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# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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November 4, 2011

TO: Internal File

THRU: Steve Christensen, Lead SKC

FROM: Ingrid Campbell, Environmental Scientist UC

RE: Cultural Resource Surveys, Canyon Fuel Company LLC, Dugout Mine, Permit # C/007/0039 and Project # 3944

## SUMMARY:

On October 25, 2011, the Division received an application to incorporate two cultural resource surveys into the Dugout Mine Mining and Reclamation Plan. The surveys cover areas that are proposed for a new waste rock site and Settlement pond along the Dugout Canyon Road. Canyon Fuel Company (CFC) submitted the surveys ahead of the amendment in order for the Division to have adequate time to receive concurrence on their findings from the Utah State Historic Preservation Office.

The Division finds that no cultural resources should be affected by the proposed Waste Rock Disposal Project. The application is recommended for conditional approval pending concurrence from the Utah State Historic Preservation Office.

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**TECHNICAL ANALYSIS:**

**ENVIRONMENTAL RESOURCE INFORMATION**

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

**HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION**

Regulatory Reference: 30 CFR 783.12; R645-301-411.

**Analysis:**

CFC submitted two cultural resource surveys for the proposed area of the new waste rock disposal site and Settlement Pond along the Dugout Canyon Road.

The first survey, SPUT 616, An Intensive Cultural Resource Survey and Inventory of the Proposed New Waste Rock Disposal Site and Settlement Pond along Dugout Canyon Road, is located in the East ½ of the NE ¼ of Section 18 and a portion of the NW ¼ of Section 17 in T14S, R12E in Carbon County. The proposed sediment pond is located in the NW/NW ¼ of Section 17 of the same section. The report was Prepared by John A. Senulis of Senco-Phenix on September 26, 2011. Mr. Senulis conducted the survey in accordance with Utah State Guidelines Antiquities Permit # U11SC0725p. The proposed expansion for the disposal site and is a 21 acre area located on private property owned by CFC in Dugout Canyon.

Mr. Senulis preformed the intensive Class III pedestrian survey of the area using meandering transects spaced a maximum for 15 meters apart. One archeological site and three isolated findings were discovered during the survey, none of which were recommended for nomination in the National Register of Historic Places. The site, 42CB3009, was a sparse lithic scatter without depth or features. There were 5 secondary, 5 primary and 1 blade flakes. No person or event could be associated with the site, and the site did not have structural features or design criterion, therefore making it ineligible for listing. The isolated findings consisted of tin cans, flakes and a glass base of a medicine bottle. The report concluded that the proposed waste disposal site should have no effect on archeological or cultural resources.

In addition to the intensive pedestrian survey, the report also included a file search conducted online at the UDSH website on September 5 and 7, 2011. No cultural resources or sites were located on the project area.

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The second survey, SPUT 607, An Intensive Cultural Resource Survey and Inventory of the Proposed Waste Disposal Site along Dugout Canyon Road, is located in the Sw/Se  $\frac{1}{4}$  Section 5 and the NW/NE  $\frac{1}{4}$  and E  $\frac{1}{2}$  of the NE/NW  $\frac{1}{4}$  and NE  $\frac{1}{4}$  of the SE/NW  $\frac{1}{4}$  of Section 8, T14S, R12E in Carbon County Utah. John Senulis of Senco-Phenix prepared the report on June 23, 2011. Mr. Senulis conducted the survey in accordance with the BLM and the Utah State Guidelines Antiquities Permit # U11SC0066p. The proposed storage area is a 90 acre area on private CFC land in Dugout Canyon.

Mr. Senulis preformed a class III intensive walkover survey on June 6, 8, and 11, 2011 using meandering transects spaced a maximum of 15 meters apart. Two isolated findings were discovered including a tin can and a brass cap. Neither finding was eligible for listing in the National Register of Historic Places.

Mr. Senulis also conducted a class I file search online at the UDSH website on February 28 and March 24, 2011. No sites or cultural resources were located on the proposed project area.

The Division sent the two survey reports along with their finding of no effect to the USHPO office on November 4, 2011 for concurrence.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements of this Section. The Division finds that no cultural resources should be affected by the proposed Waste Rock Disposal Project.

**RECOMMENDATIONS:**

The application is recommended for conditional approval pending concurrence from the Utah State Historic Preservation Office.