

0017

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501

Pan route to beb

*File #01/007/006
#2*

Reply to: 2820

Date: September 30, 1992

Mr. Lowell Braxton
State of Utah Department of Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Mr. Braxton:

We have reviewed Cyprus Coal Company's application to drill two coal exploration holes (PP-10-2 and PP-10-3) and an air shaft in the northern portion of Gentry Mountain. Enclosed is a Forest Service Decision Memo that states that the proposal qualifies for a categorical exclusion, therefore it is not necessary to prepare an environmental assessment or environmental impact statement.

Since the air shaft lies within the permit area for the Starpoint Mine, the Division is the permitting agency for this facility. The Decision Memo documents Forest Service consent to approval of the air shaft by the Division, subject to the attached stipulations. In accordance with Forest Service appeal regulations, the project can commence no earlier than seven days from the date that the public notice regarding Forest Service consent is published in the Price Sun Advocate. The notice was published on Tuesday, September 29th, therefore the project can commence on October 6th.

A copy of the Decision Memo has been sent to the Bureau of Land Management, Moab District, to document Forest Service consent for approval of the two coal exploration holes which lie outside of the mine permit area.

Please be advised that the U.S. Fish and Wildlife Service responded during project scoping and notified us that they would not approve any additional depletions of water (water used for drilling) from the Colorado River System (Section 7(d) of the Endangered Species Act) by Cyprus until prior depletion fees are paid. We have informed Cyprus that they must conform with the requirements of the Fish and Wildlife Service.

RECEIVED

OCT 02 1992

DIVISION OF
OIL, GAS & MINING

If you have any questions, contact us at the Forest Supervisor's Office in Price, Utah.

Sincerely,


for
GEORGE A. MORRIS
Forest Supervisor

Enclosure

cc:
D-3
Roger Zortman

DECISION MEMO

Cyprus' 1992 Three Hole Coal
Drilling Program
Northern Portion of Gentry Mountain

Manti-La Sal National Forest
Price Ranger District
Emery County, Utah

Cyprus Coal Company has applied to the Bureau of Land Management (BLM) and the Utah Division of Oil, Gas and Mining (DOG M) to drill two helicopter-supported coal exploration holes, and one air shaft hole on Gentry Mountain near Little Park Canyon. All three holes (the air shaft hole, PP-10-1, and PP-10-3) are located on Federal Coal Leases held by Cyprus. PP-10-1 and PP-10-3 are located off of the Star Point Mining and Reclamation Plan Permit Area and will be approved by BLM while the air shaft hole will be approved by DOGM. Both agencies have asked the Forest Service to respond to the proposals since the project area is located on Federal lands administered by Manti-La Sal National Forest. Existing Forest Development Roads and about 550 feet of temporary access road will be used for the project. The application and operating plan contained in the case file fully explain the proposal and are available for review. Also, please refer to the attached maps.

I have decided to consent to the action as proposed and amended by Cyprus with application of the attached Forest Service Stipulations for approval by the BLM and DOGM. Through project scoping, the Forest Service has determined that there are no unmitigated issues for the project (see Scoping Document in the case file). This type of coal drilling is a routine practice on the Wasatch Plateau. Many holes have been drilled on the Price Ranger District in the past with no resource damage, and the sites have been successfully rehabilitated. The proposed action would then fall within Category 5, of Section 26.2 (mineral and energy activity with limited size, duration, and degree of disturbance) and no extraordinary circumstances exist that might cause the action to have significant effects; therefore, the action is categorically excluded from documentation in an environmental impact statement or an environmental assessment (FSH 1909.15 Section 26). Through separate Biological Evaluations, the Forest Service has determined that there would be no adverse impacts to Threatened, Endangered, or Sensitive floral or faunal species.

The proposal is consistent with management direction including the standards and guidelines of the Manti-La Sal National Forest Land and Resource Management Plan. The management prescription for the project area is Production of Forage (RNG). Mineral activities are allowed with mitigation: to assure continued livestock use where those authorized to conduct developments will be required to replace losses through appropriate mitigations, where a site-specific development adversely affects long-term production or management.

There are no known prime or unique farmlands, wetlands, timber lands, rangelands, or alluvial valley floors within the project area. There will be no impacts to floodplains or cultural resources (see Cultural Resources Report in the case file).

