

DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR THE READJUSTMENT OF
FEDERAL COAL LEASE U-61049

PRICE RANGER DISTRICT
MANTI-LASAL NATIONAL FOREST
EMERY COUNTY, UTAH

*Green
Jas/Jan*

On November 5, 1987 the Forest Service received notification from the Bureau of Land Management that Federal Coal Lease U-61049 would be subject to readjustment of terms and conditions on November 1, 1989. This notification required conducting an environmental analysis of the proposed action pursuant to the National Environmental Policy Act of 1969. A Forest Service Interdisciplinary (ID) Team met on January 9, 1989 to evaluate the proposal.

Leasing and development will be under the authority of the following authorizing actions: The Mineral Leasing Act of February 25, 1920, as amended; the Federal Land Policy and Management Act (FLPMA) of 1976; the Surface Mining Control and Reclamation Act (SMCRA) of 1977; The Multiple Minerals Development Act of August 4, 1977; the National Environmental Policy Act (NEPA) of 1969; the Federal Coal Leasing Amendments Act of 1976, as amended; regulations: Title 43 CFR Group 3400, Group 2800, and Title 30 CFR Group 700; and the Manti-LaSal National Forest Land and Resource Management Plan (Forest Plan) and Final Environmental Impact Statement (FEIS), 1986.

An Environmental Assessment (EA) was prepared under the direction of the Manti-LaSal National Forest Supervisor. Based on the analysis presented in this EA, it is our decision to consent to approval of the proposed readjustment subject to the application of stipulations in Appendix A of the EA for those lands within the lease having federal surface ownership. Alternative Three, as described in the EA, is a viable alternative under existing legislation and Forest Service policy, management decisions, and direction. The No Action Alternative (Alternative 1) was evaluated and determined not to be viable as it would allow continuation of the lease under terms inconsistent with the Forest Plan and FEIS. Alternative Two was evaluated and determined not to be viable as the private surface owner Intermountain Power Agency (I.P.A.) did not indicate that environmental protection stipulations be applied to their land surface.

This is not a major Federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination was made considering the following factors:

1. No new surface disturbing operations or facilities are proposed at this time. If surface disturbing operations or facilities are proposed in the future, a site-specific environmental assessment will be prepared at that time. Additional stipulations may be specified as needed to protect the environment.

File in:

Confidential

Shelf

Expandable

Refer to Record No. 0024 Date 05/7/2006

In C 0150025 Williams
For additional information

2. The identified impacts, including cumulative effects, can be effectively mitigated to an acceptable level.
3. No known prime or unique farmlands, wetlands, timber lands, or rangelands; floodplains; alluvial valley floors; paleontological or cultural resources; nor Threatened, Endangered, or Sensitive floral or faunal species will be impacted by readjustment of this lease.
4. Readjustment of this lease is consistent with the directions and decisions of the Forest Plan and FEIS, dated November 5, 1986.

Based on this assessment and evaluation, Federal Coal Lease U-61049 should be readjusted by the Bureau of Land Management and shall include the stipulations listed in Appendix A of the EA for those lands having federal surface ownership. This decision may be implemented immediately.

This decision is subject to appeal pursuant to 36 CFR 217. A notice of appeal must be filed with the Chief, Forest Service-USDA, P.O. Box 2417, Washington, D.C. 20013, with a simultaneous copy to the Deciding Officer at the address below within 45 days of the date of this decision, and contain specific information as required by 36 CFR 217.9.

J.S. Tixier
Regional Forester
Intermountain Region
Federal Building
324 25th Street
Ogden, Utah 84401

Date

ENVIRONMENTAL ASSESSMENT
FOR THE READJUSTMENT OF
FEDERAL COAL LEASE U-61049

PRICE RANGER DISTRICT
MANTI-LASAL NATIONAL FOREST
EMERY COUNTY, UTAH

Responsible Official: J.S. Tixier
Regional Forester
Intermountain Region (R-4)
USDA - Forest Service
Federal Building
324 25th Street
Ogden, Utah 84401

For Further Information Contact: George Morris
Forest Supervisor
Manti-LaSal National Forest
599 West Price River Dr.
Price, Utah 84501

or: Ira W. Hatch
District Ranger
Price Ranger District
599 West Price River Dr.
Price, Utah 84501

ENVIRONMENTAL ASSESSMENT
FOR THE READJUSTMENT OF
FEDERAL COAL LEASE U-61049

I. INTRODUCTION

A. Purpose and Need for Action

The Bureau of Land Management (BLM) notified the Forest Service on November 5, 1987, that Federal Coal Lease U-61049, currently leased to Intermountain Power Agency, would be subject to readjustment of terms and conditions on November 1, 1989. As the surface managing agency for most of this lease area, the Manti-LaSal National Forest is responsible for conducting an Environmental Assessment (EA) of the proposed action pursuant to the National Environmental Policy Act (NEPA) of 1969. This EA will address the proposed readjustment and identify management requirements for resource protection of lands within Federal Coal Lease U-61049.

B. Authorizing Actions

Leasing and development will be under the authority of the following authorizing actions: The Mineral Leasing Act of February 25, 1920, as amended; the Federal Land Policy and Management Act (FLPMA) of 1976; the Surface Mining Control and Reclamation Act (SMCRA) of 1977; the Multiple Minerals Development Act of August 4, 1977; the Federal Coal Leasing Amendments Act of 1976, as amended; regulations: Title 43 CFR Group 3400, Group 2800, and Title 30 CFR Group 700; and the Manti-LaSal National Forest Land and Resource Management Plan (Forest Plan) and Final Environmental Impact Statement (FEIS), 1986.

