

**From:** Priscilla Burton  
**To:** Christensen, Steve; Haddock, Daron; OGMCOAL  
**CC:** Abate, April; Ken Hoffman  
**Date:** 2/24/2012 10:17 AM  
**Subject:** 0150018 Deer Creek Internal Legal Notice Federal lease Modification Proposal  
**Attachments:** 0150018 lease EA scoping\_001.pdf

The attached notice was printed from the link below which describes two lease modification areas located in T 16 S, R 6 E in Sections 22, 23, 24, 25, 26, & 27 .

This notice advertises the scoping process under NEPA and provides an opportunity to comment before March 8, 2012.

The proposal includes adding 860 acres to Federal lease UTU-88554 (formerly State Lease ML 48258) and 320 Federal acres to lease UTU-06039 (see Plate 1-1). The EA will articulate what stipulations are needed for protection of non-coal resources. DOGM hydrologists/geologists may want to weigh in on the action as side drainages leading to creeks in both the Cottonwood drainage and the Rilda drainage are on the surface, a portion of the lease modification is adjacent to Joe's Valley Fault, and an underground gas pipeline is shown within the expansion area on Plate 2-18A.

[http://www.ecprogress.com/index.php?tier=1&article\\_id=12091](http://www.ecprogress.com/index.php?tier=1&article_id=12091)

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## LEGAL NOTICE OF PROPOSED ACTION

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### LEGAL NOTICE OF PROPOSED ACTION

Modification to Federal Coal Lease  
 UTU-88554 and UTU-06039  
 USDA Forest Service Manti-La Sal  
 National Forest  
 Bureau of Land Management Price Field Office

The Manti-La Sal National Forest (MLNF) and the Price Field Office (PFO) of the Bureau of Land Management (BLM) invite you to comment on a federal coal lease modification proposal.

The BLM Utah State Office notified the MLNF that PacifiCorp applied to modify two federal leases, UTU-88554 and UTU-06039, by adding a total of 1180 acres of unleased federal lands to the existing leases. Coal from the existing leases is mined from the PacifiCorp owned Deer Creek Mine. The application was made to prevent bypass of federal coal reserves both within the existing lease and the proposed lease modification areas and to extend the life of the mine.

The two lease modification areas are located about 15 miles northwest of Orangeville, UT and located in sections 22, 23, 24, 25, 26, & 27, T. 16 S., R. 6 E., SLB&M. The modification areas include National Forest System lands (NFS) managed by the MLNF. The coal estate is administered by the BLM.

The BLM is required, by law, to consider leasing federally-owned minerals for economic recovery. With respect to the NFS lands, the MLNF is considering whether to consent to the BLM modifying the Federal coal leases by adding approximately 860 acres to Federal lease UTU-88554 and adding approximately 320 acres to UTU-06039. If the MLNF consents to the modifications, appropriate stipulations will be added to the leases to protect non-mineral resources.

If the lease modifications are issued, the coal would be accessed and recovered by underground longwall mining methods through the Deer Creek Mine. At the leasing stage, the federal agencies evaluate the effects of subsidence (i.e. the land surface lowered as a result of mining) on surface resources, and identify where surface resources may require specific protection from subsidence or foreseeable surface uses. Under a foreseeable mine plan scenario for these lease modifications, there could be some surface subsidence but no surface

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facilities or additional roads would be needed. Some of the acres within the modification areas are located within the East Mountain Inventoried Roadless Area.

This proposed leasing in and of itself does not authorize actual mining, however; it does evaluate the need for conditions for possible subsequent use of the land surface.

The MLNF Forest Supervisor is the Authorized Officer for this discretionary consent decision to the BLM for the two lease modifications. Given the purpose and need, the Forest Supervisor will review the proposed action, the alternatives, and the environmental consequences to decide the following:

Whether or not to consent to the BLM modifying the existing federal coals leases by adding 860 acres to Federal lease UTU-88554 and adding 320 acres to UTU-06039; and

Prescribe conditions (stipulations) needed for protection of non-coal resources.

For BLM, the Utah State Director is the Authorized Officer and will decide whether or not to modify the existing coal lease under the Minerals Leasing Act, as amended, and the federal regulations under 43CFR 3400 based on the recommendation of the PFO Field Office Manager.

It is anticipated that the environmental analysis will be documented in an Environmental Assessment (EA). A No Action alternative and other alternatives that may develop during the public comment period will be considered.

This opportunity to comment serves two purposes:

As scoping for this proposal, under the requirements of the National Environmental Policy Act, for both the BLM and the Forest Service; and

As the Forest Service comment period required per 36 CFR 215.3 for appeals.

For the Forest Service, the Responsible Official is the Forest Supervisor. Please send written comments to: Liz Close, Acting Forest Supervisor, Manti-La Sal National Forest, 599 West Price River Dr., Price, UT 84501; or fax: 435-637-4940. Comments may also be delivered to the above address during regular business hours of 8:00 a.m. to 5:00 p.m., Monday-Friday, excluding federal holidays. Electronic comments should be emailed at: comments-intermtn-manti-lasal-ferron-price@fs.fed.us.

E-mailed comments must be submitted in one of the following formats: \*.doc, \*.txt, \*.rtf or .pdf. Please note in the subject line that the comments are for Federal Coal Lease Modification UTU-88554 and UTU-06039.

The opportunity to comment ends 30 days following the date of publication of this legal notice in the Price Sun Advocate. This decision is subject to appeal pursuant to Forest Service regulations 36 CFR 215. Only those who submit timely comments during this comment period will be accepted as potential appellants. Each individual or representative from each organization, submitting comments must either sign the comments or otherwise verify identity in order to attain appeal eligibility. Comments received, including names and addresses of those who comment, will be considered part of the public record for this project and will be available for public inspection. Comments should include the information required pursuant to 36 CFR 215.6(a)(3), as published in the Federal Register on June 4, 2003.

All comments will be subject to disclosure under the Freedom of Information Act (FOIA). Please be aware that if you comment in response to this solicitation, any personal identifying information including your name, address, phone number, e-mail address, and any other information that you include will be considered part of the public record and may be made available for public inspection at any time. All submissions from organizations and businesses or their representatives will be available for public inspection in their entirety. Pursuant to 7 CFR 1.27(d), any person may request that a submission be withheld from the public record by showing how the

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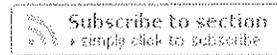
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Freedom of Information Act permits such confidentiality. Persons requesting such confidentiality should be aware that such confidentiality is granted in only limited circumstances. The Forest will inform the requester of its decision regarding a request for confidentiality, and where the request is denied the Forest will return the submission and notify the requester that the comments may be resubmitted with or without name and address.

For more information about this project or to see a map of the lease modification area, go to our website at: <http://www.fs.fed.us/r4/mantilasal/projects/>.

The Forest Service contact is Tom Lloyd, 435-636-3578 or [twlloyd@fs.fed.us](mailto:twlloyd@fs.fed.us). The BLM contact is Vaughn Hughes, 435-636-3626 or [vhughes@blm.gov](mailto:vhughes@blm.gov).

Published in the Emery County Progress February 7, 2012.

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