



United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

Supervisor's Office
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File Code: 2820-4

Date: November 28, 2005

Jacobs
2/15/2018

Kevin Mueller
Executive Director
Utah Environmental Congress
1817 South Main, Suite #10
Salt Lake City, UT 84115

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DIV. OF OIL, GAS & MINING

Dear Mr. Mueller:

Regrettably, I must withdraw from our November 4, 2005, agreement to informally dispose of your appeal of the Deer Creek Coal Mine Plan Modification consent decision because the agreement contains terms that I am not able to implement. I appreciate your willingness to work with me to attempt to amend the agreement to modify the terms that I was not able to implement. However, it does not appear that we will be able to agree on terms to amend the agreement to informally resolve your appeal issues before the deadline for the appeal decision. Therefore, I have no choice but to withdraw from our agreement in order to allow the appeal decision to be issued on time.

Your appeal will be decided by the Regional Forester through the Forest Service Administrative Appeal Process. The appeal will be decided no later than the original scheduled date, November 28, 2005.

I appreciate your hard work and cooperation in trying to informally dispose of this appeal, and hope that we can continue to discuss options for addressing the issues raised in your appeal. While the Forest Service consent decision will be final upon issuance of the appeal decision, there may still be other opportunities to address your issues in either the mine permit or mine plan approval processes.

I look forward to working with you in the future.

Sincerely,

Alice B. Carlton

ALICE B. CARLTON
Forest Supervisor

cc: Regional Forester, Maryann Wright DOGM, Pete Rutledge OSM, Kent Hoffman BLM

