

0010



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PRICE, UTAH 84501  
PHONE: (435) 564-4000  
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RECEIVED  
FEB 01 2002  
DIVISION OF  
OIL, GAS AND MINING

February 01, 2002

Incoming  
C10071041-PMOIT

Utah Coal Program  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

**Re: Response to Technical Analysis of 1/16/02, Whitmore LBA Permit Change, WEST RIDGE Resources, Inc., West Ridge Mine, ACT/007/041.**

Dear Sirs:

WEST RIDGE Resources, Inc. is submitting the responses to the 1/16/02 Technical Review of the Whitmore LBA permit change application.

Please call if you have any questions or problems.

Sincerely,

Dave Shaver  
Manager of Technical Services

# APPLICATION FOR PERMIT PROCESSING

Permit Change <input checked="" type="checkbox"/>	New Permit <input type="checkbox"/>	Renewal <input type="checkbox"/>	Transfer <input type="checkbox"/>	Exploration <input type="checkbox"/>	Bond Release <input type="checkbox"/>	Permit Number: C/007/041
Title of Proposal: 2/1/02 Response to TA of 1/16/02 (Whitmore LBA)						Mine: WEST RIDGE
						Permittee: WEST RIDGE Resources, Inc.

Description, include reason for application and timing required to implement: Responses to Technical Review of Permit Change Application for the Whitmore LBA Extension

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

Attach 3 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

Signed: William J. Tech Serv 2/1/02  
Name - Position - Date

Subscribed and sworn to before me this 1st day of February 2002

Rada J. Rogers  
Notary Public

My Commission Expires: Feb 02, 2007  
Attest: STATE OF UTAH  
COUNTY OF CACHE



**RADA J. ROGERS**  
NOTARY PUBLIC • STATE OF UTAH  
2150 N. LUNDY LANE  
P O BOX 128  
CLEVELAND UT 84518  
COMM. EXP. 10-2-2002

Received by Oil, Gas & Mining

FEB 06 2002

DIVISION OF  
OIL, GAS AND MINING

ASSIGNED TRACKING NUMBER

## Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application: 2/1/02 Response to TA of 1/16/02 (Whitmore LBA)

Permit Number: C/007/041

Mine: WEST RIDGE

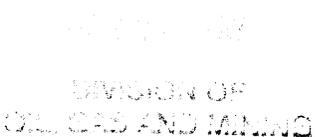
Permittee: WEST RIDGE Resources, Inc.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. Include page, section and drawing numbers as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 5-6, 5-23 clarify statement about Grassy Trail reservoir more than 20 acre-feet
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	in permit area (R645-300-121.200)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
2 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 7-17, 7-18, 7-19, 6-1 corrected typographic errors (R645-300-133.100)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
3 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 5-21, maps 5-7, 5-4A, 6-2, 6-3 show subsidence within permit area only
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	(R645-300-140)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
4 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 5-6, 5-22, App 5-8 pre-subsidence survey (R645-300-521.100)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
5 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 5-6, 5-23 Grassy Trail reservoir located in permit area (R645-300-521.200)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
6 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 5-10, 5-23, 5-23a measures to prevent subsidence damage to Grassy Trail
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	reservoir (R645-300-525.450 and r645-301-535.311)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
7 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	App 6-7 pg 6, 7 violation information (R645-301-113)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
8 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 1-11, 1-12, 1-13a,b,c, 1-14, App1-12, App1-13 legal description correction
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	(R645-301-114)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
9 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	App 1-12, App 1-13 right of entry information (R645-301-114)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
10 <input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Map 3-1 extend vegetation map (R645-301-321)

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

## Application for Permit Processing Detailed Schedule of Changes to the MRP

Title of Application: 2/1/02 Response to TA of 1/16/02 (Whitmore LBA)

