

0045

**PRICE RIVER COAL COMPANY**

P.O. BOX 629 HELPER, UTAH 84526 (801) 472-3411

File Act/007/004  
Copy to Mary Ann  
~~ETI~~

June 9, 1981

CERTIFIED MAIL NO. 201523  
RETURN RECEIPT REQUESTED

RECEIVED  
JUN 11 1981

DIVISION OF  
OIL, GAS & MINING

Mr. Tom Tetting  
State of Utah  
Department of Natural Resources  
Division of Oil, Gas, and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

Dear Mr. Tetting:

Please accept this letter as the formal request for immediate approval of construction activities in regard to the proposed Crandall Canyon powerline. This powerline, as described on pages 12 and 13 of the February 26, 1981 Crandall Canyon submittal, is to be a 46 kilovolt transmission line, running from the existing substation at the north end of Hardscrabble Canyon to a substation to be constructed near the No. 1 Shaft in Crandall (see Exhibit No. 1, Crandall Canyon submittal).

Immediate approval is needed for several reasons. Construction activities will require three to four months and must be done during the best weather period. A portion of the intended line right-of-way is above 8,000 feet. As you know, the summers are short at this altitude. In addition to restrictions imposed by weather, construction activities are limited by contractual agreements with the Federal Bureau of Land Management to the period between June 1 and November 1 to minimize impact on the wildlife. I have included a copy of the BLM right-of-way and the terms and conditions for your information and files.

Due to the above described seasonal restrictions, a severe financial burden is placed on the operation by non-completion of the powerline by November 1, 1981. We have, by limited approval from your division, initiated shaft construction. From day one of this construction until the powerline is activated, we must supply power to the site by temporary generation sources. The cost until actual digging begins is about \$600.00 per day. Once digging starts, this figure will raise to \$4,300.00 per day. We have included an amount in our shaft construction contracts to include this expenditure as part of operating costs until the powerline can be activated, but not



Mr. Tom Tetting  
Division of Oil, Gas, and Mining  
June 9, 1981  
Page Two

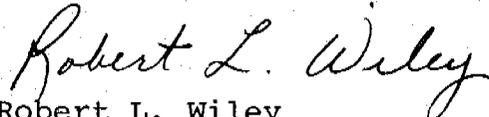
to exceed the November 1 deadline. If we have to continue on temporary power generation, we could spend a minimum of a million dollars over our approved budget just until the next favorable construction period.

Some additional construction information that may aid your evaluation is as follows:

1. Access for construction will be primarily by helicopter. Both men and materials will be ferried to the sites in this manner.
2. Secondary access will be either on foot or in rubber-tired vehicles on existing roads. No new roads will be constructed.
3. No brush or other ground will be grubbed or cleared, except a maximum of about 435 square feet at each pole location.
4. There will be about twenty (20) pole locations.
5. After pole erection, the disturbed areas will be re-seeded.
6. All pole construction activities, powerline designs, and choice of methods and materials is based on guidelines from the Utah Power & Light Company.

Please act on this request as soon as possible. Contact me immediately if any additional information is required.

Sincerely,



Robert L. Wiley  
Environmental Engineer

RLW:ga  
Enclosure

cc: K. B. Hutchinson, PRCC  
Ed Buoy, PRCC  
Eugene Haub, PRCC  
Michael Keller, Attorney at Law



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District  
P. O. Box 970  
Moab, Utah 84532

January 30, 1981

Mr. Gene Haub  
Price River Coal Company  
P. O. Box 629  
Helper, Utah 84526

Dear Mr. Haub:

Enclosed is executed Right-of-Way Grant U-46985 for the Hardscrabble to Crandall Canyon 46 kV power transmission line.

Your \$25 advance rental fee will be applied to the rental after a formal appraisal has been completed.

Please arrange a preconstruction meeting with the Price River Area Manager prior to line construction.

Mr. Cook advised us that he would like the right-of-way to be issued in the name of the Blackhawk Coal Company. Since the application was filed by the Price River Coal Company, we will have to issue it to this company. We discussed this matter with your attorney Mr. Chandler, in Lancaster, Ohio and informed him that after the right-of-way is issued, Price River Coal Company may assign it to the Blackhawk Coal Company. He said he would make arrangements to do that.

If you have any questions please contact Mark Mackiewicz in our Price Office.

