

*OK Incoming  
c/025/0005*

0117

**From:** "Richard Swapp" <swapp13@gmail.com>  
**To:** <priscillaburton@utah.gov>, <danadean@utah.gov>, <mnoel@kanab.net>, <jls...>  
**Date:** 6/19/2008 9:45 AM  
**Subject:** Proposed Coal Hollow Mine in Alton, Utah

Division of Oil, Gas and Mining

This is additional information is being submitted in connection with the informal meeting held in Alton, Utah, Monday, June 16, 2008. I appreciate extra effort put forth by the management and staff of the Division of Oil, Gas and Mining in sponsoring the meeting and giving us the opportunity to discuss the coal mine project with you.

From the inception of the proposed Coal Hollow Mine near Alton, Utah, Alton Coal (operator) has repeatedly stated that coal would not be hauled on the section of the county road that passes through Alton. Furthermore, the operator has indicated the coal would be hauled to a location about 7 miles west of Cedar City via US 89, SR 20 and I-15. The operator has been asked repeatedly about the location of a new mine access road to bypass Alton. But to date has not given a definitive answer, only that it may be to the east or west of Alton. The operator has indicated the new mine access road is critical to the financial success of the mining operation, because using existing roads and hauling south to Glendale and then north on US89 was too costly.

The operator has at least five options to bypass Alton.

1. Haul South on the existing road to Glendale or to US 89 East of Kanab. A new access road is not required using these routes.
2. Construct a new access road running west from the mine site to US 89. This route would be located away from present populated areas and would create the least impact on fish, wildlife, waterways and quality of life. It would be the easier to maintain because of its southern exposure and somewhat less snow fall.
3. Construct a new access road East of Alton then go North along an abandoned county road to connect with US 89, 4 or 5 miles South of Hatch Town. This route would have a large impact on deer, elk, other wildlife and the quality of life.
4. Construct a new access road East of Alton then circle to the West and connect with the upper Alton road. This road could connect to either the upper Alton road (gravel) or the lower Alton road (paved). The logical connection is to the upper Alton road. This route would have significant impact to deer, elk, wildlife in general, head waters of the East Fork of the Virgin River and the quality of life.
5. Construct a new access road West of Alton. This road could connect to either the upper Alton road (gravel) or the lower Alton road (paved). The logical connection is to the lower Alton road. Considering potential environmental impact this is probably the most damaging of the possible choices. This route includes the head waters of the East fork of the Virgin River. Trucks would run through 3 miles of a fragile ecosystem of small springs, lakes, streams, meadows and within 100 feet of the primary spring for the East fork of the Virgin River. This ecosystem supports fish,

ducks, geese, deer, elk and significant other wild life. This route would also have major impact on the quality of life.

The operator has made a choice. He is contractually bound to bypass Alton. i.e. the contract reads: "No coal shall be transported through the town of Alton. Alton Coal shall procure rights(s)-of-way and construct a road or roads for coal transport which shall not come within the existing deer fence surrounding the town of Alton unless given approval by land owner and shall use said road or roads for the transportation of all coal." As a party to a contract the operator has chosen to bypass Alton and build a new mine access road. An access road that is critical to his mining operation and an access road that will have considerable environmental impact.

The operator has already committed to a standard of excellence in the permit application wherein it is stated: "The CHP will be a flagship coal mining operation and its culture of excellence will not start when the first ton of coal is mined, but rather from project inception. ACE seeks to develop a culture of high integrity extending to it personnel, mining operation, community relations, and environmental performance."

A quote from the mining application (page 3-40): " The Coal Hollow Project will minimize disturbances and adverse impacts to fish and wildlife and related environmental values during coal mining and reclamation operations. The project will comply with the Endangered Species Act of 1973 during coal mining and reclamation operations. The location and operation of haul and \*access roads\* and support facilities will be placed to avoid or minimize impact on important fish and wildlife species or other species protected by state or federal law."

The operator has indicated that a new coal mine access road is a necessary component of the coal mine. As a component of the mine it should be included in the permitting process. The location of the new access road should be determined and rights(s)-of-way procured as part of the permitting process.

Thank you for your consideration. My hope is that you will review and consider the forgoing information and include any coal mine access road constructed to by pass Alton as a part of the mining permit application.

Richard Swapp  
P. O. Box 100794  
Alton, Utah 84710