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*orig memo file
cc P.G. Little
route thru L. G. Gorton*



United States Department of the Interior

OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202



In Reply Refer To:

January 31, 1990

Dr. Dianne Nielson
Utah Division of Oil, Gas and Mining
355 W.N. Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180

RECEIVED
FEB 05 1990

DIVISION
OIL, GAS & MINING

Dear Dr. Nielson:

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed an initial review of Co-Op Mining Company's permit application package (PAP) for extending underground mining operations at the Bear Canyon mine into Federal lease U-024316. We offer the following comments for your consideration and action.

After approval of the application by the Division of Oil, Gas and Mining (DOG M), the reclamation bond will need to be changed to be payable to both the State and the United States Office of Surface Mining Reclamation and Enforcement. A copy of the bond should be forwarded by Utah DOGM to OSM.

The Bear Canyon mine is in the Upper Colorado River Basin and may affect endangered fishes in the river. Therefore, OSM is required to consult with the U.S. Fish and Wildlife Service under the Endangered Species Act before the mining plan can be approved. Before OSM may begin consultation, Co-Op must provide an estimate of the average annual depletion of surface flow (acre-feet) that will result from all operations at the Bear Canyon mine (i.e., operations on non-Federal and Federal lands).

Upon receipt, please forward a copy of the proof of publication of the newspaper advertisement.

Under the cooperative agreement, Utah DOGM will prepare, in cooperation with OSM, an environmental assessment (EA) for the proposed action. Federal lease U-024316 was issued in 1958, thus the EA should address the environmental considerations of section 522(a)(3) of the Surface Mining Control and Reclamation Act (SMCRA) of 1977 in accordance with the latest EA format and guidance document (enclosed). Please forward at your earliest convenience a draft of the EA for our review.

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