



GARY R. HERBERT  
Governor

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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

October 20, 2015

Amy Defreese, Ecologist  
U. S. Fish and Wildlife Service  
2369 Orton Circle, Suite 50  
West Valley City, Utah 84119

Subject: Request for Concurrence, Swens Canyon Ventilation Facility, Skyline Mine, C/007/0005, Task ID # 4935, Carbon County, Utah

Dear Ms. Defreese:

The Division of Oil, Gas and Mining is processing a revision to the Mining and Reclamation Plan of the Skyline Mine. This revision involves the disturbance of approximately 14.5 acres in the vicinity of Swens Canyon in Carbon and Emery Counties and is being proposed by Canyon Fuel Company. We have made the determination that the proposed activity is not likely to affect threatened, endangered, candidate or sensitive species.

Enclosed you will find our determination document prepared by Lisa Reinhart, Coal Program Biologist. We request your concurrence with our determination.

Please call me at (801) 538-5325 or Lisa at (801) 538-5437 if you have any questions.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/ss  
Enclosure  
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October 16, 2015

TO: Amy Defreese, Ecologist, U.S. Fish and Wildlife Service

FROM: Daron Haddock, Coal Program Manager

SUBJECT: Swens Canyon Ventilation Facility, Skyline Mine, C/007/0005, Task ID #4935, Carbon County, Utah

Consultation Code: 06E23000-2016-SLI-0012

We are requesting concurrence from the U.S. Fish and Wildlife Service that the proposed Skyline Mine, Swens Canyon Ventilation Facility, Task ID #4935, is *not likely to affect* nine (9) threatened or endangered species or four (4) species of concern in Utah. The threatened and endangered species are: (animal); Mexican Spotted Owl, Southwestern Willow Flycatcher, Yellow-billed Cuckoo, Bonytail Chub, Colorado Pikeminnow, Humpback Chub, Razorback Sucker; (plant) Barneby Reed-mustard, and Jones Cycladenia.

Our determination is based on a finding that no critical habitat is within the project area. We consulted with the Utah Department of Wildlife, Bureau of Land Management, and species specific surveys were conducted by the operator. The proposed project is located in Carbon and Emery Counties. Attached is a map of the general location.

The project consists of developing a ventilation shaft and supporting power line to provide adequate ventilation within the existing underground mine workings. Total new surface disturbance is estimated at 14.50 acres with 4.8 acres associated with the power line and 9.7 acres with the ventilation facility. The installation of the facility is anticipated by Fall of 2016.

We carefully reviewed your agency's Section 7 Consultation (IPaC) website for a list of species and critical habitat that "may be present" within the project area. Attached is the Official Species List provided by your office on October 16, 2015 and includes a general map of the area. Please see Table 1 for an explanation of our determination.

For these reasons, we conclude that the Skyline Swens Canyon Ventilation Facility project is not likely to affect any threatened, endangered, candidate, or sensitive species. We request your concurrence with our determination.

If you have any questions, please call me at (801) 538-5325 or Lisa Reinhart, Coal Program Biologist at (801) 538-5437.

