



State of Utah

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Department of Natural Resources
Division of Oil, Gas and Mining

BRIAN C. STEED
Executive Director

JOHN R. BAZA
Division Director

December 7, 2021

Jesse Lassley
Tree Farm LLC
PO Box 711820
Salt Lake City, UT 84171

Subject: Denial of Notice of Intention to Commence Small Mining Operations, Tree Farm LLC, Silver Mine, S/035/0053, Task ID# 10588, Salt Lake County, Utah

Dear Mr. Lassley:

On November 12, 2021, the Division of Oil, Gas and Mining (“Division”) received both a Notice of Intention to Commence Small Mining Operations (“Small Mine NOI”) and a Notice of Intention to Commence Large Mining Operations (“Large Mine NOI”) from Tree Farm LLC. The contemporaneous submittal of these NOIs indicates Tree Farm LLC’s long-term intent is to commence operations for a large mine.

Utah Code Ann. § 40-8-22(1) requires the Division to “cooperate with other state agencies, local governmental bodies, agencies of the federal government, and appropriate private interest in the furtherance of the purposes of this act.” Based on a cursory review of the Large Mine NOI, constituents from each of the stakeholder groups listed will likely need to be involved in the permitting process.

Additionally, Utah Admin. Code R647-4-116 requires the Division to provide public notice of tentative approval of Large Mine NOIs, a requirement that is absent regarding approvals of Small Mine NOIs. This public participation, in conjunction with the cooperation required with other regulatory bodies, is an important part of the permitting process for Large Mine NOIs.

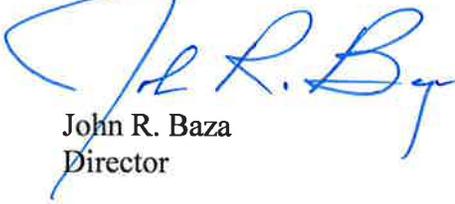
In the interest of administrative efficiency and in the furtherance of the purposes of the Mined Land Reclamation Act, the Division hereby denies Tree Farm LLC’s Small Mine NOI and will turn all focus and attention to the expedient review and processing of Tree Farm LLC’s Large Mine NOI.



If you believe you are aggrieved by this denial, you may file a request for agency action with the Board of Oil, Gas and Mining ("Board") pursuant to Utah Code Ann. § 40-8-16(3) and Utah Admin. Code R647-5-106(17). Any request for agency action must be filed with the Board within ten (10) days of the issuance of this denial. Any request for agency action must be in the form specified by the Board's rules at Utah Admin. Code R641-100 *et. seq.* If you do not request agency action within 10 days of the issuance of this denial, this denial of Tree Farm LLC's Small Mine NOI will become final.

Please contact **Leslie Heppler** at 801-538-5257 if you have questions or concerns regarding this permitting action.

Sincerely,



John R. Baza
Director

JR:lah:jb

cc: jesse@l4development.com kwallin@parrbrown.com GBaptist@msd.utah.gov, LMcClenning@msd.utah.gov ScottBaird@SLCO.org lheppler@utah.gov

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