Permit Number: C/007/041

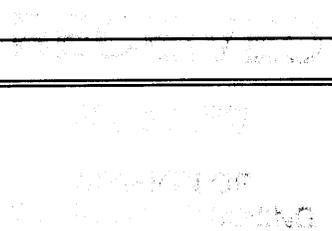
Mine: WEST RIDGE

Permittee: WEST RIDGE Resources, Inc.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit application. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

### DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
11 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 3-10, App 3-10 raptor nest survey (R645-301-322)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
12 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 3-5 Discussion of bats (R645-301-322)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
13 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 3-2, App 3-12 (to be added later) description of riparian habitat along Grassy Trail
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Creek (R645-301-322)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
14 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 3-5, App 3-11 Yellow billed cuckoo discussion (R645-301-322)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
15 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 3-9 water consumption discussion (R645-301-333)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
16 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 6-6, App 6-2 Heterogeneous nature of lithology (R645-301-624)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
17 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 7-22, 7-22a, 7-23, 7-24 information on Well 86-2 (R645-301-731.200)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
18 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 7-30, 7-31 Stream buffer zone (R645-301-731.600)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
19 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 2-21, App 2-7 alluvial valley floor (R645-302-320)
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
20 ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 1-15 Attch 1-6 proof of publication
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

  
 [Signature]  
 [Stamp]  
 [Date]



DECISION RECORD (DR)  
 and  
 FINDING OF NO SIGNIFICANT IMPACT (FONSI)  
 for the  
 Whitmore Canyon Federal Coal Tract  
 EA Log No. UT-070-2000-73 DNA

U.S. DEPARTMENT OF INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 UTAH STATE OFFICE  
 PRICE FIELD OFFICE

*Sally Wisely*

Sally Wisely  
 Utah State Director  
 Bureau of Land Management

*10/25/01*

Date

Bureau of Land Management  
Utah State Office  
DR and FONSI

For

Coal sale for the Whitmore Canyon Federal Coal Tract  
EA Log No. UT-070-2000-73 DNA

## I. INTRODUCTION

This document records the decision made by the Bureau of Land Management (BLM) for managing public lands involved with the Whitmore Canyon Federal Coal Tract. The project area is located in the Book Cliffs area administered by the Price Field Office, Carbon County, Utah near the town of East Carbon City, Utah. This Federal coal tract contains 1646.34 acres and is contiguous to Federal coal lease (SL-068754-U-01215) which is held by the co-owners, Andalex Resources, Inc., and Intermountain Power Agency.

### Background

On September 30, 1999 Andalex Resources, Inc., and Intermountain Power Agency made application to the Bureau of Land Management, Utah State Office to lease Federal coal on a tract of land which was subsequently named the Whitmore Canyon Tract with serial number UTU-78562. This property as currently proposed will be mined by underground mining methods from the adjacent West Ridge mine. This property lies north of East Carbon City in Carbon County, Utah. At the present time there are no surface facilities anticipated for this mine extension. This property was once part of a Federal coal lease (SL-062966-U-010140) but was never mined.

Many NEPA documents have been prepared for this area. The most recent are:

Sunnyside Mines, Kaiser Coal Corporation, Environmental Assessment, OSM, December 1985.  
"C" Canyon Road and West Ridge Resources coal mine, Environmental Assessment, BLM, May 1998.  
West Ridge Mine, Environmental Assessment, OSM, May 1999.  
Cumulative Hydrological Impact Assessment, DOGM, March 1999.

The Sunnyside Mines EA included a detailed discussion of impacts to both ground and surface hydrology. In addition to the surface hydrology and ground water, the "C" Canyon Road and West Ridge Resources coal mine, EA, May 1998, discusses the ground water quality, Native American Trust assets, and noxious weeds that are required to be addressed. These documents did not analyze the impacts of coal leasing, they analyzed the impacts of coal mining. These are essentially the same because if a coal lease is issued the likelihood of mining the coal is very high. The lease authorizes mining. The mining results in impacts on the human environment.

