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Task No. 2680

From: William Ellis <wellis@fs.fed.us>
To: <sageb@sagebrushconsultants.com>, <mseedon@utah.gov>
Date: 11/2/2006 2:19:49 PM
Subject: Review of the Bear Creek Report

Don and Mike,

I have finished my review of the report and have attached the comments: Matt, if you see anything in my comments that raise a question feel free to respond, call, etc. Mike and Don.....I will also send this to you hardcopy along with a copy of the disc I mentioned in the comments. Good job folks!

BE (See attached file: BEAR
CANYON REVIEW.doc)

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BEAR CANYON REVIEW

Comments on: A Cultural Resource Inventory of the Bear Creek Canyon Area, Emery County, Utah. USHPO Number U-06-SJ-1411f,p.

I have discussed the items mentioned below with Matt so that he would have an idea of what he was going to get and more easily turn this around.

Generally I find the report to be a good effort so I'll start with a couple of simple things. As I never received a hardcopy special use application I was not able (or at least forgot that there are some stipulations that must be met). As an aside, it would be a good idea to get that in to me asap so that there is at least a record that you were permitted. Among those stipulations are several forms apart from the SHPO cover sheet that are specific to the Manti and are similar in nature, don't take much time to fill out, and are required of all third party contractors as well as those working with us directly. The other things that are required are shape files for ARCGIS of the project Area of Potential Effect, actual areas surveyed with depictions of the location of sites and IFs. We also require three copies of the report, one unbound (for the SHPO copy) and of course we expect that site photos will meet SHPO's requirements. As this is a draft I of course don't expect that stuff until the final is sent. Matt and I will work out how we meet both the FS needs in consultation and the Division's in our transmittal letters.

The Manti forms etc are on a disc that I will mail to you along with my review. These forms require, among other things, that you enter a Manti-La Sal Report number and FS Site number. The report Number that we have assigned you is ML-06-1217, and the Site number is ML-4526. Please reference the report number on the title page as you do the SHPO number and the ML site number should be referenced alongside the Smithsonian number when ever it is referred to in the text and on the site forms: something like this – 42Em3660/ML-4526. This applies only to new sites so don't worry about the sites mentioned in the background material. Isolated finds are kept track of in our data base, but currently we are not assigning ML numbers to them. This may change in the future, as there are discussions among our corporate data managers and our ever evolving corporate data management system we have for cultural (or Heritage Resources, as we refer to them). It's a long story so I won't go into it but as you do more work on Forests in R4 and elsewhere, you will be running into the term INFRA Heritage Module and its needs, if you haven't already.

Okay, that's the preliminary stuff:

Minor Stuff:

Page 1, First Sentence. "conducted" should be "conduct". I didn't really focus on typos or grammatical errors, so it would be a good idea to proof-read it well before you send in the final.

Substantive stuff:

Page 1 – a general comment about the project description. I do not see any specific mention of the Random Sample units that we agreed to do, nor how they were arrived at. Although a discussion of this is best suited in the Methodology section, the project description leaves out any discussion of the random sample and is more focused on describing a survey that was entirely intuitive. As we discussed here, it was an agreement with SHPO, to satisfy their concerns and ours, that we conduct some part of the survey based on a random sampling strategy and I believe we discussed something along the lines of using a random numbers table to select several 1/4 -1/4 sections to be surveyed. This should be brought in the Introduction in at least a cursory fashion and described in more detail in the methodology section. (As an aside I mentioned this to Matt along with Don's explanation of why it is missing from the draft)

Also in the methodology section you need to describe how the escarpment areas were surveyed and adjustments you had to make for safety reasons. If the description in the draft is in fact what was done then ignore this comment.

PP: iv, 1, 16, 37, 41 (and anywhere else it might be mentioned).

This is particularly critical: Please more accurately describe the Area of Potential Effect and area to be surveyed, which we agreed on with SHPO as the potential subsidence zones, rather than the entire 13 sq miles/8,320 acres: especially in the Introduction and Abstract. This makes our sample a bit more respectable and legitimate. The areas outside the subsidence zones might be considered the total "analysis area", but our discussions with Matt, the mining company and DOGM folks were focused on those areas that actually had the potential to adversely affect cultural resources (i.e., the subsidence zone). I am sure that Mark Reynolds can provide you with acreages comprising the subsidence zones.

The forgoing comment will require a re-phrasing of the 2nd sentence of the first paragraph in the Summary on Page 41. The reason for limiting the survey was not due to the extremely large area encompassed by the lease boundaries; rather it was based on what constituted a "good faith" effort based on areas in which the subsurface mining might actually have an adverse effect on cultural resources – the subsidence zones. As above in the preceding comment re: pp. iv, 1, 16, 37, 41 this needs to be stressed throughout the report wherever the project area is described, discussed, etc.

Please add a "General Project Location" map depicting the project area in

relation to the rest of the state, or at least the Wasatch Plateau as "Figure 1".

Figures 1 and 2 (soon to be Figures 2 and 3) are okay for general purposes at a scale of 1:40,000 but any maps depicting the survey area need to be at 1:24,000 for SHPOs benefit (as well as ours though I will also be expecting the aforementioned ARCGIS shape files).

You have done an admirable job in your file and literature search (pp: 1- 16). However, I would like to see it distinguish between previously recorded sites that are actually in the Area of Potential Effect (as per above – the subsidence zones) and those that aren't. If there are such sites present in the subsidence zones, then we will need to address potential effects and mitigation in our NEPA documentation, so it is critical to make this distinction – if none are, so much the better as many of the previously recorded sites are considered eligible for listing in the NRHP.

This leads me to my next comment which regards the "Discussion" section. Given that so much was found in surrounding areas I'd like to see the second paragraph concerning prehistoric sites expanded upon a bit. Namely, why you think you found so little in an area that we anticipated that there would be high potential for prehistoric sites.

I know from personal experience in coal lease tracts a number of miles to the south (specifically, the Muddy and Pines) in which Hauck and others have done a lot of work, that rarely do sites occur (prehistoric sites anyway) in the "flat" and gentle terrain away from canyon rims and the heads of canyons. You mention in this section that the rough terrain may have prevented use of the escarpments and I would generally agree having flown them and done some filming of them: many are very high and rugged indeed.

To support this discussion I feel like you should include some color environment shots, especially of the escarpments in your "Environment" section, as well as some general shots of the surveyed areas in general. I have some digital footage taken while flying the escarpment areas that I am going to include with the final submittal to Matt, so that he can see for himself the nature of these escarpments.

I concur with your recommendation of not eligible regarding 42Em3660 but I'd like you to address the part which refers to "Integrity" in 36 CFR 60.4 a bit more. True, the site lacks integrity of design, etc since there isn't much left of it. However, it does retain integrity of location and setting. I suggest something like: "While the site does retain integrity of location and setting, the site is a poor example, based on these other factors and therefore not significant nor possessive of the potential to yield additional information in prehistory or history": something along those lines.