C. Land Description

Federal Coal Lease U-61049 is located in Emery County, Utah, within the Manti-LaSal National Forest, Price Ranger District. It lies on Gentry Mountain approximately 3 miles west of Mohrland, Utah (see Figure 1). Except as indicated below, the lease is mostly Federal surface/Federal minerals and is legally described as follows:

- T. 16 S., R. 7 E., SLM, Utah
 - Sec. 1, lot 2, SW/4 NE/4, W/2 SE/4;
 - Sec. 12, W/2 NE/4, E/2 W/2, SE/4;
 - Sec. 13, E/2, E/2 W/2.

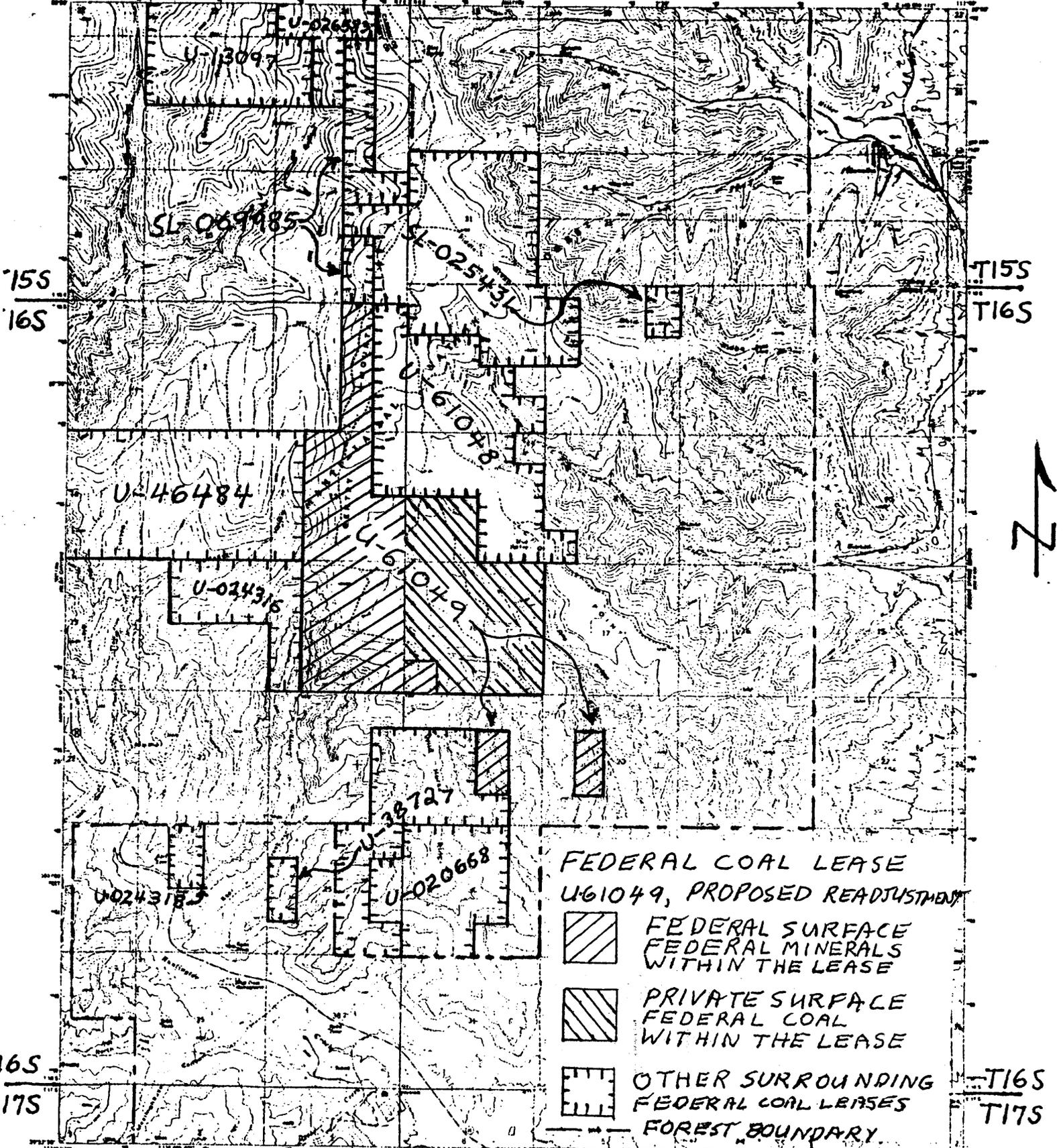
- T. 16 S., R. 8 E., SLM, Utah
 - Sec. 7, lots 3 and 4, E/2 SW/4; (all private surface-Federal coal)
 - Sec. 18, lots 1-4, E/2, E/2 W/2; (all except Lot 4, private surface-Federal coal)
 - Sec. 19, SW/4 NE/4, NW/4 SE/4;
 - Sec. 20, SE/4 NW/4, NE/4 SW/4.

Containing 2,036.09 acres

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF UTAH
UTAH GEOLOGICAL AND MINERAL SURVEY

HIWATHA QUADRANGLE
UTAH
7.5 MINUTE SERIES (T.60N., R.8E.)



FEDERAL COAL LEASE
U61049, PROPOSED READJUSTMENT



FEDERAL SURFACE
FEDERAL MINERALS
WITHIN THE LEASE



PRIVATE SURFACE
FEDERAL COAL
WITHIN THE LEASE



OTHER SURROUNDING
FEDERAL COAL LEASES



FOREST BOUNDARY

Miscellaneous, edited, and published by the Geological Survey
Covered by 1902, 1904, 1906, and U.S. Forest Service
Topography by photogrammetric methods from aerial photographs
taken 1970. Contour interval 100 feet. Map scale 1:24,000
Projection used is UTM (Universal Transverse Mercator) of 1970. UTM
coordinates are given in meters. Contour interval 100 feet.
1:24,000 scale (Universal Transverse Mercator) and UTM
and 1:250,000 scale (North American Datum)
This map is published in accordance with the provisions of the
National Geographic Society's map scale.