The determination of NEPA Adequacy (UT-070-2000-73) states that the coal should be leased using the standard BLM special coal leasing stipulations as mitigation steps for the coal lease. The monitoring of the coal lease and the mining will be under the regulations for coal leasing (43 CFR 3400) and reclamation (30 CFR parts 700-955)

## II. FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in previous environmental documents and referenced in the Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA), I have determined that impacts of leasing the coal tract are not expected to be significant and an environmental impact statement is not required.

1. There will be no surface facilities.
2. The potential for impacts on topography and surface and groundwater hydrology have been addressed and properly mitigated through lease stipulations and the requirement for subsequent reviews of the mining plan.

## III. DECISION RECORD

### A. Decision

It is my decision to hold a competitive coal lease sale of the proposed Whitmore Canyon Tract which may result in a Federal coal lease being issued by BLM. If BLM issues a coal lease, then either underground coal mining will take place on this parcel of land or the lease will be relinquished without underground coal mining. The only logical access to these coal reserves at this time is from the existing mine workings of the West Ridge mine. If the coal reserves were to be mined from another access, a new site-specific Environmental Analysis would have to be completed.

### B. Management considerations and rationale

The BLM has decided to offer the lands for lease with eventual mining to take place. This decision was based on the following:

1. The action is not adverse to local, state or Federal land use plans for the area.
2. The proposed action is in conformance with the Price River Planning Area Management Framework Plan.
3. The Grassy Trail Reservoir may require monitoring as mining progresses. BLM has the authority to restrict coal mining in the area if necessary in order to protect the reservoir and still obtain Maximum Economic Recovery (MER) of the coal reserve. The decision or evaluation on the reservoir is premature at this time because private coal would have to be obtained by the Lessee in order to have significant impacts. Because of this, BLM will require the Lessee to submit a plan on monitoring and protecting the reservoir prior to mining.
4. The proposed action would not cause any significant environmental impacts.
5. The proposed lease tract would provide significant coal reserves adjacent to an existing Federal coal lease where mining is ongoing and would avoid a potential waste of Federal coal.

## IV. PUBLIC INVOLVEMENT

Public participation in the development of the West Ridge mine was solicited through publication for four consecutive weeks in the Sun Advocate in May and June 1998. The EIS's included numerous opportunities for the public to comment on mining activities in the area of the Whitmore Canyon Tract.

A public notice and scoping of the proposed lease sale for the Federal Coal Lease application for the Whitmore Canyon Tract was published in the Sun Advocate on July 20, 2000 and letters were sent to all

surface owners within the proposed lease area on July 18, 2000. One comment was received in favor of the action.

A notice was published in the Federal Register on October 31, 2000 requesting a public hearing on the Fair Market Value, Maximum Economic Recovery and NEPA adequacy for the Whitmore Canyon Coal Tract. This hearing was also published in the Sun Advocate on November 9, 2000. The meeting was held on November 14, 2000 in Price, Utah and a total of 5 persons attended the meeting. No formal statements by members of the public were made at the hearing.

## V. APPEALS

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is filed, you then have 30 calendar days after the date of this decision to appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulation at 43 CFR Part 4. The appellant has the burden of showing that the decision is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and the petition for a stay also must be submitted to the Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if a stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of the immediate and irreparable harm if the stay is not granted, and;
- (4) Whether the public interest favors granting the stay.

