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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Price Field Office
125 South 600 West
Price, Utah 84501

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DIV OF OIL, GAS & MINING

NOTICE OF DECISION

Mr. Fred Mortensen
Western Clay Company
P.O. Box 127
Aurora, Utah 84620

Your plan of operations concerning the expansion of the Lone Tree Wedge gypsum mine is approved subject to the following terms and conditions which are necessary to prevent unnecessary or undue degradation of public lands and to ensure successful reclamation.

1. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the operator, or any person working on his behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The operator shall suspend operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery shall be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. Any decision as to proper mitigation measures shall be made by the Price Office Manager after consulting with the operator. Western Clay Company shall inform all employees and any contractors that it is illegal to collect cultural artifacts.

2. All disturbed areas shall be restored to the approximate original contour and seeded with the seed mixture described below. The seed mixture shall be planted in the fall of the year (September-November), in the amounts specified in ounces of pure live seed (PLS)/acre. There shall be no primary or secondary noxious weeds in the seed mixture. Seed will originate from native plant species occurring in southwestern Emery County.

Grasses/Species		Ounces Per Acre (PLS)
Indian ricegrass	Oryzopsis hymenoides	0.02
Galleta grass	Hilaria jamesii	0.01
Shrubs & Forbs/Species		
Torrey Mormon tea	Ephedra torreyana	1.0
Shadscale	Atriplex confertifolia	0.5
Castle Valley clover	Atriplex corrugata	6.6
Rubber Rabbitbrush	Chrysothamnus nauseousus	0.05
	Total	8.18

3. If the seed is broadcast, the ounces per acre in the above seed list shall be increased by 100 percent. Reseeding may be required if a satisfactory stand is not established. The evaluation of the seedings success shall not be made before the completion of the second growing season after the vegetation becomes established. The standard for release of reclaimed acreage shall be to achieve at least 75 percent vegetation density of the plants in the premining area.

4. In order to ensure maximum results with the mitigation proposed by Western Clay Company for the Wright fishhook cactus (Sclerocactus wrightiae), the following shall be added to their procedures.

A. The soil removed from the Sclerocactus wrightiae (seed bed) shall be placed in the low-lying areas or bottoms after the topsoil is replaced in order to concentrate the seed in areas having the greatest chance of seed germination and plant survival.

B. The seedbed removed with each mining phase shall be replace in the area presently being reclaimed in order to reduce storage time. The seedbed from the first area shall be stored in an open air pit made to contain the soil to allow the continuation of natural processes and thereby provide a viable seedbed for final reclamation of the mine site.

C. The cactus to be transplanted shall be dug up, and the roots pruned and treated with a fungicide. The cactus shall be stored with the Bureau of Land Management until the root scars dry. The cactus shall be replanted in the rehabilitated area in the fall. All steps concerning cactus salvage shall be supervised by a qualified botanist approved by the U. S. Fish and Wildlife Service and the Bureau of Land Management.

5. The following measures are conservation recommendations the U. S. Fish and Wildlife Service considers necessary in maintaining the population viability of the Wright fishhook cactus.

A. Western Clay Company shall harvest annually, a minimum of 50 percent of all mature seed from the Wright fishhook cactus (Sclerocactus wrightiae) in the area planned for future quarry operations within the project area. The seed shall be stored with the Bureau of Land Management until it is used as seed for reclamation. Western Clay Company shall use this seed to augment site revegetation during the reclamation of closed quarry areas.

B. A qualified botanist approved by U.S. Fish and Wildlife Service and the Bureau of Land Management shall supervise the revegetation of the project area.

C. The site will be revegetated to accurately reflect the current vegetative community in both species composition and structure.

D. In addition to the Wright fishhook cactus (Sclerocactus wrightiae), Western Clay Company shall use native species from sources in southwestern Emery County, Utah, in revegetating the project site.

6. Western Clay Company shall ensure that all vehicles associated with the quarry project shall remain on existing roads and in the quarry at all times.

7. All hydrologic modifications shall be made in accordance with the "State of Utah Nonpoint Source Management Plan for Hydrologic Modifications-March 1995" unless otherwise authorized by the Bureau of Land Management.

8. Dust-control measures shall be implemented whenever a dust plume behind a moving haul truck attains a length of 200 feet or more and hovers over the road. Measures include but are not limited to watering the road and application of magnesium chloride.

9. Western Clay Company shall comply with all local and state ordinances and regulations.

10. If a reclaimer is used, water mist spray attachments shall be installed and used to control dust caused by and/or emanating from the equipment. Water spray shall be used on stockpiles in other areas from which dust is emanating during mining operations.

11. Cryptogamic crusts shall be stockpiled for no more than two months, if possible. If stockpiles are to remain in place for more than two months, the stockpiles shall be as long and low as possible in order to maximize surface area. Where possible, cryptogamic crusts shall be removed from areas to be mined and applied directly to areas undergoing reclamation, thereby avoiding stockpiling of the crusts.

12. Reclaimed areas shall be fenced and the fence shall remain in place until the reclaimed area is released and the Authorized Officer gives permission for removal.

13. Western Clay Company shall implement the Monitoring Plan as outlined in Appendix C of this environmental assessment.

A reclamation bond shall be required. The proposed bond in the amount of $76,700.00 is acceptable. Since a letter of credit for that amount has been accepted by Utah Division of Oil, Gas and Mining, with both the Utah Division of Oil, Gas and Mining and the Bureau of Land Management being named as beneficiaries, no further action is required concerning the reclamation bond.

Approval of this plan of operations will not now nor in the future serve as a determination of ownership or the validity of any mining claim.

You have the right to appeal to the Utah State Director, Bureau of Land Management, in accordance with 43 Code of Federal Regulations 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision must be filed in writing with this office within 30 days after the date of this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

Richard L. Manus

Field Manager

cc: Bryant Anderson
Emery County Planning and Zoning
P.O. Box 417
Castle Dale, Utah 84513

Kiran Bhayani
Utah Department of Environmental Health
Division of Water Quality
P.O. Box 144870
Salt Lake City, Utah 84114-4870

Tony Gallegos
Division of Oil, Gas, and Mining
1594 West North Temple, Suite 210
P.O. Box 145801
Salt Lake City, Utah 84114-5801