



Suzanne Steab < [suzannesteab@utah.gov](mailto:suzannesteab@utah.gov) >

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**Re: Deer Creek, Mill Fork Lease Modification, Task ID #4447**

1 message

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**Caveny, Nicole** < [ncaveny@osmre.gov](mailto:ncaveny@osmre.gov) >

Fri, Nov 22, 2013 at 10:19 AM

To: Suzanne Steab < [suzannesteab@utah.gov](mailto:suzannesteab@utah.gov) >

Cc: Foster Kirby < [fkirby@osmre.gov](mailto:fkirby@osmre.gov) >, "Haddock, Daron" < [daronhaddock@utah.gov](mailto:daronhaddock@utah.gov) >, OGMCOAL DNR < [OGMCOAL@utah.gov](mailto:OGMCOAL@utah.gov) >, Elaine Ramsey < [eramsey@osmre.gov](mailto:eramsey@osmre.gov) >

Dear Suzanne Steab,

This is in response to the Utah Division of Oil, Gas & Mining's (UTDOGM) November 18, 2013 request for a decision, under 30 CFR 944.30, whether the following permit revision constitutes a mining plan modification. Mining plan approvals by the Secretary of the Interior are required under the Mineral Leasing Act of 1920, 30 U.S.C. 181, et seq. before coal mining can occur on Federal lands. This response serves to document OSM's determination whether or not a mining plan approval from the Secretary is required for the Skyline permitting action.

Based on our review of the Deer Creek Mine, Mill Fork Lease Modification information package that UTDOGM submitted to OSM, we have determined that the proposed action, adding 860 acres to leases UTU-88554 and adding 320 acres to lease UTU-06039 for a total of 1,180 acres of Federal coal, constitutes a mine plan modification. Therefore, a mine plan approval from the Assistant Secretary of Land and Minerals Management is required. OSM's decision was based upon consideration of the Federal regulations under 30 CFR PARTs 740 and 746 and not the technical aspects of the revision application itself.

We will begin developing our recommendation which will be based on the NEPA of the leasing action(s), BLMs R2P2 documentation, the permit application package, UDOGM's permit findings, Fish and Wildlife consultation(s), as well as, consultation(s) on cultural

**Nicole Caveny**

Environmental Protection Specialist

Western Region

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On Mon, Nov 18, 2013 at 10:06 AM, Suzanne Steab < [suzannesteab@utah.gov](mailto:suzannesteab@utah.gov) > wrote:

The Division received an application for a permit change. We are asking for your determination as to whether or not this action constitutes a Mining Plan Modification. Please provide your determination as soon as possible through [ogmcoal@utah.gov](mailto:ogmcoal@utah.gov).

When responding, please reference Task ID #4447 in the regarding line.

Location:

<https://fs.ogm.utah.gov/FILES/COAL/PERMITS/015/C0150018/2013/INCOMING/11152013.4447.pdf>

The username and password "ogmguest" will allow you to access this information.

Thank you.

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Suzanne Steab, Engineering Technician II  
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