C:\TEMP\tempenbb form.wpd November 26, 2001

ENVIRONMENTAL NOTIFICATION BULLETIN BOARD INFORMATION	
PROJECT NAME: West Ridge Coal Lease	
OFFICE: UT-070 (field office code)	
CONTACT: Steve Falk PHONE #: (435) 636-3605	
PROJECT NUMBER: UT-070-2000-73DNA DOCUMENT TYPE: (Please place X in one) <input checked="" type="checkbox"/> AD <input type="checkbox"/> CX <input type="checkbox"/> EA <input type="checkbox"/> EIS FILE NUMBER: (i.e. Serial # UTU-) UTU-78562	
PRIMARY PROGRAM: (Please place an X for all Programs involved) <input type="checkbox"/> Cultural <input type="checkbox"/> Fire <input type="checkbox"/> Lands & Realty <input checked="" type="checkbox"/> Minerals <input type="checkbox"/> Range <input type="checkbox"/> Recreation <input type="checkbox"/> Vegetation <input type="checkbox"/> Watershed <input type="checkbox"/> Wild Horses <input type="checkbox"/> Wildlife <input type="checkbox"/> Planning <input type="checkbox"/> Other (list):	
PROJECT DESCRIPTION: Coal Mining Lease expansion for the West Ridge coal mine	
TOWNSHIP, RANGE, SECTION: (Please list all Townships, Ranges & Sections involved or attach list of township & ranges)	
T. 13 S., R. 13E., SLM, Utah Sec. 35, S2SW, SE	T. 14 S., R 13 E., SLM Utah Sec. 1, lots 2-7, SWNE, S2NW, SW, W2SE; Sec. 12, lots 1-4, S2N2, NESW, SE; Sec. 13, NENE
T. 14 S., R.14 E., SLM Utah Sec. 6, lot 6; Sec. 7, lots 3 and 4; Sec. 18, lot 1, E2NW	
LOCATION/DESCRIPTION/OTHER REMARKS:	
COUNTY: (Please place an X for all counties involved) <input type="checkbox"/> Beaver <input type="checkbox"/> Box Elder <input type="checkbox"/> Cache <input checked="" type="checkbox"/> Carbon <input type="checkbox"/> Daggett <input type="checkbox"/> Davis <input type="checkbox"/> Duchesne <input type="checkbox"/> Emery <input type="checkbox"/> Garfield <input type="checkbox"/> Grand <input type="checkbox"/> Iron <input type="checkbox"/> Juab <input type="checkbox"/> Kane <input type="checkbox"/> Millard <input type="checkbox"/> Morgan	COUNTY (continued): <input type="checkbox"/> Piute <input type="checkbox"/> Rich <input type="checkbox"/> Salt Lake <input type="checkbox"/> San Juan <input type="checkbox"/> Sanpete <input type="checkbox"/> Sevier <input type="checkbox"/> Summit <input type="checkbox"/> Tooele <input type="checkbox"/> Uintah <input type="checkbox"/> Utah <input type="checkbox"/> Wasatch <input type="checkbox"/> Washington <input type="checkbox"/> Wayne <input type="checkbox"/> Weber Other: _____
SPECIAL INTERESTS: (Please place an X for all Special Interests involved)	
<input type="checkbox"/> ACEC <input type="checkbox"/> Critical Habitat <input type="checkbox"/> Cultural <input type="checkbox"/> Fire Rehabilitation <input type="checkbox"/> Riparian <input checked="" type="checkbox"/> T&E <input type="checkbox"/> Visual Resources <input type="checkbox"/> Designated Wilderness/WSA <input type="checkbox"/> Wild & Scenic Rivers <input type="checkbox"/> Wilderness Inventory Areas with Wilderness Characteristics <input type="checkbox"/> Other Wilderness Concerns	
DATE OF ACTION: October 25, 2001	STATUS: DECISION RECORD SIGNED
EA started	

3425  
UTU-78562  
UT-070

**DECISION RECORD/FINDING OF NO SIGNIFICANT IMPACT**

EA Log No.: UT-070-2000-73 DNA

Project Name: Whitmore Canyon  
Coal Lease Tract

EA Preparation Date: May 4, 2001

BLM Office: Price Field Office

County: Carbon

BLM Office Location: Price, Utah

Phone No.: (801) 636-3600

Applicant: Andalex Resources, Inc.

Phone No.: (801) 637-5385

Address: P. O. Box 902  
Price, Utah 84501

EA Preparer: BLM, Price Field Office.

