

**From:** Susan White  
**To:** Angela Nance  
**Date:** 12/19/2003 8:57:54 AM  
**Subject:** Fwd: Re: Elusive Peacock Shelter

Please file in SUFCO. Thanks

>>> <Garth\_Portillo@ut.blm.gov> 12/9/03 1:27:51 PM >>>  
Thanks, Susan, for the invitation to attend. After some discussion, Utah State Office has decided not to send cultural resources staff to the meeting.

BLM is not signatory to the programmatic agreement, and we have no defined role in the Section 106 process for this action. We have managed to obtain copies of relevant documents and correspondence, however, and it seems to us that everything is happening on track with USFS as lead Federal agency. Starting with the EIS, through the development of the programmatic agreement in 2000, to the consultations in October 2003 which led to approval of the amended mining plan, potential effects of undermining Elusive Peacock and other sites in the Pines Tract have been duly considered. If I read all the documents correctly, the programmatic agreement calls for the mine's consultant to monitor the changes that have occurred to the site and to report those to the USFS, who in turn will determine if the effects of these changes are adverse - - if so, FS and SHPO will consult on a treatment plan.

Our presence at your meeting would likely interject some confusion into what should be an orderly process lined out in the existing programmatic agreement. BLM defers to the USFS as lead Federal agency for the Section 106 process, so we'll try to stay out of your collective hair! Please let me know if you have any questions.

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12/09/2003 07:44 AM

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Subject: Elusive Peacock Shelter

I am suggesting we have a meeting on the Elusive Peacock to discuss with all those involved exactly where we are at; i.e. damage to the shelter (if the floor is intact is that adverse?), the 106 process, and ideas for alternative mitigation (if needed). Jim Dykman is on leave from December 11 to the end of the year.

Here are my suggested dates:

December 15, Monday afternoon here in SLC

December 16, Tuesday afternoon in Price

December 18, Thursday morning here in SLC

Please let me know which date works if you would like to attend. I can also link anyone by conference phone.

We have been posting the monitoring reports in folders by dates on our FTP site at:

<ftp://ogm.utah.gov/PUB/MINES/Coal/C041/002/BoxCyn/>

I'm not sure the report we recieved yesterday is posted yet, but it will soon.

Susan

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