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IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement

P.O. Box 46667

Denver, Colorado 80201-6667

UT-0015

October 10, 2006

Utah Division of Oil, Gas, & Mining
Coal Regulatory Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

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c/015/0017

RE: PacifiCorp - "Des-Bee-Dove" Mine - Application for a Permit Revision, Post Mining Land Use Change, Task Id No. 2606

Dear Sir or Madam:

This is in response to the Utah Division of Oil, Gas, & Mining's (UT-DOGM) September 1, 2006, request for a decision, under 30 CFR 944.30, whether the above subject permit revision constitutes a mining plan modification.

Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, *et seq.* before coal mining can occur on Federal lands. This letter serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the above permitting action.

OSM's review of the Application for a Permit Revision, Post Mining Land Use Change, has determined that it proposes to change the post mining land use at the Des-Bee-Dove mine, Utah State permit C/015/0017, from grazing and wildlife habitat to grazing, wildlife habitat, recreation and mineral development (including oil and gas development). Part of these surface lands are federally owned and managed by the U.S. Forest Service as a part of the Manti-La Sal National Forest over fee coal.

Based on a review of the activities associated with the permit revision, OSM has determined that the proposal does not meet the requirements of 30 CFR 746.11(b) and 746.18(c). Therefore, the proposed permit revision does not constitute a mining plan action requiring Secretarial approval.

OSM's decision was based solely upon the Federal regulations under 30 CFR PART 746 and not the technical aspects of the revision application itself. Consequently, OSM's decision does not relieve UT-DOGM from coordinating the review and approval of the Application for a Permit Revision, Post Mining Land Use Change, with other Federal agencies for compliance with other Federal regulations.

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DIV. OF OIL, GAS & MINING

OSM also electronically transmitted the September 1, 2006, request to the Bureau of Land Management and the U.S. Forest Service for their review and comment.

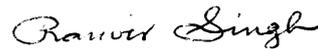
In an electronic transmittal dated September 7, 2006, the U.S. Forest Service stated in its opinion the Post Mining Land Use Change would constitute a mining plan action requiring Secretarial approval. However, the proposed changes in post mining land use are consistent with the Manti-La Sal National Forest Land and Resource Management Plan. The area is within Minerals Management and General Winter Range management units, which allow recreation and oil and gas activities, within specified parameters.

The Bureau of Land Management did not provide any comments in the thirty day time frame established by the Federal regulations under 30 CFR 944.30, Article VI. D.

Please notify the applicant of our decision on this matter.

Should you have any questions regarding this letter or approval, please contact Carl R. Johnston, Utah Federal Lands coordinator, at (303) 844-1400, extension 1500.

Sincerely,



Ranvir Singh
Manager, Northwest Branch

cc: BLM - Utah State Office
BLM - Price Field Office
USFS - Manti-La Sal NF
Denver Field Division