Phone No.: same

---

**RECORD OF DECISION**

**Decision:**

My decision is to recommend holding a lease sale of the Federal coal lease application with the existing standard lease stipulations. The authority for the lease sale is under the Mineral Leasing Act of 1920, as amended.

**Rationale:**

1. The action is not adverse to local, state or Federal land use plans for the area.
2. The proposed action is in conformance with the Price River Planning Area Management Framework Plan.
3. The proposed action would not cause any significant environmental impacts.
4. The proposed lease tract would provide significant coal reserves adjacent to

an existing Federal coal lease where mining is ongoing and would avoid potential coal bypass.

**Finding of No Significant Impact:** Based on the analysis of potential environmental impacts contained in previous environmental documents and referenced in the attached Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA), I have determined that impacts of leasing the coal tract are not expected to be significant and an environmental impact statement is not required.

*John C. [Signature] (Acting)*  
Field Office Manager

5/17/01  
Date

**Amendment to  
Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)  
EA file # UT-070-2000-73 DNA  
Whitmore Canyon Coal Lease Application  
Price Field Office, Bureau of Land Management**

As a result of further review, additional items need to be addressed or clarified for the subject DNA. This DNA references past environmental documents for similar proposals. Since the time of those past environmental documents, several items have been added to the list of critical elements of the human environment that need to be addressed. Some were done in the DNA under section D. 3. Other critical elements along with additional emphasis elements need to be discussed and further clarified.

1. Mexican Spotted Owl. We have reviewed the U. S. Fish and Wildlife Service designated critical habitat for the Mexican spotted owl as per Federal Register Notice published in February 2001. The proposed lease tract is approximately 4 miles distance from the nearest designated critical habitat boundary. A habitat model for Mexican spotted owl developed in 1997 by Dave Willy (a recognized expert on this species) was also reviewed. This model indicated that some elements of nesting roosting habitat may exist within the lease tract. However, due to the limited amounts of such habitat reflected present by the habitat model, the relatively high elevation of the general area (above 7,500 feet), the limited amount of cliff habitat present, results of survey work completed in similar nearby habitats, and the difference in habitat characteristics of known occupied nesting roosting habitat in our area, the habitat within the lease tract is considered marginal for roosting and nesting and only represents potential foraging habitat.

Brad Crompton and Chris Colt of the Utah Division of Wildlife Resources, Southeastern Region conducted an evaluation of the majority of this lease tract on October 9, 2001, see attached letter and map of their evaluation area dated, October 16, 2001. Based on their evaluation, they did not feel the lease tract contained suitable nesting roosting habitat. The reasons given for this determination were: 1, little to no cliff habitat was present on the tract; 2, absence of closed or narrow side canyons; 3, much of the tract was less than 40 percent slope; 4, vegetation was predominantly mountain brush with very little mixed conifer present; and 5, the high elevation of the tract which receives heavy snow accumulation (Chris Colt, pers. Comm., November 27, 2001).

Since mining of this coal tract would be done by underground mining methods from existing facilities no new surface facilities would be required on the lease tract. The only surface disturbance that could potentially occur would be associated with subsidence. The potential for surface expression of subsidence is considered slight, based on depth and geology of overburden and experience with similar mining operations in this area. The other potential impact to Mexican Spotted Owl habitat is potential interruption of springs, as a result of underground mining operations and or surface fracturing resulting from subsidence.

Considering that the lease tract represents potential Mexican spotted owl foraging habitat, the above described impacts may affect but not likely to adversely affect the Mexican spotted owl.

As an added precaution for conservation of this species, the following stipulation requiring appropriate inventory of the lease tract has been developed for inclusion as a least stipulation.

The holder of this lease shall be required to conduct appropriate surveys for Mexican spotted owls on the lease tract areas with 40 percent or greater slope, cliff habitat areas, riparian habitats, and mixed conifer forests habitats, prior to surface disturbing activity and or development with a potential to interrupt springs. Inventory work will be conducted by parties approved and permitted for such survey work by the Authorized Officer of the BLM and conducted following current protocols established by the USFWS.