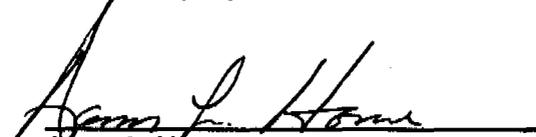
This decision is subject to administrative review in accordance with 36 CFR 217. Any appeal of this decision must include the information required by 36 CFR 217.9 (Content of Notice of Appeal), including the reasons for appeal. Two (2) Copies of the Notice of Appeal must be filed with Gray Reynolds, Regional

Forester, 324 25th Street, Ogden, Utah 84401 within 45 days of the date of publication of this decision in the Price Sun Advocate.

This decision is subject to administrative review in accordance with 36 CFR 251, as is the case of decisions regarding written instruments authorizing occupancy and use of National Forest System lands. Any appeal of this decision must include the information required by 36 CFR 251.90 (Content of Notice of Appeal), including the reasons for appeal and must be filed with the Regional Forester at the aforementioned address within 45 days of the date of this decision. A copy of the Notice of Appeal must be filed simultaneously with the Forest Supervisor, 599 West Price River Drive, Price, UT 84501.

This decision may be implemented 7 calendar days after the legal notice of the decision is published in the Price Sun Advocate.

We are willing to meet with you to discuss any concerns or issues related to this decision. Our telephone number is (801) 637-2817.



Aaron L. Howe
Acting Forest Supervisor

SEPT. 28, 1992
Date

APPENDIX A

STIPULATIONS

Stipulations to be included in the Coal Drilling Permits

1. A pre-work meeting including the responsible company representative(s), contractors, and the Forest Service must be conducted at the project location prior to commencement of operations. Site-specific Forest Service requirements will be discussed at this time.
2. A Road Use Permit must be obtained from the Forest Service before equipment is transported onto National Forest System lands. The location of new roads is subject to Forest Service review and approval. No construction may begin prior to approval. Any modifications or changes to approved locations are also subject to review and approval.
3. All surface disturbing activities including reclamation must be supervised by a responsible representative of the permittee/licensee who is aware of the terms and conditions of the projects permits/licenses. A copy of the appropriate permits/licenses must be available for review at the project site and presented upon demand to any Forest Service official.
4. The Forest must be notified 48 hours in advance that heavy equipment will be moved onto National Forest System lands and that surface disturbing activities will commence.
5. Establishment of campsites, landing zones, and staging areas on National Forest System lands in support of this project is subject to Forest Service approval.
6. The Forest Service must be notified of any proposed alterations to the plan of operations. Any changes to the existing plan are subject to Forest Service review and approval.
7. Fire suppression equipment must be available to all personnel working at the project site. Equipment must include at least one hand tool per crew member consisting of shovels and pulaskis and one properly rated fire extinguisher per vehicle and/or internal combustion engine.
8. All gasoline, diesel, and steam-powered equipment must be equipped with effective spark arrestors or mufflers. Spark arresters must meet Forest Service specifications discussed in the "General Purpose and Locomotive (GP/L) Spark Arrester Guide, Volume 1, April, 1988"; and "Multi-position Small Engine (MSE) Spark Arrester Guide, April, 1989". In addition, all electrical equipment must be properly insulated to prevent sparks.
9. The permittee/licensee will be held responsible for damage and suppression costs for fires started as a result of operations. Fires must be reported to the Forest Service as soon as possible.

10. The Forest Service reserves the right to suspend operations during periods of high fire potential.
11. Water needed in support of operations must be properly and legally obtained according to Utah State water laws. The location of diversions, if on National Forest System lands, are subject to Forest Service review and approval. Water diversion structures, if needed, must be constructed as specified by the Forest Service.
12. Unauthorized off-road vehicular travel is prohibited.
13. Section corners or other survey markers, including claim corners, in the project area must be located and flagged for preservation prior to commencement of surface disturbing activities. The removal, displacement, or disturbance of markers must be approved by the proper authority. Replacement will be done by the proper authority at the expense of the permittee/licensee.
14. If cultural or paleontological resources are discovered during operations, all operations which may result in disturbance to the resources must cease and the Forest Service must be notified of the discovery.
15. Gates must be closed after entry unless otherwise specified.
16. The permittee/licensee will be held responsible for all damage to fences, cattleguards, resource improvements, roads, and other structures on National Forest System lands which result from their operations. The Forest Service must be notified of damages as soon as possible.
17. Operations must be coordinated with grazing permittees to prevent conflicts.
18. Harrassment of wildlife and livestock is prohibited. No pets are permitted in the project area.
19. Topsoil must be stripped from areas occupied by parked vehicles and mud pits and stockpiled for use during reclamation. Topsoil stockpiles will be located to minimize contamination or loss. Rock material will be stockpiled separately.
20. Drill pads will be designed to prevent or diminish overland flow from entering the site during precipitation events. Pad sites will be sloped to drain all spills and on-sites precipitation into the mud pits. If necessary, pits will be pumped out to reduce their content and insure that overflow does not occur. Fluids will be disposed off Forest at a Utah State approved disposal site.
21. All drilling fluids, mud and cuttings must be contained on the project site in mud pits or portable containers. The pit must not be used for disposal of garbage, trash or other refuse. Unattended pits will be fenced to keep out livestock and wildlife.

