



United States  
Department of  
Agriculture

Forest  
Service

Manti- La Sal  
National Forest

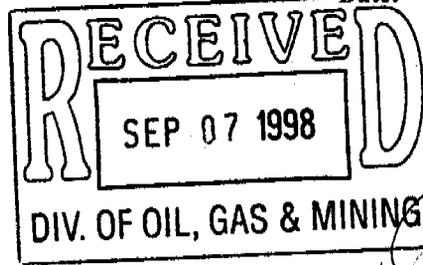
Supervisor's Office  
599 West Price River Drive  
Price UT 84501  
Phone # (435) 637-2817  
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0046

File Code: 2820-4

Date: September 3, 1998

Dick Manus  
Bureau of Land Management  
Price Field Office  
125 S. 6th East  
Price, Utah 84501



*Copy Joe (Cover letter)  
ACT/04/002 # 2*

Dear Dick:

Enclosed is a copy of the Decision Memo (DM) which documents the environmental analysis and Forest Service consent for Canyon Fuel Company's proposed 1997 3-hole coal drilling Exploration Plan in the Wildcat Knolls area of the SUFCO Mine Permit.

As discussed in the DM, Forest Service consent is subject to the stipulations listed in Appendix A. Canyon Fuel has stated that they do not plan to drill until the 1998 field season. In accordance with the stipulations, they must contact the Forest Service and set up a pre-work meeting prior to mobilization heavy equipment or earthwork on National Forest System lands associated with the project. The Bureau of Land Management performance bond for the project must include a minimum of \$6,000 (\$2,000/hole x 3) for reclamation of the drill pads and project roads in addition to the appropriate plugging costs.

If you have any questions, contact Jeff DeFreest or Carter Reed at the Forest Supervisor's Office in Price, Utah.

Sincerely,

*Janette S. Kaiser*  
for  
JANETTE S. KAISER  
Forest Supervisor

Enclosure

cc:  
D-2/3  
Pamela Grubaugh-Littig, UDOGM

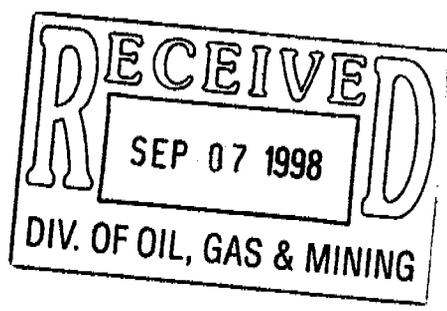


**DECISION MEMO**

for

**SOUTHERN UTAH FUEL COMPANY**  
Three Hole Drilling Program, (Coal Exploration Plan), 1997  
Wildcat Knolls/SUFCO Mine  
Federal Coal Lease U-63214

USDA, Forest Service, Region 4  
Manti-LaSal National Forest  
Ferron-Price Ranger District  
Fishlake National Forest  
Richfield Ranger District  
Sevier County, Utah



**Proposed Action and Purpose and Need:**

On December 9, 1996, the Forest Service received a preliminary proposal for coal exploration from Southern Utah Fuel Company (SUFCO), subsequently consolidated into Canyon Fuel Company, LLC. An official Coal Exploration Plan was received from the USDI Bureau of Land Management (BLM) on December 12, 1996. In a letter dated April 2, 1997, SUFCO requested a delay in the project until the 1998 field season. The proposal requested three new drill holes on leased National Forest System Lands located in the Quitcupah Creek drainage in Sections 13 and 24, Township 21 South, Range 4 East, and Section 17 in Township 21 South, Range 5 East. The drill holes in Sections 13 and 17 are on the Manti-LaSal National Forest. The drill hole in Section 24 is within the Fishlake National Forest.

Drilling should commence in late July, and finish in early August. This is after the Spring Elk calving season and prior to the Fall hunting season. The holes will be drilled by rubber tired equipment, and access will be across sage flats. No disturbance of timber or riparian areas is anticipated. Roughly one and one half miles of cross-country travel will be required for access, all on existing disturbance. Minor blading is anticipated to make the cross-country tracks passable to large vehicles. Access routes will remain open only as long as needed for drilling, and reclamation will start upon satisfactory plugging of the holes. Total estimated surface disturbance is 2.2 acres.