2. Wilderness Study Areas and Other Wilderness Proposals and Inventories. The proposed lease area is not in any wilderness study areas, any wilderness proposals, or any re-inventory areas. The nearest area under any consideration for wilderness is some 15 miles to the east.

3. Native American Consultation. Underground mining of this lease area would cause no surface disturbance and would not affect any potential traditional sites. This area had been leased for coal before and many spot inventories have been done in the lease area. No known sites were noted nor were any traditional sites noted in any surrounding areas that have seen underground mining activities for decades.

**Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)  
UT-070-2000-73**

U.S. Department of the Interior Bureau of Land Management  
In Cooperation with U. S. Department of Interior Office of Surface Mining

**A. Describe the Proposed Action**

Andalex Resources, Inc. and Intermountain Power Agency has made application to lease Federal coal on a tract of land so named the Whitmore Canyon Tract with serial number UTU-78562, located adjacent to the existing West Ridge Mine property north of East Carbon City in Carbon County, Utah. The proposed lease tract contains 1,646.34 acres of unleased Federal coal with much of the surface estate held by private ownership. This lease tract was once apart of a Federal coal lease owned by Sunnyside Coal Company (coal lease SL-062966 -U-010140). The area of the proposed Whitmore Canyon Tract was never mined and was relinquished in 1995. As currently proposed, the Whitmore Canyon Tract will be mined by underground mining methods with no new surface facilities expected. It is also proposed that the coal will be mined from the adjacent West Ridge Mine.

BLM proposes to hold a competitive sale of the proposed Whitmore Canyon Tract. However, the only logical access to these coal reserves is from the new mine workings of the West Ridge Mine.

The coal lease may be offered with stipulations attached to it. A lessee's right to mine the coal in some manner is implied by issuance of the lease as modified by stipulations. A lessee must submit a permit application package (PAP) and a resource recovery and protection plan and receive UDOGM and Assistant Secretary of the Interior approval before being allowed to mine the coal. However, if the lessee was to propose in the PAP mining the Whitmore Canyon tract by some other method than by access from an existing underground mine a site-specific EA would be required. ← *Stipulations?*

**B. Land Use Plan (LUP) Conformance**

LUP Name Price River MFP Date Approved October 1984  
Other document \_\_\_\_\_ Date Approved \_\_\_\_\_

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Minerals -1. Allow and encourage development of those leasable minerals known to occur within the planning area in accordance with current laws and regulations so as to aid in filling the local and national energy requirements.

**C. Identify applicable NEPA documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action

Development of Coal Resources in Central Utah, Final Environmental Impact Statement, Part 2 Site Specific analysis, US Geological Survey, 1979.

Unita-Southwestern Utah Coal Leasing, Final Environmental Impact Statement, BLM, 1981.

Unita-Southwestern Utah Coal Region Round Two, Final Environmental Impact Statement, BLM, 1983

Sunnyside Mines, Kaiser Coal Corporation, Environmental Assessment, OSM, December 1985.

C Canyon Road and West Ridge Resources coal mine, Environmental Assessment, BLM, May 1998.

West Ridge Mine, Environmental Assessment, OSM, May 1999.

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report)

Technical Analysis Sunnyside Mines, OSM, 1985

Technical Analysis and Findings, State of Utah, Division of Oil, Gas, and Mining, West Ridge Mine, 1999

Cumulative Hydrologic Impact Assessment, UDOGM, March 3, 1999.

