C/025/005 Incoming
#4943

Alton Coal Development, LLC

463 North 100 West, Suite 1

Cedar City, Utah 84720

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

June 22, 2015

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

Subject: **Revision to Appendix 3-7, NOV 18150, Alton Coal Development, LLC, Coal Hollow Project, Kane County, Utah, C/025/0005**

Dear Mr. Haddock,

NOV 18150 requires that ACD must provide an amendment that expressly includes the standards provided by DWR, BLM and DOGM. This was completed through the addition of Appendix 3-7 March 21, 2014. Appendix 3-7 is here by amended to also include the required deadline to complete work as specified in NOV 18150. Also, required by NOV 18150 is a mitigation plan for the 2015 year. This has been included as Appendix 3-9.

Below is a summary of the mitigation completed or in progress currently. ACD is required by the MRP to complete approximately 240 additional acres in 2015. ACD is currently negotiating with neighboring private property owners in Sink Valley to complete Rabbitbrush removal from habitat considered beneficial by the local sage-grouse working group (CCARM).

428	Acres credited in the 2009-2011 corridor by DOGM
72	Acres of Sage-grouse conservation area
146	Acres P/J-Rabbitbrush completed in 2012
355	Acres proposed in 2013 on BLM lands to be completed in 2015
600	Acres of mitigation completed in 2014 through WRI project
1601	Total acres of mitigation

Changes to the MRP associated with this amendment have been uploaded to the DOGM's server for review. Upon approval, 2 (two) clean hard copies of the text for insertion into the MRP will be submitted. Please do not hesitate to contact me if you have any questions 435-691-1551.

Sincerely

B. Kirk Nicholes
Environmental Specialist

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APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Alton Coal Development, LLC
Mine: Coal Hollow Mine
Permit Number: C/025/0005
Title: Replace page 2 of Appendix 3-7

Description, Include reason for application and timing required to implement:
Abatement for NOV 18150

Instructions: If you answer yes to any of the first eight 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 # 18150
☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain:
☐ 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?
☐ Yes ☒ No 24. Does the application include confidential information and is it clearly marked and separated in the plan?

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) 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.

B. Kirk Nicholes	Environmental Specialist	06/23/2015	
Print Name	Position	Date	Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 23 day of June, 2015

Notary Public: Marty Nicholes, state of Utah.

My commission Expires: 9-11-2017
Commission Number: ~~MY670F~~ 670359
Address: 1670 E Millstone Cir
City: Enoch State: UT Zip: 84721

} ss:

Notary Public
MARTY NICHOLES
Commission #670359
My Commission Expires
Sept 11, 2017
State of Utah

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Form DOGM- C1 (Revised December 10, 2007)

APPLICATION FOR COAL PERMIT PROCESSING
Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Alton Coal Development, LLC
Mine: Coal Hollow Mine
Title: Replace page 2 of Appendix 3-7

Permit Number: C/025/0005

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
☐ Add	☒ Replace	☐ Remove	MRP, Chapter 3, Appendix 3-7, Page 2
☒ Add	☐ Replace	☐ Remove	MRP, Chapter 3, Appendix 3-9
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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Also, included in this this appendix, are the approvals that were necessary for this project to be completed on lands managed by the BLM. The 355 acre project area falls within the completed Upper Kanab Creek EA, thus once concurrence was obtained from SHPO to hand cut trees located within known archaeological sites BLM approval was granted.

With approvals in place the project will be available to begin October 1, 2013 and will be expected to be completed by November 30, 2013. The work includes cutting all trees of pinyon and juniper species within the project area. This work includes cutting trees to specification, sectioning the boles to 48" with a stump height not to exceed 6". This does not include lopping or cutting the stems from the boles of the cut trees, any pruning on remaining trees or any removal of material from the job site.

Additional Work (05/16/2015)

Initial work was completed on the project October 10th through the 12th of 2013. After assessment by the BLM (see letter dated 02/28/2014 at end of the appendix) they determined that additional work needed to be completed. ACD will continue working on meeting the specification set forth in the BLM letter with a completion date of October 31, 2015 or eight (8) weeks after DWR or DOGM has confirmed that it is a safe time to begin mitigation work, whichever date is earlier.

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Appendix 3-9

2015 Sage-grouse Habitat Mitigation Project

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For the 2015 Sage-grouse Habitat improvement mitigation, Alton Coal Development LLC (ACD) has proposed a rabbitbrush treatment project on neighboring properties in the Sink Valley Area. The areas (Figure 1) being considered by ACD were proposed to the local sage-grouse working group (CCARM) at the April 22, 2015 meeting in Panguitch. CCARM members agreed that the project would be beneficial to the area Sage-grouse. Farm Bill Biologist Curtis Roundy with UDWR/NRCS agreed to assist ACD with designing the most effective project and negotiating with the property owners to allow access to their properties to treat rabbitbrush. Ultimately the best project included some BLM managed property, thus it was necessary to put this project into the Watershed Restoration Initiative (WRI) data base to allow it to undergo competitive bid.