22. *During the drilling operations all trash, garbage and other refuse must be properly contained on the project site prior to disposal at authorized sites.*
23. *All significant water encountered during drilling must be reported to the Forest Service, including the depth and formation at which it was encountered, and an estimate of the flow.*
24. *If any of the drill holes encounter artesian groundwater flow, the District Ranger must be notified prior to plugging the hole to determine whether or not the Forest Service would elect to establish a permanent water development at the site.*
25. *All drill holes must be plugged in accordance with Federal and State regulations.*
26. *The operator must clean up and remove all drilling equipment, trash, garbage, flagging, vehicles and other such materials from National Forest System lands.*
27. *Disturbed areas must be reclaimed by the end of the field season. Exceptions require Forest Service approval.*
28. *The project, including reclamation is to be completed in one field season.*
29. *Drill rigs, heavy equipment (not including water trucks), and helicopters must not be transported in or out of the Gentry Mountain or Little Park area during the opening weekend of the general elk hunt nor during the opening weekend of the general deer hunt and during holiday weekends. The water truck must be preceded by a pilot vehicle when hauling water for the project during the hunting season.*
30. *Contaminated soil and gravel must be stripped and hauled off Forest prior to site reclamation.*
31. *Mud pits must be allowed to dry or pumped before they are backfilled and reclaimed. If pumped, fluids will be disposed off Forest, at a Utah State approved site. They must be enclosed by a 4-strand barbed wire fence while they are left to dry. Only portable mud pits will be allowed at the 2 helicopter-supported drill sites.*
32. *Drill sites, roads to be obliterated, and mud pits when they are dry, must be reclaimed by selectively backfilling excavated materials, topsoil last, such that the disturbed area is replaced to approximate original contour. The disturbed area must be seeded with the specified seed mix.*
33. *Upon completion of the project, compacted soils must be scarified and seeded with the specified seed mix.*
34. *All disturbed drainages must be replaced to their approximate original configuration when the project area is reclaimed.*

35. The reclaimed roads must be signed and blocked off to discourage vehicle access by the public.
36. Reclamation efforts will be diligently pursued to insure that a minimum ground cover is established on all disturbed areas which is equal to or greater than the surrounding undisturbed areas.
37. Seeding will be done with the following certified seed mix:

Species	pounds/acre
Intermediate Wheatgrass - <i>Agropyron intermedium</i>	3
Orchard Grass - <i>Dactylis glomerata</i>	2
Slender Wheatgrass - <i>Agropyron trachycaulum</i>	3
Smooth Brome - <i>Bromus inermus</i>	3
Crested Wheatgrass - <i>Agropyron cristatum</i>	2
Ladak Alfalfa - <i>Medicago sativa ladak</i>	1
Yellow Sweet Clover - <i>Melilotus officinalis</i>	1
Small Burnett - <i>Sanguisorba minor</i>	1
Perennial Ryegrass - <i>Lolium perenne</i>	1

This seed mixture must have a minimum of 90 % PLS (pure live seed) containing a maximum of 1% weeds none of which are noxious.

38. The operator will be held responsible for control of noxious weed infestations found to be a result of this drilling operation.
39. Timber removed during the project that meets sawlog utilization standards (minimum 8 inch diameter, 8 feet long, and 33 1/3 % sound) will be removed from the area by the permittee. Timber not meeting sawlog utilization standards but which is suitable for fuelwood will be cut into four foot lengths and decked at a location that is accessible to the public.
40. Outside berms will not be constructed on any roads.
41. To assure that reclamation and operations are within the terms of the permits, Forest Service inspections will be necessary. Due to the inaccessible nature of a portion of the project area, Cyprus will place a carded helicopter and a carded pilot at the disposal of the Forest Service. Both helicopter-supported drill holes will be inspected at least once during set up/operation and at least once after moving off a drill site.
42. A flight plan must be submitted to the Forest Service as part of the proposal for review and approval. Cyprus will assure that the Moab Interagency Fire Center is contacted during helo-ops for flight following.
43. If marking of holes for future identification is desired, the method of marking and materials to be used will be subject to Forest Service approval.
44. All accidents or mishaps resulting in significant resource damage and/or serious personal injury must be immediately reported to the Forest Service.

