



State of Utah

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Department of Natural Resources
Division of Oil, Gas and Mining

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April 13, 2022

PJ Jensen, Resident Agent
Emery County Coal Resources, Inc.
P.O. Box 910
East Carbon, Utah 84526

Subject: Add Portions of Lease Modifications to Permit Area, ECCR, Inc., Lila Canyon Mine, C/007/0013, Task #6533

Dear Mr. Jensen:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application by no later than May 13, 2022.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen
Coal Program Manager

SKC/sqs



Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0070013
TaskID: 6533
Mine Name: LILA CANYON MINE
Title: ADD PORTIONS OF LEASE MODS TO PERMIT AREA

Summary

The amendment adds portions of federal coal leases #UTU-014218 (Tract 2) and #UTU-0126947 (Tract 2) to the permit area. Table 1-1 provides the legal description of the lease areas in T16S R15E Sections 18, 19, 29 and 30. The lease documents are found in Appendix 1-9a. The additional lease area surface and subsurface is owned by the BLM as shown on Plate 5-4 Subsurface Ownership and Plate 4-1 Surface Ownership.

A total of approximately 678.87 acres are proposed to be added to the total permit area by this amendment application, bringing the total permitted area to 5,343.19 acres. First mining only is planned for 403.21 of those acres as shown on Plate 5-5 Mine Map. The Environmental Assessment is in App. 1-9b. The mining block will eventually include State leases which are in App. 1-10a.

pburton

According to State of Utah admin code R645-303-224, an application for permit change must be categorized and processed as a significant permit revision if the following criteria are met:

- A proposed increase in size of surface or subsurface disturbed area amounting to 15% or greater than the disturbed area under the approved permit.
- Engaging in operations outside of the cumulative impact area as defined in the Cumulative Hydrologic Impact Assessment (CHIA).
- Engaging in operations in hydrologic basins other than those authorized in the approved permit.
- Continuing operations after the cancellation or material reduction of the liability insurance policy, performance bond, or other equivalent guarantee upon which the original permit was issued.

The application does not qualify as a significant revision because neither the added surface area nor the added subsurface disturbance area exceeds 15% of the total disturbed areas within the currently approved MRP. The cover letter as well as Plate 1-1 state that the proposed amendment will add approximately 678.87 acres of surface disturbance to the currently permitted 4,664.32 acres for a total surface increase of 14.55%. Additionally, Plate 5-5 states that the proposed amendment will add approximately 403.21 acres of subsurface disturbance to the currently permitted 2,715.89 acres for a total subsurface increase of 14.85%.

The additional 678.87 acres proposed to be added to the total permit area do not include operations outside of the cumulative impact area, as defined within the currently approved Cumulative Hydrologic Impact Area (CHIA). The proposed operations do not operate in hydrologic basins outside of those already approved in the permit.

There has been no lapse in the liability insurance policy nor the performance bond upon which the original permit was issued.

The application qualifies as a minor permit amendment since none of the criteria for significant permit revision under R645-303-224 have been met.

jeatchel

General Contents

Identification of Interest

Analysis:

The application meets the State of Utah R645 requirements for Identification of Interests.

The amendment satisfies the requirements of R645-301-112.300 thru -112.900 because ownership information in Chapter 1 has been updated. A list of surface owners and/or managers of record for lands within and contiguous to the permit is presented on Pages 1-4 and 1-5. Subsurface mineral owners for the same areas are included on Pages 1-5 and 1-6.

The narrative also states that the surface ownership boundaries of lands within and contiguous to the permit are shown on Plate 4-1 Surface Ownership, and subsurface ownership for the same areas is shown on Plate 5-4 Coal Ownership.

Additional information regarding the officers and directors for ownership and control of Emery County Coal Resources, Inc. has been added to Appendix 1-2. Names, addresses, and telephone numbers have been provided for the following entities to be included in Appendix 1-2:

Emery County Coal Resources, Inc., ACNR Mining Corporation, American Consolidated Natural Resources, Inc., Murray American Consolidated Natural Resources Holdings, Inc., and ACNR Holdings, Inc.

jeatchel

Right of Entry

Analysis:

The application meets the State of Utah requirements for Right of Entry.

The amendment satisfies the requirements of R645-301-114 because updated right of entry information may be found in Chapter 1 as well as Appendices 1-7, 1-9a, and 1-10a.