Rabbitbrush are very prolific seed producers and can be extremely invasive, particularly in disturbed areas. Management of rabbitbrush is difficult because it is deep rooted and sprouts vigorously after disturbance such as fire or mechanical treatments. Utah State University Extension at the SUU Valley Farm in Cedar Valley used a multiple treatment mower that windrows the woody debris, and then wipes a herbicide onto the cut shrub stubble. The best results have been achieved when treatment are performed after October 1st. Although the project will be managed by Curtis, in discussions with him, it is understood that he will employ similar technics in completing this project with the completion date being prior to December 31, 2015. Archeological clearance will be provided by the BLM.

As can be seen on Figure 1, the total acreage proposed by Curtis is 467 acres. Typically, when completing projects of this nature, small portions of the project are not treated for various reasons, therefore the final acreage may be less. In accordance with the MRP, ACD is responsible for approximately 240 acres of mitigation each year. ACD has chosen to fund up to 443 acres of this project, once all mitigation has been met final approval, ACD will have met the agreed upon 2,044 acres of mitigation required by the MRP. Figure 2 shows the relationship of the 2015 mitigation to the previous years of mitigation and the Coal Hollow Mine.

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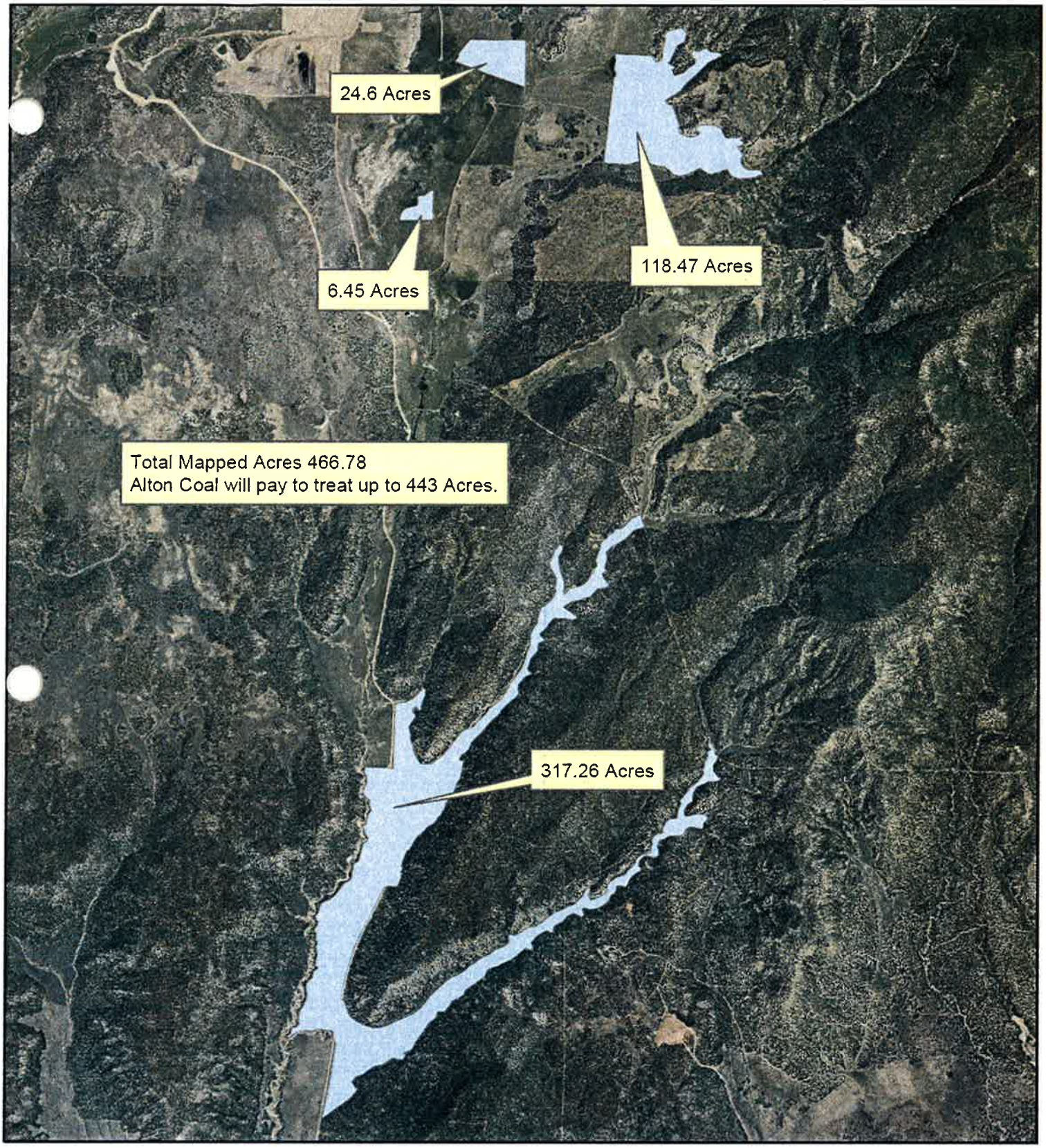

