

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

April 9, 2008

OK

TO: Internal File

THRU: James D. Smith, Permit Supervisor *DS 04/25/08*
Steve Demczak, Lead *SGD/lyan*

FROM: Joseph C. Helfrich, Environmental Scientist/Biology/Land use/Cultural resources

RE: Minor Coal Exploration Plan, Energy West Mining Company, Deer Creek Mine, C/015/0018, Task ID #2944

SUMMARY:

On December 5, 2007 the Division received an application from Energy West Mining Company to drill two coal exploration holes in Crandall Canyon on the Manti La-Sal National Forest in Section 11, Township 16 South, Range 6 East Mill Fork Coal lease ML-48258 during 2008. The exploration holes will be completed by helicopter drilling. On February 15, 2008 the Division received a class three cultural resource survey in response to the division's technical deficiency letter. On March 7, 2008 the Division received a revised application to drill 4 additional exploration holes in the same general area. On April 4th the Division received an "E" mail from Ken Fleck with attachments that included a cultural resource inventory, T&E list for Emery County and the EA for the Mill fork lease tract.

This memo will address the cultural resource survey and Biology information for the additional 4 drill holes.

EXPLORATION TECHNICAL MEMO

EXPLORATION TECHNICAL ANALYSIS:

OPERATIONAL STANDARDS

Regulatory Reference: 30 CFR 772.13; R645-202-100.

Analysis:

Biology

R645-202-200, Page 9 of the application includes a description of the vegetation in the canyon bottoms, south and north slopes. A reference to Volume 12, Biology Chapter , pages 3-1 through 3-5 describes the vegetative communities within the proposed drill site locations and a map, MFS1821D, depicting the vegetative communities.

Page 10 of the application refers the reviewer to Volume 12, Biology, for all information concerning T&E species. An evaluation of the sensitive plant species within the Mill Fork Lease area is provided for on pages 3-3 and 3-4. Page 3-5, Paragraph 2 includes a reference to personal communication with Bob Thompson, Biologist for the Manti La-Sal National Forest. According to Mr. Thompson there are no T&E plant species within the Mill Fork lease area. Volume 12, Biology, Chapter, page 3-9, Paragraph 2 includes a reference to "*Environmental Assessment reports*", for the T&E animal species. The report is an Environmental Assessment, (EA), prepared by the Manti-La Sal National Forest personnel for the Mill Fork Lease by Application, (LBA), #11. Section C, "*Wildlife*", pages III-12 through III-14 provides an analysis of the wildlife species within the Mill Fork Lease area. According to the information there are no Threatened or Endangered wildlife species within the proposed Mill Fork Lease area. Also included with the application is a current list of Threatened and Endangered plant and animal species for the drill site locations, (Emery County).

As noted on pages 10 and 11 the Northern Goshawk is a "*management indicator specie*" for the Manti-LaSal National Forest. Forest Service Biologists have identified two territories associated with previous exploration drilling activities. They are identified on the 2007 raptor locations, flight path, and staging area map. The proposed flight paths are located such that they should not impact the birds or their territories.

Findings:

The information provided is adequate to meet the requirements of this section of the regulations.

HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

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

Analysis:

Page 8 of the application references a Class I literature search and a Class III ground survey of the proposed exploration sites. A Class I literature search and a Class III ground survey of the proposed exploration sites have been completed by Earth Touch Inc. and submitted to the Division as part of the application. The ground survey indicated that there were no cultural resources identified and therefore none listed as eligible in the area proposed for the drilling activities. SHPO concurrence for the exploration project was received by the Division by "E" mail correspondence on March 4, 2008.

The application for the 4 additional drill holes includes a Cultural Resource Assessment performed by Scott Billat from Earth Touch, Inc... Included in the assessment is a literature search for the four additional drill sites and a reference to the Forest Service as not requiring a class III pedestrian survey in light of the low site potential, low impacts and steep topography. Personal conversation with Dale Harber, (Geologist for the Manti La-Sal National Forest), indicated that Charmane Thompson, (Archaeologist for the Manti La-Sal National Forest), concurred with Mr. Billat's assumptions in his assessment. The assessment also includes a commitment to conduct a class III survey prior to the commencement of the drilling activities. SHPO concurrence for the exploration project was received by the Division by "E" mail correspondence on April 18, 2008.

Findings:

The information is adequate to meet the requirements of this section of the regulations.

RECLAMATION STANDARDS

Regulatory Reference: 30 CFR 772.13; R645-202-200.

Analysis:

Revegetation

All disturbed areas will be promptly vegetated. All areas disturbed will be seeded or planted with the same seasonal variety native to the areas disturbed. The application includes a seed mix to be used in reclamation of the drill sites as outlined on pages 13 and 14 of the application. The seed will be hand broadcast at the completion of each drill hole.

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Findings:

The information provided is adequate to meet the requirements of this section of the regulations.

RECOMMENDATIONS:

The application is recommended for approval.

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