

OK
Incoming
e/007/0013

From: "Marshall, Jay" <jmarshall@coalsource.com>
To: "Jerriann Ernstsens" <jerriannernstsens@utah.gov>
Date: 6/20/2007 9:27 PM
Subject: RE: plant survey
Attachments: TES REPORT 2007.pdf

CC: <ddragoo@swlaw.com>, "Pam Grubaugh-Littig" <PAMGRUBAUGHLITTIG@utah.gov>, ...
Survey has been done.

Negative results, report attached.

-----Original Message-----

From: Jerriann Ernstsens [mailto:jerriannernstsens@utah.gov]
Sent: Wednesday, June 20, 2007 6:00 PM
To: Marshall, Jay
Cc: ddragoo@swlaw.com; Pam Grubaugh-Littig; Steve Alder
Subject: plant survey

Jay

Hopefully, you have already conducted these surveys because time has probably already passed for one of these species. The timeline was April to June.

From the MTA

The Permittee will survey for canyon sweetvetch, Cliff's blazing star, and creutzfeldt-flower at least the year construction begins or one year prior to construction. If the results are positive for these species, the Permittee must immediately submit a protection/mitigation plan to go into Section 333. The last survey report for these species was in 2004.

The areas with most potential for Cliff's blazing star and creutzfeldt-flower include the surface facilities area and north of the pediment (Section 15). The optimum months to survey Cliff's blazing star and creutzfeldt-flower are late June to middle August and late April to June, respectively. If the results are positive for these species, the Permittee must immediately submit a protection/mitigation plan. The Permittee must implement the plan prior to disturbance.

Mr. Coonrod (1999) recommended monitoring for canyon sweetvetch. The best time to identify this species is in middle June to early July (depending on drought conditions). The areas to survey canyon sweetvetch include the surface facilities area and south of the pediment (Section 21). The Permittee will also survey this species at least the year construction begins or one year prior to construction.

Thanks

Jerriann Ernstsens, Ph.D.
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Department of Natural Resources

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UTAHAMERICAN ENERGY, INC.

Lila Canyon Mine Facility

Threatened, Endangered, & Sensitive Species
Inventory Report

Conducted
May 03, 2007

By:

ENVIRONMENTAL INDUSTRIAL SERVICES

Environmental & Engineering Consulting
31 North Main Street * Helper * Utah 84526
Office - 435-472-3814 * Fax - 435-472-8780

UtahAmerican Energy, Inc. Lila Canyon Mine Facility

1.0 Introduction

UtahAmerican Energy, Inc. (UEI) has contracted EIS Environmental & Engineering Consulting (EIS) to conduct inventories for their 2007 Lila Canyon Mine Facility. The proposed area is located south of East Carbon, Utah. This area also consists of land administered by the State of Utah, private owners, and the Bureau of Land Management (BLM). A follow-up survey of the proposed mine facility site was inventoried. These proposed facilities are required to be surveyed for a variety of threatened, endangered, and sensitive (TES) plant and animal species. Several TES species have been identified by the BLM through past studies as occurring, or potentially occurring within the UEI project area. Using established protocols, qualified Field Biologists of EIS conducted inventories for several proposed Threatened and Endangered Species (Table 1) at all areas of concern within the project area. The inventory for this Project was conducted on May 03, 2007.

Table 1: Species List

<i>Common Name</i>	<i>Scientific Name</i>
Alcove Bog-orchid	<i>Platanthera zothecina</i>
Basalt milkvetch	<i>Astragalus subcinereus</i> var <i>basalticus</i>
Bookcliffs blazing star	<i>Mentzelia multicaulis</i> var <i>librina</i>
Burrowing owl	<i>Athene cunicularia</i>
Canyon Sweetvetch	<i>Hedysarum occidentale</i> var. <i>conone</i>
Cataract gilia	<i>Gilia latifolia</i> var. <i>imperialis</i>
Creutzfeldt cryptantha	<i>Cryptantha creutzfeldtii</i>
Despain footcactus	<i>Pediocactus despainii</i>
Entrada rushpink	<i>Lygodesmia entrada</i>
Flat tops wild buckwheat	<i>Eriogonum corymbosum</i> var. <i>Smithii</i>
Jones Indigo-bush	<i>Psorothamnus polydenius</i> var <i>jonesii</i>
Peabody milkvetch	<i>Astragalus pubentissimus</i> var <i>peabodianus</i>
Psoralea globemallow	<i>Sphaeralcea psoraloides</i>
Thompson's talinum	<i>Talinum thompsonii</i>
Trotter's oreoxis	<i>Oreoxis trotteri</i>
Utah spurge	<i>Euphorbia nephradenia</i>
Winkler footcactus	<i>Pediocactus winkleri</i>
Wright fishhook cactus	<i>Sclerocactus wrightiae</i>
Yellowbilled cuckoo	<i>Coccyzus americanus</i>