Page 1-7 of Chapter 1 states that in 2021 Emery County Coal Resources, Inc. obtained modifications to Federal coal leases UTU-014218 and UTU-0126947. The land and coal belong to the Bureau of Land Management (BLM) but only a portion of the lease modifications are a part of the permitted area. Federal lease documents may be found in Appendix 1-9a and State lease documents in Appendix 1-10a. The lease modifications in relation to the current permit area may be viewed on Plates 4-1 and 5-4.

Appendix 1-7 contains documents regarding the right-of-way grant for UTU-95176, which authorizes the use of an existing road located on BLM-administered land on the surface above and adjacent to the permit area.

Additional information regarding the modifications to Federal Leases UTU-014218 and UTU-0126947 may be found in the Environmental Assessment (EA) located in Appendix 1-9b.

Updated legal descriptions and Right-of-Way acreages are shown in Table 1-1.

Page 1-7 states that the Permittee currently holds approximately 8,224.86 acres of State and Federal coal leases, rights-of-way, and surface access rights. An additional coal lease (Williams Draw LBA) totaling 4,191.46 acres is pending.

Page 1-10 states that with the inclusion of lease modifications UTU-014218 and UTU-0126947 the total permit area associated with the Lila Canyon Mine is 5,343.19 acres. This acreage is shown on Plate 1-1, and the legal description given on Pages 1-10 and 1-11.

jeatchel

Reporting of Technical Data

Analysis:

The application meets the State of Utah R645 requirements for Reporting of Technical Data.

The amendment satisfies the requirements of R645-301-130 because the narrative in Chapter 1 addresses how technical information within the application was collected and analyzed. Pages 1-12 and 1-13 state that all technical data is accompanied by the names of persons or organizations that collected and analyzed the data. The data also contains the dates of collection and the methods used to collect and analyze the data. Professionals qualified in the subject matter planned or directed the technical analyses. These methods are exemplified by Appendix 3-1a which has been added to the MRP. This appendix describes the vegetation mapping completed by Dr. Patrick Collins of Mt. Nebo Scientific, Inc. This vegetation mapping is used to analyze the proposed lease modification areas as well as potential future leasing in the Williams Draw areas.

jeatchel

Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

The application meets the State of Utah R645-301-411 requirements for Historic and Archeological Resource Information.

No cultural resources are known to be present in the permitted area based on previous studies, however, a comprehensive survey covering the entire proposed area has not yet been conducted. This amendment proposes only first mining activity and does not include any surface disturbance and no subsidence is anticipated so any cultural resources that do exist in the proposed area will not be affected. Further permitting is required prior to engaging in longwall mining that may result in subsidence. At the time of that permitting, cultural resource inventories covering the entirety of the permit area must be submitted and SHPO consultation must occur.

tmiller

Vegetation Resource Information

Analysis:

The application meets the State of Utah R645-301-320 requirements for Vegetation Resource Information.

Vegetation community information for the proposed area is included in the updated Plate 3-2 of the amendment. The vegetation in the area is comprised mostly of pinyon/juniper with spruce/fir on northern exposures and a small amount of sagebrush/grass. Vegetation mapping methodology is also included for the proposed area, as well as the Williams Draw area, in Appendix 3-1a.

tmiller

Fish and Wildlife Resource Information

Analysis:

The application meets the State of Utah R645-301-322 requirements for Fish and Wildlife Resource Information.

Numerous maps have been updated to include the proposed area. Plate 3-1A depicts Raptor nest locations. No raptor nests are known to exist in the proposed area. Plate 3-1B shows no Rocky Mountain bighorn sheep or pronghorn habitat

in the proposed area. Plate 3-1C indicates the proposed area and surrounding terrain is part of elk winter habitat. Plate 3-1D shows a small portion of the proposed area serves as critical habitat for mule deer.

tmiller

Soils Resource Information

Analysis:

The application meets the State of Utah R645 requirements for Soils: Environmental Description.

In accordance with R645-301-221, a reconnaissance inspection of the 678.87 acre additional lease area confirmed the absence of prime or unique farmlands (Chapter 2, p. 3; and Appendix 1-9b, page A-3). The surface was formerly within the Turtle Canyon Wilderness Study Area (App. 1-9b, Section 1.5). These are wild lands that have never been cleared, plowed or irrigated. The Division confirmed the absence of prime or unique farmlands through the NRCS Web Soil Survey (Area of Interest: T16S R15E Sections 18, 19, 29 and 30).