45. *Stipulation for Lands of the National Forest System Under Jurisdiction of the Department of Agriculture.*

The licensee/permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of a permit/operation plan by the Secretary of the Interior, (2) uses of all existing improvements, such as Forest Development Roads, within and outside the area licensed, permitted or leased by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by a permit/operating plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed

to: Forest Supervisor

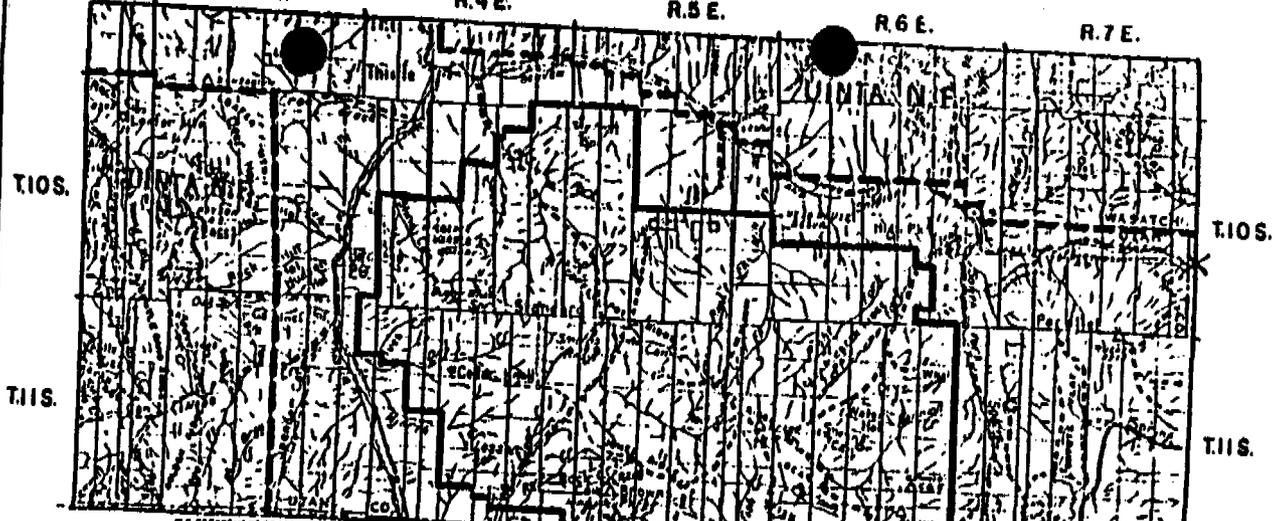
*at: Manti-La Sal National Forest
599 West Price River Drive
Price, Utah 84501*

Telephone No. (801) 637-2817

who is the authorized representative of the Secretary of Agriculture.

Stipulations to be Included in the Road Use Permit

46. *Roads must not be used when they are wet and susceptible to damage.*
47. *The permittee is responsible for repair of any damages to roads which are caused by his operations.*
48. *All traffic must maintain safe speeds commensurate with existing conditions.*
49. *Roads must be watered if dust becomes a problem or if excessive loss of road material occurs.*

