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December 15, 2003

Ms Pamela Grubaugh-Littig, Permit Supervisor
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801*Issuing
C/015/0015*Re: Final Replacement Pages
Emery Deep Mine
Cultural Resources - Confidential Information - C/015/015

Dear Ms. Grubaugh-Littig:

Please find enclosed the final clean pages for the amendment to remove Part A: Cultural Resources of Chapter X as confidential material from the Emery MRP.

If you have any questions concerning this matter, please call me at (304)534-4748.

Sincerely,

Timothy D. Kirschbaum
Environmental Engineer

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DIV. OF OIL, GAS & MINING

CHAPTER X

PART A: CULTURAL RESOURCES

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PLATES

X.A-1	PERMIT AREA CULTURAL RESOURCES	MAP POCKET
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X.A CULTURAL RESOURCES

This part presents the archeological, historical, and paleontological information in and adjacent to the permit area. This information is contained in seven (7) survey reports which are appended to this part.

The first, referred to herein as "Chapter 5.0", was prepared by AERC in October of 1980. The second, referred to herein as "Appendix 5-1", was prepared by AERC in July of 1981. The third, referred to herein as "Appendix 5-2", was prepared by Michael S. Berry, Utah Division of State History, in March of 1975. The fourth survey report, Appendix 5-3, was completed by AERC in October, 1988. The site forms are attached in a fifth section, referred to as "Appendix 5-4". The fifth survey report, Appendix 5-5, was completed by Montgomery Archaeological Consultants in May of 2002. This report covers 40 acres surrounding and including the 4th East Portal Site. The sixth referenced survey report, Appendix 5-6, covers the 4th East Powerline Corridor and was completed by Montgomery Archaeological Consultants in August of 2002. One site identified as historically significant was marked in the field and will be avoided as recommended by Montgomery. The seventh survey, referred to as "Appendix 5-7" was conducted by Montgomery Archaeological Consultants in March 2003. This survey was conducted to extend the inventoried areas of the 4th East Portal site. The survey covered an additional 40 acres to the east of "Appendix 5-5" original survey area. This extended area identified one new archaeological site "42Em2961". This new site will be avoided and a fence has been erected by the consultant along the site boundary .

These survey reports have not been edited or revised for this repermit application; they were originally prepared for the March 23, 1981 permit application (approved as ACT/015/015 on January 7, 1986) and subsequent revisions and are included herein in their entirety.

UMC 783.12(b)

The attached investigations describe all of the known archeological sites in the permit area. No cultural and historic resources listed on the National Register of Historic Places occur in the permit area. A compendium is included which consolidates information on all of the sites.

Revised 10/2003

UMC 783.24(i),(j),(k)

Each of the attached investigations contain maps showing the locations of known archeological sites. Plate X.A-1 combines all of these locations on a single map at a scale of 1"-500'. This plate also shows areas of surface disturbance according to the plan of operations. There are no Indian burial grounds in or within 100 feet of the permit area. There are no lands in the area which are within the boundaries of any units of the Wild and Scenic Rivers System.

Portions of the designated disturbance area under the Emery Mine permit was placed under the National Trails System in late 2002. The Act cited as the "Old Spanish Trail Recognition Act of 2002" was enacted by the President on December 4, 2002. Notation as to the trails existence is located on the "Cultural Resource Map", Plate X-A-1.

UMC 784.17

There are no historic places which would be adversely affected by the operation, within or adjacent to the permit area.

Inserted 9/2003

CHAPTER X

PART B: CLIMATE

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