



southern
utah
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alliance

January 4, 2007

John Baza – Director
Pamela Grubaugh-Littig – Permit Supervisor
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, Utah 84114-5801

John Baza
1/007/001301

Re: *Horse Canyon Mine, Lila Canyon Extension C/007/013 Permit Application*

Dear Director Baza:

We write to you concerning the results a summer 2006 on-the-ground survey conducted by Mr. Elliott Lips (at SUWA's request) in the proposed Lila Canyon Mine permit area. In sum, Mr. Lips concludes the following:

- Numerous seeps and springs exist in the Little Park Wash drainage (and its tributary drainages) of the permit area. These sites support mature stands of mesic vegetation – including mature cottonweed trees in excess of 30 feet in height. These seeps and springs may be an important source of water for wildlife and Mr. Lips noticed abundant fresh animal tracks near discharge points and for several hundred feet downstream.
- The 4 seeps and springs that UEI proposes to monitor (L-7-G, L-8-G, L-9-G, L-12-G) are a small fraction of the total number of seeps and springs that exist in the permit and adjacent area and that could be impacted by mining. Some of the proposed monitoring points are not the most significant springs in their respective drainages.
- UEI proposes no monitoring of any seeps or springs in Upper Little Park Wash, Reach #3 Wash, or the upper part of Noname Wash. UEI is thus excluding nearly half of the tributary drainages from any monitoring, even though there are 13 identified seeps and springs in these drainages.
- Previous seep and spring surveys referenced in the MRP may not have identified all the seeps and springs recorded by Mr. Lips. Neither the

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Southern Utah Wilderness Alliance
Letter to Director Baza re: Results of Lips Survey
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MRP nor the studies referenced therein contain latitude and longitude or UTM coordinates for the identified seeps and springs.

- UEI has not collected the required baseline data for seeps and springs that were not previously identified.

SUWA provides this information to the Division as the Division reviews recent submission from UtahAmerican Energy and also in support of SUWA's position that the Division must deny the permit application.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Stephen Bloch
Staff Attorney

Elliott W. Lips, P.G. Ph.D. (ABD)
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December 18, 2006

Stephen Bloch
Staff Attorney
Southern Utah Wilderness Alliance
425 East 100 South
Salt Lake City, Utah 84111

RE: Seeps and Springs – Lila Canyon

Dear Steve:

Introduction

On June 22 and 23, 2006, I conducted a survey of portions of the Lila Canyon permit and adjacent area in order to observe seeps and springs. The survey was conducted by traversing, on foot, the lower portions of the six major tributary drainages to Little Park Wash and a portion of the upper part of Lila Canyon. Figure 1 shows the locations of these drainages. This survey was not intended to systematically inventory all seeps and springs in the permit and adjacent area.

In the course of the survey, I collected the following data at each seep or spring observed.

- Location - The location was documented by recording the latitude and longitude in a hand-held GPS unit. Satellite reception was good and I was able to establish the location at all times during the survey, even in the canyons.
- Flow Rate - The flow was determined by estimating the time required to fill a one-gallon container.
- Extent of Flow - The extent of flow was estimated by pacing off the distance below the seep or spring where water was flowing at the surface or where the ground was wet.
- Notes - Observations were made of vegetation other than the dominant vegetation in the area (Piñon-Juniper, desert shrubs, and sage brush-grasses). Observations were also made of wildlife use as evident from fresh tracks in and around the seeps and springs.

Table 1 provides a summary of these data.

Results

As a result of this two-day, reconnaissance-level survey, I was able to identify 23 seeps and springs in the permit and adjacent area (Figure 1). Seeps and springs were observed flowing in all 6 tributary drainages to Little Park Wash and in the upper part of Lila Canyon. Flows varied from slightly less than 1 gallon per minute to 3 gallons per minute. Water discharging from the seeps and springs flowed down the channels for distances up to 800 feet. In the vicinity of several of the seeps and springs, vegetation consisted of columbine, rose, aspen, cottonwood, and willow. Several of the seeps and springs had evidence of recent wildlife use.

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Discussion

Some of these seeps and springs may have been previously identified by UEI; however, confirmation of this is not possible because UEI does not provide latitude and longitude (or UTM) coordinates for the seeps and springs in the MRP. Based on the maps in the MRP, it appears as though some of the seeps and springs identified as flowing on June 22 and 23, 2006 have not been identified by previous seep and spring surveys.

