

NOTICE OF DECISION
MANTI-LA SAL NATIONAL FOREST
CO-OP MINING COMPANY, BEAR CANYON MINE
MINING PLAN MODIFICATION
EMERY COUNTY, UTAH

The Forest Supervisor, Manti-La Sal National Forest, has decided to consent to the mining plan modification to add 7,591.29 acres to the Bear Canyon Mine permit area. This consent covers both the mining plan modification to be approved by the Assistant Secretary of the Interior for Land and Mineral Resources and the permit modification done by the Utah Division of Oil, Gas and Mining. The mining plan modification area is located in T. 16 S., R. 7 E., and T. 16 S., R. 8 E., SLM, on the south end of Gentry Mountain in Emery Co., Utah. The new area will be mined from the existing Bear Canyon Mine and will not require new surface disturbance.

The Forest Supervisor's decision, documented in a Decision Notice/Finding of No Significant Impact (DN/FONSI), dated March 12, 2007, approves the mining plan modification as proposed with additional stipulations to protect cultural resources (Alternative 3). This decision was based on an Environmental Assessment prepared jointly with the Office of Surface Mining Reclamation and Enforcement.

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of this notice in the Sun Advocate. This date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. Incorporation of documents by reference is not allowed. The Appeal Deciding Officer is the Regional Forester, Intermountain Region. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf), Word (doc) or portable document format (pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

This decision is also subject to appeal pursuant to 36 CFR 251.82. Appeals must meet the content requirements of 36 CFR 251.90. The appeal must be postmarked or received by the Appeal Reviewing Officer within 45 days of the date of this decision. A notice of appeal, including the reasons for appeal, must be filed with: Regional Forester, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf), Word (doc) or portable document format (pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday. A copy of the notice of appeal must be filed simultaneously with the Forest Supervisor, Manti-La Sal National Forest, 599 West Price River Dr., Price, Utah 84501.

Contact Dale Harber (435-636-3548) at the Forest Supervisor's Office in Price, Utah, if you wish to obtain a copy of the DN/FONSI or have any questions.

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