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# TELEFAX



UNITED STATES  
 DEPARTMENT OF THE INTERIOR  
**BUREAU OF LAND MANAGEMENT**  
**PRICE FIELD OFFICE**  
 125 SOUTH 600 WEST, PRICE UTAH 84501

OUR PHONE NUMBER: (435)636-3600  
 OUR TELEFAX NUMBER: (435)636-3657

*Jean Hubert*  
 8/30/05  
 CC: Wayne H.

TO: Attention: Wayne Hedberg  
 Branch/Office: \_\_\_\_\_  
 Company/Agency: UDOM  
 Destination Fax Number: 801-359-3940

FROM: Jean Hubert

SUBJECT: Lila Canyon Mine Road

DATE AND TIME: 8-30-05 2:10 PM MDT

NUMBER OF PAGES, INCLUDING THIS COVER SHEET: 8

COMMENTS: \_\_\_\_\_  
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RECEIVED  
 AUG 30 2005  
 DIV. OF OIL, GAS & MINING

STANDARD FORM 299 (2/2003)  
 Prescribed by DOI/USDA/DOE  
 P.L. 96-487 and Federal  
 Register Notice 5-22-95

**APPLICATION FOR TRANSPORTATION AND  
 UTILITY SYSTEMS AND FACILITIES  
 ON FEDERAL LANDS**

FORM APPROVED  
 OMR NO. 1004-0189  
 Expires: October 31, 2005

**FOR AGENCY USE ONLY**

Application Number

Date filed

8-11-05

3 TELEPHONE (area code)

Applicant

435-381-2119

Authorized Agent

Ira Hatch, Commissioner

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

1. Name and address of applicant (include zip code)

Emery County  
 PO Box 629  
 Castle Dale, Utah 84513

2. Name, title, and address of authorized agent if different from Item 1 (include zip code)

Ira Hatch, County Commissioner  
 PO Box 629  
 Castle Dale, Utah 84513

4. As applicant are you? (check one)

- a.  Individual
- b.  Corporation\*
- c.  Partnership/Association\*
- d.  State Government/State Agency
- e.  Local Government
- f.  Federal Agency

\* If checked, complete supplemental page

5. Specify what application is for. (check one)

- a.  New authorization
- b.  Renewing existing authorization No.
- c.  Amend existing authorization No.
- d.  Assign existing authorization No.
- e.  Existing use for which no authorization has been received\*
- f.  Other\*

\* If checked, provide details under Item 7

6. If an individual, or partnership are you a citizen(s) of the United States?  Yes  No N/A

7. Project description (describe in detail): (a) Type of system or facility, (e.g. canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

Proposed project is to construct a road from SR-6 (State Highway) to Lila Canyon Coal Mine, culverts and concrete boxes will be installed for drainage, finished template of road (see enclosed drawings) term of right-of-way request is perpetual, usage will be 12 months of the year.

Product to be transported will be general public, employees of the mine, supplies to and from the mine, approximately 500,000 tons of coal will be transported. Road will be constructed in 2008, all disturbance and staging area will be within the right-of-way.

Construction of this road will replace existing County Road #128. Existing road will be abandoned upon completion of new road.

8. Attach a map covering area and show location of project proposal Map attached with descriptions.

9. State or local government approval:  Attached  Applied for  Not required

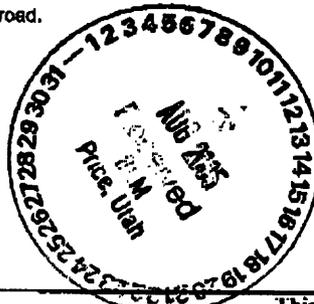
10. Nonreturnable application fee:  Attached  Not required

11. Does project cross international boundary or affect international waterways?  Yes  No (If "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Emery County Special Service District #1 will finance and construct the road.

Emery County Road Department will maintain and operate the road.



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Other alignments were looked at; but this is a more direct route to access the new mine. Also, by far the least costly of possible alignments.

b. Why were these alternatives not selected?

Other routes were more extensive and would increase the costs and surface disturbance.

c. Give explanation as to why it is necessary to cross Federal Lands.

Federal Lands are located along the route of the road.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

None

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

Due to the opening of the Lila Canyon Mine, this road will provide access to the mine site. The economic effect is unmeasurable in regards to helping the local economy. Cost of the proposed project is \$3,000,000, the cost for other route's will exceed this proposal.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

The road will have no effect on the population. The social and economic aspects can only be improved due to the employment that this project will create. No lifestyle and population will be effected, the area is not inhabited.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

No negative effects will occur on air, water (ground or surface) no structural or stream change will be created. All disturbed areas will be reclaimed and reseeded. Available topsoil will be stockpiled and spread on the disturbed areas. There will be no visual impact other than the road. Noise will occur during construction and usage of the road.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

No adverse effect will occur on any of the items described in this item.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

No hazardous material will be produced and stored within the right-of-way.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

Bureau of Land Management  
Price Utah Office

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

*Jim W. Platten*

Date

8/8/05

Title 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

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**Plan of Development  
Lila Canyon Road Reconstruction  
Emery County**

