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cc: Wayne H. <sup>cm</sup>

# FAX

## JOHANSEN & TUTTLE ENGINEERING

FROM: Craig DATE: 7-7-05

TO: Wayne Hedberg

COMPANY: \_\_\_\_\_ FAX: 801-359-3940

Total number of pages \_\_\_\_\_ Including cover page. If all pages are not received, please call 435-381-2523.

Thank You,

COMMENTS: \_\_\_\_\_  
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DIV. OF OIL, GAS & MINING

# MEMORANDUM

**DATE:** September 16, 2004

**TO:** Aaron Howe  
U.S. Forest Service

**FROM:** Craig Johansen  
Johansen & Tuttle Engineering

**SUBJECT:** Rilda Canyon Road (Energy West Mining Co.)

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Enclosed is Application for Transportation & Utility Systems and Facilities on Federal Lands (Form 299), which amends an existing authorization.

Any questions please call.

STANDARD FORM 299 (2/2003)  
 Prescribed by DOI/USDA/DOT  
 F.L. 96-487 and Federal  
 Register Notice 5-22-95

**APPLICATION FOR TRANSPORTATION AND  
 UTILITY SYSTEMS AND FACILITIES  
 ON FEDERAL LANDS**

FORM APPROVED  
 OMB NO. 1004-0189  
 Expires: October 31, 2005

**FOR AGENCY USE ONLY**

**NOTE:** Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number
Date filed
3. TELEPHONE (area code)
Applicant
435-381-2119
Authorized Agent
435-381-2119

1. Name and address of applicant (include zip code)  Emery County PO Box 629 Castle Dale, Utah 84513	2. Name, title, and address of authorized agent if different from item 1 (include zip code)  Ira Hatch, Commissioner, Emery County
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4. As applicant are you? (check one) a. <input type="checkbox"/> Individual b. <input type="checkbox"/> Corporation* c. <input type="checkbox"/> Partnership/Association* d. <input type="checkbox"/> State Government/State Agency e. <input checked="" type="checkbox"/> Local Government f. <input type="checkbox"/> Federal Agency * If checked, complete supplemental page	5. Specify what application is for: (check one) a. <input type="checkbox"/> New authorization b. <input type="checkbox"/> Renewing existing authorization No. c. <input checked="" type="checkbox"/> Amend existing authorization No. d. <input type="checkbox"/> Assign existing authorization No. e. <input type="checkbox"/> Existing use for which no authorization has been received* f. <input type="checkbox"/> Other* * If checked, provide details under item 7
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6. If an individual, or partnership are you a citizen(s) of the United States?  Yes  No  N/A

7. Project description (describe in detail): (a) Type of system or facility, (e.g., canal, pipeline, road); (b) related structures and facilities; (c) physical specifications (length, width, grading, etc.); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (Attach additional sheets, if additional space is needed.)

The Rilda Canyon Road is being hard surfaced to accommodate a proposed man entry for Energy West Mining Company. Some realignment will be necessary to facilitate anticipated increased traffic and higher speeds. A design speed increase from 35 mph to 50 mph will require a larger radius on numerous curves. Gabions used as retaining walls will be placed at two locations to prevent stream encroachment. The length of the road to be improved is 1.6 miles. 1.1 miles are on Forest Service Administrated lands. Construction will occur between July 1, 2005, and November, 2006. The road will be year round, perpetual public use.

8. Attach a map covering area and show location of project proposal

9. State or local government approval:  Attached  Applied for  Not required

10. Nonreturnable application fee:  Attached  Not required

11. Does project cross international boundary or affect international waterways?  Yes  No (If "yes," indicate on map)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

Emery County has the technical and financial capability to construct, operate, and maintain public road #306.

## 13a. Describe other reasonable alternative routes and modes considered.

No other reasonable route is available.

## b. Why were these alternatives not selected?

N/A

## c. Give explanation as to why it is necessary to cross Federal Lands.

To provide public access to public lands.

## 14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

There is an existing authorization issued in 1998 for this road.

## 15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

The project will cost about \$900,000 to realign and provide an asphalt surface.

## 16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

No adverse effect is expected on population of the area or the rural life style.

## 17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

A copy of an environmental assessment is enclosed.

## 18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

A copy of an environmental assessment is enclosed.

## 19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 9601 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

Hazardous material will not be transported across the right-of-way.