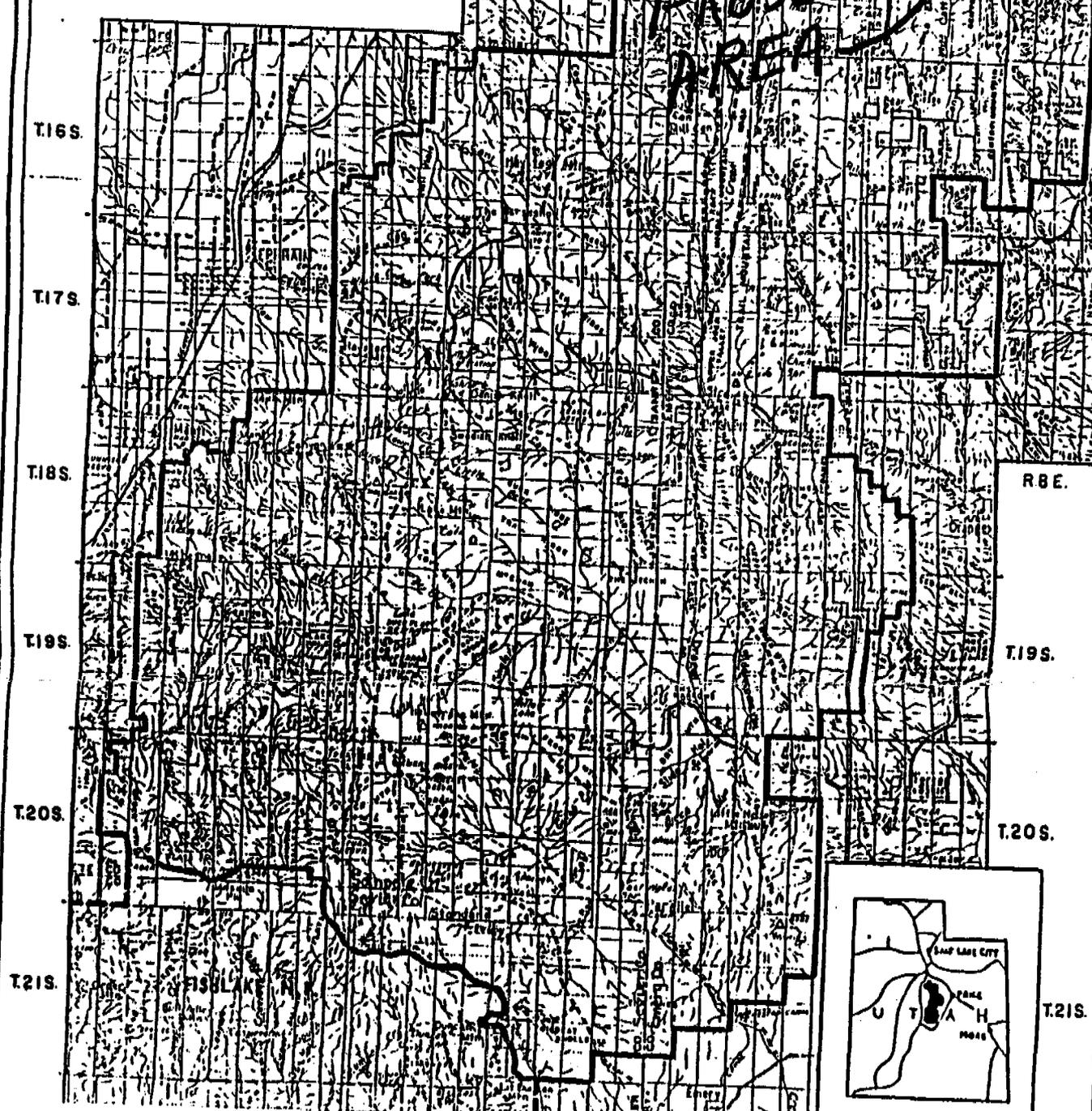


MANTI-LASAL NATIONAL FOREST
 MANTI DIVISION
 UTAH
 SALT LAKE MERIDIAN
 1950'
 SCALE

- LEGEND
- NATIONAL FOREST BOUNDARY
 - ADJACENT NATIONAL FOREST BOUNDARY
 - MAIN MOTOR HIGHWAY
 - POOR MOTOR ROAD
 - TRAIL
 - RAILROAD
 - TELEPHONE LINE
 - SUPERVISOR'S HEADQUARTERS
 - DISTRICT RANGER STATION
 - GUARD OR RANGER STATION NOT PERMANENTLY OCCUPIED
 - STATIONARY STATION
 - FOREST SERVICE BUILDING
 - HOUSE, CABIN OR OTHER BUILDING
 - MINE OR QUARRY
 - ELECTRICAL POWER STATION

MAP 1
CYPRUS PLATEAU, 1992
COAL DRILLING PROGRAM
3 HOLES, ON LEASE

PROJECT AREA



MAP 2

THE STEEPS

LITTLE PARK CANYON

LITTLE PARK

PP-10-3

PP-10-1
LITTLE PARK CANYON FAN DECK

Leased but not PERMITTED

AIR SHAFT HOLE
W/TEMP
ACCESS

8865.9

x 9835

9800

x 9931

x 9793

MAC 1
9630.8

CVR-2
9750.8

CVR-3 Abnd.
9716.6

ARGO HOLE
9708.80

14
9857.00

W-21-C
9946.9

9600

9800

10000

CVR-7
9940.0

11
14

10012.04

10055.7
x 10102

CVR-5A
9951.7

9972.99

CVR-8-C
10049.8

CVR-6 Abnd.
9801.4

CVR-1-C
9957.5

83-14-2-C
9974.5

85-14-3-C
9779.1

83-14-4 Abnd.
9815.8

MIKE
9922.61

W-15 Abnd.
9819.1

85-14-6
9917.4

W-7-C
9908.2

9500

9500

9600