

C/007/005 Incoming



United States
Department of
Agriculture

Forest
Service

Manti-LaSal
National Forest

599 West Price River Drive
Price, UT 84501
Voice: 435-636-3561

File Code: 2820

Date: February 9, 2017

Daron Haddock
Coal Program Manager
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt lake City, Utah 84114-5801

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DIV. OF OIL, GAS & MINING

Dear Mr. Haddock

The Manti-La Sal National Forest (FS) has completed review of the mine plan Modification, Task #8046 for permit C/007/005 for Bowie Resources, LLC's Skyline Mine. The modification addresses mining the Flat Canyon Federal Coal Lease, UTU-77114. The FS is responding as the federal land management agency (FLMA) according to 30 CFR 994.30, Article VI (C)(2).

The FS consented to the Bureau of Land Management (BLM) leasing these lands in February 2013. The BLM issued the lease on July 1, 2015.

FS review has shown that the proposed mine plan modification is consistent with special coal lease stipulations for use and protection of non-mineral resources on NFS lands within the lease.

With respect to the post-mining land use, according to the Manti-La Sal Forest Plan (1986), the surface lands are managed principally for wood-fiber production and harvest, watershed protection and improvement, rangeland managements and riparian area management. Any surface disturbance and subsequent reclamation must be designed to support these post-mining land uses.

With respect to protection of non-mineral resources, the FS finds the proposed resource monitoring plan adequate. According to lease stipulation 18, the Lessee is responsible to replace any surface or developed groundwater resources identified for protection that may be lost or adversely affected by mining operations. This is to maintain existing riparian habitat, fishery habitat, livestock and wildlife use or other land uses. The FS identifies all water resources identified for monitoring as being subject to this stipulation. On another note, it is unclear how the Lessee plans to comply with lease stipulation 27.

The lands in the permit modification/revision area contain 22 acres of priority sage grouse habitat as shown on the map in Attachment A. The FS September 2015 Greater Sage-grouse Record of Decision for Idaho and Southwest Montana, Nevada and Utah, amended FS land management plans for sage-grouse management, including the Manti-La Sal Forest Plan. The amendment includes the following standard for leased coal mines (GRSG-M-CML-ST-093):

“In priority habitat management areas and sagebrush focal areas do not authorize new appurtenant surface facilities related to existing underground mines unless no technically feasible alternative exists. If new appurtenant surface facilities associated with existing mine leases cannot be located outside of priority habitat management areas and sagebrush focal areas, locate them within any existing disturbed areas, if possible. If location within an existing disturbed area is not possible, then construct new facilities to minimize disturbed areas while meeting mine safety standards and requirements as identified by the



Mine Safety and Health Administration mine-plan approval process and locate the facilities in an area least harmful to greater sage-grouse habitat based on vegetation, topography, or other habitat features..”

To implement this standard, the FS requires that the following condition be included in the permit modification/revision approval:

To protect sage-grouse habitat, locate new appurtenant surface facilities outside priority habitat management areas, unless no technically feasible alternative exists. If new appurtenant surface facilities cannot be located outside of priority habitat management areas, locate them within any existing disturbed areas, if possible. If location within an existing disturbed area is not possible, then construct new facilities to minimize disturbed areas while meeting mine safety standards and requirements in the established mine-plan approval process and locate the facilities in an area least harmful to greater sage-grouse habitat based on vegetation, topography, or other habitat features.

If you have any questions or concerns, please contact Jeff Salow at 435-636-3596 or jsalow@fs.fed.us.

Sincerely,


BRIAN M. PENTECOST
Forest Supervisor

Enclosure

cc: Nicole Caveny, OSMRE, Becky Hammond, FS

