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DIVISION OF WILDLIFE RESOURCES

EQUAL OPPORTUNITY EMPLOYER

1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333

DOUGLAS F. DAY
Director

April 15, 1981

Mr. Cleon B. Feight, Director
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

Attention: James W. Smith

Dear Cleon:

The Division has reviewed the Mining and Reclamation Plan (MRP) for Plateau Mining Company's Star Point Mines and offers the enclosed comments. To date, we are unaware of any formal guidelines issued by OGM concerning fish, wildlife or habitat information needed in the MRP. Thus, our comments are provided without benefit of these guidelines.

Generally speaking, the wildlife resource information is lacking in some detail and accuracy that should be expected of the applicant. The wildlife mitigation plan also lacks specificity and considerations that should be expected.

Thank you for an opportunity to provide comment for this area of concern.

Sincerely,

Day

Douglas F. Day
Director

Enclosures

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UTAH DIVISION OF WILDLIFE RESOURCES'
COMMENTS ON THE MINING AND RECLAMATION PLAN (MRP)
FOR PLATEAU MINING COMPANY'S STAR POINT MINES

Page 3-63, paragraph 1. Revegetation after cessation of project operations should consider a diverse seed mixture and not one of just grasses. Since this area represents wildlands inhabited by diverse populations of wildlife, the seed mixture should be designed to provide for those animals. The MRP needs to be clearer in this area of concern.

Page 3-69, paragraph 5. To date, there is no definite evidence that the local wildlife population has adapted to the mining operation. Professional opinion is that operation of this mine has had impact on wildlife and that some impacts, including disturbance, will continue throughout the life of the project.

Page 3-86, paragraph 3. The reduction in forage production will not only decrease the livestock carrying capacity of the area, it will also reduce the carrying capacity for wildlife.

Page 3-89, paragraph 1. Same comments as provided for page 3-69, paragraph 5. It is also important to note that avian species and not just mammals, amphibians and reptiles inhabit the project area.

Page 3-89, paragraph 2. The MRP indicates that the 19 mammals listed in Table 10-1 (page 10-11) are of high interest and that 14 of those animals are protected. It is important to note that only 18 mammals are listed of which 13 are high interest to the state. Only 12 of the mammals are protected. The Division has established a list that would clearly define this situation for the applicant; this list is available upon the applicant's request, thus, the MRP should be appropriately corrected.

Page 3-89, paragraph 2. The Manti elk herd, part of which overlaps the project area, is still increasing in size and has not yet reached the carrying capacity of the range. Thus, its population trend is considered as increasing and not stable. This information was provided to the applicant on June 18, 1979.

It is important to note that the MRP identifies wintering, calving and feeding use by elk on the project area and specifically indicates that such use is marginal and not critical. The demonstrated use by elk and thus the state's official position is that the project area provides critical valued winter range and calving sites along with high-priority valued summer range and winter range for elk. It is important to note that the state's position was provided to the applicant on July 18, 1979.

Page 3-90, paragraph 2. The substantial valued range for black bears includes the entire project area.

Page 3-90, paragraph 3. Disturbance along with loss of habitat to surface facilities is an impact on rabbits.

Page 3-91, paragraph 1. Experience has shown that only long-term intensive and extensive survey could result in field observation of a majority of wildlife having potential to inhabit the project area. A review of existing literature would result in an acceptable list and would not necessitate field work that is costly to the applicant.

Page 3-92, paragraph 2. Mitigation opportunities exist over the entire project area and not in just four local areas.

Page 3-92, paragraph 3. The term "may be" is not definitive and a mitigation plan must be a definite planned action.

Page 3-92, paragraph 5. Since this section is specific to mitigation measures for wildlife, the suggested measures should also be specific. As an example, just which species of plants will be reseeded that are specific to the needs of deer? Exactly where and how much area is to be enhanced for deer to offset impacts from the refuge disposal pile?

Page 3-93, paragraph 1. Same comments as provided for page 3-92, paragraph 5.

Page 3-93, paragraph 2. Exactly how will water sources be protected? Which water sources are not necessary to wildlife? In just what way will alternate sources of water for wildlife be benefited and in which locations will it be provided?

Page 3-93, paragraph 3. Just which hazards and barrier structures will be modified for use or passage of wildlife?

Without doubt the overland conveyor needs to be evaluated in order to allow for passage of mule deer. To date, the company has not requested consultation from our Division for that purpose. Likely, crossing points for the animals will need to be developed.

Page 3-94, paragraph 1. Same comments as provided for page 3-91, paragraph 1. It is also important to note that field studies in themselves can be an impact. When such studies are not needed, the impact that could occur is then unwarranted. Thus, field studies, except those recommended through the consultation process, should be disallowed; they also represent an unneeded cost for development of the coal resource.

Page 3-103, paragraph 7. Within Carbon County many potential uses of the mine plan area during the postmining period would require approval of the Carbon County commission. The MRP must be specific and explicit of planned uses.

Page 3-104, paragraph 2. What will become of the road to the Lion Dick Portal if at some point in time it must be reclaimed?

Page 3-118, paragraph 4 and page 3-119, paragraphs 1 and 5. Same comments as provided for page 3-92, paragraph 3.

Page 4-1, paragraph 4. It is important to note that Carbon County zoning resolutions are currently being modified. Probably, the mine plan area will be zoned as a critical environmental I or II area. The MRP should address this situation since it would have affect on planned postmining land uses.

