



Suzanne Steab <suzannesteab@utah.gov>

Skyline Midterm Review 4657, Revocation of deficiency

Lisa Reinhart <lreinhart@utah.gov>

Fri, Dec 5, 2014 at 8:03 AM

To: Daron Haddock <daronhaddock@utah.gov>

Cc: Suzanne Steab <suzannesteab@utah.gov>, Gregg Galecki <ggalecki@bowieresources.com>

Upon a closer review of the 2013 report for Cutthroat Trout Population Densities in the Winter Quarters Canyon Creek and Woods Canyon Creek, there is adequate data to support weather conditions as the main factor influencing fish populations. At this time, there is no evidence to indicate an impact on populations from the Skylines Mine at the ventilator shaft. In general, the report suggests the stream is not suitable for maintaining a closed fish population over long time periods and the absence and/or decline of trout may be a result of fish not being able to survive summer drought or harsh winter conditions because of the shallow nature of the stream.

The Estimates of the Cutthroat Trout Population in Eccles Creek is robust and according to the 2013 survey, there is no indication of negative impacts from water discharging from the Skyline Mine from an underground aquifer into Eccles Creek. On the contrary, the report suggests the trout in Eccles are under an accelerated growth rate likely due to elevated stream temperature of the mine underground. The survey indicated a robust fish population which at this time warrants no concern from our Division.

Therefore, I would like to revoke the following deficiency noted in the Skyline Mine Midterm Permit Review Task Id 4657: **"The Fall 2013 Cutthroat Trout Population Density survey (received 7/21/14) indicated potential impacts of fishing mortality or siltation in the Below Pad station. Recommend consultation with DOGM, DWR, and USFS Biologists' to determine best course of action."**

I have attached to this email a memo as stated above and also the original findings for 4657.

Lisa Reinhart
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Utah Coal Program
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Web site: <http://ogm.utah.gov>

2 attachments

**RecindingDeficiency.docx**

1204K

**deficiencyonlyfindings1.php.pdf**

279K



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 5, 2014

TO: Daron Haddock, Environmental Manager

FROM: Lisa Reinhart, Biologist 

RE: Skyline Midterm Deficiency under Fish and Wildlife Resource Information, Skyline Mine, C/007/0005

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JOHN R. BAZA
Division Director

Technical Analysis and Findings
Utah Coal Regulatory Program

PID: C0070005
TaskID: 4657
Mine Name: SKYLINE MINE
Title: MIDTERM PERMIT REVIEW

Environmental Resource Information

Historic and Archeological Resource Information

Deficiencies Details:

The Permittee must provide a written description of how permit section 17 of the permit is being met per R645-300-143. The upcoming 2014 annual report must include information regarding this requirement and how it is being monitored. No action required at this time.

Ireinhart

Fish and Wildlife Resource Information

Deficiencies Details:

R645-301-143, Pursuant to Section 2.2.13 and 4.17 of the MRP, the permittee must provide information regarding subsidence that results in impacts to wildlife. Such information is appropriate in the annual report. No action required at this time but future annual reports need to include, at minimum, a statement regarding measures taken to determine if impacts have been made.

R645-300-143, Pursuant to the MRP (updated 10/22/13), Although overlooked in the "Future Commitments and Conditions" section of the 2013 annual report, Three-toed woodpecker reports are anticipated in the 2014 annual report. No action required at this time.

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Ireinhart

Reclamation Plan

Bonding Determination of Amount

Deficiencies Details:

R645-301-830.140 Please provide updated information using 2014 unit costs for the line items of Demolition, Regrading/Earthwork, and Revegetation from the current edition of respective cost data manuals. There appears to be an

error in the escalation equation, presumably the year and escalation rate were switched. Escalated $=(\$*(1+rate)^{year})$. The revegetation total on the Total summary sheet doesn't match the revegetation subtotal sheet, the total sheet should be fixed to match what the subtotal shows of \$866,367.50.

The total reclamation costs must then be escalated to 2019 using the Division approved 1.019 rate for 2014. The current surety Bond was posted September 19, 2009 for \$5,137,000 (09 Dollars). Bond estimate calculations were updated using the State's 2014 escalation factor of 1.9% calculated from the Historic Cost Index for Site Construction (EscalationMemo2014).

The total disturbed area for the site is now 122.31 acres, since the last review of the Permittee's bond, the Division has reviewed and approved several amendments to the main facilities at Skyline since 2009 including:

Rail Loadout (Task # 3360)
Winter Quarters Ventilation Facility (Task # 3416/3463/3504/3549)
Ambulance shed (Task # 3503)
Rail Loadout Asphalt and Concrete (Task #3545)
Winter Quarters Access Road (Task # 3597)
Incidental Boundary Change (Task #3615/3727)
Truck Loadout Asphalt(Task # 4706)
Culvert Replacement (Task#4709)
Rail Loadout Asphalt (Task #4708)

cparker