Coal exploration holes are needed by the mining company to delineate the extent of mineable coal. The Forest Service, as the surface management agency, was requested by the BLM (cooperating agency) to conduct an environmental analysis and prescribe any stipulations to be added as conditions of consent to the coal exploration plan. The BLM is the responsible agency for permitting under the Mineral Leasing Act of 1920, as amended. The Utah Division of Oil, Gas and Mining (UDOGM) is responsible for assuring that the exploration plan is consistent with the requirements of the SMCRA regulations at 30 CFR 700 to end. Under the agreement between BLM and UDOGM, the BLM acts as the lead agency for permitting the exploration plans on federal

leased lands. Forest Service consent to the conditions of approval is required under the authority of the Mineral Leasing Act of 1920, as amended by the Coal Leasing Amendments Act of 1975 and subsequent regulations.

**Decision:**

After careful review of the proposal, public comments, and the environmental analysis disclosed in the project file, we, the Forest Supervisors of the Manti-LaSal and Fishlake National Forest, have decided to consent to approval by the BLM of the Coal Exploration Plan subject to the enclosed Forest Service stipulations (Appendix A).

Appendix A contains stipulations applied from the Manti-LaSal and Fishlake Forest Plans and additional mitigation measures that address the Forest Service management concerns normally associated with this type of project. All measures will be required and incorporated into the approval documents by BLM as conditions of approval to mitigate potential adverse impacts associated with the drilling project. We believe the mitigation measures listed in Appendix A adequately address the anticipated impacts to the resource issues and are hereby incorporated into our decision as conditions of consent.

Southern Utah Fuels will obtain the necessary Road Use Permits from the Fishlake and Manti-LaSal National Forests authorizing commercial use of Forest Development Roads for this drilling activity.

A bond of \$7,000 will be required (calculations in project file) to ensure surface reclamation. This bond amount will be applied in conjunction with the plugging and abandonment bond required by the BLM, and is posted to ensure road closure and final reclamation. It must be posted by the operator with the BLM.

**Reasons for Categorically Excluding the Proposed Action:**

Based on the environmental analysis disclosed in the project file, we found no extraordinary circumstances or effects (FSH 1909.15,30.3 and 30.5) to exist that might cause this action to have significant effects on the quality of the human environment (40 CFR 1508.27).

Finding no extraordinary circumstances, we determined that the proposed action may be categorically excluded under FSH 1909.15, Chapter 31.2, category 8 (Short term mineral, energy or geophysical investigations and their incidental support activities that may require cross-country travel by vehicles and equipment).

**Public Involvement:**

A news release was submitted to the Sun Advocate and Emery County Progress on August 11, 1997. The Emery County Progress published that release on August 19th. A scoping letter was sent to identified interested publics on August 8, 1997. Copies are available from the project file. No comments were received.

**Findings Required by other Laws:**

This analysis is tiered to the Manti-LaSal National Forest Land and Resources Management Plan,

EIS and Record of Decision (1986) as amended. It is also tiered to the Fishlake National Forest Land and Resources Management Plan, EIS and Record of Decision (1986) as amended. On the Manti-LaSal National Forest, the proposed drill pads fall within the RNG Management Unit, which emphasizes the production of forage and cover for domestic livestock and wildlife (page III-64). On the Fishlake National Forest, the planned disturbance falls in area emphasis 6B, where intensive grazing management systems are favored over extensive systems, and conflicts between wildlife and livestock are resolved in favor of livestock.

Our decision is consistent with the appropriate Forest Plans and, as such, will not require Forest Plan amendments. We considered and find the decision consistent with the National Forest Management Act requirements as expressed in 36 CFR 219.27. A biological evaluation and assessment was prepared and is contained in the project file. The biological assessment resulted in a "no effect" determination, while the biological evaluation found "no impact". The decision complies with the Endangered Species Act of 1973 and Section 106 of the National Historic Preservation Act of 1966 (project file). A cultural survey was completed in 1993, with further survey in 1996. No cultural resources were observed. State Historical Preservation Office concurrence has been given.

#### **Implementation Date**

Our decision may be implemented by the USDI Bureau of Land Management on or after the date of signature. The BLM is responsible for project administration and monitoring, including hole plugging. The Forest Service will work with the BLM with respect to surface operations and site reclamation.

#### **Administrative Review or Appeal Opportunities:**

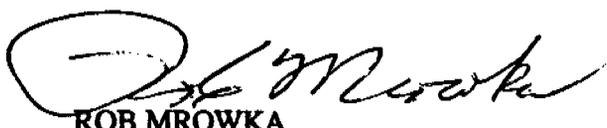
The decision is not subject to appeal under 36 CFR 215 and 217.

#### **Contact Person:**

Individuals with questions related to this decision or project may contact Rusty Lee at the Ferron Office, Ferron-Price District, 115 W. Canyon Road, Ferron, Utah 84523 or call 801-384-2372.

