0015

CCSK TIMS.
FILE 007/009

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
BROOKS TOWERS
1020 15TH STREET
DENVER, COLORADO 80202

June 18, 1982

Melvin T. Smith, Director and
State Historic Preservation Officer
Division of State History
Utah State Historical Society
300 Rio Grande
Salt Lake City, Utah 84101

RECEIVED
JUL 09 1982
DIVISION OF
OIL, GAS & MINING

Re: Sage Point-Dugout Canyon Mine Plan

Dear Mr. Smith:

The Office of Surface Mining (OSM) has determined through review of the Sage Point-Dugout Canyon Mine Plan that of the 33 sites located, 13 sites appear to be eligible for listing in the National Register of Historic Places. However, there are only eight which will be directly or indirectly impacted by mining activities. These included three historic sites (42cb172, 173 and 196) and five prehistoric sites (42cb135, 185, 188, 202 and 186). Should you concur with this recommendation, OSM will forward documentation to the Keeper of the National Register and seek a 10-day consensus determination of eligibility pursuant to 36CFR 63.3.

OSM believes that with an adequately developed and implemented data recovery program, there should be "No Adverse Effect" to these sites. We, therefore, ask your review and concurrence with the approval of the mine plan based on the company's acceptance of the following stipulations:

1. If during the course of mining operations, previously unidentified cultural resources are discovered, the applicant shall ensure that the site(s) is not disturbed and shall notify the regulatory authority. The operator shall ensure that the resource(s) is properly evaluated in terms of National Register Eligibility (36 CFR 60.6). Should a resource be found eligible for listing after consultation with the regulatory authority, the land-managing agency (if the site is located on Federal lands), and the State Historical Preservation Officer, the operator shall confer with and obtain the approval of these agencies concerning the development and implementation of mitigation measures.

2. The operator shall submit to the regulatory authority and the SHPO, for review and approval, a mitigation plan for sites 42cb172, 173, 196, 135, 185, 188, 186 & 202. When approved, the operator shall implement the mitigation procedures in strict adherence with the objectives, methods and techniques specified in the mitigation proposal. A

draft report of the data recovery shall be submitted for review and approval to the regulatory authority and the SHPO no later than 4 months after completion of the data recovery. A final report shall be submitted within 4 months after receiving the comments and recommendations of the regulatory authority and the SHPO which incorporates those comments and recommendations.

Based on the company's acceptance of the above stipulations, we believe that approval of the Sage Point-Dugout Canyon Mine Plan should have "No Adverse Effect" to any site eligible for or listed in the National Register of Historic Places. Should you concur with our determination, we shall notify the Advisory Council on Historic Preservation of our joint concurrence as specified in the PMOA.

If you have any questions, please call Judy Shafer or Foster Kirby at (303) 837-5656. Thank you for your continuing cooperation.

Sincerely,

Allen D Klein

Allen D. Klein
Administrator
Western Technical Center

Enclosures