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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

February 1, 2017

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

Subject: Cultural Resource Report 16-62, Alton Coal Company, LLC, Coal Hollow Mine, C/025/0005, Task ID #5357

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
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Technical Analysis and Findings Utah Coal Regulatory Program

PID: C0250005
TaskID: 5357
Mine Name: COAL HOLLOW
Title: CULTURAL RESOURCE REPORT 16-62

Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Current Information as it pertains to Historic and Archaeological Resource information (R645-301-121.100).

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Clear and Concise as it pertains to Historic and Archaeological Resource information (R645-301-121.200).

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Format required by the Division as it pertains to Historic and Archaeological Resource information (R645-301-121.300).

Deficiencies Details:

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Current Information as it pertains to Historic and Archaeological Resource information (R645-301-121.100). The following item must be addressed:

1. After consultation with the BLM regarding site 42KA6081, it is the opinion of both DOGM and the BLM this site should be considered Not Eligible for the NRHP. It is a featureless site, lacking diagnostic association or diversity of artifacts, and subsurface testing at adjacent locations failed to identify any significant subsurface cultural deposits. This site falls into what was described by Stavish in the final testing and data recovery report for the South Lease Area as 'temporally ambiguous, but clearly repetitive,' and qualifies as one that needs a critical re-evaluation and assessment. Please revise the recommendations in the report and provide an updated IMACS to reflect this re-evaluation.

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Clear and Concise as it pertains to Historic and Archaeological Resource information (R645-301-121.200). The following items must be addressed:

1. While the inventory area does cover lands administered by the BLM, the report was not prepared for them. Please remove them from the list of Agencies. They can remain listed under Land Status/Jurisdiction.
2. As with the above comment, unless this report is also fulfilling a reporting requirement of the USACE, please remove them from the Agency list.
3. As this report is the result of a request of DOGM, and is being used solely for DOGM compliance, please remove references to NEPA and NHPA.

The application does not meet the State of Utah R645 Coal Mining Rule requirements for General Contents: Format required by the Division as it pertains to Historic and Archaeological Resource information (R645-301-121.300). The

following items must be addressed:

1. The last paragraph of this section states "(s)ite forms were completed for each recorded or updated cultural site..." No site form for 42KA6081 is included with the report draft. Please provide updated IMACS including the maps and photos as described under Inventory Methods (see also comment 1 under Current Information).
2. As both of these were found on lands under BLM jurisdiction, please include the BLM Isolate Form (Form UT-8110-2) for each. Please include photos as appropriate with each form.

jmontcalm