SCALE 1:24,000
NATIONAL GEOGRAPHIC SOCIETY
WASHINGTON, D.C. 20037

ROAD CLASSIFICATION
Light duty road, hard or
soft surface
Medium duty road
Heavy duty road
Interstate Route
State Route

THIS MAP COMPLIES WITH THE NATIONAL MAP ACTING STANDARDS
FOR SALE BY THE U.S. GEOLOGICAL SURVEY, DEPARTMENT OF THE INTERIOR, WASHINGTON, D.C. 20037
A FULLY REPRODUCIBLE MAP AND SYMBOLS AVAILABLE ON REQUEST

SCALE: 1" = MILE

HIWATHA, UTAH
1970

D. Background

The coal lands currently encompassed by the subject lease were initially contained within Federal Coal Lease SL-069985 which was issued to United States Fuel Company on November 1, 1949, and originally contained 2,436.9 acres. On September 12, 1958, U.S. Fuels relinquished 80.81 acres in the SE/4 SW/4 Section 1 and the NE/4 NE/4 Section 24, T16S, R7E, SLM, Utah. On October 1, 1986, the BLM approved a partial assignment of all but 320 acres of the leased lands to Intermountain Power Agency. The partial assignment created a new lease containing 2,036.09 acres which the BLM assigned Serial Number U-61049.

E. Mine Development

The coal lands currently within lease U-61049 were originally contained in lease SL-069985 held by U.S. Fuels. Only the "B" Seam (uppermost) has been mined between 1950 and 1979 in the northernmost portion of U-61049. Two other seams (Hiawatha and "A" Seams) are considered to be mineable within the northern portion of the lease but the three seams are thought to merge in the southern portions of U-61049. Under their original mining and reclamation plan application of March, 1981, U.S. Fuels developed a mining scenario for all of the parent lease lands which included room-and-pillar mining methods using the King portals to the east.

Their application was later amended to exclude that portion of SL-069985 assigned as U-61049 to Intermountain Power Agency (I.P.A.), hence the approved permit excludes the subject lease lands. I.P.A. has not yet filed an application for a mining and reclamation plan for the subject lands, but two possible scenarios could be developed according to Bob Eccli, Mine Engineer for U.S. Fuels (personal communication, January 1989). The subject lands could be mined by U.S. Fuels under contract to I.P.A. using King Mine surface facilities to the east or, I.P.A. could mine the subject lease lands from their Mohrland Mine portals to the east. In either case, a new or amended mining permit would be required which would specify future mine development.

F. Issues and Concerns

General public comments were solicited through local newspapers on January 17, 1989. Specific comments on the proposed action were solicited by letter directly to individuals or groups interested in Forest Management (see listing in Section V Part B). Comments were received from the Utah Division of Wildlife Resources (DWR). Issues addressed by DWR have been identified by the Forest Service Interdisciplinary (ID) Team and are stated in item (2) below. DWR's letter to the Forest Service is included in this document as Appendix B. Bill Engles, I.P.A. representative related through personal communications (3/15/89 - to later be followed by letter) that his company would not be interested in the application of Forest Service stipulations to that portion of the lease that was privately owned by IPA.

The Forest Service ID Team identified the following management concerns:

1. Surface disturbing activities and facilities if proposed and approved could adversely affect area resources.
2. Underground mining and subsidence could adversely affect surface and ground water, soils, vegetation, and wildlife.

G. Negative Declaration

The ID Team determined that this action, after mitigation, would cause no impacts on the following: prime or unique rangelands, wetlands, timberlands, or farmlands; floodplains; known cultural or paleontological resources; alluvial valley floors; known Threatened, Endangered, or Sensitive plant or animal species.

II. DESCRIPTION OF ALTERNATIVES

A. No Action Alternative - Alternative One

Consideration of the "No Action" alternative is required by Federal Regulations contained in 43CFR 1502.14(d). Under this alternative, the terms of the lease would not be changed.

Department of Interior Regulation 43 CFR 3451.1(a) (1) Federal Coal Management Regulations require that all leases issued prior to August 4, 1976, be subject to readjustment at the end of the current 20-year period and at the end of each 10-year period (under which this lease qualifies), thereafter. The present lease terms do not minimize the impact to the surface resources to an acceptable level pursuant to the Forest Plan, and new management requirements are needed.

B. Proposed Action with Application of Forest Service Special Stipulations on all Lease Lands - Alternative Two

Department of Interior Regulations 43 CFR 3400.3-1 pertaining to Coal Management make provision for the Surface Management Agency, the surface of which is under the jurisdiction of any Federal agency other than the Department of Interior, to consent to leasing and to prescribe conditions to insure the use and protection of the lands. Most of the lands contained within this lease are managed by the United States Department of Agriculture, Forest Service, Manti-LaSal National Forest. Other lands as indicated on Map 1 are owned and managed by I.P.A. Under this alternative, readjustment of the lease terms would be conditioned upon the adoption of Forest Service management constraints by the BLM and I.P.A. These constraints are in the form of stipulations included in this document as Appendix A.

C. Proposed Action with Application of Forest Service Special Stipulations on Lease Lands Exclusive of Privately Owned Surface - Alternative Three

This alternative is essentially the same as Alternative Two with the exception that special F.S. stipulations would not be applied to those surface lands owned and managed by I.P.A. Specific comments were solicited by F.S. letter to I.P.A. dated January 11, 1989. Written Agreement by I.P.A. must be granted to apply the surface protection stipulations to surface lands owned by I.P.A. within the subject lease. Bill Engles, I.P.A. representative related through personal communications (3/15/89 - to later be followed by letter) that his company would not be interested in the application of Forest Service stipulations to that portion of the lease that was privately owned by I.P.A.