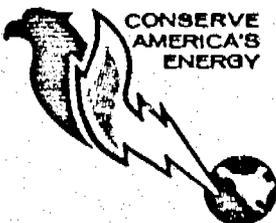
Sincerely yours,

*Kenneth V. Rhea*

Asst. District Manager

Enclosure:  
Right-of-Way Grant

FEB 09 1981



Save Energy and You Serve America!

G. C.  
M. A.  
K. H.  
C. S.  
IN REPLY REFER TO:  
2850  
U-46985  
(U-060)



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District  
P. O. Box 970  
Moab, Utah 84532

IN REPLY REFER TO

2850  
U-46985  
(U-060)

CERTIFIED--RETURN RECEIPT REQUESTED  
Certification No. 203873

## DECISION

### Right-of-Way Granted Details of Grant

Serial Number: U-46985

Name of Holder: Price River Coal Company  
P. O. Box 629  
Helper, Utah 84526

Map showing the Location and  
Dimensions of Grant

Map Designation: Hardscrabble Canyon to  
Crandall Canyon Right-of-  
Way Map

Dimensions: 5,649.72 feet long by 50 feet  
in width containing 6.48 acres

Legal Description: SLB&M  
T. 12 S., R. 9 E.,  
Section 33: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$   
T. 13 S., R. 9 E.,  
Section 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 4: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Date Filed: September 25, 1980

Permitted Use: The construction, use, and  
maintenance of a 46 kV  
power transmission line

Effective Date: Effective the date of this decision

Termination Date:

Thirty years from the date of this decision

Rental

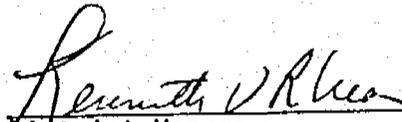
Amount:

\$25 advance rental deposit.  
Actual rental to be determined after formal appraisal

When Payable:

At the beginning of each 5-year rental period

Pursuant to the authority vested in the undersigned by Order No. 701 of the Director, Bureau of Land Management, dated July 23, 1964 (29 F. R. 10526), and amended and redelegated, a right-of-way bearing the above-referenced serial number is hereby granted, subject to the details of which are shown above, and subject to the terms and conditions in Appendix A, attached hereto and made a part hereof.

  
District Manager

Asst.

- Enclosures (3)
- 1-Terms and Conditions
- 2-Form 1140-2
- 3-Form 1842-1

## APPENDIX A

### Terms and Conditions

1. Applicable regulations in 43 CFR Group 2800.
2. Valid rights existing on the date of this grant.
3. This right-of-way may be renewed. If renewed, the right-of-way will be subject to regulations existing at the time of renewal and such other terms and conditions deemed necessary to protect the public interest.
4. The right-of-way shall be limited to 50 feet, 25 feet on each side of a described center line. Needed guy wire anchors may fall outside the right-of-way.
5. The holder shall comply with the applicable Federal and State laws and regulations concerning the use of pesticides (i. e., insecticides, herbicides, fungicides, rodenticides and other similar substances) in all activities/operations under this grant. The holder shall obtain from the Authorized Officer approval of a written plan prior to the use of such substances. The plan must provide the type and quantity of material to be used; the pest, insect, fungus, etc., to be controlled; the method of application; the location for storage and disposal of containers; and other information that the Authorized Officer may require. The plan should be submitted no later than December 1 or any calendar year that covers the proposed activities for the next fiscal year (i.e., December 1, 1979 deadline for a fiscal year 1981 action). Emergency use of pesticides may occur. The use of substances on or near the right-of-way shall be in accordance with the approved plan. A pesticide shall not be used if the Secretary of the Interior has prohibited its use. A pesticide shall be used only in accordance with its registered uses and within other limitations if the Secretary has imposed limitation. Pesticides shall not be permanently stored on public lands authorized for use under this permit.
6. The holder agrees not to exclude any person from participating in employment or procurement activity connected with this grant on the grounds of race, creed, color, national origin or sex, and to ensure against such exclusions, the holder further agrees to develop and submit to the proper reviewing official specific goals and time tables with respect to minority and female participation in employment and procurement activity connected with this grant. The holder will take affirmative action to utilize business enterprises owned and controlled by minorities or women in its procurement practices connected with this grant. Affirmative action will be taken by the holder to assure all minorities or women applicants full consideration of all employment opportunities connected with this grant. The holder also agrees to post in conspicuous places which are on its premises and available to contractors, subcontractors, employees and other interested individuals, notices which set forth equal opportunity terms; and to notify interested individuals, such as bidders, contractors, purchasers and labor unions or representatives of workers with whom it has collective bargaining agreements, of the holder's equal opportunity obligations.

