
UTAH OGM COAL PROGRAM MEETING NOTES

Meeting Date: August 31, 2006

To: Internal File, Horse Canyon Lila Canyon Extension, C/007/0013, Task ID #2421

From: Jerriann Ernstsens 

Attendees:

Jerriann Ernstsens	DOGGM
Pam Grubaugh-Littig	DOGGM
Wayne Hedberg	DOGGM
Mary Ann Wright	DOGGM (later part of meeting)
Everett Bassett	DOGGM Archeology consultant (phone conference)
Matt Seddon	SHPO

Purpose: The purpose of today's meeting will be to review letters received by the consulting parties and the proponent concerning the Division's supplemental survey requirement for the Lila Canyon Extension project.

MEETING SUMMARY:

At today's meeting, the Division discussed the SUWA's August 24, 2006 letter. Everett Bassett led the discussion. All attendees provided recommendation or comments on each of the seven points that SUWA presented in their letter. The following comments were provided:

1. *Overview of Division's supplemental survey requirement:* In general, no significant comments were presented.
2. *Extend the transects branching outward from the channel from 50' to 100':* In general, the required two 50' "transects" are adequate given that the east fork (passing through section 13) of Little Park Wash is ephemeral (a stream which flows only in direct response to precipitation in the immediate watershed, or in response to the melting of a cover of snow and ice, and which has a channel bottom that is always above the local water table). It was recommended that the Division could require additional "transects" if the results suggest a higher potential of observing archeological resources. The Division will consider this recommendation presented during today's meeting.
3. *SHPO should select the additional plots:* In general, there is no advantage of having the SHPO, over other well-respected archeologist, select the locations for the additional plots. Furthermore, SHPO already provided comments on the Division's supplemental survey issued on August 15, 2006.
4. *Reduce the distance between transects within the additional plots from 10 to 3 meters:* In general, the required 10 m distance is adequate for this type of landscape.

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5. *Resample areas surveyed in 1980*: In general, the required additional plots did not purposely exclude or include previously surveyed areas. The areas that the Division selected were based on potential of observing archeological resources not on previous surveys.
6. *Require additional research on the historic resources*: In general, the response presented in the Snell & Wilmer (August 28, 2006) letter addresses this point. This letter reports that Montgomery did research available historic resource reports and information for the area. It was recommended that the Division could require that UEI provide the results of Montgomery's research in the final, compilation report. The Division will consider this recommendation presented during today's meeting.
7. *Require a Class III survey*: In general, it is incorrect to state that the 36CFR Part 800 laws require a Class III survey. The requirement is that an agency shows a reasonable and good faith effort in identifying cultural resources.

At today's meeting the Division discussed the Snell & Wilmer August 28, 2006 letter. Jerriann Ernstsen led the discussion. All attendees provided recommendation or comments on each of the responses that Snell & Wilmer (SW) presented in their letter. The following comments were provided:

1. *Paragraph 1 – opening paragraph*: In general, SW did not respond to the Division's supplemental survey requirements. But, SW will immediately issue a response letter to the Division.
2. *Paragraph 2 – Provided additional information*: In general, no significant comments were presented. The Division will review the additional survey report upon UEI's official submittal.
3. *Paragraph 3 – Response to reduce the distance between transects within the additional plots from 10 to 3 meters*: In general, UEI provided similar comments that were presented in today's meeting.
4. *Paragraph 4 – Response to resample areas surveyed in 1980*: In general, no significant comments were presented.
5. *Paragraph 5 – Response to require additional research on the historic resources*: In general, no additional comments were presented than those presented above.
6. *Paragraph 6 – Response to require a Class III survey*: In general, no additional comments were presented than those presented above.

PROPOSED ACTION ITEMS:

1. Division will discuss the recommendations presented during today's meeting.
2. Division will finalize the supplementary survey requirements.
3. Division will request that BLM review and comment on the supplementary survey requirements.
4. Division will issue UEI the finalized supplementary survey requirements.
5. Division will respond to the SUWA letter dated August 24, 2006.
6. SHPO will contact the Advisory Council to research similar projects.
7. Division will start drafting the MOA and PA.
8. Division will review Montgomery's final, compilation report.
9. Division will issue a submittal to SHPO that will include:
 - a. Determination letter
 - i. ID methods
 - ii. Summary of results
 - iii. List of eligible sites
 - iv. Finding of adverse effect to known resources

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- v. Finding of potential adverse effect to unknown resources
 - b. Copy of the report
 - c. Draft of MOA: to address adverse effect to known resources
 - d. Draft of PA: to address potential adverse effect to unknown resources.
10. Division will issue consulting parties the following: (if SHPO concurs)
- a. Determination letter
 - b. Copy of the report
 - c. Draft of MOA: to address adverse effect to known resources
 - d. Draft of PA: to address adverse effect to unknown resources
 - e. SHPO's correspondence letter.
11. Division will review consulting parties comments.

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