## 20. Name all the Department(s)/Agency(ies) where this application is being filed.

U.S. Forest Service

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

*John W. F. [Signature]*

Date

9-13-04

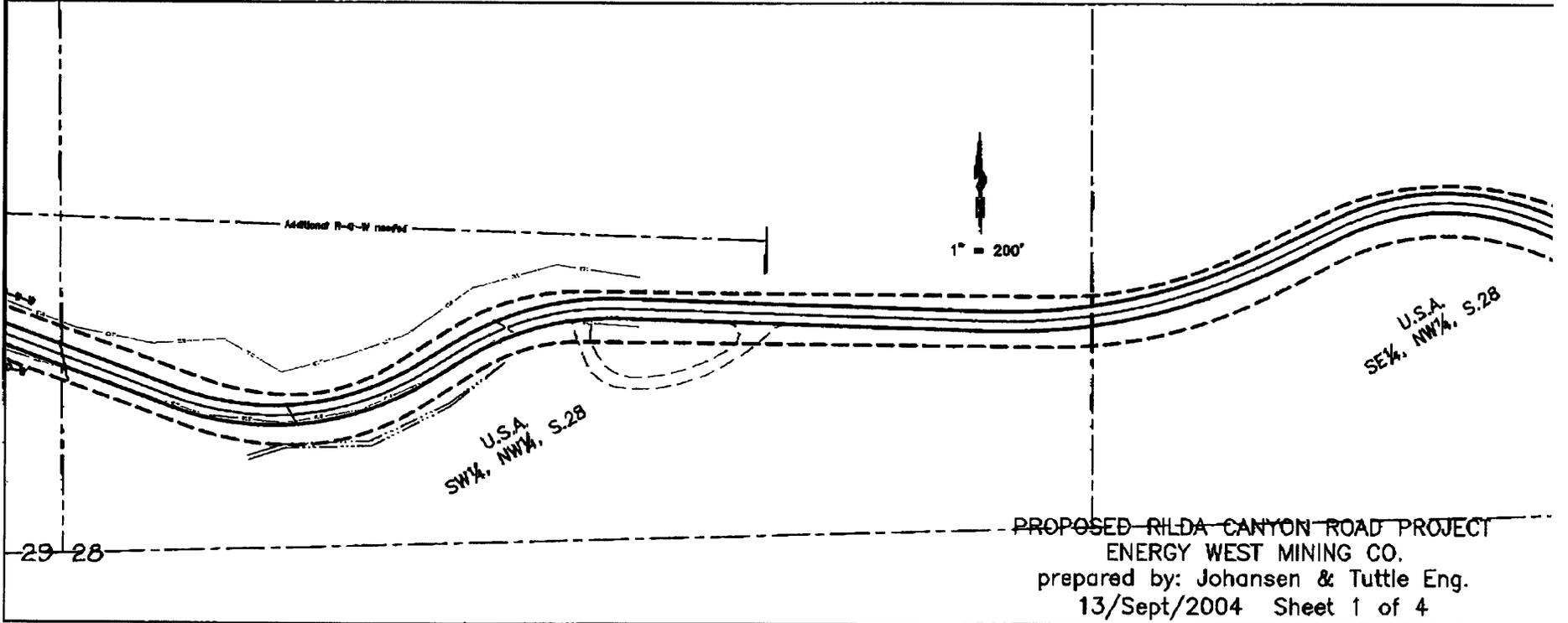
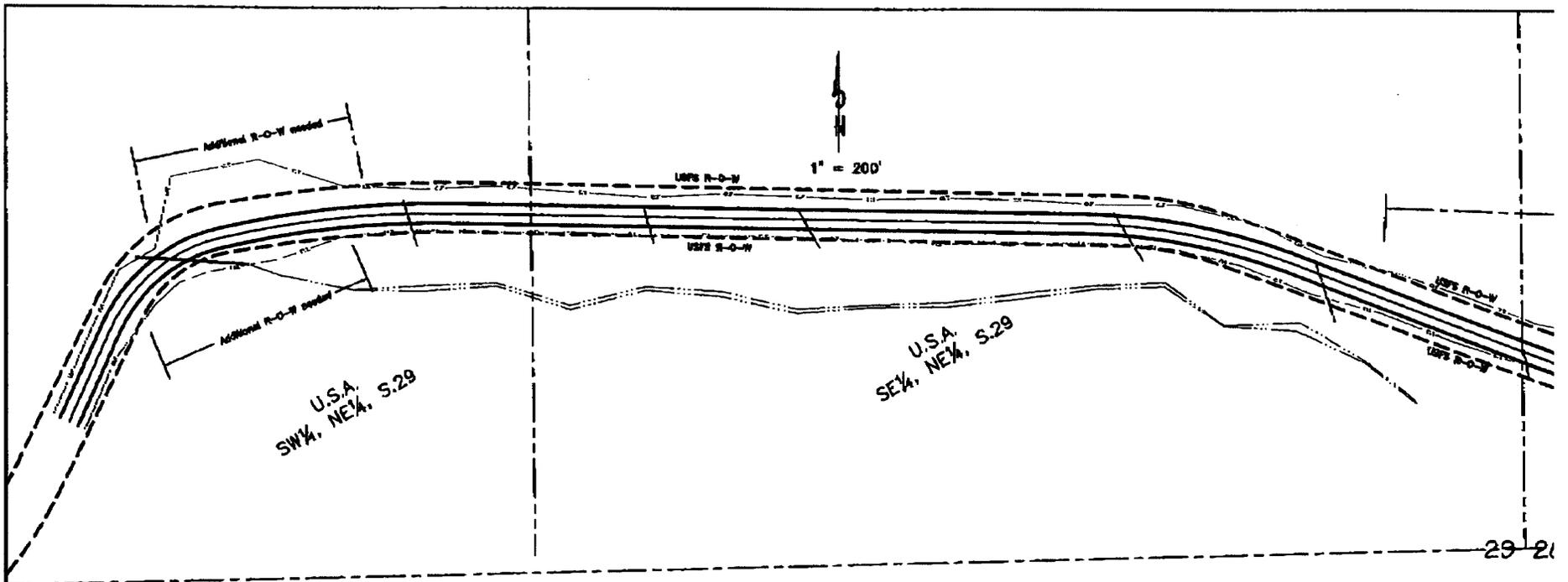
Title 18, U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 3)

