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State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, Utah 84114-5801
 801-538-5340
 801-359-3940 (Fax)
 801-538-7223 (TDD)

Michael O. Leavitt
 Governor
 Lowell P. Braxton
 Division Director

August 3, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor 

FROM: Paul Baker, Reclamation Biologist 

RE: Gooseberry (West Ridge) Exploration, Canyon Fuel Company, LLC, Skyline Mines, ACT/007/005-EX97M, Folder #2, Carbon County, Utah

SUMMARY:

Canyon Fuel Company has proposed to install eighteen exploratory drill holes, primarily west of Electric Lake in Emery and San Pete Counties. One would be east of Electric Lake. There would also be about ten miles of surficial seismic studies. Seven of the holes and about four miles of seismic lines would be on private land with fee coal, two holes and one mile of seismic line would be on private land with federal coal, and the rest would be on federal land controlled by the Forest Service with federal coal.

The Division is the permitting agency for private land with fee coal, but the Division only provides comments to the Bureau of Land Management for areas with federal coal. This memorandum is for those areas where the Division is the permitting agency. However, even in areas where the Division is not the permitting agency, the applicant is required to meet the requirements of the Surface Mining Control and Reclamation Act.

TECHNICAL ANALYSIS:

OPERATIONAL STANDARDS

FISH AND WILDLIFE HABITAT

Regulatory Reference: R645-202-231

Analysis:

Almost the entire area of the proposed exploration operations contains critical deer and

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elk fawning and calving areas that need to be protected from May 15 to July 1. However, only certain parts of the area, such as those with nearby water sources and aspen stands, are likely to actually be used for fawning and calving. The area also contains good habitat for red-tailed hawks and accipiters, including northern goshawks. These areas need to be protected until July 15.

The timetable under Section 43 CFR 3482.1(a)(3)(iv) indicates construction and drilling will not begin until the third week in July and reclamation work will be done by the end of November. Therefore, there should be no conflicts with wildlife during crucial times.

According to the NOI, there are no riparian habitats or wetlands within the proposed access routes or drilling or seismic areas. Bob Thompson, a Forest Service official cited in the NOI, confirmed that he looked at the general areas where the exploration would take place, but, because the exact locations of proposed disturbances were not yet marked, he could not say with certainty whether riparian or wetland areas would be affected. The response to the Division's first analysis says five of the seven holes on private land with fee coal are on ridgetops and that the other two are on benches more than 100 feet away from standing or flowing water.

The originally-proposed access road to site 99-32-1 was across a probable wetland. In response to the Division's concern, the applicant changed some wording in the NOI with regard to the access route, and Figure 1a has been revised to show a different route using an existing road. The existing road will need to be upgraded.

Findings:

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

REVEGETATION

Regulatory Reference: R645-202-242

Analysis:

Reclamation work will begin within 2 to 3 days of hole plugging. After grading, salvaged topsoil will be spread, the area scarified if necessary, and the seed spread. Seed will be either broadcast or hydroseeded (actually a form of broadcasting). Straw mulch will be used in those areas where permission is granted by the land owner.

Although the NOI says the areas will be scarified if necessary, it does not say how deeply they will be scarified nor whether the sites will be left rough. Roughening is a very effective means of controlling erosion and sediment. It also increases vegetation establishment and should

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be used at these sites.

The Division recommends using mulch for sediment control after reclamation. Certified noxious weed free straw is a relatively inexpensive but effective way to control erosion and sedimentation, especially when used in combination with roughening. While roughening and mulching are strongly recommended, the Division does not require them for this operation.

The seed mixture to be used on non-Forest Service lands was developed by the Division in consultation with Alma Winward of the Forest Service Regional Headquarters. It contains some fast growing introduced species combined with several native species, and they should all be adapted to the area. This same seed mixture is recommended for the Forest Service lands.

The success standards in R645-202-242 are that the reestablished vegetation be diverse, effective, permanent, of the same seasonal variety as species in the area, and capable of stabilizing the soil surface from erosion. These are the performance standards the Division requires. The NOI says revegetation efforts will be diligently pursued to ensure that an acceptable ground cover is established on all disturbed areas and that revegetation will be considered successful when 90% of the predisturbance ground cover is reestablished over the entire disturbed area with no noxious weeds. At least 90% of the vegetation shall consist of seeded or other desirable species.

Findings:

Information provided in the proposal is considered adequate to meet the requirements of this section of the regulations. The Division highly recommends leaving the sites as rough as possible and using straw mulch both to enhance revegetation and to control sediment.

RECOMMENDATIONS:

The applicant has met the regulatory requirements for this proposal, and it can be approved. The Division recommends the applicant roughen the soil following site grading and use mulch. These methods would serve to increase vegetation establishment and decrease offsite sedimentation. However, the revegetation potential in this area is very high, so these techniques are not required.