**1. PURPOSE AND NEED**

Emery County is requesting a Title-V Right-of-Way for relocating and upgrading a portion of County Road #126. The present road accesses Lila Canyon, numerous stockwatering ponds, a stock corral, and loops back into Horse Canyon. Emery County proposes to replace the first 2.5 miles of Road #126 (from SR-6 to the stock corral) with an asphalt surfaced road, and then extend the road directly to Lila Canyon, a total distance of 4.8 miles. (Map attached)

The relocating and upgrading of the County Road is being financed by Utah American Energy, Inc., for the purpose of opening a coal mine in Lila Canyon. It is anticipated that about 500,000 tons of coal will be produced annually. The coal will be transported by truck and/or conveyor belt to a rail loadout planned at about the half way point of the proposed road.

The requested corridor width is 100 feet on each side of the proposed road centerline, or 200 feet wide. This width will be adequate to accommodate the anticipated cut and fill sections. A typical road section is attached, along with a metes and bounds description of the road centerline. The anticipated construction period is March, 2006 to November, 2006.

**2. FACILITY DESIGN FACTORS**

AASHTO standards for Rural Collector Roads will be used to design the vertical and horizontal alignment. These standards will also be used to determine the proposed roadway width and shoulder slopes. The finished road surface will be 32-feet wide to accommodate truck and trailer traffic. The typical section, which is attached, will consist of 6-inch asphalt, 8-inch base course, and 18-inch granular borrow subbase.

The granular borrow material will come from a proposed borrow area which is adjacent to the requested roadway corridor between centerline stations 150+00 to 130+00. A separate application, on Form 5510, along with a description of the material source is attached. The appropriate notification of extraction will be made to the Bureau of Land Management (BLM) in accordance with the Free Use Permit. Water for compaction requirements will be obtained off site, probably from the Price River at Woodside. The required rip-rap material will be acquired from within the proposed right-of-way and the borrow area.

Temporary staging areas will be required in order to facilitate the construction. These areas will be located within the proposed right-of-way corridor.

### **3. ADDITIONAL COMPONENTS**

Location of equipment storage and staging areas will be inside the right-of-way corridor to facilitate construction. All areas disturbed by equipment storage or staging will be restored and reseeded.

### **4. GOVERNMENT AGENCIES INVOLVED**

- A Stream Alteration Permit will be sought for the wash crossing at centerline Station 148+00
- State and Institutional Trust Lands Administration right-of-way approval will be sought for road corridor across Section 32
- UDOT approval will be required to access SR-6 at Station 11+00. Design Drawing #DD-14 will set the standards for left turn lanes, acceleration lanes, deceleration lanes, and etc.

### **5. RIGHT-OF-WAY LOCATION**

A right-of-way map is attached which gives the centerline description of the entire roadway corridor, including those portions outside of BLM jurisdiction. These descriptions are tied to the appropriate Section Corners.

### **6. RESOURCE VALUES AND ENVIRONMENTAL CONCERNS**

A culture resource inventory has been submitted previously under separate cover. Several pre-historical sites have been documented within the boundary of the proposed borrow area. These sites will be delineated on the ground and avoided during the borrow excavation. An Environmental Assessment has been produced and submitted under separate cover by the mining company. The mitigation provisions will be incorporated into the construction contract. Based on the adherence to these documents, a determination of "no effect" to Section 106, CFR800 is recommended for this project.

### **7. CONSTRUCTION OF THE FACILITIES**

The estimated size of the work force is between 20 - 30 people.

The sizes and types of equipment will vary from bulldozers, scrapers, backhoes, compactors, asphalt lay-down machines, and trucks hauling fill material and water.

The right-of-way will be staked to avoid unnecessary disturbance.

There will be minor clearing and grubbing involved.

No industrial wastes or toxic substances will be utilized on this project.

No seasonal restrictions are foreseen.

The following is a sequence of major construction activities.

- Clearing and grubbing
- Construction of the grade and placement of granular borrow
- Placing of culverts
- Placing rip-rap where needed
- Construction of road surface (enzyme treated base course and asphalt)
- Delineators, signs, etc.
- Obliterate and seed existing road
- Cleanup and restoration

#### **8. STABILIZATION AND REHABILITATION**

Cut and fill slopes, staging areas and other disturbed areas will be reseeded in accordance with the BLM stipulations.

#### **9. OPERATION AND MAINTENANCE**

The road will be maintained by the Emery County Road Department.

#### **10. TERMINATION AND RESTORATION**

The road will be permanent. A right-of-way in perpetuity is requested. Sections of existing roadway that are being abandoned will be obliterated and reseeded.

