

**From:** Priscilla Burton  
**To:** James\_Kohler@ut.blm.gov; Mary Ann Wright  
**Date:** 7/29/03 6:07PM  
**Subject:** Re: Horse canyon - Lila information

Hello Jim,

I had telephone conversations on April 29, April 30 with Jay Marshall concerning soil sampling. I met with Jay Marshall at the Lila Canyon site on May 1st, the day Jay was taking surface soil samples for nutrient analysis. I had telephone conversations with Jay on May 23 prior to a May 29 meeting between Jay Marshall, a consultant, and staff members concerning vegetation survey requirements. Over the course of the first three weeks of June, I gathered copies of the literature cited in the Division's Vegetation Guidelines for distribution to the UEI consultant.

Attached is a request that I made to the Lila review team staff concerning their contact with Jay Marshall over the past three months. Staff member responses follow.

Sincerely,

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>>> Mary Ann Wright Monday, July 28, 2003 3:03:45 PM >>>

Jim - I understand that you have requested information/input concerning the permitting on Lila. We have decided to compile emails from different technical coal personnel and forward that to you. That should bring you current with their, UEI's, permitting efforts. Call me if you have questions. - MA

**CC:** Dana Dean; Darby, David; Daron Haddock; Ernstsens, Jerriann; Pam Grubaugh-Littig; Smith, Jim; Susan White; Western, Wayne

>>> Priscilla Burton 07/28/03 10:39AM >>>

This morning at the staff meeting the progress of permitting of Lila Canyon was discussed. More information was sought.

Please respond to this email with details of your contacts with Jay Marshall or his consultants on any aspect of permitting the Lila Canyon mine since April 10, 2003 (the date of our last deficiency letter to UEI). Include phone calls, field visits, etc.

This information is needed by the close of business tomorrow, July 29.

Thanks.  
Priscilla.

**From:** Jerriann Ernstsens  
**To:** Priscilla Burton  
**Date:** 7/29/03 2:47PM  
**Subject:** lila

Meetings and discussions concerning approval of the Lila Canyon Mine permit since 2003 between the Permittee and Division biologists includes the following:

- March 26, 2003 – Field visit to cover:
  - Sediment pond location  
The Division believes that the Permittee should select a sediment pond location that might have less environmental impact than the currently proposed location. This matter is still under discussion.
  - Reference area location  
The Division biologist wanted to determine the appropriateness of the proposed reference area location.
  - Archeological site  
The Division wanted to become familiar with the site location.
  - Wildlife  
The Division biologist wanted to look for wildlife indicators, in particular Rocky Mountain sheep droppings. There were no sightings of sheep or their tracks or droppings during the brief inspection.
- May 29, 2003 - Meeting at the Division to cover:
  - Miscellaneous paragraph content inconsistencies
- June 24, 2003 – Phone call to cover:
  - Mexican Spotted Owl  
The Permittee states that the Willey survey (October 2002) includes the “Dry Wash area (Lila Canyon)”. The Division, however, has not been able to ascertain, at this time, whether the Lila Canyon mine permit area is within the Dry Wash area that Willey references. The Permittee must still delineate the Dry Wash area on a map to support that the study area included the

- mine permit area.
- Colorado endangered fish species  
The Permittee states that mining operation will have no impact on these species. The Permittee, however, must support this statement with quantitative water consumption impact assessments following the “Windy Gap” procedures.
- Threatened, endangered, and sensitive species  
The Permittee states that all habitat and occurrence assessments are completed. The Permittee, however, must still address or provide assessments on Creutzfeldt cryptantha and canyon sweetvetch,
- Miscellaneous concerns.
- July 2, 2003 – Field visit to select a proposed reference area.  
The Division believes that the old reference area was located too close to mine operations. This close proximity could subject the reference area to traffic damage and fugitive dust. The field visit was to assist Dr. Mike King select a new reference area. The proposed reference area location is approximately 500 feet west of the proposed sediment pond.
- July 9, 2003 – Field visit to survey the proposed reference area.  
The Division biologist requested to assist Dr. King in collecting the vegetation data for cover. Dr. King is currently collecting additional cover data to determine if the reference area adequately represents the proposed disturbed area. Other vegetation data Dr. King is currently collecting includes: plant diversity, woody species density, and area productivity (assisted by NRCS).
- August 12, 2003 (proposed) – Phone call to cover other biology-related matters.

**From:** Wayne Western  
**To:** Priscilla Burton  
**Date:** 7/29/03 11:28AM  
**Subject:** Status of Information on Lila Canyon

Priscilla,

I do not recall Jay contacting me for any information about engineering issues related to the Lila Canyon project since April 10, 2003.

Please contact me if you have any other questions.

Wayne

**From:** Jim Smith  
**To:** Priscilla Burton  
**Date:** 7/29/03 11:14AM  
**Subject:** Re: Lila Canyon request for info

I don't recall any recent contact with Jay - since our meeting with him in March - regarding geology and hydrology at the Horse Canyon Mine/Lila canyon Extension.

JIM

**From:** David Darby (David Darby)  
**To:** Priscilla Burton  
**Date:** 7/29/03 11:20AM  
**Subject:** Re: Lila Canyon request for info

I have talked to Jay about three weeks ago regarding to quarterly water monitoring and updates to the database. We have not discussed any other hydrology issues relating to the Lila Canyon permit application, since the last TA was returned to UtahAmerican on April 9, 2003.