The added lease area is in the Book Cliffs, between 6,000 and 7,000 ft. above sea level (App. 3-1a Vegetation Mapping Williams Draw). The habitat is identified as Pinyon-Juniper and Spruce/Fir, with wetlands in the drainages (Plate 3-2 Vegetation Map). The average annual precipitation is 10 inches (EA, Section 3.2.1.3). Appendix 1-9b (the Environmental Assessment) provides a general description of the lease area in Section 3.1.1.

This application correctly accounts for surface disturbed area of 40.11 acres (p. 1-11, Dwg 2-3). This adjustment brings Chapter 1 up to date with the accounting of disturbed vs. undisturbed on Dwg 2-3. The 40.11 acre disturbed area was approved in 2021 (Outgoing 05272021.6342). Table 1-1 identifies BLM surface ROW UTU-095176 of 18 acres which is for an exploration permit, not the mining permit. There is no additional surface disturbance associated with this lease addition (personal communication with P.J. Jensen 4/5/2022).

pburton

Geologic Resource Information

Analysis:

This application meets the State of Utah R645 requirements for Geologic Resource Information.

The Permittee has updated geological Plates 6-1 through 6-5 to include the new proposed permit boundary line that includes the addition of 678.87 acres. The overall geology of the lease modification and adjacent area is comparable to the current permit area within the MRP. Plate 6-3, Coal Isopach's and Plate 6-4, Cover and Structure, have also been updated to extend the projected isopaches throughout the proposed permit expansion area. Information on the nearest drill holes, S-16, S17, and S-18 and other surrounding drill hole data can be found in Chapter 6, section 6.5.1 Exploration and Drilling of the MRP. The proposed amendment is for the approval of first mining only, therefore subsidence is predicted to be minimal, if at all present. A future permit amendment will be submitted to include longwall mining in the area.

khinton

Probable Hydrologic Consequences Determination

Analysis:

This application does not meet the State of Utah R645 requirements for Probable Hydrologic Consequences Determination.

The application does not satisfy the requirements of the R645-301-728 because clarification is needed for the updates to the Probable Hydrologic Consequences Determination, Appendix 7-3. Page 13 of the updated PHC states new information that "no springs have been observed in the Central Graben or Williams Draw Fault areas". Paragraph three then states "these springs are located within the Central Graben Fault area", which contradicts the new information. This information must be updated and clarified or removed as it is not specifically associated with the current amendment.

Overall, Appendix 7-3 gives a detailed description of the natural surface and ground water systems within the associated lease and adjacent areas. The report is incorporated in the current MRP and states that coal mining at the Lila Canyon Mine will likely not result in significant adverse impacts to the hydrologic balance.

Deficiencies Details:

This application does not meet the State of Utah R645 requirements for Probable Hydrologic Consequences Determination. The follow deficiencies must be addressed prior to final approval:

R645-301-728: The amendment must clarify or remove the updated information on page 13 of Appendix 7-3, the PHC, in reference to the location of springs within the Central Graben Area.

khinton

Maps Surface and Subsurface Ownership

Analysis:

The application meets the State of Utah R645 requirements for Surface and Subsurface Ownership Maps.

The amendment satisfies the requirements of R645-301-521.131 and -521.132 because the application contains maps that show the boundaries of lands and names of present owners of record for the surface and subsurface within and adjacent to the new lease modification areas.

Plate 1-1 Permit Area Map gives a plan view of the entire permit area including the boundaries where first mining only is proposed. The boundaries are superimposed over a topographical surface and little else is shown on the map beyond major roads, railways, and high voltage power lines. The legend indicates the scale is 1:4000, where 1 inch = 4000 feet.

Plate 4-1 Surface Ownership is similar to Plate 1-1 but the topographical surface has been replaced by parcels of varying colors that indicate surface ownership. The scale is identical to Plate 1-1 and the legend contains a list of surface owners within and adjacent to the permit area. The map indicates that the most prominent surface owner is the Bureau of Land Management. A very small parcel of State-owned land straddles the north boundary of the proposed first mining area.

