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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 26, 2016

Kirk Nicholes, Resident Agent
Alton Coal Development, LLC
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Addition of Cultural Resource Report, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005, Task ID #5160

Dear Mr. Nicholes:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs

O:\025005.COL\WG5160 Cultural Report\Deficiencies.doc



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Technical Analysis and Findings Utah Coal Regulatory Program

PID: C0250005
TaskID: 5160
Mine Name: COAL HOLLOW
Title: ADDITION OF CULTURAL RESOURCE REPORT

Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

The application does not meet the State of Utah R645 Coal Mining Rule requirements for Historic and Archaeological Resource information.

Deficiencies Details:

See attached table for Task ID 5160.

jmontcalm

**REVIEW OF THE ALTON COAL SOUTH PRIVATE LEASE AREA – ARCHAEOLOGICAL TESTING
OF A PORTION OF SITE 42KA2041 WITHIN THE COAL HOLLOW MINE, KANE COUNTY, UTAH**

**Bighorn Archaeological Consultants under Contract with
Alton Coal Development, LLC**

**C/025/005
Task ID 5160
05/23/2016**

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
1	Throughout	As we are now dealing with more than one private lease parcel on which mining activities have/are occurring, please add reference to the South Private Lease parcel in titles, locations, etc.	JfM	
2	Pg4	Test Excavation Methods Paragraph 2 –Please reference figure number for the map detailing placement of excavation units here.	JfM	
3	Pg4	Test Excavation Methods - discussion is made of updated site boundaries. Please show the previous site boundaries on the map as well to better illustrate the change of site extent.	JfM	
4	Pg5	Artifact Collection – last two lines: “All surface artifact collection and sub-surface artifact retrieval was conducted on privately owned land within the Coal Hollow Mine area of operations.” The map shows an excavation unit and artifacts on that portion of the site on lands under the jurisdiction of the BLM. Were appropriate permits obtained to conduct work outside of the mine permit boundaries and on lands under the jurisdiction of the BLM?	JfM	
5	Pg6	“Artifact processing for curation will be carried out at Bighorn’s lab. All recovered artifacts will be turned over to the College of Eastern Utah for storage and curation.” Has this not yet occurred? Did the landowner agree to send the collection to the museum? Are the artifacts collected on the lands under BLM jurisdiction also going to the museum, or have arrangements been made for their return to the BLM? Is there a date for this turn-over?	JfM	
6	Pg6	Chronology & Cultural Affiliation Paragraph 1 – line 4 references site 42KA2051. Please revise as appropriate.	JfM	
7	Pg6-18	Chronology & Cultural Affiliation – this entire section reads as if it is a combination of a proposed (hasn’t happened yet) treatment plan with occasional reference to the mitigation/data recovery conducted. Please revise to reflect actual treatment conducted and provide indication of whether or not proposed research questions were able to be addressed through data collected.	JfM	
8	Pg19	Cultural Site Description Paragraph 4 – This discusses site 42KA3077. Please revise as appropriate.	JfM	
9	Pg20	42KA2041 GPS Plan Map – this shows an excavation unit placed on lands under the jurisdiction of the BLM. This is outside of the mine permit boundaries and outside of the area of operations approved for the mine. As the treatment plan stated, data recovery would provide “mitigation measures for that portion of 42KA2041 located within the Coal Hollow Mine operations area.” Placing the test pit on lands under the jurisdiction of the BLM represents an undisclosed adverse effect to the recommended-Eligible site and will necessitate disclosure to the BLM, SHPO, PLPCO, and additional consultation to resolve this matter.	JfM	
10	Pg22 and Figure 2	Intensive Surface Survey – discussion is made of updated site boundaries. Please show the previous site boundaries on the map as well to better illustrate the change of site extent.	JfM	

First Review
Page 2 of 2
C/025/005
05/23/2016

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
11	Pg22	Intensive Surface Survey – was any effort made to determine whether or not the historic fence on GLO maps? Is the roadway that bisects the site on the GLO maps? Were any photographs taken of the historic artifacts noted across the site? If the 2005 IMACS did not discuss the historic component, an update should be drafted to include this information.	JfM	
12	Pg22	Intensive Surface Survey - Were the appropriate Fieldwork Authorization forms approved and in-hand prior to conducting inventory on that portion of the site under the jurisdiction of the BLM? If so, these forms need to be provided as evidence authorization was given to conduct work on the BLM side of the site.	JfM	
13	Pg22	Intensive Surface Survey – If collection of artifacts occurred on lands under the jurisdiction of the BLM, were the appropriate collection permits obtained? Were these items kept separate from those items collected on private lands or documented in such a way so the BLM is able to administer them appropriately?	JfM	
14	General	Was an updated IMACS form prepared detailing the work conducted on the site? If not, it is appropriate to submit at least Admin info (Part A) and a map showing what was done where on the site. If the 2005 IMACS did not discuss the historic component, an update for Part C should be drafted to include this information.	JfM	