7. There is hereby reserved to the Secretary of the Interior, or his lawful delegate, the right to grant additional rights-of-way or permits for compatible uses on, over, under or adjacent to the land involved in this grant.

8. The holder acknowledges and agrees that the grant of this right-of-way is subject to the express condition that the exercise thereof will not interfere with the management, administration or disposal by the United States of the lands affected thereby, or the full and safe utilization thereof by the United States, for necessary operations incident to such management, administration or disposal. The holder agrees and consents to the occupancy and use by the United States, its grantees, permittees or lessees of any part of the right-of-way not actually occupied or required by the project for purposes which are not in conflict with holder's use of the right-of-way.

9. The holder shall construct and maintain right-of-way facilities and structures in strict conformity with the descriptive and technical data which it has heretofore furnished the Bureau of Land Management in connection with its application. Activities which are not in accord with such data may not be initiated without the prior written approval of the Authorized Officer. Approval of variances will not be given unless the need therefore is fully justified by the holder.

10. If at any time hereafter the holder wishes to reconstruct, remodel or relocate any portion of the right-of-way hereby granted, or any of the improvements thereon, the prior written approval of the Authorized Officer must be obtained. No such approval will be given unless the request is fully justified by the holder and is authorized by law. Where necessary, the holder shall make application under appropriate regulations.

11. The holder shall maintain the site in a neat and orderly appearance at all times. Trash and debris shall not be allowed to accumulate. The Authorized Officer shall prescribe any measure deemed necessary to maintain the site in a neat and orderly appearance. The construction site will contain a portable chemical toilet where feasible. The installation and maintenance of this unit will conform to Federal and State public health regulations.

12. The holder will comply with all State and Federal regulations and laws pertaining to water quality, public health and safety, and environmental protection. Compliance shall be made with State standards when those standards are more stringent than Federal standards.

13. Preservation of historical, archaeological and paleontological resources shall be achieved wherever feasible by avoidance and facility relocation. "This shall be accomplished by a complete cultural resource field survey to be performed at the holder's expense after impact locations including towers and other facilities have received final design and been clearly marked on the ground by staking.

Where avoidance of historical, archaeological and paleontological resources is not possible, testing or salvage excavations of an extent commensurate to the significance of the site(s) involved shall be performed in accordance with guidelines.

The holder shall cease construction if relocation of any facility is impossible or if previously undiscovered buried cultural resources are encountered after construction commences. Work would be stopped until appropriate action (salvage, rerouting or other protection) is determined by such Federal agencies involved.

The holder shall incur responsibility for any actions of his personnel, contractor or contractors' employees resulting in damage to or disturbance of archaeological, historical or paleontological resources including surface collecting of artifacts.

14. The holder shall be responsible for prevention and suppression of all uncontrolled fires that are caused by an operation of the holder associated with the survey construction use or maintenance of this powerline. The holder will be billed by the Bureau of Land Management for fire suppression and fire rehabilitation costs resulting from such fires.

15. The holder shall comply with existing local, State and Federal laws as concerned with the protection and preservation of raptors, game and nongame wildlife species.

Construction shall not take place between November 1 and June 1 in order to minimize wildlife displacement unless written permission is obtained from the Authorized Officer.

The holder shall be governed by "Suggested Practices for Raptor Protection on Powerlines". Use of this information should be made to design the proposed 46 kV powerline for this designated raptor area, with proper grounding, phase spacing and configuration such that it will prevent, to the best of the design engineers ability, the electrocution of raptors.

16. Each structure area should be cleared only of that vegetation required for hole excavation, guy wire anchor placement, necessary line clearance and other necessary structural supports (less than 0.01 acre). Such vegetation removal shall be the minimum necessary for construction and safe operation.

Other vegetation less than 8 feet in height shall not be cleared or destroyed.

Vegetative debris and slash which is cut or cleared shall be lopped (cut into pieces) and scattered on the site so that no piece projects up over 24 inches in height. Stumps of cut trees shall be less than 12 inches in height.

Hazard trees outside the right-of-way may be cut with the approval of the Authorized Officer.

17. Access to the right-of-way shall be gained by foot, rubber tired vehicle or helicopter. No scalping of topsoil by dozer blade or ripper shall be permitted.

