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United States  
Department of  
Agriculture

Forest  
Service

Fishlake National Forest  
Richfield Ranger District  
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File Code: 2820-4

Date: March 12, 2008

Ms. Selma Sierra  
State Director  
Bureau of Land Management  
Utah State Office  
PO Box 45155  
440 West 200 South, Suite 500  
Salt Lake City, UT 84145-0155

Dear Ms. Sierra:

In reference to: 3432, SL-062583, UTU-47080, UTU-63214 and UT-923, Ark Land Company for Canyon Fuel Company, submitted an application for the modification of two existing coal leases (SL-062583 and UTU-47080) to the Bureau of Land Management (BLM) dated March 3, 2008. This copy was received by the Fishlake National Forest on March 10, 2008.

The Forest Service has reviewed these three coal lease modifications regarding Forest Plan consistency and data adequacy standards as discussed below:

### **Forest Plan Consistency**

These three coal leases lie within 4B and 6B Management Areas evaluated in the Fishlake National Forest Land and Resource Management Plan, 1986 (Forest Plan). Issues and concerns that occur within 4B and 6B involve habitat needs of one or more management indicator species and grazing management.

It is concluded that these three coal lease modifications as defined in the application are consistent with the Forest Plan direction and therefore, are both available for further consideration for coal leasing in an environmental analysis. The analysis will evaluate the issues identified in the Forest Plan in addition to those identified through the scoping process.

### **Forest Plan Emphasis and Direction**

The area of these coal lease modifications lie within areas 75 and 82 (Forest Plan, Appendix O, p. O-8). These are designated as class IV and classes I-IV, respectively, indicating favorable potential for coal reserves.

From the Forest's Plan Management Area Map:

Coal lease SL-062583 involves Management Area 6B: Intensive grazing management systems are favored over extensive systems, including but not limited to recreation,



silviculture, wildlife and visual resources. Conflicts between livestock and wildlife are resolved in favor of livestock.

Both coal leases UTU-47080 and UTU-63214 involve Management Area 6B as defined above as well as Management Area 4B: Management emphasis is on the habitat needs of one or more management indicator species. The goal is to optimize habitat capability, and thus numbers of the species. Investments in other compatible resource uses may occur but will be secondary to habitat requirements.

In general, coal leasing would be compatible with these two Management Area objectives, primarily due to the fact that these coal leases use underground coal mining methods and don't significantly disturb the surface resources that these two Management Areas are concerned with.

### **Data Adequacy Standards**

The Fishlake National Forest review for data adequacy was limited to the application information as forwarded by the BLM in their notification correspondence. Presently there is insufficient resource data (including coal data) to complete the environmental analysis but adequate enough to begin the scoping process.

### **Coal Suitability**

These two coal lease modifications lie within the Wasatch Plateau Known Recoverable Coal Resource Area (KRCRA). The Forest Service is bound to comply with the Federal Coal Leasing Amendments Act of 1977 (FCLAA), as well as its 1978 supplements, and the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The FCLAA directs that "no lease sale shall be held unless the lands containing the coal deposits have been included in a comprehensive land-use plan and such sale is compatible with such plan." The lands described in these three coal lease modification applications are included and compatible with the current Forest Plan.

SMCRA requires an unsuitability review for certain types of coal mining. Since these three areas proposed for coal lease modification lie adjacent to existing coal leases, this area has already been previously determined as acceptable for coal leasing. Coal lease SL-062583 has an effective lease date of September 12, 1941, coal lease UTU-47080 has an effective lease date of January 1, 1981, and coal lease UTU-63214 has an effective lease date of July 1, 1989. For coal lease UTU-63214, we received notification in a BLM letter dated June 26, 2007 that its terms and conditions become subject to re-adjustment on July 1, 2009, on its twenty year anniversary. Since this coal lease will be modified in the interim, we are deferring our re-adjustment of terms and conditions pending the lease modification approval and associated NEPA document.

## Conclusion

Existing coal leases SL-062583, UTU-47080 and UTU-63214 are available for further consideration for coal lease modifications under the current Forest Plan, subject to further environmental analysis. There are sufficient resource data for the environmental analysis, but additional coal data will be needed to meet the requirements of the Uinta-Southwestern Utah Coal Region Data Adequacy Standards and for analysis prior to the release of the environmental analysis. Given the current Fishlake National Forest NEPA workload and the fact that these three coal lease modifications involve minimum surface disturbance, the Forest Service hereby requests that the BLM be designated as the lead agency with the Fishlake National Forest as a cooperating agency on this environmental analysis.

If you have any questions or require additional information, contact Robert Ernst at the Forest Supervisor's Office in Richfield, Utah.

Sincerely,



D. FRED HOUSTON, JR.

*Admitted*  
District Ranger

cc: Steven E. McCurdy, Ark Land Co., 1 City Place Drive, Suite 300, St. Louis, MO 63141,  
Coal Regulatory Program, Utah Division of Oil, Gas and Mining, P.O. Box 145801,  
Salt Lake City, Utah 84114-5081

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