area, the Lessee shall be required to conduct an intensive field inventory of the area to be disturbed and/or impacted. The inventory shall be conducted by a qualified specialist and a report of findings will be prepared. A plan will be prepared making recommendations for the protection of these species or action necessary to mitigate the disturbance.

The cost of conducting the inventory, preparing reports and carrying out mitigating measures shall be borne by the Lessee.

Forest Service Stipulation #3.

The Lessee shall be required to perform a study to secure adequate baseline data to quantify the existing surface resources on and adjacent to the lease area. Existing data may be used if such data are adequate for the intended purposes. The study shall be adequate to locate, quantify, and demonstrate the interrelationship of the geology, topography, surface hydrology, vegetation and wildlife. Baseline data will be established so that future programs of observation can be incorporated at regular intervals for comparison.

Forest Service Stipulation #4.

Powerlines used in conjunction with the mining of coal from this lease shall be constructed so as to provide adequate protection for raptors and other large birds. When feasible, powerlines will be located at least 100 yards from public roads.

Forest Service Stipulation #5.

The limited area available for mine facilities at the coal outcrop, steep topography, adverse winter weather, and physical limitations on the size and design of access roads, are factors which will determine the ultimate size of the surface area utilized for the mine. A site-specific environmental analysis will be prepared for each new mine site development and for major improvements to existing developments to examine alternatives and mitigate conflicts.

Forest Service Stipulation #6.

Consideration will be given to site selection to reduce adverse visual impacts. Where alternative sites are available, and each alternative is technically feasible, the alternative involving the least damage to the scenery and other resources shall be selected. Permanent structures and facilities will be designed, and screening techniques employed to reduce visual impacts and, where possible, achieve a final landscape compatible with the natural surroundings. The creation of unusual, objectionable, or unnatural landforms and vegetative landscape features will be avoided.

Forest Service Stipulation #7.

The Lessee shall be required to establish a monitoring system to locate, measure and quantify the progressive and final effects of underground mining activities on the topographic surface, underground and surface hydrology and vegetation. The monitoring system shall utilize techniques which will provide a continuing record of change over time and an analytical method for location and measurement of a number of points over the lease area. The monitoring shall incorporate and be an extension of the baseline data.

Forest Service Stipulation #8.

The Lessee shall provide for the suppression and control of fugitive dust on haul roads and at coal handling and storage facilities. On Forest Development Roads (FDR), Lessees may perform their share of road maintenance by a commensurate share agreement if a significant degree of traffic is generated that is not related to their activities.

Forest Service Stipulation #9.

Except at specifically approved locations, underground mining operations shall be conducted in such a manner so as to prevent surface subsidence that would: (1) cause the creation of hazardous conditions such as potential escarpment failure and landslides, (2) cause damage to existing surface structures, and (3) damage or alter the flow of perennial streams. The Lessee shall provide specific measures for the protection of escarpments, and determine corrective measures to assure that hazardous conditions are not created.

Forest Service Stipulation #10.

In order to avoid surface disturbance on steep canyon slopes and to preclude the need for surface access, all surface breakouts for ventilation tunnels shall be constructed from inside the mine, except at specific approved locations.

Forest Service Stipulation #11.

If removal of timber is required for clearing of construction sites, etc., such timber shall be removed in accordance with the regulations of the surface management agency.

Forest Service Stipulation #12.

The coal contained within, and authorized for mining under this lease shall be extracted only by underground mining methods.

Forest Service Stipulation #13.

Existing Forest Service owned or permitted surface improvements will need to be protected, restored, or replaced to provide for the continuance of current land uses.

Forest Service Stipulation #14.

In order to protect big-game wintering areas, elk calving and deer fawning areas, sagegrouse strutting areas, and other key wildlife habitat and/or activities, specific surface uses outside the mine development area may be curtailed during specified periods of the year.

Forest Service Stipulation #15.

Support facilities, structures, equipment, and similar developments will be removed from the lease area within two years after the final termination of use of such facilities. This provision shall apply unless the requirement of Section 10 of the lease form is applicable. Disturbed areas and those areas previously occupied by such facilities will be stabilized and rehabilitated, drainages re-established, and the areas returned to a premining land use.

Forest Service Stipulation #16.

The Lessee, at the conclusion of the mining operation, or at other times as surface disturbance related to mining may occur, will replace all damaged, disturbed or displaced corner monuments (section corners, 1/4 corners, etc.), their accessories and appendages (witness trees, bearing trees, etc.), or restore them to their original condition and location, or at other locations that meet the requirements of the rectangular surveying system. This work shall be conducted at the expense of the Lessee, by a professional land surveyor registered in the State of Utah, and to the standards and guidelines found in the Manual of Surveying Instructions, United States Department of the Interior.

Forest Service Stipulation #17.

The Lessees, at their expense, will be responsible to replace any surface water identified for protection, that may be lost or adversely affected by mining operations, with water from an alternate source in sufficient quantity and quality to maintain existing riparian habitat, fishery habitat, livestock and wildlife use, or other land uses.

Forest Service Stipulation #18.

STIPULATION FOR LANDS OF THE NATIONAL FOREST SYSTEM UNDER JURISDICTION OF THE DEPARTMENT OF AGRICULTURE

The licensee/permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of the Interior in the license/prospecting permit/lease. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of a permit/operation plan by the Secretary of Interior, (2) uses of all existing improvements, such as Forest development roads, within and outside the area licensed, permitted or leased by the Secretary of Interior, and (3) use and occupancy of the NFS not authorized by a permit/operating plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed

to Forest Supervisor
Manti-LaSal National Forest
599 West Price River Drive
Price,Utah 84501

Telephone No.: 801-637-2817

who is the authorized representative of the Secretary of Agriculture.

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Signature of Licensee/Permittee/Lessee