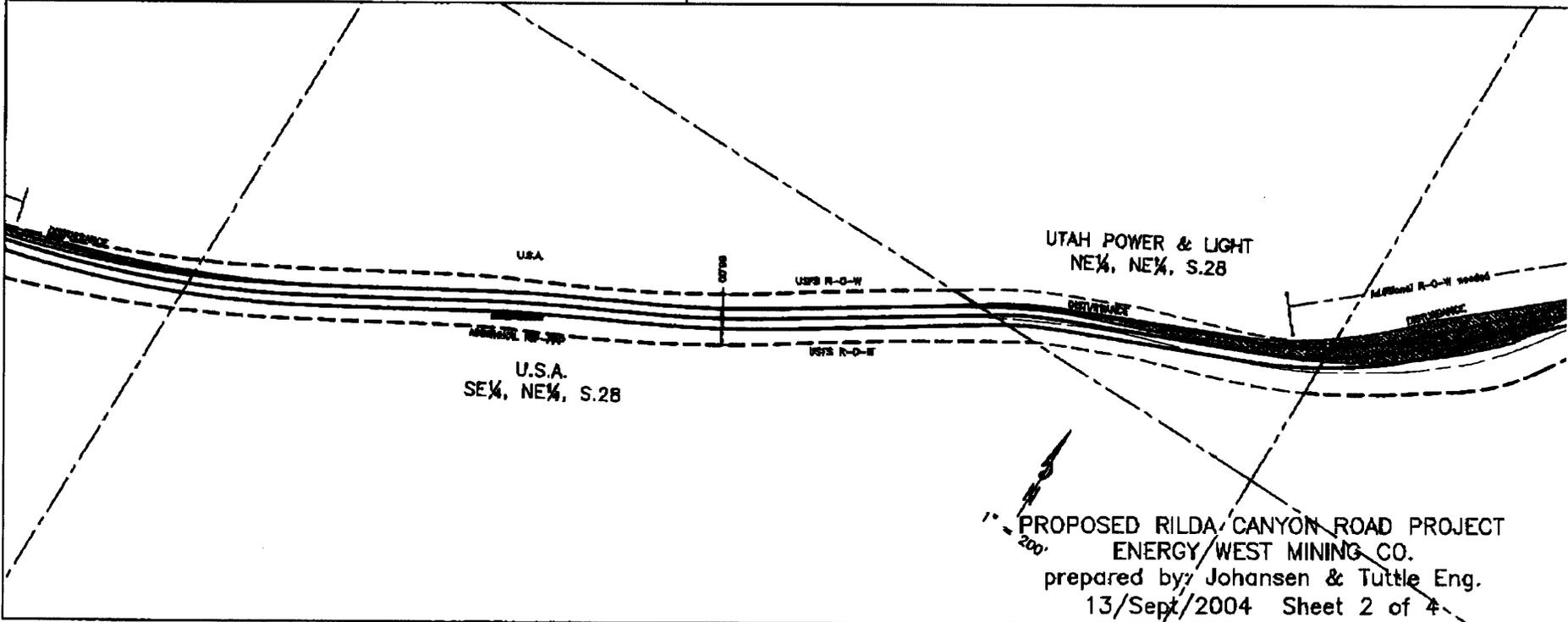
