



State of Utah

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TO: Internal File

THRU: Mike Suflita, Project Team Lead *ms*

FROM: Paul Baker, Reclamation Biologist *PB*

RE: 160-Acre Incidental Boundary Change, Lodestar Energy, Inc., White Oak Mine, ACT/007/001-IBC99F

SUMMARY:

Lodestar Energy is proposing to add a 160-acre area to its permit area. The Bureau of Land Management and Forest Service manage the coal and surface resources, respectively.

The Joint Decision Memorandum included in the application indicates there would be no subsidence, and if this is true, biological resources should be adequately protected.

TECHNICAL ANALYSIS:

ADMINISTRATIVE INFORMATION

OWNERSHIP AND CONTROL

Regulatory Reference: R645-301-112

Analysis:

The current mining and reclamation plan contains land ownership information for areas within and contiguous to the permit area, and, according to information on Plates R645-301-112.500 and R645-301-112.600, this information does not need to be updated. The incidental boundary change should not affect any other parts of this section of the plan.

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations.

RIGHT OF ENTRY

Regulatory Reference: R645-301-114

Analysis:

Right of entry information has been updated to include the lease modification. Table 114.100b has a legal description of Lease U-017354, including the portion that has been modified.

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations.

ENVIRONMENTAL RESOURCE INFORMATION

HISTORIC AND ARCHAEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: R645-301-411.140

Analysis:

The application includes no new historic and archaeological information. Since no subsidence is anticipated, there would be no effects on cultural resources, so no information is required.

As documented in a letter to the State Historic Preservation Office dated August 4, 1997, the Forest Service conducted a literature search to identify known or suspected cultural resource sites in the area. A few historic sites have been found in or near the incidental boundary change area, but none of these is considered significant. The Forest Heritage Staff concluded the area has low potential to contain significant historic resources that will be affected by underground mining and related subsidence impacts.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

VEGETATION INFORMATION

Regulatory Reference: R645-301-321

Analysis:

The applicant has supplied a new map, Plate 3-1, showing vegetation communities in the main part of the permit area (not the loadout). The proposed addition contains grass/forb/elderberry, aspen, and spruce/fir communities.

More detailed information is not required since there would be no surface disturbance.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: R645-301-322

Analysis:

Wildlife Information

The entire area contains critical deer and elk summer range.

The text discusses two buteo nests found in Boardinghouse Canyon in 1998, but no nests were found in 1999. Boardinghouse Canyon is not near the proposed addition to the permit area.

Most raptor nests in this area are in trees, and they are very difficult to find. There are almost certainly additional nests.

Threatened and Endangered Species

The Joint Decision Memorandum from the Bureau of Land Management and the Forest Service says no threatened, endangered, or sensitive species will be affected by modification of the lease. The current mining and reclamation plan says no threatened or endangered species are known to occur in the permit area, and although this information is from nearly twenty years ago, the lease modification area does not contain habitat for any listed or proposed threatened or endangered species.

Findings:

Information provided in the application is adequate to meet the requirements of this section of the regulations.

LAND USE RESOURCE INFORMATION

Regulatory Reference: R645-301-411

Analysis:

The application includes Plates 4-1 and 4-2 which show land uses and grazing allotments in the area. Land uses include timber, range, and recreation.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

OPERATION PLAN

PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES

Regulatory Reference: R645-301-140

Analysis:

Because there should be no subsidence, there should be no effects on cultural resources. In a letter to the Forest Service dated August 20, 1997, the State Historic Preservation Office has given its concurrence with the project.

Findings:

Information in the proposal is adequate to meet the requirements of this section of the regulations.

FISH AND WILDLIFE PROTECTION PLAN

Regulatory Reference: R645-301-333

Analysis:

Because there will be no subsidence, the proposed expansion of the permit area should have no effects on any wildlife, including bald and golden eagles.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

AIR QUALITY

Regulatory Reference: R645-301-420

Analysis:

The proposed addition to the permit area should have no bearing on the Air Quality Approval Order.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

RECLAMATION PLAN

POSTMINING LAND USE

Regulatory Reference: R645-301-112

Analysis:

The applicant has proposed no changes to the postmining land use, and information in the current mining and reclamation plan is considered adequate.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

REVEGETATION PLAN

Regulatory Reference: R645-301-341

Analysis:

Because the applicant is proposing no surface disturbance, no revisions to the revegetation plan are needed.

Findings:

Information in the application is adequate to meet the requirements of this section of the regulations.

RECOMMENDATIONS:

The application can be approved in its present form.