Plate 5-4 Coal Ownership is also very similar to the previously described maps in both scale and scope. Similar to Plate 4-1, this map also contains parcels of varying colors although in this case, the parcels indicate coal ownership. The legend contains a list of Federal leases that are shown on the map. All of the parcels on the map are also labeled to indicate the lease owner and acreage. The map clearly shows that the proposed first mining areas are within the boundaries of Federal leases #UTU-014218 and #UTU-0126947.

The attached plates will require certification by a professional engineer or land surveyor upon submission of clean copies at final approval.

jeatchel

Operation Plan

Mining Operations and Facilities

Analysis:

The application meets the State of Utah R645 requirements for Mining Operations and Facilities.

The application satisfies the requirements of R645-301-521 thru -521.142 because the amendment includes a narrative with maps indicating how the relevant requirements are met.

Narrative in Chapter 1 states that the Permittee obtained modifications to Federal coal leases #UTU-014218 and #UTU-0126947 in 2021, and this amendment is intended to bring portions of those modifications into the active permit area. Plate 5-4 shows which portions of these leases are proposed for incorporation into the permit. Copies of the lease modification documents are located in Appendix 1-9a. The surface and subsurface rights for these leases are owned by the Bureau of Land Management, and the environmental assessment (EA) is included in Appendix 1-9b. A total of 678.87 acres is proposed to be added to the permit, bringing the total permit area to 5,343.19 acres as stated on Page 1-10 of Chapter 1.

All of the plates within the amendment clearly illustrate the newly proposed acreage with a note that states coal extraction in these areas will be continuous miner (first mining) only, and a future amendment would be submitted to authorize subsidence longwall mining. Plate 5-5 shows the actual mine workings as of March 1, 2022, and illustrates where mining is anticipated between 2022 and 2026. Plate 5-5 further states that the newly proposed subsurface disturbance in the new lease modification areas is 403.21 acres.

Pages 44 through 48 of Chapter 5 give an update to the mine plan dimensions accounting for the new lease modification areas. Page 44 states that the depth of cover increased from 2,500' to over 3,000'.

jeatchel

Protection Public Places

Analysis:

The amendment meets the State of Utah R645-301-411 requirements for Protection of Public Parks and Historic Places.

This amendment proposes adding 678.87 acres of development mining to the existing permit. This proposal will not result in subsidence and there is no surface disturbance associated with this action. As such, no impacts to cultural resources are anticipated. There are no public parks or NRHP-eligible sites known to exist within the proposed area. A thorough inventory is underway for the area but due to the nature of this proposal, it is not required to be completed prior to approval of development mining. However, a complete report and SHPO consultation regarding any cultural resources in the area must be conducted prior to approval of any subsidence mining and/or surface disturbance.

tmiller

Subsidence Control Plan Subsidence

Analysis:

The application meets the State of Utah R645 requirements for Subsidence Control Plans.

The amendment satisfies the requirements of R645-301-525 because the amendment includes a narrative with maps indicating how the relevant requirements are met.

Pages 44 through 48 of Chapter 5 give an update to the mine plan dimensions accounting for the new lease modification areas. Page 44 states that the depth of cover increases from 2,500' to over 3,000'. The overburden isopach lines on Plate 5-5 show that the overburden depths slightly exceed 3,000 feet beneath the mains in the new lease modification area. The room-and-pillar style mining in the mains and bleeders are first mining only and will not produce subsidence.

The Plate 5-3 Subsidence Control Map has been updated to reflect the new mine plan. No new subsidence points have been added to Plate 5-3 because no subsidence is anticipated with the first mining only that is proposed for the new lease modification area. Once subsidence longwall mining is authorized in the new lease modification area then new subsidence points will be added.

jeatchel

Fish and Wildlife Protection and Enhancement Plan

Analysis:

The application meets the State of Utah R645-301-322 requirements for Fish and Wildlife Protection and Enhancement Plan.

This amendment proposes adding 678.87 acres of development mining to the existing permit. This proposal will not result in subsidence and there is no surface disturbance associated with this action. As such, no impacts to fish or wildlife, including threatened and endangered species, or habitats is anticipated.

tmiller

Vegetation

Analysis:

The application meets the State of Utah R645-301-331 requirements for Vegetation.