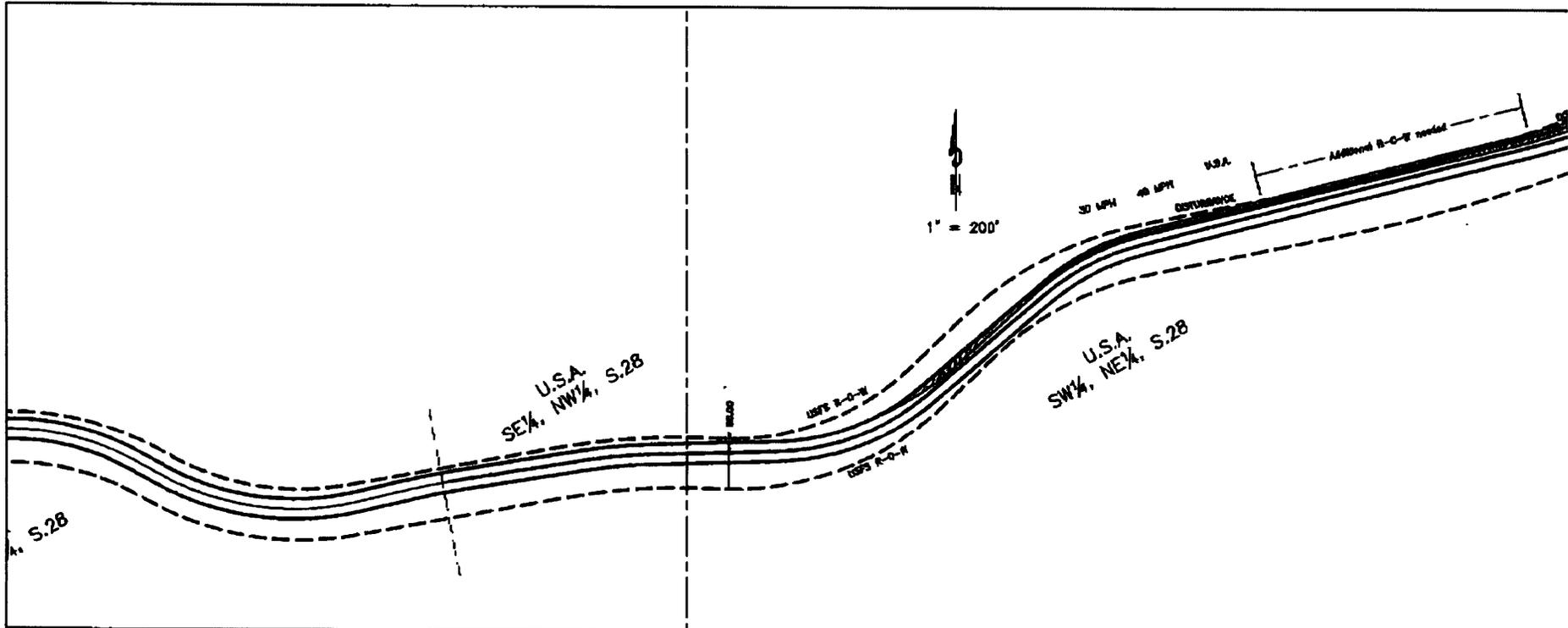
SF-299, page 2

