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United States
Department of
Agriculture

Forest
Service

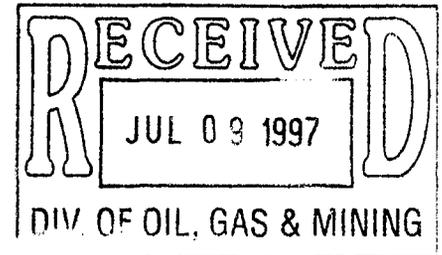
Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501
Phone # (801) 637-2817
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File Code: 2820-4

Date: July 3, 1997

Utah Division of Oil, Gas and Mining
ATTN: Pamela Grubaugh-Littig
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801



RE: Response to Deficiencies, North Rilda Lease, PacifiCorp, Deer Creek Mine,
ACT/015/018-97-1, Folder #3, Emery County, Utah

Dear Pam:

The Manti-La Sal National Forest has completed a review of PacifiCorp's deficiency submittal for their application for a mine plan revision to expand the Deer Creek Mine permit area. Additionally, we have completed an analysis of impacts associated with potential failure of sandstone outcrops (escarpments) on the south side of Mill Fork Canyon and have decided to make an exception to the lease stipulation that precludes escarpment failure. We consent to the North Rilda mine plan revision subject to the following requirements:

1. Archaeology survey, and documentation and recording of cultural resources, in escarpment areas to be failed.
2. A survey for spotted bats (USDA-FS Sensitive Species) will be conducted for all escarpment areas to be failed. If bats are located, then evaluations will be made for mitigation needs. Mitigations could include avoidance during specific times and/or prevention of bat occupancy during periods of subsidence, such as by netting or screening. Mitigations will be evaluated on a case-by-case basis.
3. When the mains under the North Fork of Rilda Creek are no longer needed, the operator must backstow, backfill, and/or grout the mains, using the best technology available at that time.
4. The operator must delineate the Mill Fork Graben with some method other than direct mining. Acceptable methods include, but are not limited to, surface and in-mine drilling or geophysical methods.
5. Only full-support mining is permitted under escarpments along the north side of Rilda Canyon unless the lease stipulation prohibiting escarpment failure is waived by the Forest Service.

6. The operator must notify the surface management agency (Forest Service) if a water loss occurs on National Forest System lands.

Following are our comments/rationale for each of the above stipulations:

Stipulation #1

A cultural resources survey is required by Forest Service Special Stipulation #1 in the coal lease for this area, and by the National Historic Preservation Act of 1966.

Stipulation #2

A biological survey is required by Forest Service Special Stipulation #2 and by the Manti-La Sal National Forest Land and Resource Management Plan.

Stipulation #3

Engineering data have been provided to support the statement that there will be no subsidence of the North Fork of Rilda Creek for the long-term (hundreds of years). However, the engineering calculations are made using the assumption that the rock above the mined area is homogeneous, a situation which is seldom true in nature. We are also concerned with the shallow overburden at the point the mains cross under the creek, which consists of approximately 50 feet of alluvium/colluvium and 50 to 70 feet of competent rock (Attachment #1, Coal Lithologic Log, Drill Hole EM-158). The Forest Service would require that what ever methods are technically feasible be used to prevent any additional subsidence. This is provided for in 30 CFR 748.20(b)(5), which mentions specific methods to prevent subsidence, including backstowing or backfilling.

Stipulation #4

The revised plan states that the 4th North Mains will be driven to the northwest until they intersect the Mill Fork Graben or until they reach the western margin of the Blind Canyon coal seam. We do not feel that mining into the graben is an appropriate method of delineating the fault, due to the potential for impacting the groundwater resources. A resistivity survey done by PacifiCorp indicates the fault is wet. PacifiCorp stated that springs in the area may be related to the Mill Fork Graben. Mining into the fault could divert water into the mine.

Stipulation #5

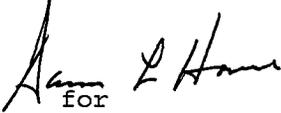
Full extraction mining under the north side of Rilda Canyon (the three southern panels) and the south side of Mill Fork Canyon (the three northern panels) would subside Castlegate sandstone escarpment areas, requiring an environmental analysis to disclose impacts before the lease stipulation on escarpment failure could be waived. The analysis for mining under the Castlegate sandstone on the south side of Mill Fork Canyon is being done at this time.

Stipulation #6

The MRP contains the statement that they will notify the Utah Division of Oil, Gas and Mining if water loss occurs on National Forest System lands. The Forest Service also needs to know as soon as a water loss occurs.

Please contact Carter Reed or Dale Harber at (801) 637-2817 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janette S. Kaiser".

for

JANETTE S. KAISER
Forest Supervisor