**CENTERLINE DESCRIPTION FOR LILA CANYON ROAD****SECTION 6, T. 17 S., R. 14 E., SLM  
BLM**

Beginning at a point which is N 0°15'09" E, 1963.47 feet along section line and S 89°44'51" E, 685.72 feet from the Southwest corner of Section 6, T. 17 S., R. 14 E., SLM, said point being on the north right-of-way line of Highway 6 and running thence N 57°10'40" E, 28.74 feet to the beginning of a circular curve to the left having a radius of 2004.87 feet and an arc length of 898.49 feet; thence Northeasterly, 898.49 feet along said curve (chord bears N 44°19'22" E, 890.99 feet); thence N 30°33'30" E, 3284.90 feet to the north line of said Section 6 at a point which is N 89°58'44" E, 1416.60 feet from the Southwest corner of Section 30, T. 16 S., R. 14 E., SLM.

**SECTION 32, T. 16 S., R. 14 E., SLM  
STATE of UTAH**

Beginning at a point which is N 89°58'44" E, 1416.60 feet along section line from the Southwest corner of Section 32, T. 16 S., R. 14 E., SLM, and running thence N 30°33'30" E, 6129.52 feet to the north line of said Section 32 at a point which is S 89°59'05" W, 733.22 feet from the Northeast corner of said Section.

**SECTION 29, T. 16 S., R. 14 E., SLM  
BLM**

Beginning at a point which is S 89°59'05" W, 733.22 feet along section line from the Southeast corner of Section 29, T. 16 S., R. 14 E., SLM, and running thence N 30°33'30" E, 1441.10 feet to the east line of said Section 29 at a point which is N 0°01'30" W, 1240.75 feet from the Southeast corner of said Section.

**SECTION 28, T. 16 S., R. 14 E., SLM  
BLM**

Beginning at a point which is N 0°01'30" W, 1240.75 feet along section line from the Southwest corner of Section 28, T. 16 S., R. 14 E., SLM, and running thence N 30°33'30" E, 1824.71 feet to the beginning of a circular curve to the left having a radius of 1400.00 feet and an arc length of 769.70 feet; thence Northerly, 769.70 feet along said curve (chord bears N 14°48'30" E, 760.04 feet); thence N 0°56'31" W, 1488.20 feet to the beginning of a circular curve to the right having a radius of 2000.00 feet and an arc length of 210.75 feet; thence Northerly, 210.75 feet along said curve (chord bears N 2°04'37" E, 210.66 feet) to the north line of said Section 28 at a point which is N 89°00'50" E, 1091.97 feet from the Northwest corner of said Section.

**SECTION 21, T. 16 S., R. 14 E., SLM  
BLM**

Beginning at a point which is N 89°00'50" E, 1091.97 feet along section line from the Southwest corner of Section 21, T. 16 S., R. 14 E., SLM, said point being on a non-tangent circular curve to the right having a radius of 2000.00 feet and an arc length of 1047.94 feet; thence Northeasterly, 1047.94 feet along said curve (chord bears N 20°06'23" E, 1035.99 feet); thence N 35°07'01" E, 3665.21 feet to the beginning of a circular curve to the right having a radius of 5000.00 feet and an arc length of 198.39 feet; thence Northeasterly, 198.39 feet along said curve (chord bears N 36°15'13" E, 198.38 feet); thence N 37°23'25" E, 547.29 feet to the beginning of a circular curve to the right having a radius of 5000.00 feet and an arc length of 508.11 feet; thence Northeasterly, 508.11 feet along said curve (chord bears N 40°18'06" E, 507.89 feet); thence N 43°12'46" E, 491.27 feet to the north line of said Section 21 at a point which is N 89°54'26" W, 590.87 feet from the Northeast corner of said Section.

**SECTION 16, T. 16 S., R. 14 E., SLM  
WILLIAM MARSING LIVESTOCK INC.**

Beginning at a point which is N 89°54'26" W, 590.87 feet along section line from the Southeast corner of Section 16, T. 16 S., R. 14 E., SLM, and running thence N 43°12'46" E, 11.65 feet to the beginning of a circular curve to the right having a radius of 5000.00 feet and an arc length of 432.56 feet; thence Northeasterly, 432.56 feet along said curve (chord bears N 45°41'28" E, 432.42 feet); thence N 48°10'11" E, 355.44 feet to the east line of said Section 16 at a point which is N 0°53'58" W, 548.63 feet from the Southeast corner of said Section.

**SECTION 15, T. 16 S., R. 14 E., SLM  
BLM**

Beginning at a point which is N 0°53'58" W, 548.63 feet along section line from the Southwest corner of Section 15, T. 16 S., R. 14 E., SLM, and running thence N 48°10'11" E, 183.71 feet to the beginning of a circular curve to the right having a radius of 1000.00 feet and an arc length of 515.22 feet; thence Northeasterly, 515.22 feet along said curve (chord bears N 62°55'47" E, 509.54 feet); thence N 77°41'23" E, 188.28 feet to the beginning of a circular curve to the right having a radius of 2957.99 feet and an arc length of 392.11 feet; thence Northeasterly, 392.11 feet along said curve (chord bears N 81°29'14" E, 391.82 feet) to the beginning of a circular curve to the left having a radius of 481.16 feet and an arc length of 482.41 feet; thence Northeasterly, 482.41 feet along said curve (chord bears N 56°33'45" E, 462.46 feet) to the centerline of an old tram road.