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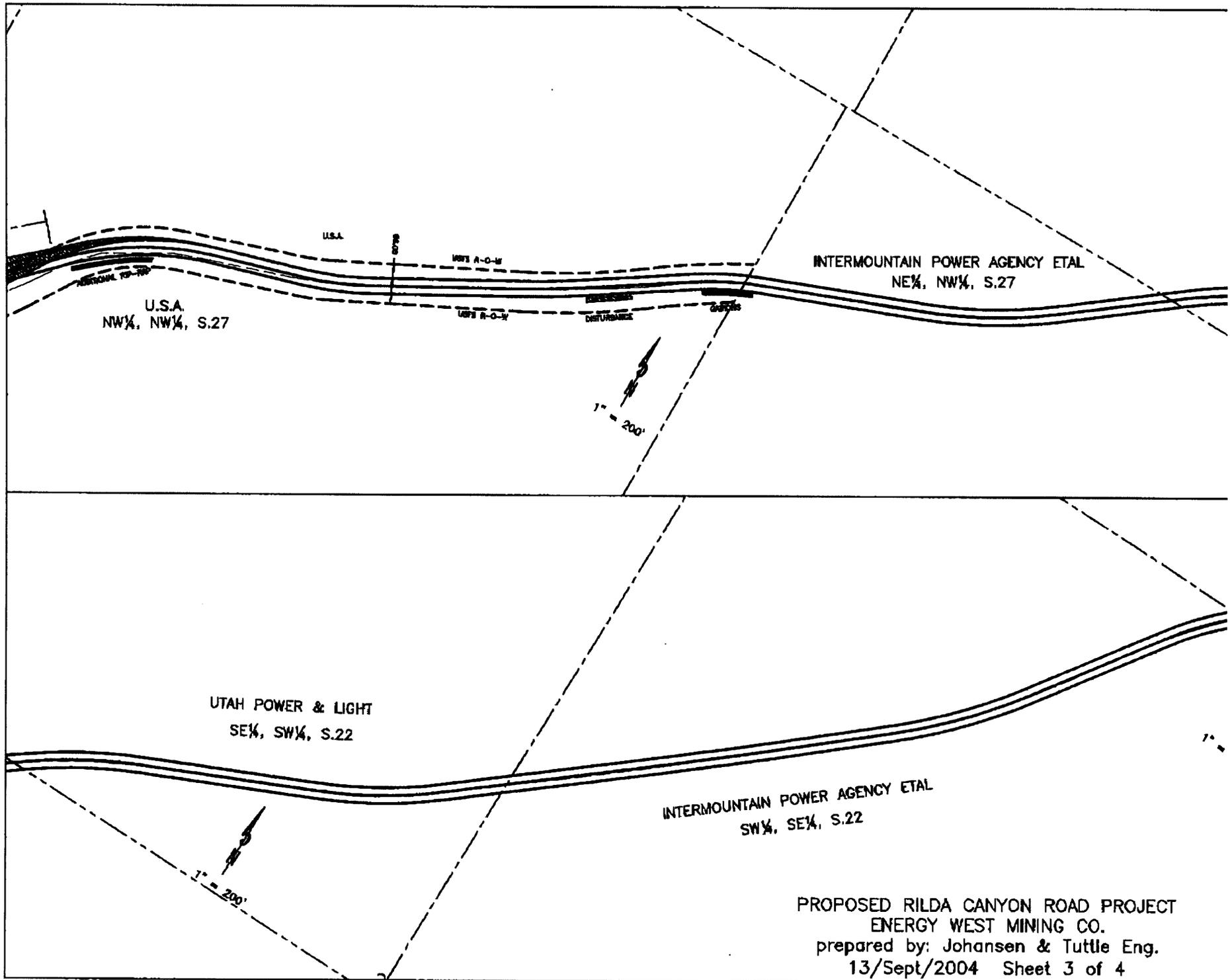
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