

0136

*C/025/005 Incoming
cc: Joe*



Alton Coal Development, LLC

463 North 100 West, Suite 1

Cedar City, Utah 84720

Phone (435) 867-5331 • Fax (435) 867-1192

Date: July 29, 2008

Daron R. Haddock
Coal Program Manager
Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114-5801

Subject: Data Recovery Plan and Research Design for Site 42KA2044, Alton Coal Development LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Haddock,

Enclosed are the Data Recovery Plan/Research Design and a Utah Archeological Excavation Permit Application for site 42KA2044. The report lays out the research design and data recovery program for site 42KA2044 that has been deemed eligible for inclusion in the National Register of Historic Places (NRHP).

Although considerable effort was expended to avoid impacts to this site, it has been determined that avoidance can not be reasonably implemented into the operations plan at the Coal Hollow Mine. Therefore, the attached plan and application is proposed as mitigation for planned impacts to the site.

Please let me know if you have any questions or concerns.

Sincerely,

Chris McCourt
Manager

File in: *C/025/0005, 2008, Incoming*
Refer to:
 Confidential
 Shelf
 Expandable
Date *7/29/08* For additional information

RECEIVED

JUL 30 2008

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Alton Coal Development, LLC

Mine: Coal Hollow

Permit Number: C/025/0005

Title: Data Recovery/Research Design and Utah Archeological Excavation Application for Site 42KA2044

Description, Include reason for application and timing required to implement:

These documents are submitted as a request to mitigate for planned impacts to NRHP site 42KA2044

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: R645-301-411 Cultural and Historic Resources
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

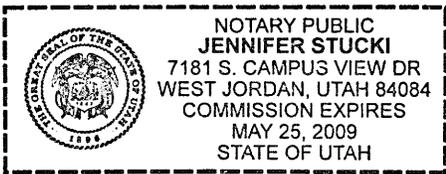
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Chris McCourt
Print Name

Chris Hubert, Manager, 7-29-08
Sign Name, Position, Date

Subscribed and sworn to before me this 29 day of July, 2008

[Signature]
Notary Public
My commission Expires: 5:25, 2009 }
Attest: State of Utah } ss:
County of Iron



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="text-align: center; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center; font-size: 1.2em;">JUL 30 2008</p> <p style="text-align: center; font-size: 0.8em;">DIV. OF OIL, GAS & MINING</p>
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Utah Archaeological Excavation Permit

Public Lands Policy Coordination Office
5110 State Office Building
P.O. Box 141107
Salt Lake City, Utah 84114-1107

Application for and issuance of a permit to conduct archaeological excavation under provisions of the Utah State Antiquities Act (UCA 9-8-301— 308) and implementing regulations as codified in R694-1. Please include a copy of research design, a 1:24,000 scale map of research location, and written permission from land owner to enter and excavate on property. For assistance with this application, please contact Lori Hunsaker, Archaeological Permitting Analyst at 801-537-9046 or lhunsaker@utah.gov.

- 1) Name, and the number of the applicant's Utah state issued Archaeological Survey Permit.

Montgomery Archaeological Consultants, Inc.
Permit No. 117

- 2) Describe the nature of proposed investigations as an abstract of your research design. This or the attached research design should clearly address the questions outlined in UC 9-8-305(3)(a)(i):
 - A) State the question to be addressed; Data Recovery Plan, Research Domains and Questions, Pages 11-15
 - B) State the reason for the work; Data Recovery Plan, Introduction, Page 1
 - C) Define the methods to be performed; Data Recovery Plan, Field Methods, Pages 16-18
 - D) Describe the analysis to be performed; Data Recovery Plan, Laboratory Methods, Pages 18-21
 - E) Outline the expected results for the plan of reporting; Data Recovery Plan, Reporting Results and Dissemination, Page 21
 - F) Evaluate expected contributions of the proposed work to archaeological or anthropological science; Data Recovery Plan, Research Domains and Questions, Pages 11-15
 - G) Estimate the cost and the time of the work that the principal investigator believes is necessary to provide the maximum amount of historic, scientific, archaeological, anthropological, and educational information.
The cost estimate has been approved for data recovery and analysis.
- 3) Provide the location of the investigation using site numbers, legal descriptions, land ownership, plot the location on a 1:24,000 scale map and attach a copy of the map.

Site: 42Ka2044

Location: SW/NW/SE, SE/NW/SE, and NW/SW/SE Section 19, T39S, R5W

USGS 7.5' Series Alton, Utah
Land Ownership: BLM and Private
Map: See attached map

- 4) Describe the nature of your expected reporting:
See Data Recovery Plan and Research Design for Site 42Ka2044, Kane County, Utah.
See Reporting Results and Dissemination
- 5) Field work to Begin Contingent upon permission to proceed from the Utah Public Lands Policy Coordination Office (Anticipated Date 09/03/08)
End 30 scheduled field days.
- 6) Please include any other information you feel is relevant to the processing of this application.

