

LEGAL NOTICE

**Notice of Decision**

USDA – Forest Service – Ashley National Forest  
Roosevelt-Duchesne Ranger District, Duchesne County, Utah

**Shamrock – Honeycomb Calcite Mining Proposal**

The Forest Service has conducted an Environmental Analysis (EA) on a proposal by the Shamrock Corporation to extract ore from their unpatented mining claims in the Blind Stream area of the Ashley National Forest.

District Ranger Clark Tucker (the Responsible Official) has decided to implement Alternative A-the Proposed Action, as describe in the July 2004 Environmental Assessment. The project is planned to begin in late fall 2004, or the summer of 2005. All mitigation measures described in the EA will be required when implementing the project.

The selected alternative will allow Shamrock to mine and haul an estimated 3,000 tons of calcite per year with a maximum limit of 6000 tons of calcite per year for a period of up to 25 years. The operation would be re-evaluated every 5 years.

No new roads are proposed. Existing roads would meet all access requirements. These roads consist of Forest Development Roads 134, 140 and 121. Material would be mined at the site and hauled over these roads to a stockpile site in Hanna, Utah. Minor maintenance of the existing roads would be conducted by Shamrock as needed, and as deemed appropriate by the Forest Service.

Topsoil would be stockpiled for use in reclamation. Mining would be conducted from a narrow open pit, up to 30 feet deep, using a track-hoe excavator. Calcite boulders would be extracted and loaded for hauling. Annually, mining operations would be conducted as access allows, which is typically between June 1 and October 31 of each year.

The calcite boulders would be loaded onto one or two 15-ton dump trucks for transport to the off-site location. Each truck would haul up to 3 to 4 loads per day. No hauling would be done on weekends or holidays, with limited operations taking place during major hunting seasons. Miscellaneous equipment used during mining operations would also include a fuel and maintenance truck to service heavy equipment at the site.

Total disturbance for the open pit is estimated at less than 4 acres, with less than 1 acre of active disturbance at any given time, due to concurrent backfilling, re-contouring, and reseeding of the disturbed area. Topsoil would be stockpiled and used in reclamation. A front-end loader or dozer would be used to displace material and accomplish reclamation.

In accordance with the Federal Land Policy and Management Act of 1976, the Forest Service must consider that all National Forest System lands are available for mineral exploration and development under the 1872 Mining Law (as amended) unless the lands in question are withdrawn from mineral entry. National Forest System lands occupied by Shamrock's mining claims have not been withdrawn from mineral entry. In addition, mining laws for legal claims require that existing and future mining development proposals on National Forest lands not withdrawn from mineral entry be accepted, analyzed, evaluated, and permitted, based on environmental protection and mitigation measures.

The laws provide for holder of valid mining claims to be able to reasonably develop the mineral assets. The surface use regulations (36 CFR 228) require the analysis and development of procedures and mitigations to minimize impacts on other National Forest lands and resources.

The Decision Notice (DN), Finding of No Significant Impact (FONSI), the Environmental Assessment (EA) and the Supplement to the EA, including the Summary of Public Comments with Forest Service Responses are available at the Duchesne District Office, 85 West Main Street, Duchesne, Utah, 84021, or the Roosevelt District Office at 650 West Highway 40, Roosevelt, Utah, 84066.

This decision is subject to appeal pursuant to Title 36 CFR 215 by those organizations who provided substantive comments during the official 30 day comment period. Any appeal must be filed with Appeal Deciding Officer George Weldon, Forest Supervisor, Ashley National Forest, 324 25<sup>th</sup> Street, Ogden, Utah 84401, via mail, fax: (801) 625-5277; or e-mail at: [appeals-intermtn-regional-office@fs.fed.us](mailto:appeals-intermtn-regional-office@fs.fed.us), within 45 days of publication of this notice in the *Uinta Basin Standard*. Notice of appeals may be hand delivered to the above address between 8:00 AM and 5:00 PM, Monday through Friday, mailed to the above address, by fax at 435-625-5277. Content of the notice of appeal must include all required information prescribed by 36 CFR 251.14, and include all attachments.

Implementation of this decision may take place 50 days from publication of this notice in the *Uinta Basin Standard* unless an appeal is filed.

Publication of this notice in the *Uinta Basin Standard* is the exclusive means for calculating the time to file an appeal and those eligible and desiring to file an appeal should not rely upon dates or timeframe information provided by and other source.