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State of Utah  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

cc: Steve  
Sharon  
176

Michael O. Leavitt  
Governor  
Dianne R. Nielson, Ph.D.  
Executive Director  
Don A. Ostler, P.E.  
Director

288 North 1460 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
(801) 538-6146  
(801) 538-6016 Fax  
(801) 536-4414 T.D.D.

May 12, 1995

*Route to Sharon  
and Steve Johnson*

DIVISION OF WATER QUALITY  
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

*Dean Field*

PUBLIC NOTICE FOR MODIFICATION OF A UPDES PERMIT

*ACT/005/005  
#2*

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO DECLARE THE STATE OF UTAH'S INTENTION TO MODIFY A UTAH POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMIT UNDER AUTHORITY OF THE UTAH WATER QUALITY ACT, SECTION 19-5-104(1)(i) AND 107(2), UTAH CODE ANNOTATED 1953, AS AMENDED.

PERMIT INFORMATION

PERMITTEE NAME: Coastal States Energy Company, Skyline Mine  
MAILING ADDRESS: P.O. Box 719  
Helper, Utah 84526  
TELEPHONE NUMBER: (801) 637-7925  
FACILITY LOCATION: Approximately Seven Miles South of Scofield, Utah  
UPDES PERMIT NO.: UT0023540

The proposed permit modification is for Coastal States Energy Company's Skyline Mine facility. The discharge flows into Eccles Creek.

PUBLIC COMMENTS

Public comments are invited any time prior to June 11, 1995. Comments may be directed to the Department of Environmental Quality, Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870. All comments received prior to June 11, 1995 will be considered in the formulation of final determinations to be imposed on the permit. A public hearing will be held if response to this Notice indicates significant public interest. A public hearing may be held if written requests are received within the first 15 days of this public comment period that demonstrate significant public interest and substantive issues exist to warrant holding a hearing.

FURTHER INFORMATION

Additional information may be obtained upon request by calling (801) 538-6146 or by writing the aforementioned address. The complete application, issued permit, permittee's request for renewal of the permit, Statement of Basis, draft permit, and related documents are available for review at the Division of Water Quality, 288 North 1460 West, Salt Lake City, Utah.



# State of Utah

GOVERNOR'S OFFICE OF PLANNING AND BUDGET  
Resource Development Coordinating Committee

Michael O. Leavitt  
Governor  
Brad T. Barber  
State Planning Coordinator  
Catherine Quinn  
Committee Chairman  
John A. Harja  
Executive Director

116 State Capitol Building  
Salt Lake City, Utah 84114  
(801) 538-1027  
Fax: (801) 538-1547



April 17, 1995

Mitigation Banking Docket  
Wetlands Division  
Mail Code (4502F)  
Environmental Protection Agency  
401 M Street, SW  
Washington, DC 20460

**SUBJECT:** Federal Guidance for the Establishment, Use and Operation of Mitigation Banks  
State Identification Number: UT950315-060

To Whom It May Concern:

The Resource Development Coordinating Committee (RDCC), representing the State of Utah, has reviewed this proposal. Comments from state agencies are as follows:

### **Division of Sovereign Lands and Forestry**

The Division of Sovereign Lands and Forestry supports the concept of wetland mitigation banking. The banking concept is worthy of consideration for mitigating adverse impacts on other resources as well: cultural resources, for example. The proposed guidance reduces the uncertainty which developers and private landowners may face with respect to dealing with "404" and "swampbuster" constraints, and represents a common sense approach to protecting the benefits from the variety of wetland functions. The flexibility in the preference for on-site mitigation allows for comparison of the relative values of different wetland systems, thereby possibly enhancing beneficial functions.

### **Division of Wildlife Resources**

The Division is very interested in having a mitigation banking process that results in a positive benefit to the creators, the natural resources tied to the mitigation bank, and the cooperators supporting the bank, as well as having banks that result in sound functions and values of wetlands being realized.

Our specific comments follow. Most of these issues were covered in some form of the guidelines, however, we feel the wording could be stronger or more specific.

1. Water is a critical component to wetlands and is a primary limiting factor especially in arid states, such as Utah. There should be some discussion of guaranteed water sources being an integral part of a mitigation bank. This could be included in the discussion on "Mitigation Banking Instruments" (page 12289; II.C.1).