2.0 Methodology

Inventory work on the Project area was conducted on May 03, 2007. A walkover of the corridor was conducted, using binoculars to note bird activity. Habitat present was noted, as was the general topography, and weather conditions. For inventory purposes, a buffer area of approximately 100 feet was surveyed. Corridors were walked using a zigzagged route rather than walking straight lines on either side, to better cover the area in question.

If target species were located, field personnel would flag the location, collect voucher specimens, mark the location on a quad-map or GPS the location, and take a photograph of the species and habitat.

2.1 Habitat Requirements

Alcove bog-orchid (*Platanthera zothecina*). Areas determined to have a potential for alcove bog-orchid consist of seeps, hanging gardens and moist stream areas between 4,360 to 8,690 feet elevation from the desert shrub to the oak brush communities, flowering from late July through August.

Basalt milkvetch (*Astragalus subcinereus var basalticus*). Areas determined to have a potential for basalt milkvetch consist of pinyon-juniper and ponderosa communities between 4,520 to 7,970 feet elevation. These plants flower from May to July

Bookcliffs blazing star (*Mentzelia multicaulis var librina*). Areas suspected to contain potential habitat for the Bookcliffs blazing star consists of sagebrush, rabbitbrush and pinyon juniper communities at about 6,200 feet elevation, on Mancos Shale and Price River formations.

Burrowing owl (*Athene cunicularia*). Areas determined to have a potential for owl use either contained or were within the vicinity of known white-tailed prairie-dog (*Cynomys leucurus*) towns.

Canyon Sweetvetch (*Hedysarum occidentale var. conone*). Areas suspected to contain Canyon Sweetvetch consist of shaded areas in/near ephemeral and perennial streams in Sagebrush, Pinyon-Juniper, mountain brush, and wash communities. Elevation ranges from 5,000-8,000 feet with a flowering period between late June through mid-August.

Cataract gilia (*Gilia latifolia var. imperialis*). Areas determined to have potential for cataract gilia consist of shadscale and tother mixed desert shrub communities, especially in wash bottoms and at the base of ledges, 3,800 to 5,200 feet in elevation. These are known to bloom from June to October.

Creutzfeldt cryptantha (*Cryptantha creutzfeldtii*). Areas suspected to contain potential habitat for Creutzfeldt cryptantha consist of mancos-shale openings in scattered pinyon-juniper woodlands, in association with black sagebrush, shadscale, green ephedra and buckwheat. It grows on surfaces that vary from flat to 35 degree slope with no specific aspect, and ranges in elevation from 5, 250-6,495 feet. The flowering period for the species is late April to June 15th.

Despain footcactus (*Pediocactus despainii*). Areas suspected to contain potential habitat for Despain footcactus consist of open pinyon-juniper communities on limestone gravels at around 6,000 feet. These cacti flower from late April thru early May.

Entrada rushpink (*Lygodesmia entrada*). Areas determined to have a potential for entrada rushpink consist of mixed desert shrub and juniper communities between 4,400 to 4,800 feet elevation, flowering in June.

Flat tops wild buckwheat (*Eriogonum corymbosum var smithii*). Areas determined to have a potential for flat tops wild buckwheat consist of open desert shrub communities where bedrock outcrops break the otherwise rolling terrain along the edge of and into draws, up steep mesa slopes and along their rims. It grows mainly on the Entrada Sandstone and on stabilized sandy soils in 4,700 to 6,100 feet elevation, flowering from late August through mid-October.