Page 4-6, paragraph 5. Land use should also include production of wildlife habitat.

Page 4-22, paragraph 5 and page 4-23, paragraph 1. The vegetation management and range management objectives should also consider improvement of the vegetation community as habitat for wildlife.

Page 10-8, paragraph 9. Same comments as provided for page 3-91, paragraph 1 and page 3-94, paragraph 1.

Page 10-9, paragraph 2. Utah Division of Wildlife Resources is the legislated wildlife authority for the state. In reference to determination of just which species of wildlife are of high interest, the Division has developed such a list. It seems that the MRP does not utilize the state's list. Thus, the MRP should be appropriately corrected.

Page 10-10, paragraphs 1, 2, 3, and 4 and page 10-11. The applicant's attempt to rank the degree of impact on the various species of high interest wildlife inhabiting the project area is a meritous undertaking. However, the MRP needs to define the definite differences between each level on the impact scale. Additionally, the exact procedure and appropriate discussion concerning assignment of numerical values that represent level of impact to each species must be provided.

Generally speaking, project development (or planned development) has removed some acreage from the substantial valued use area for most if not all species of wildlife associated with the project area. Professional opinion is that disturbance by man's use of the area would also impact most if not all species. Thus, most if not all species of wildlife would experience some degree of impact. Therefore, the "0" value which denotes no impact is probably not realistic.

Page 10-20, paragraph 3. The effects of perturbation are only estimated for the mammals in Table 10-1 and not for those other species in Tables 10-6 through 10-8.

Page 10-21, paragraph 1. The MRP should point out that inhabitation by fish of the perennial waters associated with the project is not likely.

Page 10-21, paragraph 2 and page 10-26. Same comments as provided for page 3-91, paragraph 1, page 3-94, paragraph 1 and page 10-8, paragraph 9. If the MRP is going to provide density estimates, all parameters pertaining to their accuracy and use must be identifed.

Page 10-21, paragraph 3. Same comments as provided for page 3-89, paragraph 2.

Page 10-21, paragraph 3 and page 10-27, paragraph 1 and plate 10-1. The MRP fails to identify the ranked values of seasonal habitat use areas to the high interest species of wildlife. This correlation between the animal and its habitat is of great importance for identification and evaluation of existing or potential impacts. This comment is pertinent to all habitat discussions in the MRP as it relates to individual species of high interest wildlife. Note, this information was provided to the applicant on June 18, 1979.

Page 10-27, paragraphs 2 and 3, page 10-29 and 10-30. Same comments as provided for page 3-91, paragraph 1, page 3-94, paragraph 1, page 10-8, paragraph 9 and page 10-21, paragraph 2.

Page 10-32, paragraph 1. Same comments as page 10-9, paragraph 2. There are two species of high interest reptiles that are believed to inhabit the project area--the western (Utah) milk snake (Lampropeltis triangulum gentilis) and the Utah mountain kingsnake (L. pyromelana infralabialis).

The table reference (10-3) in this paragraph should be changed to (10-7).

Page 10-32, paragraph 2. Same comments as page 10-9, paragraph 2. It is likely that the tiger salamander (Ambystoma tigrinium nebulosum) inhabits the project area. This species should be included in Table 10-8 (Page 10-25). It is also a high interest species.

The table reference (10-3) in this paragraph should be changed to (10-8).

Page 10-35 through 10-40. Same comments as page 3-89, paragraph 2, page 10-21, paragraph 3, and page 10-27, paragraph 1.

Page 10-41, paragraph 1. Education of employees associated with the mine so that they understand just how, as individuals, they can lessen impacts is a major mitigation opportunity that should not be overlooked.

Reclamation of disturbed sites is also a major mitigation measure that should be identified in this paragraph.

Page 10-41, paragraph 3. Same comment provided for page 10-41, paragraph 1.

Page 10-41, paragraph 4 and page 10-42, paragraph 1. The mitigation plan should be exact in what considerations will be made for deer and elk reproductive activities.

Page 10-42, paragraph 3. Same comments provided for page 3-92, paragraph 3, page 3-92, pargraph 5 and page 3-93, paragraph 1.

Recommended mitigation provided to the applicant on June 18, 1979, concerning motor vehicle use should be included in the MRP. As an example, personnel should be instructed that when wildlife are encountered that they not stop vehicles for viewing purposes. Moving traffic is less disturbing to wildlife than traffic that stops. If viewing is desirable, the vehicle should only be slowed, but not stopped.

Page 10-43, paragraph 3. Same comments as provided for page 3-93, paragraph 3.

Page 10-45, paragraph 2. Same comments provided for page 3-91, paragraph 1, page 3-94, paragraph 1, page 10-8, paragraph 9, page 10-21, paragraph 2 and page 10-27, paragraphs 2 and 3.

UTAH DIVISION OF WILDLIFE RESOURCES' COMMENTS
ON THE "COAL PROCESSING WASTE PILE EXTENSION PLAN AND
FEASIBILITY STUDY" PORTION OF THE MRP FOR
PLATEAU MINING COMPANY'S STAR POINT MINE

Volume 5

Page 85, paragraph 2. Same comments as provided for page 10-9, paragraph 2.

Figure 27. Same comment as provided for page 10-21, paragraph 3, page 10-27, paragraph 1 and plate 10-1.

Note: No further comments will be made on this section since those provided for earlier sections of the MRP are sufficient. This portion of the MRP should be modified to incorporate the Division's earlier comment where appropriate.