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Reply to: 2820

Date: April 29, 1993

DIVISION OF
OIL GAS & MINING

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

RE: Incidental Boundary Change, ~~Federal Coal Leases U-47977~~ and SL-050862,
PacifiCorp, Deer Creek Mine, ACT/015/018-93E, Folder #2, Emery County,
Utah

Lowell
Dear Mr. Braxton:

We reviewed PacifiCorp's Incidental Boundary Change (IBC) Application. We will not consent to the proposed IBC and mining to the east of the 3rd North "B" until the concerns discussed below are resolved.

1. The maps presented with the IBC proposal indicate the longwall panels that would be developed to the east of the 3rd North "B" mains could result in failure of escarpments in Meetinghouse and Rilda Canyons with associated impacts to surface resources.

In accordance with lease stipulations, the Forest Service will not consent to mining that could cause failure of the escarpment or canyon slopes in Rilda or Meetinghouse Canyons without an environmental analysis as required under the National Environmental Policy Act of 1969. Forest Service consent would require a determination that the associated impacts would be acceptable under the Forest Plan and applicable laws and could be effectively mitigated. Before we can proceed with an environmental analysis, information on the expected amount of subsidence and surface disturbance would be required. In addition, resource information including, but not limited to, ground and surface water conditions; cultural and paleontological resources; threatened, endangered, and sensitive plant and animal species; migratory birds; and proposed mitigations would be needed.

2. The Life of Mine Plan maps are not consistent with the proposal. Changing the mine sequence would require a mine plan amendment and approval from the Division with consent from the Forest Service and Bureau of Land Management.

The mine plan must be amended to prevent the potential for causing escarpment failure or by demonstrating that mining as shown would not cause escarpment failure to occur. Another option would be to submit a mine plan amendment (accompanying the IBC application) that would propose subsidizing the escarpments, including necessary resource information and proposed mitigations, which would initiate the environmental analysis process.

If you have any questions, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,



for
GEORGE A. MORRIS
Forest Supervisor

cc:
D-3
BLM, Moab District
BLM, Price Coal Office