III. AFFECTED ENVIRONMENT

The affected environment of the subject areas has been generally described in numerous environmental documents and resource reports (especially U.S. Fuels Mining and Reclamation Plan) prepared for coal leasing, exploration and development in this and surrounding areas. These documents are listed for reference in Section VI, Selected Tiering and Reference Documents. There are several resources on the lease for which concern was identified. These resources are essentially unique to the proposal and are under consideration in this document.

A. Topography

The lease area is located in the south central portion of Gentry Mountain. Elevations range from 7,600 feet to 9700 feet above sea level. The lease is largely situated along the flat-lying portion of Gentry Mountain with the southern portion extending to the Wild Horse Ridge area. Slopes in the lease area vary from 50 percent or more in the Wild Horse Ridge area to nearly flat on the mountain top. The area is incised by the Bear Canyon and Fish Creek drainages and other intermittent streams. Local geologic formations exhibit varying degrees of resistance to erosion which result in the characteristic "stair-step" appearance of the slopes especially in the southern portion of the lease.

B. Geology

The lease area is located within the east-central portion of the Wasatch Plateau. The Wasatch Plateau is considered to be a transitional zone between the Basin and Range Physiographic Province to the west and the Colorado Plateau Physiographic Province to the east. The Wasatch Plateau exhibits geologic characteristics of both provinces.

Rock strata in the region are of sedimentary origin and represent deposition in diverse environments during late Cretaceous and early Tertiary time. The strata are nearly horizontal beds of sandstone, shale and limestone which make up the following units (in ascending order): Mancos Shale, Star Point Sandstone, Blackhawk Formation,

Castlegate Sandstone, Price River Formation, North Horn Formation and Flagstaff Limestone. The strata dip about five to eight degrees to the southwest.

There are three coal beds considered to be mineable within the lease, all of which are located in the Blackhawk Formation. These beds, in ascending order are the Hiawatha Seam, the "A" Seam and the "B" Seam. The Hiawatha Seam is situated at or near the contact of the Blackhawk Formation and Starpoint Sandstone. Separation between these seams varies from 0 feet to greater than 50 feet. These seams are thought to merge into one thick seam on the southern portion of the lease area.

Several minor faults associated with the Pleasant Valley and Joes Valley Fault Zones are present in the general area. The Bear Canyon Fault is the only major fault occurring in the vicinity and effectively forms the western boundary of the lease area. Mass movement (rock falls, slumps, soil creep, etc.) is a major consideration on the southwestern and southeastern corners of the lease area. The slumps and slides typically occur in the Price River and North Horn Formations, while rock falls typically occur in the Star Point and Castlegate Sandstones.

C. Ground Water

Ground water within the lease and adjacent areas is generally of good quality. The available data on groundwater occurrence in this area is insufficient to provide definite predictions. Studies by Vaughn Hansen Associates and U.S. Fuels on lease areas in the general vicinity indicate that ground water may exist in two distinct "regimes". (1) Within the Blackhawk Formation ground water is believed to occur in a number of perched aquifers. (2) A regional water table is believed to be associated with the Star Point Sandstone; occurring either at the Blackhawk-Star Point contact or within the Star Point itself.

Aquifers within the Blackhawk and Price River Formations have similar characteristics. Locally these units contain sand lenses or channels which provide good aquifer characteristics. However, regionally these aquifers are discontinuous and recharge is limited to a relatively small area. As a result, low discharge rates are frequently encountered. The Castlegate Sandstone and the North Horn Formation provide a more continuous and widespread aquifer and are known to yield significant amounts of water in the general area.

Generally, ground water movement is controlled by geologic structure and is in the direction of the dip of the rock strata. Faults and fractures may enhance ground water conditions by channeling ground water flow. Many seeps and springs surface along these faults or associated sympathetic joints and others are closely associated with lithologic contacts, where there is a change in permeability. Substantial water flows associated with the Bear Canyon Fault have been encountered in mine workings near the lease.

D. Soils

An order 3 intensity soil survey has been conducted over the lease area. In general this information shows that most of the soils are moderately deep to deep silty clay loams over limestone bedrock. The topsoil characteristics are fairly good for revegetation. Some problems could be expected in the more steeply sloping areas of the lease tract.

Any surface disturbing activity proposed on the lease tract would require an on-site evaluation and EA. Specific mitigations to potential impacts would be addressed at that time. It is not anticipated that any significant effects would occur to the soil resource that could not be reasonably mitigated.

E. Climate

The climate of the lease area is generally cool and dry. Precipitation and temperature may vary with elevation. Storage rain gages at similar elevations in Joes Valley average 14.6 inches at valley stations to 19 inches on ridges. Most of the precipitation, approximately two-thirds, comes in the form of snow during the months of October through April. The maximum snow accumulation occurs about the first of March each year. Snow depths average about 27 inches. Snow accumulation varies considerably with local topography. The eastern sides of ridges and the north-facing slopes accumulate the most snow. South-facing slopes are snow-free for much of the winter.

The thermal characteristics vary with elevation. Mean annual temperatures vary from 43.5 degrees Fahrenheit in the bottom of Bear Canyon to 32 degrees Fahrenheit on Wild Horse Ridge to the south. The annual frost-free periods for these same sites are 100 days and 40 days respectively. Mean maximum and minimum temperatures for January are 28 degrees Fahrenheit and 18 degrees Fahrenheit respectively. Mean maximum and minimum temperatures for July are 84 degrees Fahrenheit and 52 degrees Fahrenheit respectively.