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?**

Documentation of answer and explanation: YES

The proposed action of leasing and ultimately mining the Whitmore Canyon Tract is essentially the same action as that which was analyzed in the previously NEPA documents (Sunnyside Mines, EA, December 1985; C Canyon Road and West Ridge Resources coal mine, EA 1998; and the West Ridge Mine, EA 1999). The impact of mining this tract of land was also considered under each of the five alternatives in the 1981 and the four alternatives in the 1983 coal leasing EISs as part of the baseline including "No Action". However, even though the documents did not specifically analyze the impacts that would result from coal leasing, analyzing the impacts of coal mining is the same as analyzing the impacts from leasing. The end result is that the description of the affected environment and the analysis of impacts of the proposed action and alternatives on the environment are identical.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?**

Documentation of answer and explanation: YES

The range of alternatives that should have been analyzed in the NEPA documents include: 1) leasing,; 2) leasing with stipulation; and 3) no leasing. However, the alternatives that were analyzed in the NEPA documents were: 1) mining; 2) mining with conditions; and 3) no mining ( Sunnyside Mines, EA, OSM, 1985; C Canyon Road and West Ridge Resources coal mine, EA, 1998; and West Ridge Mine, EA, OSM, 1999) are essentially the same. They are essentially the same because the NEPA document alternatives are leasing but the analysis is the impact that mining the coal would have on the affected environment. Thus even though the documents did not specifically analyze the impacts that would result from coal leasing, analyzing the impacts of coal mining is the same as analyzing the impacts from leasing. The end result is that the description of the affected environment and the analysis of impacts of the proposed action and alternatives on the environment are identical.

**3. Is the existing analysis valid in light of any new information or circumstances?**

Documentation of answer and explanation: YES

Since the publication of the three FEISs and the EA that discuss the environmental impacts of mining the Sunnyside leases which the Whitmore Canyon Tract is apart of; ground water quality, Native American Trust assets, and noxious weeds have been added to BLM's list of critical elements of the human environment that need to be addressed. The C Canyon Road and West Ridge Resources coal mine, EA, May 1998 did discuss these additional critical elements. The Sunnyside Mines, Kaiser Coal Corporation EA did include a detailed discussion of impacts to both ground and surface hydrology. The affected environment (pages 5-7) include a discussion of Grassy Trail Reservoir. The impact section (pages 10-15) includes discussions on dewatering, subsidence, Grassy Trail Creek, Icelander Drainage, and Alluvial Valley Floors. No new information or circumstances are known to the interdisciplinary team beyond those addressed in the NEPA documents.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?**

Documentation of answer and explanation: YES

The methodology and analytical approach used in the one coal mining EIS, two coal leasing EISs, and two coal mining EA's are appropriate for the proposed leasing. The entry to the coal would be from a different direction and the extraction method would be probably by longwall.

The basic analysis assumptions included in the documents are still applicable to the current proposal. The bottom line is that the surface impacts from the action is not substantially different that what was analyzed in the previous five NEPA documents.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?**

Documentation of answer and explanation: YES

The Whitmore Canyon tract of land is adjacent to the B Canyon Mine which was site specifically analyzed in the Development of Coal Resources in Central Utah, FEIS, 1979. This B Canyon Mine is the same tract that later was approved for coal mining as the C Canyon mine in 1999 by BLM and OSM. This mining plan approval by the Assistant Secretary, Land and Minerals Management included both the C Canyon Road and West Ridge Resources coal mine, EA 1998 and the West Ridge Mine, EA, OSM, 1999. These EA's include baseline data for the western parts of the proposed tract to be leased. The resource recovery and protection plan included in the approved West Ridge permit application package(PAP) projected the company mining the Whitmore Canyon tract if a lease could be obtained. Therefore, the West Ridge EA looked beyond just the leases included in the PAP.

The Whitmore Canyon tract proposed for leasing was part of the leases included in the Sunnyside Mines, Kaiser Coal Corporation, EA 1985. This EA covered over 14,000 acres of proposed mining. The EA addressed mining by underground methods from the existing Sunnyside mine and specifically addressed the potential impacts of mining on: Land Use, Soils, Vegetation, Groundwater Hydrology, Surface water, Fish and Wildlife resources, Topography, Socioeconomics, Cultural Resources, and Subsidence.

