



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

September 1, 2005

Incoming
9/15/05

Joel Ban
Wildlaw Southwest Attorney
Utah Environmental Congress
1817 South Main Street, Suite 10
Salt Lake City, UT 84115

RECEIVED

SEP 06 2005

DIV. OF OIL, GAS & MINING

RE: Deer Creek Coal Mine Mining Plan Modification (Rilda Canyon)

Dear Mr. Ban:

The U.S. Office of Surface Mining (OSM) has completed an environmental assessment (EA) and made a finding of no significant impact (FONSI) in regard to a proposed mining plan modification at the Deer Creek Coal Mine in Emory County, Utah. The EA was prepared by OSM and the State of Utah Department of Natural Resources Division of Oil, Gas & Mining (Utah-DOGGM) in cooperation with USDA Forest Service and USDOJ Bureau of Land Management (BLM). The proposal involves constructing portals, a mine ventilation fan, office/bathhouse/warehouse, and other associated surface support facilities on approximately 13 acres of Federal coal leases in Rilda Canyon.

OSM has determined that a public review period is not appropriate because the action does not meet the criteria set forth at 40 CFR 1501.4(e) (2). Notice of the availability of the documents was published in the *Emory County Progress* on August 16, 2005, and in the *Price Sun Advocate* on August 16 and August 18, 2005.

OSM is enclosing a CD-ROM, which contains both the EA and FONSI, with this letter because you requested copies of the documents in your comment letter of May 12, 2004, to Utah-DOGGM regarding this action. The FONSI was signed on August 1, 2005. If you have any questions about the documents please contact me at (303) 844-1400 ext. 1501.

Sincerely,

Robert H. Block, Ph.D.
Federal Lands Coordinator

Enclosure

cc: USDA Forest Service-Manti-La Sal National Forest
USDOJ Bureau of Land Management-Utah State Office
Utah-DOGGM

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IN AMERICA



United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
P.O. Box 46667
Denver, Colorado 80201-6667

IN REPLY REFER TO:

September 1, 2005

Ms. Laura Fillmore
NEWUA
P.O. Box 19
Cleveland, UT 84518

RE: Deer Creek Coal Mine Mining Plan Modification (Rilda Canyon)

Dear Ms. Fillmore:

The U.S. Office of Surface Mining (OSM) has completed an environmental assessment (EA) and made a finding of no significant impact (FONSI) in regard to a proposed mining plan modification at the Deer Creek Coal Mine in Emory County, Utah. The EA was prepared by OSM and the State of Utah Department of Natural Resources Division of Oil, Gas & Mining (Utah-DOGM) in cooperation with USDA Forest Service and USDOI Bureau of Land Management (BLM). The proposal involves constructing portals, a mine ventilation fan, office/bathhouse/warehouse, and other associated surface support facilities on approximately 13 acres of Federal coal leases in Rilda Canyon.

OSM has determined that a public review period is not appropriate because the action does not meet the criteria set forth under the Federal Regulations at 40 CFR 1501.4(e) (2). Notice of the availability of the documents was published in the *Emory County Progress* on August 16, 2005, and in the *Price Sun Advocate* on August 16 and August 18, 2005.

OSM is enclosing a CD-ROM, which contains both the EA and FONSI, with this letter. The FONSI was signed on August 1, 2005. If you have any questions about the documents please contact me at (303) 844-1400 ext. 1501.

Sincerely,

Robert H. Block, Ph.D.
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Enclosure

cc: USDA Forest Service-Manti-La Sal National Forest
USDOI Bureau of Land Management-Utah State Office
Utah-DOGM

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U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
FINDING OF NO SIGNIFICANT IMPACT

FOR

Deer Creek Mine

Federal Coal Leases Federal Leases U-06039, U-2810, SL-050862, and SL-051221
Mining Plan Decision Document

1. Introduction

PacifiCorp submitted a permit application package (PAP) for a permit revision for the Deer Creek Mine to the Utah Department of Natural Resources, Division of Oil, Gas, and Mining (UT-DOG M). The PAP proposed constructing portals, a mine ventilation fan, office/bathhouse/warehouse, and other associated surface support facilities on approximately 13 acres of Federal leases U-06039, U-2810, SL-050862, and SL-051221. Under the Mineral Leasing Act of 1920, the Assistant Secretary, Land and Minerals Management, must approve, approve with conditions, or disapprove the mining plan modification for Federal leases U-06039, U-2810, SL-050862, and SL-051221. Pursuant to 30 CFR Part 746, the Office of Surface Mining (OSM) is recommending approval of the mining plan modification action without special conditions.

2. Statement of Environmental Significance of the Proposed Action

The undersigned person has determined that the above-named proposed action would not have a significant impact on the quality of the human environment under section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C), and therefore, an Environmental Impact Statement is not required.

3. Reasons

This finding of no significant impact is based on the attached Environmental Assessment dated July 22, 2005, titled *Deer Creek Coal Mine, Mining Plan Modification, Federal Coal Leases U-06039, U-2810, SL-050862, and SL-051221, Emery County, Utah*, prepared by UT-DOG M and OSM, in cooperation with U.S. Forest Service and the Bureau of Land Management which has been independently evaluated by OSM and determined to assess the environmental impacts of the proposed action adequately and accurately and to provide sufficient evidence and analysis for this finding of no significant impact. OSM takes full responsibility for the accuracy, scope, and content of the attached environmental assessment.

Ranvir Singh
Chief, Northwest Branch

Aug. 01, 2005
Date