Jones Indigo brush (*Psorothamnus polydenius var jonesii*). Areas determined to have a potential for Jones indigo brush consist of salt desert shrub communities on the Mancos Shale Formation (Blue Gate and Tununk members) and less commonly elsewhere at approximately 4,820 feet elevation, flowering from late-May through mid-July.

Peabody milkvetch (*Astragalus pubentissimus var peabodianus*). Areas determined to have a potential for Peabody milkvetch consist of entrenched channels on the south and west flanks of the Tavaputs Plateau in pinyon-juniper and mixed desert shrub communities at 4,300 to 5,800 feet elevation, flowering from May through early-July.

Psoralea globemallow (*Sphareralcea psoraloides*). Areas determined to have a potential for psoralea globemallow consist of zuckia-ephedra communities on saline and gypsiferous Entrada siltstone at 4,000 to 6,000 feet elevation, flowering from mid-May through June.

Thompson talinum (*Talinum Thompsonii*). Areas determined to have a potential for Thompson talinum consist of silicious conglomeratic gravels in pinyon-juniper and ponderosa pine communities at about 7,500 feet elevation, flowering from mid-July through August.

Trotter oreoxis (*Oeroxis trotteri*). Areas determined to have a potential for trotter oreoxis consist of warm desert shrub and mixed juniper communities at 4,750 to 5,000 feet elevation, flowering from late April through mid June.

Utah spurge (*Euphorbia nephradenia*). Areas determined to have a potential for Utah spurge consist of mat-saltbrush, blackbrush, ephedra, mixed sandy desert shrub and grassland communities, on dark clay hills, blow sand and stabilized dunes mainly from Tropic Shale and Entrada formations between 3,800 and 4,800 feet elevation, flowering from June through August.

Winkler footcactus (*Pediocactus winkleri*). Areas determined to have a potential for winkler footcactus consist of salt desert shrub communities between 4,790 to 5,210 feet elevation, flowering late-March through mid-May.

Wright fishhook cactus (*Sclerocactus wrightiae*). Areas suspected to contain potential habitat for the Wright fishhook cactus consists of openings in salt desert shrub to the juniper community at 4,790 to 6,120 feet elevation on the Mancos Shale Formation, flowering from April to May.

Yellow-billed cuckoo (*Coccyzus americanus*). Yellow-billed cuckoos are considered a riparian obligate and are usually found in large tracts of cottonwood/willow habitats with dense sub-canopies. Nesting habitat is classified as dense lowland riparian characterized by a dense sub-canopy of shrub layer within 333 feet of water.

3.0 Results

Alcove bog-orchid (*Platanthera zothecina*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Basalt milkvetch (*Astragalus subcinereus var basalticus*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Bookcliffs blazing star (*Mentzelia multicaulis var librina*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Burrowing owl (*Athene cunicularia*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Canyon Sweetvetch (*Hedysarum occidentale var. conone*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Creutzfeldt cryptantha (*Cryptantha creutzfeldtii*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Despain footcactus (*Pediocactus despainii*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Entrada rushpink (*Lygodesmia entrada*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Flat tops wild buckwheat (*Eriogonum corymbosum var smithii*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Jones Indigo brush (*Psorothamnus polydenius var jonesii*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Peabody milkvetch (*Astragalus pubentissimus var peabodanus*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Psoralea globemallow (*Sphareralcea psoraloides*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Thompson talinum (*Talinum thompsonii*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Trotter oreoxis (*Oeroxis trotteri*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Utah spurge (*Euphorbia nehradenia*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Winkler footcactus (*Pediocactus winkleri*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

