

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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July 8, 2004

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TO: Internal File

THRU: Dave Darby, Environmental Scientist III-Inspector, Team Lead 

FROM: Jerriann Ernstsens, Ph.D., Environmental Scientist II, Biology. 

RE: 2004 Midterm Review, Plateau Mining Corp., Star Point Mine, C/007/00o6, Task ID #1887

## SUMMARY:

The Division is required to review each active permit during its term in accordance with R645-303-211. The Division is currently conducting the Midterm Review for the Star Point Mine. One of the pertinent elements chosen for this current review focuses on the following:

A review to ensure the Plan reflects changes in the Utah Coal Regulatory Program – specifically compliance with the U. S. Fish and Wildlife Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin.

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**TECHNICAL ANALYSIS:**

## **OPERATION PLAN**

### **FISH AND WILDLIFE INFORMATION**

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

**Analysis:**

**Wetlands and Habitats of Unusually High Value for Fish and Wildlife**

Adverse effects of mining on water quantity to the Colorado River drainages do affect four Colorado River endangered fish species (Colorado pikeminnow, humpback chub, bonytail chub, and razorback sucker). The USFWS considers water depletion to the Colorado River drainage as a potential jeopardy to these endangered fish. Water users may be required to mitigate if the overall water consumption is greater than 100 acre-feet per year. Currently, the mitigation fee is approximately 16.00 per acre-foot of depletion, but may change marginally from year to year.

The Permittee is required to address possible adverse affects to these four fish species by first calculating the amount of water used by all mining operations. The "Windy Gap Process" provides a guideline to calculate water consumption for coal mining. The Permittee may obtain the "Windy Gap Process as it Applies to Existing Coal Mines in the Upper Colorado River Basin" (Discussion Paper) from the Division (801-538-5214). The Permittee must also include equations for water consumed from dust suppression programs. In brief, consumption values must at least include the following:

- Mining consumption
- Ventilation consumption
- Coal producing consumption
- Ventilation evaporation
- Sediment pond evaporation
- Springs and seep effects from subsidence
- Alluvial aquifer abstractions into mines
- Alluvial well pumpage
- Deep aquifer pumpage
- Postmining inflow to workings
- Coal moisture loss

- Direct diversions
- Dust suppression (not mentioned in Windy Gap).

The Permittee must provide overall sum of water depletions/additions for all mining operations (R645-301-333).

**Findings:**

Information provided in the application is inadequate to meet the minimum Fish and Wildlife Information section of the Operation Plan regulations. Prior to approval, the Permittee must act in accordance with the following:

**R645-301-333**, The Division is well aware that Star Point Mine is in the extended period of responsibility and no longer consumes water. A response such as zero water consumed at this time is adequate to meet the midterm review requirement.

**RECOMMENDATIONS:**

Do not approve the midterm review until the deficiency is addressed.