  
JANETTE S. KAISER  
Forest Supervisor, Manti-LaSal National Forest

4/27/98  
Date

  
ROB MROWKA  
Date:  
Forest Supervisor, Fishlake National Forest

4/14/98

## APPENDIX A

### STIPULATIONS

#### Stipulations to be included in the Coal Drilling Permit/License

1. A pre-work meeting including the responsible company representative(s), contractors, and the Forest Service must be conducted at the project location prior to commencement of operations. Site-specific Forest Service requirements will be discussed at this time.
2. A Road Use Permit must be obtained from the Forest Service before equipment is transported onto National Forest System lands. The location of new roads is subject to Forest Service review and approval. No construction may begin prior to approval. Any modifications or changes to approved locations are also subject to review and approval.
3. All surface disturbing activities including reclamation must be supervised by a responsible representative of the permittee/licensee who is aware of the terms and conditions of the projects permits/licenses. A copy of the appropriate permits/licenses must be available for review at the project site and presented upon demand to any Forest Service official.
4. The Forest must be notified 48 hours in advance that heavy equipment will be moved onto National Forest System lands and that surface disturbing activities will commence.
5. Establishment of campsites and staging areas on National Forest System lands in support of this project is subject to Forest Service approval.
6. The Forest Service must be notified of any proposed alterations to the coal exploration plan. Any changes to the existing plan are subject to Forest Service review and approval.
7. Fire suppression equipment must be available to all personnel working at the project site. Equipment must include at least one hand tool per crew member consisting of shovels and pulaskis and one properly rated fire extinguisher per vehicle and/or internal combustion engine.
8. All gasoline, diesel, and steam-powered equipment must be equipped with effective spark arresters or mufflers. Spark arresters must meet Forest Service specifications discussed in the "General Purpose and Locomotive (GP/L) Spark Arrester Guide, Volume 1, April, 1988"; and "Multi-position Small Engine (MSE) Spark Arrester Guide, April, 1989". In addition, all electrical equipment must be properly insulated to prevent sparks.
9. The permittee/licensee will be held responsible for damage and suppression costs for fires started as a result of operations. Fires must be reported to the Forest Service as soon as possible.

10. The Forest Service reserves the right to suspend operations during periods of high fire potential.
11. Water needed in support of operations must be properly and legally obtained according to Utah State water laws. The location of diversions, if on National Forest System lands, are subject to Forest Service review and approval. Water diversion structures, if needed, must be constructed as specified by the Forest Service.
12. Unauthorized off-road vehicular travel is prohibited.
13. Section corners or other survey markers, including claim corners, in the project area must be located and flagged for preservation prior to commencement of surface disturbing activities. The removal, displacement, or disturbance of markers must be approved by the proper authority. Replacement will be done by the proper authority at the expense of the permittee/licensee.
14. If cultural or paleontological resources are discovered during operations, all operations which may result in disturbance to the resources must cease and the Forest Service must be notified of the discovery.
15. Gates must be closed after entry unless otherwise specified.
16. The permittee/licensee will be held responsible for all damage to fences, cattleguards, resource improvements, roads, and other structures on National Forest System lands which result from their operations. The Forest Service must be notified of damages as soon as possible.
17. Operations must be coordinated with grazing permittees to prevent conflicts.
18. Harassment of wildlife and livestock is prohibited.
19. Topsoil must be stripped from areas occupied by parked vehicles and mud pits and stockpiled for use during reclamation. Topsoil stockpiles will be located to minimize contamination or loss. Rock material will be stockpiled separately.
20. Drill pads will be designed to prevent or diminish overland flow from entering the site during precipitation events. Pad sites will be sloped to drain all spills and on-sites precipitation into the mud pits. If necessary, pits will be pumped out to reduce their content and insure that overflow does not occur. Fluids will be disposed of off Forest at a Utah State approved disposal site.
21. All drilling fluids, mud and cuttings must be contained on the project site in mud pits or portable containers. The pit must not be used for disposal of garbage, trash or other refuse. Unattended pits will be fenced to keep out livestock and wildlife.
22. During the drilling operations all trash, garbage and other refuse must be properly contained on the project site prior to disposal at authorized sites.
23. All significant water encountered during drilling must be reported to the Forest Service, including the depth and formation at which it was encountered, and an estimate of the flow.

