

**From:** Alice Carlton <acarlton@fs.fed.us>  
**To:** "Pam Grubaugh-Littig" <PAMGRUBAUGHLITTIG@utah.gov>, <prutledg@osmre.gov>  
**Date:** 11/7/2005 1:26:59 PM  
**Subject:** Re: Fwd: Approval for Rilda Canyon Ventilation Breakout

Pam/Jim/Pete: I, or Dale, will send an e-mail of our concurrence which will include the list that Jim has itemized below (that list covers all of our concerns), when I get a e-mail message from OSM stating that there will be no significant surface disturbance. I need this documentation from OSM, and I need it to say "no significant surface disturbance". Pete's letter talked about not needing a mine plan modification, but I need the above wording documented so that there is no question (in the courts or elsewhere) that I didn't need to sign an appealable decision. Thanks, Alice

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"Pam  
 Grubaugh-Littig"  
 <PAMGRUBAUGHLITTI  
 G@utah.gov> <acarlton@fs.fed.us>, To  
 <dharber@fs.fed.us>  
 11/07/2005 12:00 PM cc  
 Subject  
 Fwd: Approval for Rilda Canyon  
 Ventilation Breakout

Are you going to write something similar to before?

----- Message from James\_Kohler@blm.gov on Thu, 3 Nov 2005 15:35:26 -0700

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To: acarlton@fs.fed.us

cc: pamgrubaughlittig@utah.gov, dharber@fs.fed.us,  
Steve\_Rigby@blm.gov

Subject: Approval for Rilda Canyon Ventilation Breakout

Alice,

As we discussed on the conference call last week, BLM has approved minor modification to the Interwest Mining Company (PacifiCorp) Resource Recovery And Protection Plan to allow them to develop a second ventilation portal breakout for their Deer Creek Mine in Rilda Canyon. Because the development will proceed from underground and there will be no construction from the surface, we have determined that there will be no surface disturbing activities associated with the proposed action. Any surface effects of the proposed breakout are considered to be incidental to underground mining operations and we are not authorizing any surface construction. Therefore, we have further determined that our approval action is categorically excluded from NEPA analysis because no significant new surface disturbance will occur. BLM believes that the surface activities associated with the proposed portal development in Rilda Canyon are presently being addressed in the Mine Plan and permitting activity presently being considered and will be authorized by the Assistant Secretary's approval of the Mining Plan when the Forest Service concurrence appeal issues are resolved.

Some of the conditions of the approved plan are as follows:

1. All rock slope development will be from within the mine to the outcrop of the Starpoint Sandstone.
2. Colluvial material encountered at the outcrop interface will be stored within the mine.
3. During the final breakout process, personnel will be stationed at the outcrop to prevent access and monitor the area for safety.
4. Any surface rocks dislodged as a result of the breakout that pose a threat to public safety will be stabilized by the company.
5. Warning signs will be placed along Emery County Road #306 to warn the public of the breakout.
6. The breakout area will be fenced and warning signs will be placed on the fence.
7. No equipment will be used on the surface.
8. No permanent structures will be constructed until the federal mining plan is approved by the Assistant Secretary of the Interior.

We appreciate the cooperation of the Forest Service. If you have any comments or concerns with this approval, please let us know and we will adjust the approval as appropriate.

Jim

James F. Kohler  
Utah State Office

Chief, Branch of Solid Minerals  
(801) 539-4037

**CC:** Dale Harber <dharber@fs.fed.us>, <James\_Kohler@blm.gov>,  
<Steve\_Rigby@blm.gov>