F. Surface Hydrology

Surface drainages from coal lease tract U-61049 all drain to the west to Huntington Creek through three different drainages; McCadden Hollow, Bear Creek and Fish Creek, all three drainages are intermittent within the lease area. Run-off into Fish Creek is primarily from privately owned surface. Surface disturbing activities associated with coal mining could cause an increase in sediment to these drainage systems. The probable effect is not considered significant so long as proper mitigating measures are applied. Subsidence as a result of coal mining could disrupt the surfacewater regime. The issue is addressed under stipulations for leasing and mining.

G. Wildlife and Fish

Deer and Elk utilize the area of Lease U-61049 for summer range. The area may be used for calving and fawning in the Spring.

The diversity of vegetative types on the lease supports a diverse wildlife population. Besides deer and elk, other game and furbearing species may include: black bear, cougar, bobcat, red fox, grey fox, badger, coyote, snowshoe hare, and an occasional moose may be seen. Avifauna of the area may include several species of hawk, owl, eagle, jay and sparrow. Because of the diversity of habitat components, there are probably many small mammals and songbirds found on the lease which are too numerous to list in detail in this report.

There are no fisheries within the lease area. The lease area does drain into Huntington Creek which is considered a valuable fishery.

The American Bald Eagle is the only known Endangered animal species that may inhabit the area. Bald Eagles are known to winter throughout the region.

Some impacts to wildlife could result from the development of this lease due either from subsidence or surface disturbing activities, i.e. drilling, road construction or facilities.

H. Vegetation

Trees are scattered throughout the Lease U-61049. The coniferous species such as douglas-fir, englemann spruce and white fir are found primarily on the wetter sites, the north and east facing slopes. Quaking aspen grow in clones on the wetter sites that occur on the dry, high elevation south and west aspects. Bristlecone pine and limber pine grow on the higher elevations in harsh, dry environments. Further down the slopes in the canyon and escarpment faces there is an abundance of Utah juniper and pinyon pine.

The low-lying and brushy vegetation on the dry sites consists of: sagebrush, rabbitbrush, mountain mohogany, thistle, elk weed, wild daisy and hard grass. The moderate-to-wetter site plant communities are made up of: snowberry, serviceberry, wood rose, yarrow, pearl everlasting, locoweed, dandelion, cinquefoil, lupine, wheatgrasses, brome, needlegrass and bluegrass. These plants grow in large open expanses primarily on the south and west aspects, ridge tops and under the sparse tree stands. The Forest Botanist investigated the lease area for Threatened or Endangered or Sensitive plant species and none were found.

I. Range Management

Lease U-61049 is within the Gentry Mountain Cattle and Horse Allotment. There are 1440 head of cattle that graze this allotment from approximately June 27 to August 1. There are two livestock

driveways that provide access to the allotment. One goes through Trail Canyon and crosses lease U-61049. The other lies in Chris Otteson Hollow to the east of the lease.

Approximately 680 acres of the lease area is classified as either unsuitable or non-rangeland because of steep slopes, stands of heavy timber, barren slopes or rock outcrop. Approximately 1350 acres of sagebrush and the areas under the aspen stands are classified as suitable range. The suitable range offers fair to excellent grazeable vegetation. Range improvement on the subject lease include one unit boundary fence.

Mining and exploration of this lease could have some effect on the range management of the area. Subsidence could affect present water sources. Exploration and/or development could take a portion of the range out of production for a period of time.

IV. ENVIRONMENTAL CONSEQUENCES

A. Effects of Implementation

Mining in the lease area took place when the lease was included in the permit area of the U.S. Fuel Co. King Mines (Hiawatha Complex). No significant impacts have been observed on that portion of the leased surface administered by the Manti-LaSal National Forest. There would be no additional effects to the environment unless coal production is continued from the lease under a new approved mining and reclamation plan and/or surface disturbing operations are conducted.

If mining continues under a new MRP, effects would result from deformation of the overburden and subsidence of the land surface. Additional effects would result from any surface disturbing activities such as coal exploration, construction of surface facilities for mining and the other activity associated with surface operations.

The environmental consequences for all three alternatives will be essentially the same but may differ in magnitude. Under the terms and conditions contained in the existing lease (No Action Alternative), the environmental consequences may not be as thoroughly mitigated.

Under Alternative Two, the stipulations contained in Appendix A would be included on the entire lease and anticipated effects would be mitigated to the maximum degree practical on all lands.

Under Alternative Three, the anticipated effects would be mitigated to an acceptable level on National Forest System lands. If the private surface owner does not agree to the application of surface protection stipulations, then it is not known to what degree the anticipated surface impacts on the private surface lands will be mitigated.

B. Short-Term and Residual Impacts

Surface disturbing operations if proposed and approved would result in some degradation of surface water quality, increased soil erosion, removal of vegetation and the associated disturbance to wildlife from human activities and presence. The duration of the impacts would depend upon the life of operations and time needed for reclamation to be successful.

The lease has been partially mined to date. The area has undergone subsidence to some degree; however, the present extent of subsidence is unknown at this time. If the remaining coal reserves contained within the lease are mined, additional subsidence would occur at the surface. The amount and extent of subsidence would depend on the mining method, mine configuration, number and thickness of seams mined and the geologic factors which control the strength of the overlying rock units. Stresses produced within the rock strata as a result of mining may effect mine safety, recoverability, ground water flow and the surface environment.

Subsidence begins almost immediately upon mining and may continue for many years after the working area is abandoned. The rate, extent and amount of subsidence will vary with the geologic conditions and mining operations.

It is expected that mining and subsidence will have an effect upon the natural ground water flow which may, in turn, result in effects to surface water, soils, vegetation, wildlife habitat and land uses.