In the Little Park Wash area, UEI proposes to monitor only 4 seeps and springs (L-7-G, L-8-G, L-9-G, and L-12-G). This is only a small fraction of the seeps and springs that exist in the permit and adjacent area and that could be impacted by mining. In addition, in the drainages where UEI proposes monitoring, there are springs with greater flow than those UEI proposes to monitor. Furthermore, UEI proposes no monitoring of any seeps or springs in Upper Little Park Wash, Reach #3 Wash, or the upper part of Noname Wash. Thus, UEI is excluding nearly half of the tributary drainages from any monitoring, even though there are 13 seeps and springs in these drainages (see Figure 1).

The mesic vegetation associated with the seeps and springs identified in this survey indicate that these sites have experienced flow for long periods of time. Some sites had groves of cottonwood trees in excess of 30 feet in height. In addition, these seeps and springs are an important source of water for wildlife as evident by the abundant fresh tracks near the discharge point and for several hundred feet downstream.

Summary

Numerous seeps and springs exist in the Little Park Wash drainage (and its tributary drainages) of the permit area. These sites support mature stands of mesic vegetation in an otherwise arid environment and provide an important source of water for wildlife.

Because of the lack of data in the MRP, it is not clear if UEI has previously identified these significant sources of water; however, it appears that some of these seeps and springs have not been included in previous seep and spring surveys referenced in the MRP.

Of the 21 seeps and springs identified in this survey in the Little Park Wash area, UEI only proposes to monitor 4 sites. In some cases these sites are not the most significant spring in the drainage. UEI proposes no monitoring in approximately one half of the Little Park Wash area, even though there are at least 13 seeps and springs that could be impacted by mining activities. UEI has not collected the required baseline data on these sites so it will be impossible to assess future impacts.

Sincerely,



Elliott W. Lips, P.G. Ph.D. (ABD)

Table 1. Seep and Spring Summary Data

ID	LATITUDE ¹	LONGITUDE ¹	FLOW (gpm)	NOTES
EL-1	39°26.625'N	110°19.786'W	1-3	Abundant columbine and rose
EL-2	39°26.708'N	110°19.732'W	1-3	Abundant columbine
EL-3	39°24.947'N	110°18.061'W	≈ 1	About 500 ft below L-9-G, Flow on surface for ≈ 200 ft
EL-4	39°26.453'N	110°18.309'W	1-2	Below L-7-G, Flow on surface for ≈ 300 ft
EL-5	39°26.462'N	110°18.355'W	2-3	Abundant columbine and rose, Wildlife use, Flow on surface for ≈ 500 ft
EL-6	39°26.809'N	110°18.226'W	≈ 1	Flow greater than L-7-G, Flow on surface for ≈ 200 ft
EL-7	39°26.822'N	110°18.186'W	≈ 1	
EL-8	39°26.870'N	110°18.044'W	≈ 1	Flow on surface for ≈ 200 ft
EL-9	39°26.738'N	110°18.518'W	< 1	Flow on surface for ≈ 30 ft
EL-10	39°27.280'N	110°18.347'W	< 1	Flow on surface for ≈ 50 ft
EL-11	39°27.455'N	110°18.456'W	≈ 3	Flow on surface for ≈ 500 ft
EL-12	39°27.065'N	110°18.598'W	≈ 1	Flow on surface for ≈ 100 ft
EL-13	39°27.194'N	110°18.660'W	≈ 3	Abundant wildlife use Flow on surface for ≈ 600-800 ft
EL-14	39°27.277'N	110°18.693'W	≈ 1	Mature cottonwood, willow and aspen trees Abundant wildlife use Ground wet for ≈ 300 ft
EL-15	39°27.503'N	110°18.770'W	≈ 1	Mature cottonwood trees Ground wet for ≈ 200 ft
EL-16	39°24.802'N	110°17.183'W	< 1	Columbine Ground wet for ≈ 100 ft
EL-17	39°24.644'N	110°17.116'W	≈ 1	Ground wet for ≈ 200 ft
EL-18	39°24.529'N	110°17.569'W	< 1	Abundant columbine Ground wet for ≈ 100 ft
EL-19	39°23.971'N	110°18.447'W	≈ 1	Flow on surface for ≈ 200 ft
EL-20	39°23.975'N	110°18.461'W	1-2	Ground wet for ≈ 300 ft above road
L-7-G	39°26.466'N	110°18.264'W	< 1	Round tank near fence Ground wet for ≈ 50 ft
L-8-G	39°25.713'N	110°17.624'W	1-3	Flow on surface for ≈ 500 ft
L-9-G	39°24.953'N	110°17.958'W	≈ 1	Metal tanks Flow on surface for ≈ 200-300 ft
IPA-1	39°25.512'N	110°18.440'W		
IPA-3	39°24.482'N	110°18.717'W		

¹ WGS 84

Figure 1 - June 2006 Seep and Sping Survey

