



United States Department of Agriculture

025 0005 Coal Hollow  
North Lease Task 4942

October 5, 2015

Ms. Priscilla Burton  
Utah Division of Oil, Gas and Mining  
Price Field Office  
319 Carbonville Road, Suite C  
Price, Utah 84501

**RECEIVED**

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**OGM PRICE FIELD OFFICE**

Dear Ms. Burton:

This is in response to your letter requesting review of Prime Farmland compliance on the Coal Hollow Mine expansion in Kane County.

The state regulations you cite, regarding the role of the Natural Resources Conservation Service (NRCS) in the review of coal mine reclamation plans, exceeds to some degree the mission and Federal authorities under which the NRCS operates. Our Federal authorities allow for the NRCS to provide available published soil survey information and to provide information on the use and limitations of the information. In addition, as part of the Farmland Protection Policy Act, the NRCS maintains lists of soil survey map units that meet the definitions of Prime, Statewide Important, Unique, and Locally Important farmlands. Based on NRCS Soil Surveys, the NRCS provides determinations of land that meet the definitions. As noted in your letter this determination was provided to Larry Johnson of Alton Coal Development in December 2012. In January 2014, a determination was also provided to the Utah Division of Oil, Gas and Mining. NRCS is unable to provide a formal review as requested in your letter. Specifically, the NRCS lacks the Federal authority to review, "the soil salvage and reconstruction plan, and the soil productivity monitoring after reclamation (R645-302-315.300)." The staff is available for informal discussions on soil survey products and soil properties.

It may be useful to have a meeting between the NRCS State Conservationist and leadership of the Utah Division of Oil, Gas and Mining. This would provide an opportunity to discuss the role of the NRCS in responding to requests from the Division and the limitations of our activities based on Federal statute.

Sincerely,

MICHAEL DOMEIER  
State Soil Scientist