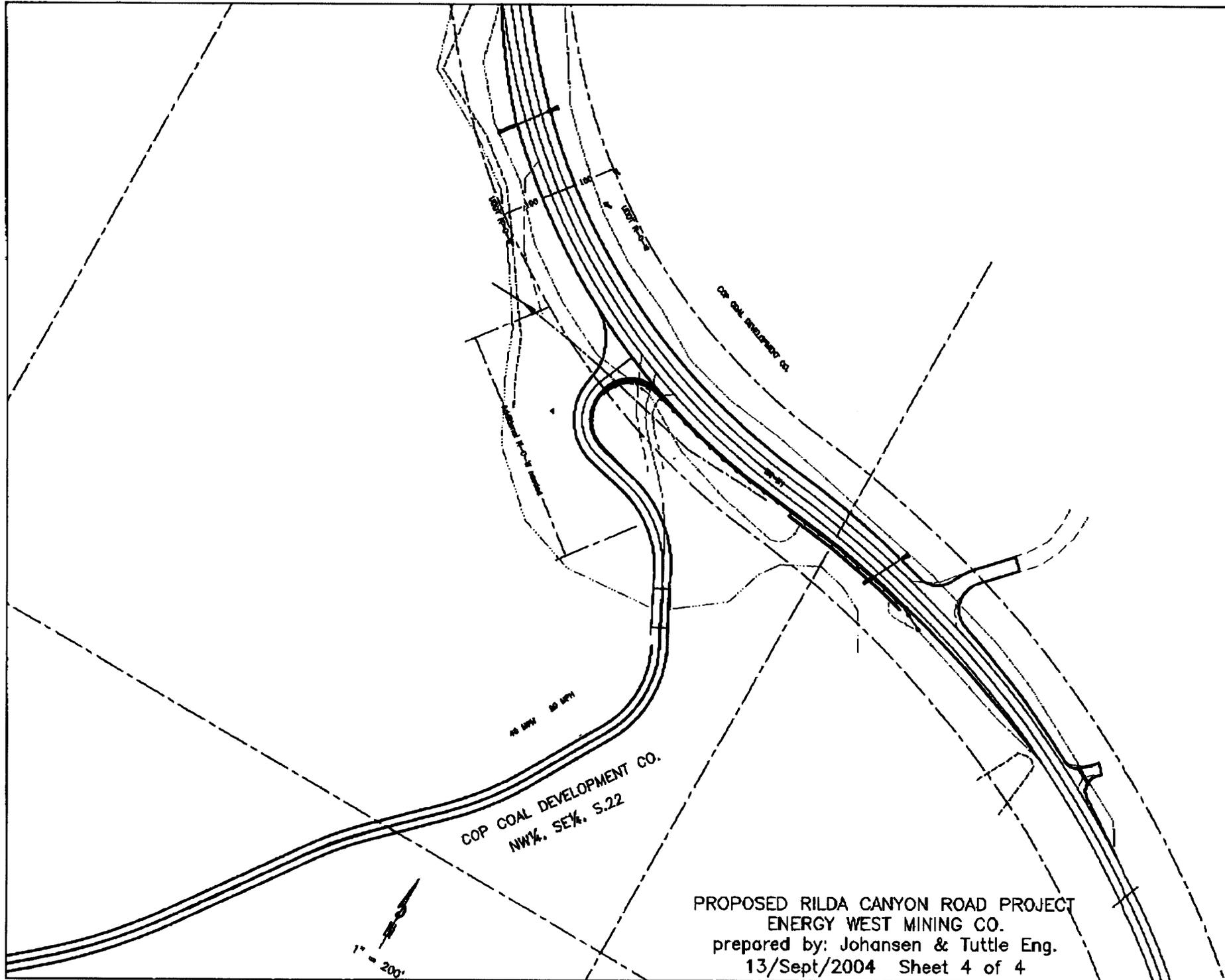
PROPOSED RILDA CANYON ROAD PROJECT  
 ENERGY WEST MINING CO.  
 prepared by: Johansen & Tuttle Eng.  
 13/Sept/2004 Sheet 1 of 4



