



Interwest Mining Company
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June 29, 2018

Submitted by hand and electronically

Dana Dean – Associate Director, Mining
Utah Division of Oil, Gas, and Mining
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Salt Lake City, Utah 84114-5801

Subj: Response to Deficiency Notice, June 27, 2018 - Request to Amend Deer Creek and Cottonwood Mine Permits to Remove Yearly Raptor Survey Requirement, PacifiCorp/interwest, Deer Creek Mine, C/015/0018, Emery County, Utah - Task #5864.

Dear Ms. Dean,

PacifiCorp, by and through its wholly-owned subsidiary, Interwest Mining Company, as manager of its mining assets, hereby responds to the Deficiency Notice of June 27, 2018, regarding the request for modification of the Deer Creek and Cottonwood Mine permits to remove the yearly commitment for a raptor survey, beginning this year.

In the Divisions' Findings of Fact letter of April 23, 2018, Item #14, PacifiCorp was encouraged to modify the permit to exclude the survey requirement, which PacifiCorp has requested.

The raptor survey requirement was originally instituted to study raptor nesting and behavior that might be affected by subsidence, construction or remote exploration activities conducted by the mine. More than three years after mine closure, subsidence has stabilized, exploration activities have ceased, and no more construction is taking place.

R645-301-358.2 states that "No coal mining and reclamation operations will be conducted in a manner which would result in the unlawful taking of a bald or golden eagle, its nest, or any of its eggs." None of the activities that are in progress at the Deer Creek or Rilda Canyon sites would result in "unlawful taking."

Now that a catastrophic wildfire has destroyed most of the vegetation adjacent to the mine sites, raptor behavior will certainly be modified, but not by any mining related activities, which are insignificant compared to the damage caused by the fire. PacifiCorp sees no point in its continued monitoring of wildlife in this area. Wildlife monitoring and recovery should now be the responsibility of the surface management agency that caused the fire, which

created chaos for about two weeks and caused more damage and disruption to the permit area surface than portal site activity or mining under the land surface could have ever done.

PacifiCorp respectfully repeats the request made in the original permit amendment proposal dated May 23, 2018, to have the raptor monitoring requirement removed from the Deer Creek permit.

Please feel free to contact me if you have any questions or need any further information regarding this request. My direct number is (435) 687-4712. This document has been transmitted to you both electronically and by hard copy.

Sincerely,



Kenneth Fleck

Geology and Environmental Affairs Manager

Attachments

Cc Karl Houskeeper (UDOGM)
Daron Haddock (UDOM)
Scott Child (IMC)
File