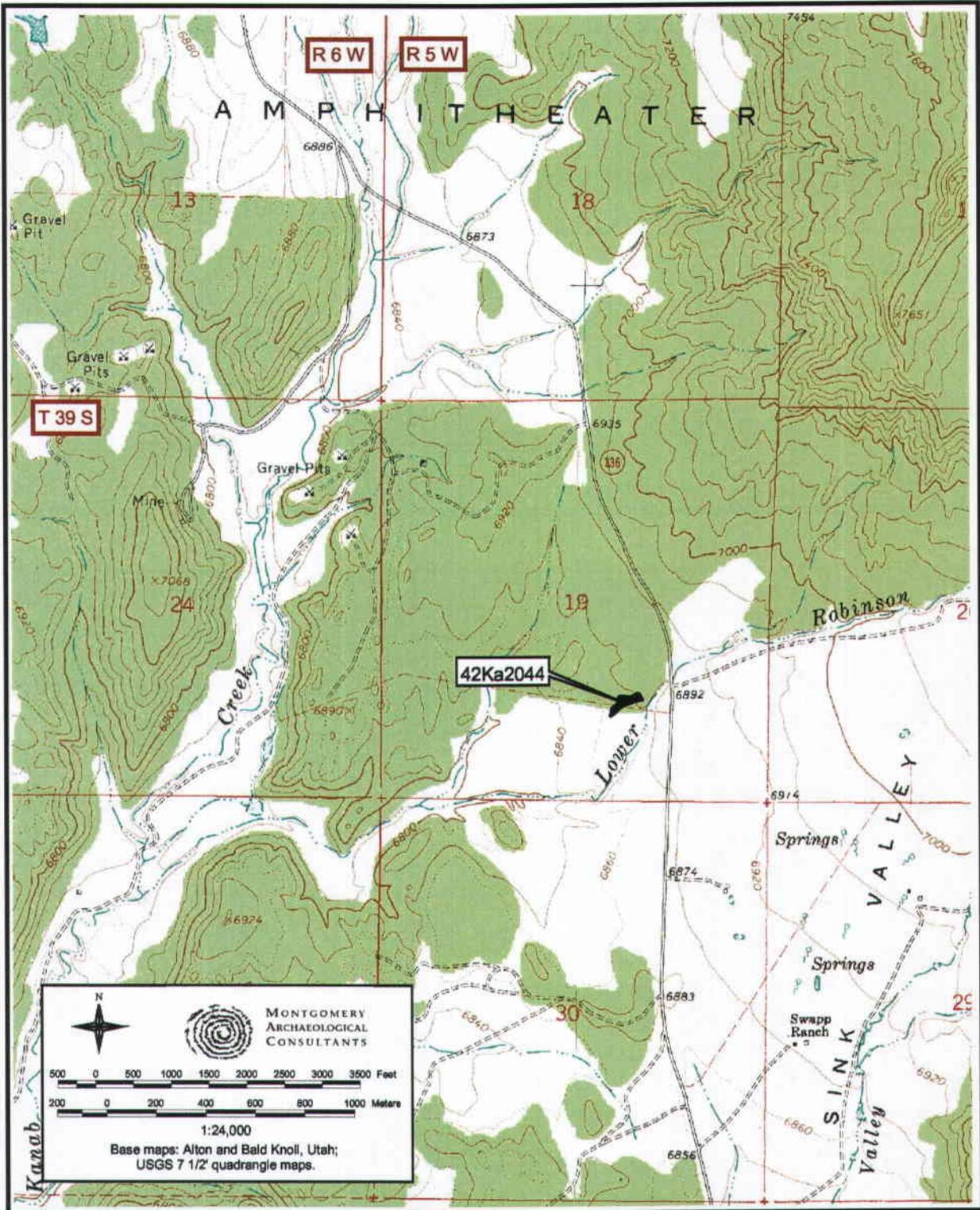
All applications must include: a complete research design or approved data recovery plan, written permission of the land owner to conduct excavation and a 1:24,000 scale map of excavation area(s).

Signature: _____

Date: _____

22 July 08

By signing/or submitting this application, the applicant certifies that the information contained within the application to be true to the best of her/his knowledge.



Topographic Map for Site 42Ka2044.



Alton Coal Development, LLC

463 North 100 West, Suite 1

Cedar City, Utah 84720

Phone (435) 867-5331 • Fax (435) 867-1192

February 25, 2008

Patricia Stavish
Montgomery Archeological Consultants
322 East 100 South
Moab, Utah 84532

Dear Ms. Stavish,

Alton Coal Development, LLC (ACD) is pleased to provide Montgomery Archeological Consultants the right to access and complete shallow excavations on the following lands:

	<u>Tract Number</u>	<u>Surface Owner</u>
1)	9-5-19-1	C. Burton Pugh
2)	9-5-30-2	C. Burton Pugh
3)	9-5-20-2	C. Burton Pugh
4)	9-5-29-3	C. Burton Pugh
5)	9-5-30-1	Richard L. and Alecia S. Dame

These tracts are currently leased by ACD for mine development purposes. The agreements are provided in Volume 7, Appendix 1-2 of the Coal Hollow Mine and Reclamation Plan as submitted to the Utah Division of Oil, Gas & Mining on June 14, 2007.

Sincerely,

Chris McCourt - Manager