1,750 0 1,750 3,500 5,250 7,000 Feet

1 inch = 3,000 feet

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Legend

Alton Coal Rabbitbrush mitigation project 2015

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Figure 1

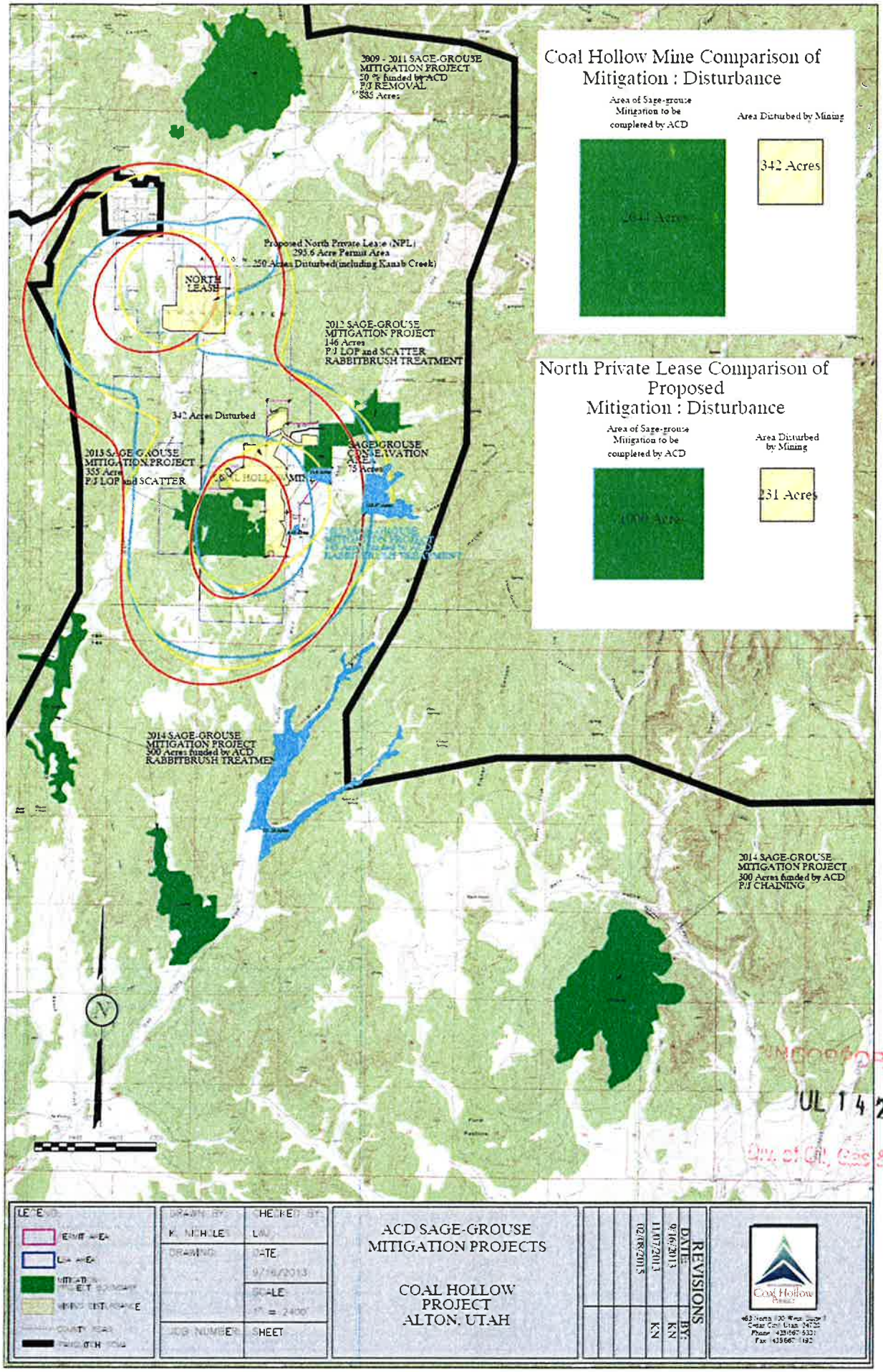

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Figure 2