24. If any of the drill holes encounter artesian groundwater flow, the District Ranger must be notified prior to plugging the hole to determine whether or not the Forest Service would elect to establish a permanent water development at the site.
25. All drill holes must be plugged in accordance with Federal and State regulations.
26. The operator must clean up and remove all drilling equipment, trash, garbage, flagging, vehicles and other such materials from National Forest System lands.
27. Disturbed areas must be reclaimed by the end of the field season. Exceptions require Forest Service approval.
28. The project, including reclamation is to be completed in one field season. Temporary roads will be recontoured by using the existing fill material available, then retopsoiled. If additional time is needed the Forest Service should be advised so the permit can be amended.
29. Drill rigs and heavy equipment (not including water trucks) must not be transported in or out of the Wildcat Knolls area during the opening of the general elk hunt nor during the opening weekend of the general deer hunt and during holiday weekends. The water truck must be preceded by a pilot vehicle when hauling water for the project during the above noted periods.
30. Contaminated soil and gravel must be stripped and hauled off Forest prior to site reclamation.
31. Mud pits must be allowed to dry or pumped before they are backfilled and reclaimed. If pumped, fluids will be disposed of off Forest, at a Utah State approved site. They must be enclosed by a 4-strand barbed wire fence while they are left to dry.
32. Drill sites, roads to be obliterated, and mud pits when they are dry, must be reclaimed by selectively backfilling excavated materials, topsoil last, such that the disturbed area is replaced to approximate original contour. The disturbed area must be seeded with the specified seed mix.
33. Upon completion of the project, compacted soils must be scarified and seeded with the specified seed mix.
34. All disturbed drainages must be replaced to their approximate original configuration when the project area is reclaimed.
35. Reclaimed roads must be signed and blocked off to discourage vehicle access by the public.
36. Reclamation efforts will be diligently pursued to insure that a minimum ground cover is established on all disturbed areas. Revegetation will be considered successful when 90% of the predisturbance ground cover is re-established over the entire disturbed area, with no noxious weeds. Adjacent undisturbed areas will be used as a basis for comparison of ground cover. Of the vegetative ground cover, at least 90% must

consist of seeded or other desirable species. The 90% of pre-disturbance ground cover must be maintained for three years.

37. Seeding will be done with the following certified seed mix:

<u>Species</u>	<u>pounds/acre</u>
Intermediate Wheatgrass - Agropyron intermedium	4
Orchard Grass - Dactylis glomerata	3
Slender Wheatgrass - Agropyron trachycaulum	4
Crested Wheatgrass - Agropyron cristatum	2
Ladak Alfalfa - Medicago sativa ladak	1
Yellow Sweet Clover - Melilotus officinalis	1
Small Burnett - Sanguisorba minor	1
Perennial Ryegrass - Lolium perenne	1

This seed mixture must comply with the Utah State Seed Act.

38. The operator will be held responsible for control of noxious weed infestations found to be a result of this drilling operation, until acceptance of vegetative restoration.
39. Outside berms will not be constructed on any roads.
40. The operator/agent will immediately notify the Forest Service should raptor nests be discovered.
41. Any dogs on the project site must be kept on a leash.
42. Work will not commence prior to July 15, 1998.
43. Heavy equipment, drilling equipment, and transport vehicles must be cleaned of mud/debris that could potentially transport noxious weed seeds prior to entering the National Forest.
44. Stipulation for Lands of the National Forest System Under Jurisdiction of the Department of Agriculture.

The licensee/permittee/lessee must comply with all the rules and regulations of the Secretary of Agriculture set forth at Title 36, Chapter II, of the Code of Federal Regulations governing the use and management of the National Forest System (NFS) when not inconsistent with the rights and regulations must be complied with for (1) all use and occupancy of the NFS prior to approval of a permit/operation plan by the Secretary of the Interior, (2) uses of all existing improvements, such as Forest Development Roads, within and outside the area licensed, permitted or leased by the Secretary of the Interior, and (3) use and occupancy of the NFS not authorized by a permit/operating plan approved by the Secretary of the Interior.

All matters related to this stipulation are to be addressed

to: Forest Supervisor

at: Manti-La Sal National Forest  
599 West Price River Drive  
Price, Utah 84501

Telephone No. (801) 637-2817

who is the authorized representative of the Secretary of Agriculture.

Stipulations to be Included in the Road Use Permit

45. Roads must not be used when they are wet and susceptible to damage.
46. The permittee is responsible for repair of any damages to roads which are caused by his operations.
47. All traffic must maintain safe speeds commensurate with existing conditions.
48. Roads must be watered if dust becomes a problem or if excessive loss of road material occurs.
49. Use of cross-country access will be minimized.