C. Short-Term Use vs. Long-Term Productivity

Construction of facilities and operations would involve long-term uses and disturbance. The duration would be dependent on the life of the mining operation and the additional time required for revegetation of the disturbed areas following reclamation.

Underground mining and subsidence could involve long-term alteration of the ground water flow and associated effects to surface resources. The long-term productivity could be altered as drainages, soils and vegetation gradually adjust to any modified ground water conditions. The productivity could decrease or increase depending on the amount of available water.

D. Irreversible and Irretrievable Commitment of Resources

The resources that would be consumed in coal extraction would not be retrievable, and not available to be used elsewhere once expended. After the coal is mined, its' use by future generations would be irreversibly lost, and the coal left in place would not be recovered.

Subsidence may result in the irreversible commitment of some of the discussed resources.

E. Cumulative Effects

Historically, man's activities in the lease area have included livestock grazing, recreation and roads which have resulted in changes in vegetation and erosion. These are no cumulative effects associated with the readjustment of this lease. Cumulative effects resulting from mining coal could include the effects from subsidence, the effects associated with surface disturbing operations such as coal exploration and construction of mining facilities if proposed and approved, and the human activity from continued operations as exists on mines in adjacent areas. Cumulative effects are within the thresholds established in the Manti-LaSal National Forest Land and Resource Management Plan.

V. PERSONNEL AND PUBLIC INVOLVEMENT

A. Forest Service Interdisciplinary Team

Brent Barney, Civil Engineer
 Ira Hatch, District Ranger
 Dan Larsen, Soil Scientist
 Leland Matheson, Range Conservationist
 Ted McDougall, Geologist
 Walter Nowak, Geologist-Team Leader

B. Other Organizational and Public Involvement

1. Emery County Commissioners 75 E. Main, Castle Dale, Ut 84513
2. Slickrock Outdoor Society, Rt. 1, Box 1444, Price, Utah 84501
3. Slickrock Country Council, P.O. Box 126, Moab, Utah 84532
4. Utah Wilderness Association, 455 E. 400 S. #306, SLC, UT 84111
5. Utah Division of Wildlife Resources, 455 West Railroad Ave.
Price, Utah 84501
6. East Carbon Wildlife Federation, 331 Carson Box 904, East
Carbon, Utah 84520
7. Huntington Livestock Association, Huntington, Utah 84528
8. Intermountain Power Agency, 5250 S. 300 W. #101, Murray, UT 84107

VI. SELECTED TIERING AND REFERENCE DOCUMENTS

- A. Environmental Assessment/Technical Examination for the Readjustment of Federal Coal Lease SL-025431 and 12/10/82.
- B. Manti-LaSal National Forest Environmental Impact Statement and Land and Resource Management Plan, 11/86.

- C. Environmental Assessments for the Readjustment of Federal Coal Lease SL-025431, 11/19/82; U-024316, 7/6/87; U-46484, 4/28/87; and U-38727, 8/87.
- D. United States Fuel Company, King Mines Mining and Reclamation Plan approved on July 16, 1986.
- E. Environmental Assessment, U.S. Fuel Company, Hiawatha Mines Complex, King Nos. 4, 5 and 6 Mines, May 1986, Office of Surface Mining.

APPENDIX A

STIPULATION FOR LANDS OF THE NATIONAL FOREST SYSTEM
UNDER JURISDICTION OF
THE DEPARTMENT OF AGRICULTURE

The licensee/permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights granted by the Secretary of the Interior of the license/prospecting permit/lease. The Secretary of Agriculture's rules and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of a permit/operation plan by the Secretary of Interior, (2) uses of all existing improvements, such as Forest development roads, within and outside the area licensed, permitted or leased by the Secretary of Interior, and (3) use and occupancy of the NFS not authorized by a permit/operating plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed to:

Forest Supervisor
Manti-LaSal National Forest
599 West Price River Dr.
Price, Utah 84501 ~

Telephone No.: 801-637-2817

who is the authorized representative of the Secretary of Agriculture.

Signature of Licensee/Permittee/Lessee

SPECIAL STIPULATIONS

Federal Regulations 43 CFR 3400 pertaining to Coal Management make provisions for the Surface Management Agency, the surface of which is under the jurisdiction of any Federal agency other than the Department of Interior, to consent to leasing and to prescribe conditions to insure the use and protection of the lands. All or part of this lease contain lands the surface of which are managed by the United States Department of Agriculture, Forest Service - Manti-LaSal National Forest.

The following stipulations pertain to the Lessee responsibility for mining operations on the lease area and on adjacent areas as may be specifically designated on National Forest System lands.

Forest Service Stipulation #1.

Before undertaking activities that may disturb the surface of previously undisturbed leased lands, the Lessee may be required to conduct a cultural resource inventory and a paleontological appraisal of the areas to be disturbed. These studies shall be conducted by qualified professional cultural resource specialists or qualified paleontologists, as appropriate, and a report prepared itemizing the findings. A plan will then be submitted making recommendations for the protection of, or measures to be taken to mitigate impacts for identified cultural or paleontological resources.

If cultural resources or paleontological remains (fossils) of significant scientific interest are discovered during operations under this lease, the Lessee prior to disturbance shall immediately bring them to the attention of the appropriate authority. Paleontological remains of significant scientific interest do not include leaves, ferns or dinosaur tracks commonly encountered during underground mining operations.

The cost of conducting the inventory, preparing reports, and carrying out mitigating measures shall be borne by the Lessee.

Forest Service Stipulation #2.

If there is reason to believe that threatened or endangered (T&E) species of plants or animals, or migratory bird species of high Federal interest occur in the area, the Lessee shall be required to conduct an intensive field inventory of the area to be disturbed and/or impacted. The inventory shall be conducted by a qualified specialist and a report of findings will be prepared. A plan will be prepared making recommendations for the protection of these species or action necessary to mitigate the disturbance.