PROPOSED RILDA CANYON ROAD PROJECT  
 ENERGY WEST MINING CO.  
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 13/Sept/2004 Sheet 2 of 4



PROPOSED RILDA CANYON ROAD PROJECT  
 ENERGY WEST MINING CO.  
 prepared by: Johansen & Tuttle Eng.  
 13/Sept/2004 Sheet 3 of 4



PROPOSED RILDA CANYON ROAD PROJECT  
ENERGY WEST MINING CO.  
prepared by: Johansen & Tuttle Eng.  
13/Sept/2004 Sheet 4 of 4

## US FOREST SERVICE

Beginning at a point which is S 86°27'40" W, 2165.00 feet from the Northeast corner of the Southeast quarter of Section 29, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road at the beginning of a non-tangent circular curve to the left having a central angle of 27°46'26" and an arc length of 294.10 feet (chord bears N 39°29'10" E, 291.23 feet); Thence Northeasterly, 294.10 feet along said curve; Thence N 25°35'57" E, 244.99 feet to the beginning of a circular curve to the right having a central angle of 55°00'00" and an arc length of 184.40 feet (chord bears N 53°05'57" E, 177.40 feet); Thence Northeasterly, 184.40 feet along said curve; Thence N 80°35'57" E, 38.32 feet to the beginning of a circular curve to the right having a central angle of 10°27'34" and an arc length of 299.17 feet (chord bears N 85°49'44" E, 298.75 feet); Thence Easterly, 299.17 feet along said curve; Thence S 88°56'29" E, 851.65 feet to the beginning of a circular curve to the right having a central angle of 18°45'00" and an arc length of 145.04 feet (chord bears S 79°33'59" E, 144.39 feet); Thence Easterly, 145.04 feet along said curve; Thence S 70°11'29" E, 612.58 feet to the beginning of a circular curve to the left having a central angle of 20°28'00" and an arc length of 128.61 feet (chord bears S 80°25'29" E, 127.93 feet); Thence Easterly, 128.61 feet along said curve; Thence N 89°20'31" E, 0.00 feet to the beginning of a circular curve to the left having a central angle of 31°29'20" and an arc length of 155.95 feet (chord bears N 73°35'51" E, 153.99 feet); Thence Easterly, 155.95 feet along said curve; Thence N 57°51'11" E, 93.37 feet to the beginning of a circular curve to the right having a central angle of 32°41'28" and an arc length of 162.54 feet (chord bears N 74°11'55" E, 160.35 feet); Thence Easterly, 162.54 feet along said curve; Thence S 89°27'21" E, 624.95 feet to the beginning of a circular curve to the left having a central angle of 26°59'32" and an arc length of 282.66 feet (chord bears N 77°02'53" E, 280.06 feet); Thence Easterly, 282.66 feet along said curve; Thence N 63°33'07" E, 100.97 feet to the beginning of a circular curve to the right having a central angle of 53°51'27" and an arc length of 352.50 feet (chord bears S 89°31'09" E, 339.66 feet); Thence Easterly, 352.50 feet along said curve; Thence S 62°35'26" E, 32.11 feet to the beginning of a circular curve to the left having a central angle of 37°42'28" and an arc length of 246.80 feet (chord bears S 81°26'40" E, 242.37 feet); Thence Easterly, 246.80 feet along said curve; Thence N 79°42'06" E, 284.91 feet to the beginning of a circular curve to the right having a central angle of 13°30'31" and an arc length of 200.40 feet (chord bears N 86°27'21" E, 199.94 feet to the beginning of a circular curve to the left having a central angle of 46°33'55" and an arc length of 304.77 feet (chord bears N 69°55'39" E, 296.45 feet); Thence Easterly, 304.77 feet along said curve; Thence N 46°38'42" E, 92.62 feet to the beginning of a circular curve to the right having a central angle of 32°02'38" and an arc length of 260.06 feet (chord bears N 62°40'01" E, 256.69 feet); Thence Northeasterly, 260.06 feet along said curve; Thence N 78°41'20" E, 253.31 feet to the beginning of a circular curve to the left having a central angle of 18°51'59" and an arc length of 656.91 feet (chord bears N 69°15'21" E, 653.95 feet); Thence Easterly, 656.91 feet along said curve; Thence N 59°49'21" E, 202.23 feet to the beginning of a circular curve to the right having a central angle of 05°31'25" and an arc length of 96.41 feet (chord bears N 62°35'04" E, 96.37 feet); Thence Northeasterly, 96.41 feet along said curve to the beginning of a circular curve to the left having a central angle of 10°45'07" and an arc length of 370.05 feet (chord bears N 59°58'13" E, 369.50 feet); Thence Northeasterly, 370.05 feet along said curve to the beginning of a circular curve to the right having a central angle of 07°17'26" and an arc length of 190.87 feet (chord bears N 58°14'22" E,

190.74 feet) to the North line of the Southeast quarter of the Northeast quarter of section 28, T. 16 S., R. 7 E., SLM.

#### UTAH POWER AND LIGHT

Beginning at a point which is N89°59'59" W, 405.53 feet from the Southeast corner of the Northeast quarter of the Northeast quarter of Section 28, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road at the a point on a non-tangent circular curve to the right having a central angle of 10°47'46" and an arc length of 282.64 feet (chord bears N 67°16'59" E, 282.23 feet); Thence Northeasterly, 282.64 feet along said curve to the beginning of a circular curve to the left having a central angle of 11°05'07" and an arc length of 154.78 feet (chord bears N 67°08'18" E, 154.54 feet); Thence Northeasterly, 154.54 feet along said curve to the East line of said section 28.