This amendment proposes adding 678.87 acres of development mining to the existing permit. This proposal will not result in subsidence and there is no surface disturbance associated with this action. As such, no impacts to vegetation, including threatened and endangered species, or habitats is anticipated.

tmiller

Hydrologic General

Analysis:

This application does not meet the State of Utah R645 requirements for Hydrologic General.

Appendix 7-12 Permit Expansion Hydrology Part 1 has been added as a summarization of the hydrology associated with the expansion area for this application. The Permittee has also included Appendix 7-12 Permit Expansion Hydrology Part 2. The Appendix 7-12 part 2 is titled the Final Hydrology Assessment Williams Draw Coal Tract Lease By Application UTU-80043. Williams Draw information will not be reviewed at this time.

Appendix 7-12 Permit Expansion Hydrology Part 1 includes relevant information and has been reviewed. It is important to note that this application is only for the approval of first mining, therefore no subsidence is anticipated.

The Permittee is amending the existing permit boundary to allow mining in Federal Lease UTU-0126947 Tract #2 and #UTU-014218 Tract 2. The area underlies portions of four ephemeral washes that flow from the Book and Roan Cliffs toward Little Park Wash. The drainages within the expansion area, shown on Plate 7-1, include IPA #1 Wash, Pine Spring Wash, Noname Wash, and Left Fork of Williams Draw.

Plate 7-1 displays seep and spring monitoring Locations that were previously monitored within the expansion area by several different companies including SUWA, Kaiser, South Lease and JBR/EF.

Deficiencies Details:

This application does not meet the State of Utah R645 requirements for Hydrologic General. The following deficiencies must be addressed prior to final approval:

R645-301-728: The amendment adds portions of federal coal leases #UTU-014218 (Tract 2) and #UTU-0126947 (Tract 2) to the permit area. Information pertaining to the Williams Draw Coal Tract #UTU-80043, Appendix 7-12 Permit Expansion Hydrology Part 2, is irrelevant and must be removed from the current amendment. If the Permittee believes that there is relevant information within the appendix, it must be added to Appendix 7-12 part 1, which is specifically related to the current amendment.

khinton

Hydrologic Ground Water Monitoring

Analysis:

This application does not meet the State of Utah R645 requirements for Hydrologic Ground Water Monitoring.

The application does not satisfy the requirements of R645-301-722.200 because there are discrepancies between Plates 7-1 and 7-4 for groundwater monitoring locations and additional locations must be selected for monitoring. Plate 7-4 indicates that LS-002 is being added as a water monitoring location, however, it is in a different location than indicated on Plate 7-1 Permit Area Hydrology. If LS-002 is being added to the Water Monitoring Locations, updates must also be made to the appropriate sections in Chapter 7 including Table 7-3 in the MRP.

The Permittee currently monitors L-8-G (spring), L-9-G (spring) and IPA #1 (well) near the expansion area as required in their MRP. These locations are adjacent to the permit expansion area. Appendix 7-12 part 1, and Plate 7-1 includes additional information on springs in the area that were monitored by several different companies over the years.

Due to potential longwall mining and subsidence in the future, at least two additional seeps or springs must be added to the water monitoring program within the MRP. The Permittee must select the most representative locations based on the PHC within the expansion area and sample for baseline parameters according to the approved MRP. Adding these sampling locations will allow for data to be collected before, during and after mining has occurred within the area. Plate 7-1 and additional information included in Appendix 7-12 part 1 indicates that there are several seeps and springs within the 678.87 acres that have previously been monitored by several different companies.

Deficiencies Details:

This application does not meet the State of Utah R645 requirements for Hydrologic Ground Water Monitoring. The following deficiencies must be addressed prior to final approval:

R645-301-700: The Permittee must ensure the LS-002's location is correct both Plate 7-1 and Plate 7-4. If LS-002 is being added to Plate 7-4, water monitoring locations, additional information within Chapter 7 must also be updated. The permittee must also include, at a minimum, two additional groundwater monitoring locations based on the PHC determination. The locations will be sampled for baseline parameters in accordance with the approved MRP and added to water monitoring program. The selected sites must be the most representative of the area to be mined. Updates must include adding the water monitoring locations to the appropriate sections in Chapter 7, Appendix 7-8, Table 7-3, and Plate 7-4.

khinton

Hydro Surface Water Monitoring

Analysis:

This application meets the State of Utah R645 requirements for Hydro Surface Water Monitoring.