The cost of conducting the inventory, preparing reports and carrying out mitigating measures shall be borne by the Lessee.

Forest Service Stipulation #3.

The Lessee shall be required to perform a study to secure adequate baseline data to quantify the existing surface resources on and adjacent to the lease area. Existing data may be used if such data is adequate for the intended purposes. The study shall be adequate to locate, quantify, and demonstrate the inter-relationship of the geology, topography, surface hydrology, vegetation and wildlife. Baseline data will be established so that future programs of observation can be incorporated at regular intervals for comparison.

Forest Service Stipulation #4.

Powerlines used in conjunction with the mining of coal from this lease shall be constructed so as to provide adequate protection for raptors and other large birds. When feasible, powerlines will be located at least 100 yards from public roads.

Forest Service Stipulation #5.

The limited area available for mine facilities at the coal outcrop, steep topography, adverse winter weather, and physical limitations on the size and design of the access road, are factors which will determine the ultimate size of the surface area utilized for the mine. A site specific environmental analysis will be prepared for each new mine site development and for major improvements to existing developments to examine alternatives and mitigate conflicts.

Forest Service Stipulation #6.

Consideration will be given to site selection to reduce adverse visual impacts. Where alternative sites are available, and each alternative is technically feasible, the alternative involving the least damage to the scenery and other resources shall be selected. Permanent structures and facilities will be designed, and screening techniques employed to reduce visual impacts and, where possible, achieve a final landscape compatible with the natural surroundings. The creation of unusual, objectionable, or unnatural landforms and vegetative landscape features will be avoided.

Forest Service Stipulation #7.

The Lessee shall be required to establish a monitoring system to locate, measure and quantify the progressive and final effects of underground mining activities on the topographic surface, underground and surface hydrology and vegetation. The monitoring system shall utilize techniques which will provide a continuing record of change over time and an analytical method for location and measurement of a number of points over the lease area. The monitoring shall incorporate and be an extension of the baseline data.

Forest Service Stipulation #8.

The Lessee shall provide for the suppression and control of fugitive dust on haul roads and at coal handling and storage facilities. On Forest Development Roads (FDR), Lessees may perform their share of road maintenance by a commensurate share agreement if a significant degree of traffic is generated that is not related to their activities.

Forest Service Stipulation #9.

Except at specifically approved locations, underground mining operations shall be conducted in such a manner so as to prevent surface subsidence that would: (1) cause the creation of hazardous conditions such as potential escarpment failure and landslides, (2) cause damage to existing surface structures, and (3) damage or alter the flow of perennial streams. The Lessee shall provide specific measures for the protection of escarpments, and determine corrective measures to assure that hazardous conditions are not created.

Forest Service Stipulation #10.

In order to avoid surface disturbance on steep canyon slopes and to preclude the need for surface access, all surface breakouts for ventilation tunnels shall be constructed from inside the mine, except at specific approved locations.

Forest Service Stipulation #11.

If removal of timber is required for clearing of construction sites, etc., such timber shall be removed in accordance with the regulations of the surface management agency.

Forest Service Stipulation #12.

The coal contained within, and authorized for mining under this lease shall be extracted only by underground mining methods.

Forest Service Stipulation #13.

Existing Forest Service owned or permitted surface improvements will need to be protected, restored, or replaced to provide for the continuance of current land uses.

Forest Service Stipulation #14.

In order to protect big game wintering areas, elk calving and deer fawning areas, sagegrouse strutting areas, and other critical wildlife habitat and/or activities, specific surface uses outside the mine development area may be curtailed during specified periods of the year.

Forest Service Stipulation #15.

Support facilities, structures, equipment, and similar developments will be removed from the lease area within two years after the final termination of use of such facilities. Disturbed areas and those areas previously occupied by such facilities will be stabilized and rehabilitated, drainages re-established, and the areas returned to a premining land use.

Forest Service Stipulation #16.

The Lessee, at the conclusion of the mining operation, or at other times as surface disturbance related to mining may occur, will replace all damaged, disturbed or displaced corner monuments (section corners, 1/4 corners, etc.) their accessories and appendages (witness trees, bearing trees, etc.) or restore them to their original condition and location, or at other locations that meet the requirements of the rectangular surveying system. This work shall be conducted at the expense of the Lessee, by a professional land surveyor registered in the State of Utah, and to the standards and guidelines found in the Manual of Surveying Instructions, United States Department of the Interior.

Forest Service Stipulation #17.

The Lessees, at their expense, will be responsible to replace any surface water identified for protection, that may be lost or adversely affected by mining operations, with water from an alternate source in sufficient quantity and quality to maintain existing riparian habitat, fishery habitat, livestock and wildlife use, or other land uses.

APPENDIX B

George Morris
Attn: Rod Player and Walt Nowak
Page 2
January 18, 1989

Aquatic life, particularly hydrophytes, invertebrates, mollusks and fishes could suffer due to reduced or lost flows. It is even possible that subsidence fractures could expose undesirable mineral deposits to aquatic systems. If such situations were to occur, aquatic and terrestrial animals would either perish or be forced to reduce the size of their use areas. Ultimately, the carrying capacity of the area for wildlife would be reduced.

Increased flows resulting from subsidence that may appear as a benefit could in actuality mean that some other aquatic system has lost flows. But benefits are possible if subsidence cracks access an isolated hydrologic basin.

Reduced or lost flows in surface water systems and ground water systems can negatively impact terrestrial habitats. Mesic habitats (riparian, wetland and aspen types) associated with those systems could be degraded by the reduction or loss of water. In all ecological situations (desert, submontane and montane) riparian or wetland ecosystems due to their high level of biological productivity, limited acreage and intense use by wildlife, represent a critical valued habitat. Similar comments can be made for the aspen habitat in the montane ecological situation.