#### UNITED STATES FOREST SERVICE

Beginning at a point which is N00°06'00" W, 171.52 feet from the Southwest corner of the Northwest quarter of the Northwest quarter of Section 27, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road at a point on a non-tangent circular curve to the left having a central angle 06°05'36" and an arc length of 85.08 feet (chord bears N 58°32'57" E, 85.04 feet); Thence Northeasterly, 85.08 feet along said curve; Thence N 55°30'09" E, 99.11 feet to the beginning of a circular curve to the left having a central angle of 23°09'08" and an arc length of 101.02 feet (chord bears N 43°55'35" E, 100.33 feet); Thence Northeasterly, 101.02 feet along said curve; Thence N 32°21'01" E, 83.47 feet to the beginning of a circular curve to the right having a central angle of 39°18'24" and an arc length of 205.81 feet (chord bears N 52°00'13" E, 201.80 feet); Thence Northeasterly, 205.81 feet along said curve; Thence N 71°39'25" E, 210.91 feet to the beginning of a circular curve to the left having a central angle of 08°33'57" and an arc length of 44.85 feet (chord bears N 67°22'27" E, 44.81 feet); Thence Northeasterly, 44.85 feet along said curve; Thence N 63°05'28" E, 328.30 feet to the beginning of a circular curve to the left having a central angle of 09°29'29" and an arc length of 198.79 feet (chord bears N 58°20'44" E, 198.56 feet); Thence Northeasterly, 198.79 feet along said curve; Thence N 53°35'59" E, 34.57 feet to the beginning of a circular curve to the right having a central angle of 13°02'43" and an arc length of 182.15 feet (chord bears N 60°07'21" E, 181.75 feet); Thence Northeasterly, 182.15 feet along said curve to the East line of the Northwest quarter of the Northwest quarter of said section 27.

#### INTERMOUNTAIN POWER AGENCY AND ANDALEX

Beginning at a point which is S00°02'31" E, 319.26 feet from the Northwest corner of the Northeast quarter of the Northwest quarter of Section 27, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road at a point on a non-tangent circular curve to the right having a central angle of 02°35'57" and an arc length of 36.29 feet (chord bears N 67°56'51" E, 36.29 feet); Thence Northeasterly, 36.29 feet along said curve; Thence N 69°14'39" E, 230.79

feet to the beginning of a circular curve to the left having a central angle of  $16^{\circ}50'50''$  and an arc length of 235.23 feet (chord bears  $N 60^{\circ}49'14'' E$ , 234.39 feet); Thence Northeasterly, 235.23 feet along said curve; Thence  $N 52^{\circ}23'49'' E$ , 152.65 feet to the beginning of a circular curve to the right having a central angle of  $01^{\circ}04'08''$  and an arc length of 22.38 feet (chord bears  $N 52^{\circ}55'53'' E$ , 22.38 feet); Thence Northeasterly, 22.38 feet along said curve to the North line of said section 27.

#### UTAH POWER AND LIGHT

Beginning at a point which is  $N89^{\circ}59'25'' W$ , 716.72 feet from the Southeast corner of the Southwest quarter of Section 22, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road at a point on a non-tangent circular curve to the right having a central angle of  $12^{\circ}47'57''$  and an arc length of 268.07 feet (chord bears  $N 59^{\circ}51'55'' E$ , 267.51 feet); Thence Northeasterly, 268.07 feet; Thence  $N 66^{\circ}15'54'' E$ , 207.78 feet to the beginning of a circular curve to the left having a central angle of  $14^{\circ}08'40''$  and an arc length of 296.24 feet (chord bears  $N 59^{\circ}11'34'' E$ , 295.49 feet); Thence Northeasterly, 296.24 feet along said curve; Thence  $N 52^{\circ}07'14'' E$ , 62.80 feet to the East line of the Southwest quarter of said section 22.

#### INTERMOUNTAIN POWER AGENCY AND ANDALEX

Beginning at a point which is North, 411.41 feet from the Southwest corner of the Southeast quarter of section 22, T. 16 S., R. 7 E., SLM, said point being at the existing centerline of Rilda Canyon Road; Thence  $N 52^{\circ}07'14'' E$ , 396.27 feet to the beginning of a circular curve to the left having a central angle of  $07^{\circ}49'45''$  and an arc length of 273.28 feet (chord bears  $N 48^{\circ}12'22'' E$ , 273.07 feet); Thence Northeasterly, 273.28 feet along said curve; Thence  $N 44^{\circ}17'29'' E$ , 143.58 feet to the beginning of a circular curve to the left having a central angle of  $12^{\circ}43'18''$  and an arc length of 177.63 feet (chord bears  $N 37^{\circ}55'50'' E$ , 177.26 feet); Thence Northeasterly, 177.63 feet along said curve; Thence  $N 31^{\circ}34'11'' E$ , 101.77 feet to the beginning of a circular curve to the right having a central angle of  $17^{\circ}06'27''$  and an arc length of 179.15 feet (chord bears  $N 40^{\circ}07'24'' E$ , 178.48 feet); Thence Northeasterly, 179.15 feet along said curve; Thence  $N 48^{\circ}40'38'' E$ , 19.51 feet to the north line of the Southwest quarter of the Southeast quarter of said section 22.