



United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

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File Code: 2820-4

Date: February 28, 2003

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RECEIVED

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DIV. OF OIL, GAS & MINING

RE: Mill Fork Lease, PacifiCorp, Deer Creek Mine, C/015/018-PM011-3

Dear Mary Ann:

Forest personnel have reviewed the latest round of deficiency responses submitted by PacifiCorp (UDOGM February 18, 2003 Transmittal Letter) regarding the Mining and Reclamation Plan Modification for adding State Lease ML-48258 to the Deer Creek Mine Permit Area.

PacifiCorp has adequately addressed most of our previous comments. Three areas remain to be resolved before I can consent/concur with the Mine Plan Modification relative to terms and conditions for the protection of non-coal interests on National Forest System lands without qualification. I do not object to (and herein consent to) limited approval of the Mine Plan Modification authorizing mining activities within the Mill Fork Tract that would not result in subsidence of National Forest System lands until the following issues have been resolved:

- Engineering Section, Pages 5-11 and 5-23 - It is stated that a 15 degree angle-of-draw will be observed around the Merit Oil Company gas production well (Federal #23-32) in Section 23, T. 16 S., R. 6 E. However, page 5-23 states that "six months prior to mining in and adjacent to the 15 degree angle-of-draw protection zone, PacifiCorp will notify Merit Oil Company to coordinate operations considerations". Drawing MFS1839D shows a full-extraction longwall panel extending through this protection zone that is inconsistent with the statement on Page 5-11. An unlabelled and somewhat obscure blue north-south trending line is shown on the panel. The intent of this line can be inferred but is not clear.

PacifiCorp must be consistent in their section narratives and drawings. The narrative on Page 5-23 must state that the no subsidence of the protection zone will take place. The map must be revised to make it very clear that no full-extraction mining is currently proposed in the protection zone. The blue line must be labeled and that portion of the panel east of the line identified as a no-extraction zone.

- Engineering Section, Page 5-23 - It is stated at the bottom of the page that the 345 kV power transmission line in Section 22, T. 16 S., R. 6 E. will not be undermined. However, the mine plans (Drawing MFS1839D) do not agree with the narrative, i.e., the mine plans show a longwall panel within 100 feet of the powerline, well within the



potentially subsided area considering a 15 degree angle-of-draw. Drawing MFS1839D also shows that there would be development mining directly beneath the powerline. Additionally, on page 5-11, under the subsection titled **Subsidence Protective Barriers**, there are three areas listed and the power transmission line is not one of them.

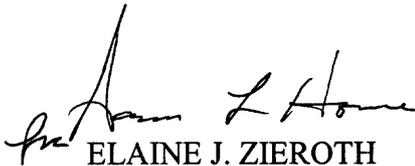
The text and drawing must be consistent and a commitment made to conduct mining such that the transmission line is not subsided, with a protection zone based on a 15 degree or greater angle-of-draw.

- Surface Occupancy - A statement is needed in the appropriate section of the Mining and Reclamation Plan acknowledging that a Special-Use Permit Application and detailed Mine Plan Amendment will be submitted at least one year in advance of plans to construct the breakout in Crandall Canyon and that required approvals, permits, and consent/concurrence will be obtained prior to any work on the ground.

As agreed in the SITLA/USDA/USDI Memorandum of Understanding of January 1999, PacifiCorp must obtain a Forest Service Special-Use Permit authorizing occupancy/use of National Forest System lands in the State lease, such as the proposed breakout in Crandall Canyon and coal exploration drilling, prior to entry upon the surface estate. Applications with detailed plans must be submitted at least one year in advance of anticipated surface occupancy to accommodate time needed to conduct required environmental analyses.

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

Sincerely,



ELAINE J. ZIEROTH
Forest Supervisor

Tom Faddies, SITLA
Sally Wisely, BLM Utah State Director
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