Beyond problems associated with aquatic systems, subsidence impacts to terrestrial wildlife and habitats are primarily associated with surface movement of the earth. However, methane gas has been known to travel along subsidence fractures to the surface. The escaping gas affects rhizobium in the soil and can kill adjacent rhizobium dependent vegetation.

The surface cracks alone have little impact on wildlife. It is possible that individual animals could perish in some of these holes or cracks. It has even been suggested that the movement in the earth could collapse the burrows of small rodents, thus trapping and killing them. At this point in time, I doubt whether that is a valid concern in that small rodents are extremely abundant. Since subsidence occurs over such small and limited areas, impacts to rodents would not be of consequence.

Most rodents probably have trouble with their burrows caving at times anyway. Thus, they are adapted to digging around such cave-ins. It is likely that cracks and surface displacement created by subsidence represent escape cover for small animals, and to some degree, access points for burrowing animals.

Subsidence has caused escarpment failures. When raptor nests exist in the escarpments, such failures would be of negative consequence, since raptors typically return to reuse their nests over the years. Where escarpment failure occurs and there are no raptor nests, such failure could create suitable raptor nesting habitat.

George Morris
Attn: Rod Player and Walt Nowak
Page 3
January 18, 1989

Many surface displacement lines from subsidence in Utah's coal mining areas are utilized extensively by big game as travel corridors. These fracture lines, once they become filled in, represent a flat trail on which the animals can easily walk around the contours of a mountain or across ridge tops.

It is hoped that the aforementioned information will prove useful to you in coal leasing decisions. If the Division can be of any further service, please don't hesitate to call.

Sincerely,



Larry B. Dalton, Wildlife Program Manager
Resource Analysis/Habitat Protection

LBD/dd

cc: Darrell Nish, DWR
Lowell Braxton, DOGM
Clark Johnson, USFWS
Linda Seibert, BLM



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District
P. O. Box 970
Moab, Utah 84532

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U-61049
(U-065c)

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Recd. 4/9/92
CE

Mr. Jack Rogers
Plateau Mining Company
P. O. Box Drawer PMC
Price, Utah 84501

CC: X-3

Dear Mr. Rogers:

The Bureau of Land Management (BLM) is responsible for the administration of exploration activities on Federal coal by authority of the Mineral Leasing Act of 1920 (MLA), as amended, and as described in the regulations found at 43 CFR 3482. The regulations at 43 CFR 3482.2(b) state that, "Approved exploration plans may be required to be revised or supplemented at any time by the authorized officer, after consultation with the operator/lessee and the responsible officer of the surface managing agency as necessary, to adjust to changed conditions, to correct oversights, or to reflect changes in legal requirements".

The operators drilling any future holes drilled under an existing approved coal exploration plan must submit a modification to the exploration plan to incorporate new drilling stipulations or to justify any departure from these new stipulations (enclosed). In particular, 1) all coal exploration drill holes must be cemented from the total depth of the hole to the surface and, 2) the surface and intermediate casing (if used) must be fully pressure grouted in the annulus from the bottom of the string to the surface. This modification must receive prior approval by the authorized officer before any new drilling is allowed to proceed. The BLM must be given ample time to evaluate these modifications to existing exploration plans prior to the commencement of drilling.

Any future coal exploration drill holes must comply with the enclosed new drilling stipulations. Any variance from the above statements and the enclosed stipulations must receive prior approval from the Chief of the Price Coal Office.

If you have any questions please contact Gary Johnson - Chief of
the Price Coal Office at 637-4584.

Sincerely,

Gary Johnson

for

Assistant District Manager,
Mineral Resources

Enclosure:
BLM Drilling Stipulations

cc:
SD, Utah (U-921) (w/encl.)
SD, Utah (U-942) (w/encl.)
Manti-La Sal National Forest (w/encl.)
Utah Division of Oil Gas and Mining (w/encl.)

REPORT OF WATER OBSERVED

Company: _____ Lease/License Number: _____
Address: _____ Drill Hole Number: _____
_____ Date Completed: _____
_____ Total Depth: _____

Company Contact: _____
Phone Number: _____

Drilling Contractor: _____
Address: _____

Company Contact: _____
Phone Number: _____

Location of Hole: T. __ S., R. __ E., Section __: __ 1/4 __ 1/4 __ 1/4
Hole Elevation: _____ Hole Diameter: _____
Drilling Method: _____
Static Water Level: _____

Aquifer No. 1

Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
_____ Water Sample Provided to BLM? _____

Aquifer No. 2

Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
_____ Water Sample Provided to BLM? _____

Aquifer No. 3

Depth Below Ground Elevation: _____ Formation: _____
Rock Type: _____ Yield(GPM): _____
Date Reported to BLM*: _____ Requirements of BLM*: _____
_____ Water Sample Provided to BLM? _____

-----*
*Refer to Stipulation Number 3

Intermountain Power Agency

MESSAGE DISPLAY

TO I.Hatch
CC A.Howe
CC S.Robison:R04A
CC W.Nowak
CC C.Reed

From: C.REED
Postmark: Aug 23,88 1:34 PM
Status: Certified
Subject: Readjustment of Coal Leases SL-069985 and U-61049
U.S. Fuel Intermountain Power Agency

Message:

This is a reminder. Our EA's for these leases are due at the RO on March 1, 1989. The draft EA's need to be received in the SO by January 15, 1989 to allow for the needed time for staff review and for potential revisions. If field reviews will be needed, they need to be conducted this field season. If a field ID team meeting is needed, it will be necessary to get the scoping document out this field season on time to organize the team and conduct the field review.

-----X-----