The application satisfies the requirements of R645-301-731.220 because surface water baseline information has been included or is in the currently approved MRP. The lease modification area underlies portions of four ephemeral washes that flow from the Book and Roan Cliffs toward Little Park Wash. The drainages within the expansion area, shown on Plate 7-1, include IPA #1 Wash, Pine Spring Wash, Noname Wash, and Left Fork of Williams Draw.

The surface water data was submitted through the Annual Report process from 2008 through 2013. The Permittee was required to install rain gauges, as well as crest stage gauges and siphon samplers. The annual reports associated with this data are included with this amendment as part of Appendix 7-12 part 1. This information documented flow characteristics of the flows within the affected drainages. It was concluded that the stream characterizations had been met through the information provided and monitoring was discontinued. However, the Permittee has continued to monitor precipitation within the Little Park Drainage. Additional information on the Surface Water Characterizations is within the approved MRP in Appendix 7-7 and modeling results is located within the MRP in Appendix 7-8.

There are no surface waters in the area that require monitoring and there is no subsidence suspected or surface disturbance related to the permit area expansion because it is development mining only.

khinton

Maps Affected Area

Analysis:

The application meets the State of Utah R645 requirements for Affected Area Maps.

The amendment satisfies the requirements of R645-301-521.141 because the application contains maps that show the boundaries of all areas proposed to be affected over the life of the mining and reclamation operations.

Plate 5-1 Previously Mined Areas shows a plan view of the permit area at a scale of 1:4000. Also shown are the proposed boundaries of the new lease modification areas to the southeast of the current permit area. The old mined-out workings adjacent to the current permit area to the north are also shown.

Plate 5-3 Subsidence Control Map shows a detailed plan view of the permit area at a scale of 1:300 (1 inch = 300 feet). The entirety of the permit area boundaries are shown superimposed over a muted topographical map. The current active underground mine workings are shown along with the proposed first mining areas within the Federal lease modification boundaries. A note within the map clarifies that the coal extracted within the proposed lease modification boundaries will

be via first mining only and future amendments will pursue authorization to mine using longwall methods. Scattered across the entire surface of the permit area are small blue dots that represent subsidence monitoring points. Above the longwall panels are green cross-hatched polygons that represent the maximum extents of potential subsidence using a 21.5° draw angle. The map also depicts other surface features such as faults, coal outcrops, and surface facilities.

Plate 5-3a is identical to Plate 5-3 except that confidential features such as Golden Eagle and Raven nesting locations are shown.

The attached plates will require certification by a professional engineer or land surveyor upon submission of clean copies at final approval.

jeatchel

Maps Mine Workings

Analysis:

The application meets the State of Utah R645 requirements for Mine Workings Maps.

The amendment satisfies the requirements of R645-301-521.111, -521.142, and -525.420 because the application contains maps that show the underground workings and the location and extent of areas in which planned subsidence mining methods will be used including areas where measures will be taken to prevent subsidence.

Plate 5-5 Mine Map With Projections shows a detailed plan view of the permit area at a scale of 1:3000 (1 inch = 3000 feet). The current active underground mine workings are shown along with the proposed first mining areas within the Federal lease modification boundaries. A note within the map clarifies that the coal extracted within the proposed lease modification boundaries will be via first mining only and future amendments will pursue authorization to mine using longwall methods. Sections of mine workings are color-coded to indicate specifically where mining is anticipated to occur for the 5-year permit term between 2022 and 2026. Also present on the map are separate contours that indicate coal seam thickness and depth of overburden. The map also depicts other surface features such as faults, coal outcrops, and surface facilities.

The attached plates will require certification by a professional engineer or land surveyor upon submission of clean copies at final approval.

jeatchel

CHIA

CHIA

Analysis:

This application meets the State of Utah R645 requirements for CHIA.

R645-303-224.200-.300: The additional 678.87 acres proposed to be added to the total permit area does not include operations outside of the cumulative impact area, as defined within the currently approved Cumulative Hydrologic Impact Area (CHIA). The CIA is defined in the Book Cliffs Area V Cumulative Hydrologic Impact Assessment. The additional area does not include operations in hydrologic basins other than those authorized in the approved permit. The CHIA does not need to be revised at this time.

khinton