



OGMCOAL DNR <ogmcoal@utah.gov>

Southwest Reserve- Flat Canyon Lease- ACR Deficiencies in Biology Section

Lisa Reinhart <lreinhart@utah.gov>

Wed, Feb 18, 2015 at 12:07 PM

To: Gregg Galecki <ggalecki@bowieresources.com>

Cc: OGMCOAL DNR <ogmcoal@utah.gov>, Priscilla Burton <priscillaburton@utah.gov>

Gregg,

Per your request for additional information, I am providing the following regarding the deficiencies I noted in the Administrative Completeness Review (ACR). I did not perform a technical analysis (TA), I just performed the ACR to determine if all the information necessary to initiate the TR was available in the application.

Biology Section R645-301-300

The rules state that each permit application will include a description of the vegetative, fish, and wildlife resources of the permit area and adjacent area. The application adequately covers aquatic species in 2.8 but the only statement in 2.9 is the reference to the FEIS and a conclusion that there are no threatened and endangered, or sensitive species present in the lease area. There is no mention of Raptors (2.10) or Western Toad (2.9) at all. The memo on the western toad is included in the application but there is no reference to it in the biology section.

Please specify what terrestrial wildlife species and raptors occupy the permit area and adjacent area. I would expect some mention of Northern Goshawk territory and the occurrence of the Western Toad at a minimum. (Although the FEIS includes a list, it is 13 years old and a species list should be updated.) You could do this by updating Table 2.9-1 in the MRP to include the Flat Canyon Lease area. This list really should be updated anyway since it was last incorporated March 23, 1993.

Vegetation Information Section R645-301-320

Because of the references to the FEIS, it is unclear if there will be surface disturbance thus triggering impacts to vegetation. In the abstract of the FEIS, it states"The RFDS projects underground coal mining within the tract and adjacent private lands, including some minor surface developments consisting of two ventilation shafts and 10 coal exploration drill holes"

Please specify if there will be ANY surface disturbance. If there is, you need to provide vegetation information and reference areas that will be used for reclamation monitoring.

Fish and Wildlife Information R645-301-322

The rules state each application will include fish and wildlife resource information for the permit area and adjacent areas. The application does adequately cover Boulgar, Swens, and Little Swens Canyon Creeks (However, based on our recent macroinvertebrate meetings, you may want to reconsider the technical aspects of what is proposed along with updating table 2.8-1a). There is not an adequate description of existing terrestrial wildlife or raptors. This goes hand in hand with the Biology Section mentioned above.

Maps and Photos

The site permit boundary map provided was obviously not scanned correctly. A portion of the proposed area is not visible at all.

Operation Plan R645-301-330

The rules state for the purposes of underground coal mining and reclamation activities a description of the anticipated impacts of subsidence on renewable resource lands identified in

R645-301-320 and how such impact will be mitigated.

Please specify anticipated impacts of subsidence on raptors and/or other species and in the case that impacts occur, how they will be mitigated.

Operation Plan

I anticipate some language regarding western toads and northern goshawks at a minimum, and discussion of their presence/absence, monitoring, and potential mitigation. In 3.3, Timing of Operation, Plate 3.3-3 is referenced but not included in the application.

Please include Plate 3.3-3.

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