

#3995

R

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

January 31, 2012

TO: Internal File

THRU: James Owen, Lead 

FROM: Joe Helfrich, Biology 

RE: Response to NOV 10093, Utah American Energy Inc., Lila Canyon Mine, C0070013, Task ID #3995

SUMMARY:

On January 6, 2012 the Division received a revised timeline for the mitigation outlined in chapter three, appendix 3-7 as the abatement for NOV 10093 issued by Joe Helfrich on December 13, 2011. This memo will include a review of that information.

There is one deficiency that needs to be addressed.

R645-301-322, -301-333, -301-342, -301-358,

Chapter three, appendix 3-7, (Lila Canyon Project Wildlife Enhancement), of the approved MRP includes timelines for implementation on pages 5 and 6 that are currently outdated. The implementation dates for the guzzler mitigation and vegetation treatment work need to be revised to indicate either the date that each task was completed or the projected date for completion not to exceed the calendar year 2012. The revised timeline includes information that is not adequately formatted for inclusion in the MRP. In its current state this would require changes to the table of contents, several page deletions, one addition and renumbering. However the information could be used to simply update pages 5 and 6 of appendix 3-7 as suggested in consultation with Dave Waller, (Price BLM Wildlife Biologist). This would eliminate revisions to the table of contents and pagination issues.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Protection and Enhancement Plan

Chapter three, appendix 3-7, (Lila Canyon Project Wildlife Enhancement), of the approved MRP includes timelines for implementation on pages 5 and 6 that are currently outdated. The implementation dates for the guzzler mitigation and vegetation treatment work need to be revised to indicate either the date that each task was completed or the projected date for completion not to exceed the calendar year 2012. The revised timeline includes information that is not adequately formatted for inclusion in the MRP. In its current state this would require changes to the table of contents, several page deletions, one addition and renumbering. However the information could be used to simply update pages 5 and 6 of appendix 3-7 as suggested in consultation with Dave Waller, (Price BLM Wildlife Biologist). This would eliminate revisions to the table of contents and pagination issues.

Findings:

The information in the revised timeline is not adequate to meet the requirements of this section of the regulations. Prior to approval the following information must be submitted in accordance with; **R645-301-322, -301-333, -301-342, -301-358,**

Chapter three, appendix 3-7, (Lila Canyon Project Wildlife Enhancement), of the approved MRP includes timelines for implementation on pages 5 and 6 that are currently outdated. The implementation dates for the guzzler mitigation and vegetation treatment work need to be revised to indicate either the date that each task was completed or the projected date for completion not to exceed the calendar year 2012. The revised timeline includes information that is not adequately formatted for inclusion in the MRP. In its current state this would require changes to the table of contents, several page deletions, one addition and renumbering. However the information could be used to simply update pages 5 and 6 of appendix 3-7 as suggested in consultation with Dave Waller, (Price BLM Wildlife Biologist). This would eliminate revisions to the table of contents and pagination issues.

RECOMMENDATIONS:

The revised timeline is not recommended for approval at this time.