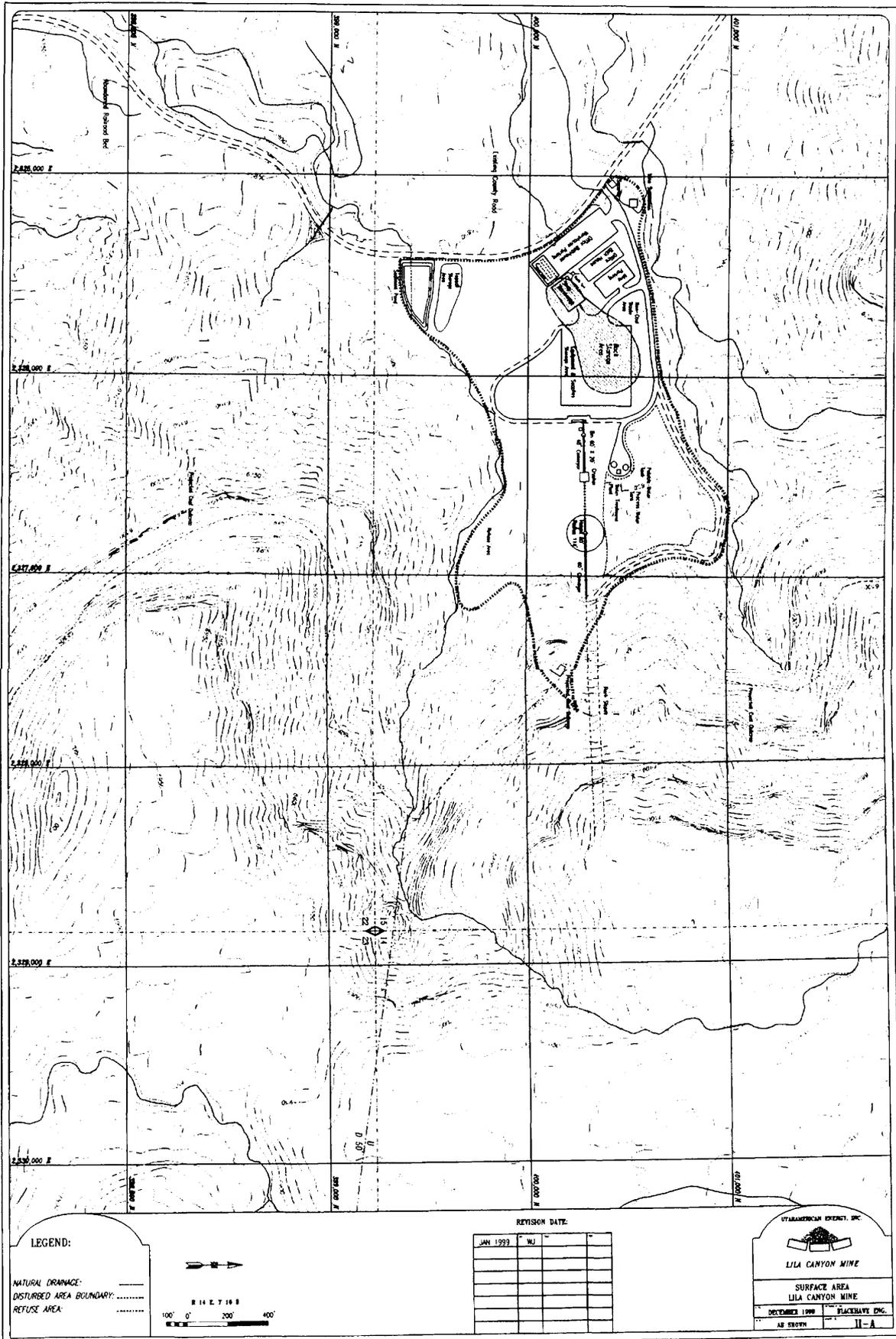
Wright fishhook cactus (*Sclerocactus wrightiae*). Suitable habitat does exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

Yellow-billed cuckoo (*Coccyzus americanus*). Suitable habitat does not exist within the proposed project area. This species was not found during TECS inventories conducted in May 2007.

The findings of all the TES inventories for the UEI Mine Project have been summarized in a spreadsheet format. They include the geographical area and the legal location of the site. Also included is the substrate, community type and whether or not the species was present at the site (Attachment 1). Copies of the field data sheets and maps are included in this report as well (Attachment 2 and Plate 1).

ATTACHMENT 1
SUMMARY SPREADSHEET

PLATE I

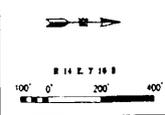


LEGEND:

NATURAL DRAINAGE: ————

DISTURBED AREA BOUNDARY: - - - - -

REFUSE AREA: ······



REVISION DATE:

NO.	DATE	DESCRIPTION
1	JAN 1993	NU

ITABARRONDA EXPLORATION, INC.

LILA CANYON MINE

SURFACE AREA

LILA CANYON MINE

DECEMBER 1998

BLACKHAWK ENG.

AS SHOWN

II-A