Mining the proposed tract by underground methods could affect hydrology, topography, and wildlife. Of these resources hydrology is the greatest concern and the EA has a length discussion. The affected environment (pages 5-7) include a discussion of Grassy Trail Reservoir. The impact section (pages 10-15) includes discussions on dewatering, subsidence, Grassy Trail Creek, Icelander Drainage, and Alluvial Valley Floors. The Technical Analysis prepared by UDOGM on the West Ridge PAP includes a detailed discussion of the hydrology of this area (pages 20-34 and 53-63). Also the CHIA prepared by UDOGM includes the impact of all anticipated mining upon surface- and ground- water in the area.

The impacts that would result from mining this tract from the existing C Canyon Mine even though the underground access would be from a different direction that analyzed in the above NEPA documents would be the same.

**6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA**

**document(s)?**

Documentation of answer and explanation: YES

The tract of land proposed to be leased by this action was previously leased for coal mining. The land was part of coal lease SL-062966 -U-010140. This lease was terminated in 1995. The cumulative impacts of proposed mining (all existing leases) and future mining (those tracts proposed for leasing) were analyzed in both rounds 1 and 2 of the Unita-Southwestern coal Final Environmental Impact Statements 1981 and 1983.

The impacts of mining the tract proposed for leasing was also analyzed as part of the Kaiser Coal Corporation's Sunnyside Mine Environmental Assessment by OSM in 1985. This EA covered over 14,000 acres of proposed mining and specifically addressed the potential impacts to Grassy Trail Reservoir and Grassy Trail Creek.

Mining the proposed tract by underground methods could affect hydrology, topography, and wildlife. Of these resources hydrology is the greatest concern and the EA has a lengthy discussion. The affected environment (pages 5-7) includes a discussion of Grassy Trail Reservoir. The impact section (pages 10-15) includes discussions on dewatering, subsidence, Grassy Trail Creek, Icelander Drainage, and Alluvial Valley Floors. The Technical Analysis prepared by UDOGM on the West Ridge PAP includes a detailed discussion of the hydrology of this area (pages 20-34 and 53-63). Also the CHIA prepared by UDOGM includes the impact of all anticipated mining upon surface- and ground- water in the area.

The two EISs and the EA specifically includes this tract of land and the impacts that would result from leasing the land and the subsequent mining by underground methods are substantially the same as those that were discussed in those documents.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Documentation of answer and explanation: YES

The public involvement and interagency review procedures and findings made through the Kaiser Coal Corporation's Sunnyside Mine EA 1985 and mine plan approval and the C Canyon Road and West Ridge Resources coal mine EA 1998 and mine plan approval are adequate for the proposed coal lease sale.

Public participation in the development of the West Ridge mine was solicited through publication for four consecutive weeks in the Sun Advocate in May and June 1998. Public participation in the approval of the Sunnyside mine was solicited for four consecutive weeks in December 1985. The EISs included numerous opportunities for the public to comment of mining

activities in the area of the Whitmore Canyon Tract.

Both the Sunnyside mine and the C Canyon mine approvals included detailed coordination with Federal and State Agencies. The level of this coordination is appropriate for this leasing.

Notice of the proposed lease sale was published in the Sun Advocate on July 20, 2000 and letters were sent to all surface owners within the proposed lease area on July 18, 2000. Neither of these notices resulted in substantive comments or concerns about the project.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

<u>Name</u>	<u>Title</u>
Stephen Falk SWF	Project Manager
David Mills DM	Wildlife
Ray Jenson RJ	Range
Blaine Miller BM	Archeology
Tom Gnojek TGR for Tom G.	Recreation
Kerry Flood KF	Hydrology
Floyd Johnson FJ	NEPA Coordinator
Floyd McMullen SWF for Floyd M.	OSM Coordinator

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA

Note: If you found that one or more of these criteria is not met, you will not be able to check this box.

Thomas E. [Signature] (Acting)  
 Signature of the Responsible Official

5/17/01  
 Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision