



Suzanne Steab <suzannesteab@utah.gov>

2014 Annual Report Deficiencies; Lila Canyon Mine Task ID #4801

Madsen, Karin <kmadsen@coalsource.com>

Thu, Nov 5, 2015 at 7:42 AM

To: "Lisa Reinhart (lreinhart@utah.gov)" <lreinhart@utah.gov>, "Daron Haddock <daronhaddock@utah.gov> (daronhaddock@utah.gov)" <daronhaddock@utah.gov>, Suzanne Steab <suzannesteab@utah.gov>, "Joseph Helfrich (joehelfrich@utah.gov)" <joehelfrich@utah.gov>
Cc: "Hibbs, David" <dhibbs@coalsource.com>

Good morning all!

In response to the 2014 Annual Report Review for Lila Canyon Mine, C/007/0013 Task ID #4801:

There were two deficiencies in total, one for the Mexican Spotted Owl, and one for the Vegetation Test Plot.

EIS has supplied the report for the Mexican Spotted Owl and it is attached.

Attached you'll also find the field reports from James Owen's Midterm inspection discussing the recommendations for work to be done on the topsoil pile, and also his follow-up inspection report showing that the work had been completed.

Please let me know if any further information is needed for this Annual Report.

Thank you,

****Karin Odendahl-Madsen****

Engineering Technician

UtahAmerican Energy Inc.

435-888-4026

2 attachments

 **Little Park Wash MSO 2014.pdf**
776K

 **Scanned from a Xerox Multifunction Device.pdf**
194K

**UTAHAMERICAN ENERGY, INC.
LILA CANYON MINE**

Strix occidentalis lucida
**MEXICAN SPOTTED OWL SURVEY
LITTLE PARK WASH, EMERY COUNTY, UTAH**

**CONDUCTED
JUNE 14 THROUGH AUGUST 28, 2014**

BY:
Environmental Industrial Services
Environmental & Engineering Consulting
31 North Main Street
Helper, Utah
435-472-3814

UtahAmerican Energy, Inc.
Little Park Wash
Mexican Spotted Owl Survey
(Strix occidentalis lucida)

Introduction

UtahAmerican Energy, Inc. has contracted EIS Environmental & Engineering Consulting to conduct inventories for their 2014 Lila Canyon Mine operations on the Book Cliffs. The proposed areas are located southeast of East Carbon, Utah. Proposed activities include coal mining and associated disturbance. These activities required a survey for the Mexican Spotted Owl (MSO). Lila Canyon Mine has been operating since 2010. Surveys for Mexican Spotted Owls at Little Park Wash were first conducted in 2013. This species has been identified by the US Fish and Wildlife Service (USFWS) through past studies as occurring, or potentially occurring within the project area. Using established protocols, certified personnel of EIS conducted a field survey of the areas. The survey for this project was conducted from June 14 through August 28, 2014.

Methodology

Following the protocol given by the USFWS, the area of concern was divided into 4 calling points, 3 of which are approximately 0.5 miles away from the next. The fourth is approximately 1 mile from the nearest call point to adequately cover the project area. The Little Park Wash survey area was surveyed in 2013. The coordinates for the call points are as follows (UTM, NAD 83, Zone 12, Meters):

Call Point	East	North
LPW1	559200	4363785
LPW2	559854	4363329
LPW3	560316	4362623
LPW4	557502	4363382

Inventory work on the project areas was conducted from one half hour past sunset until one half hour before sunrise (period of highest owl activity) on June 14, 30, July 25, and August 28, 2014. A survey was conducted and each point and was called for at least 20 minutes, unless a predatory bird was identified near the call point. Calling procedures were as follows: surveyors called with their voice using the four-note hoot, then listened for a return, and called with the four-note hoot again.

Along with the inventory forms (Attachment 1), each call point surveyed was plotted on a map for further review and association with existing maps of potential owl use and breeding habitat (Plate 1).

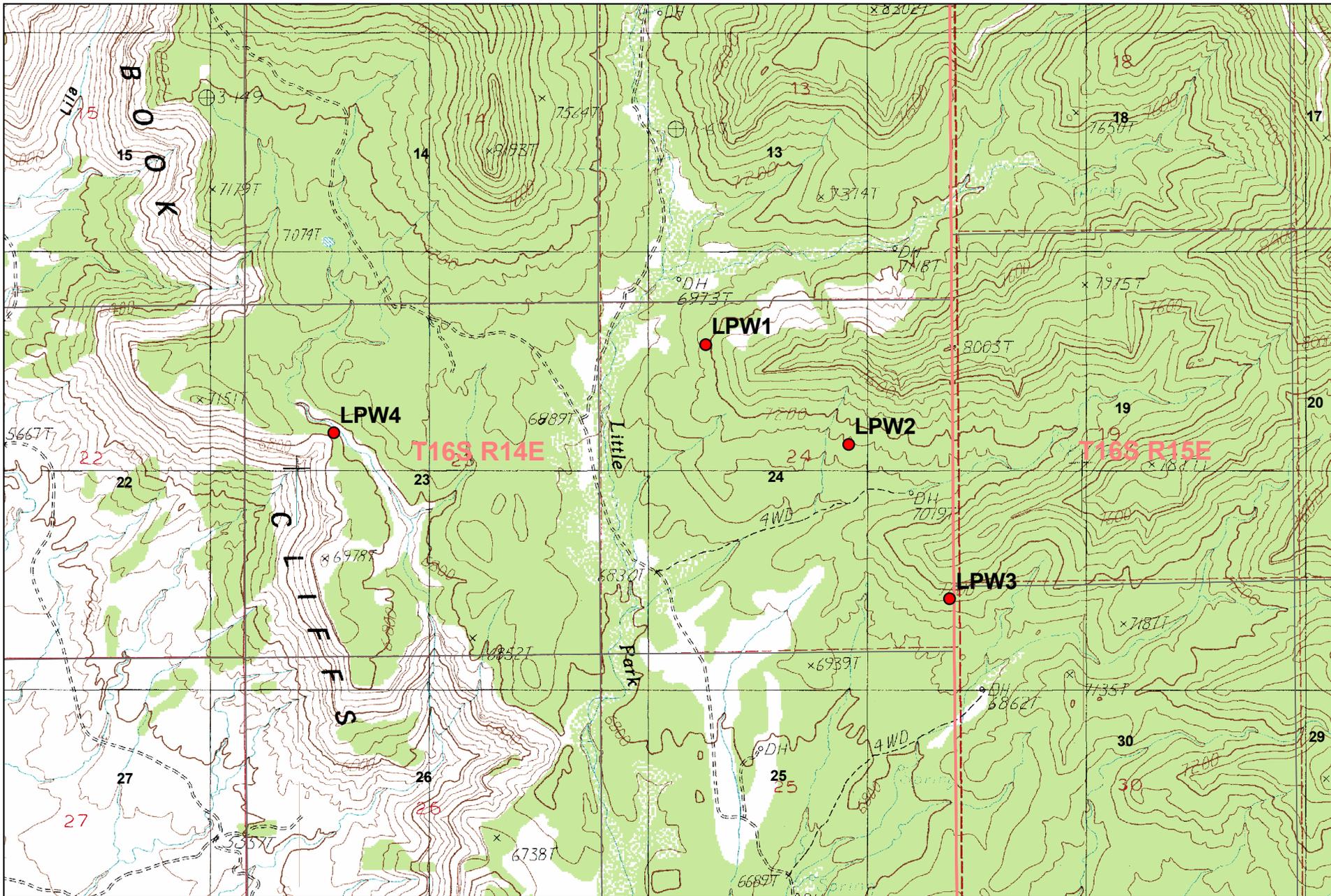
Results

The Little Park Wash surveys were conducted on June 14, 30, July 25, and August 28, 2014. Although there may be suitable habitat, no Mexican Spotted Owls were heard or observed during any of the surveys. The results for this year's survey are MSO negative.

The Little Park Wash survey area was surveyed in 2013 and again during this survey. The two consecutive year survey has been completed according to USFWS protocol and no MSOs were found.

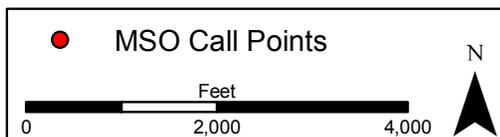
Attachment 1

Plate 1




Environmental Industrial Services
 Environmental Engineering & Consulting
 31 North Main Street
 Helper, Utah 84526
 (435) 472-3814
 fax (435) 472-8780
 eisec@precis.com.net

UtahAmerican Energy, Inc.
 794 North "C" Canyon Road
 PO Box 910
 East Carbon, Utah 84520



**Little Park Wash
 Mexican Spotted Owl Survey
 2014**



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Inspection Report

Permit Number:	C0070013
Inspection Type:	TECHNICAL
Inspection Date:	Tuesday, October 22, 2013
Start Date/Time:	10/22/2013 10:00:00 AM
End Date/Time:	10/22/2013 2:00:00 PM
Last Inspection:	Tuesday, September 24, 2013

Inspector: James Owen

Weather: sunny, clear, 65 degrees F

InspectionID Report Number: 3648

Accepted by:

Representatives Present During the Inspection:	
OGM	Amanda Daniels
OGM	Joe Helfrich
OGM	Priscilla Burton
OGM	Pete Hess
OGM	James Owen
Company	Jay Marshall

Permittee: **UTAHAMERICAN ENERGY INC**
 Operator: **UTAHAMERICAN ENERGY INC**
 Site: **HORSE CANYON MINE**
 Address: **PO BOX 910, EAST CARBON UT 84520-0910**
 County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

5,992.07	Total Permitted
42.60	Total Disturbed
74.26	Phase I
74.26	Phase II
74.26	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

This was an inspection that was initiated as part of a **Midterm Permit Review**. It will also be considered as the partial inspection for October, 2013.

Inspector's Signature:

James Owen.

Inspector ID Number: 62

Digitally signed by James Owen

DN: cn=James Owen, o=ou,

email=jamesowen@utah.gov, c=US, o=Utah, ou=Division of Oil, Gas and Mining, cn=James Owen, o=ou,

c=US

Date: 2013.10.30 15:53:47 -06'00'



1. Permits, Change, Transfer, Renewal, Sale

The Lila Canyon MRP contains 34 commitments that were discussed with the attendees at the mine-site visit, the status of which will be incorporated into the Midterm Review document.

2. Signs and Markers

Disturbed area marker on the coal stockpile pad should be moved to the berm that divides disturbed area from the undisturbed area.

3. Topsoil

Topsoil stockpile looks great on the north side. South side of the stockpile should receive surface gouging, mulch application and seed. Disturbed area north and west of the topsoil stockpile should be surface roughened with dozer tracks and seeded this fall.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment control ponds appeared stable and no problems were found.

4.d Hydrologic Balance: Water Monitoring

Water monitoring updates were discussed with Jay during the inspection. As part of the midterm review Jay will update the MRP to further clarify their water monitoring commitments, specifically regarding Quaker Spring. During the inspection Jay downloaded precipitation data from the rain gauge located at the surface facilities. This information is submitted in the annual reports.

9. Protection of Fish, Wildlife and Related Environmental Issues

Portions of the MRP will need to be updated to accurately reflect the status of the wildlife commitments.

13. Revegetation

The Division recommended scarifying and seeding in the Fall of 2014 of the topsoil pile and the exposed disturbed areas that have been encroached by hallogeten and russian thistle. These areas were identified during the on site visit. The need for supplemental spraying of these areas will be determined in the Spring of 2014 by the Division staff.

22. Other

Plate 5-2, Plate 2-3 and Plate 1-2 do not agree on the undisturbed area boundary within the permit area. These plates were evaluated for accuracy. It appears that Plate 5-2 is not accurate with regard to the undisturbed area boundary. It also appears that site development and site portrayal on Plate 5-2 are incongruous. Placement of an aerial photo layer over the Plate 5-2 design could adequately show existing conditions compared with future approved plans shown on the plate.



GARY R. HERBERT
Governor

GREG BELL
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

Inspection Report

Permit Number:	C0070013
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, November 19, 2013
Start Date/Time:	11/19/2013 11:00:00 AM
End Date/Time:	11/19/2013 2:00:00 PM
Last Inspection:	Tuesday, October 22, 2013

Representatives Present During the Inspection:
OGM James Owen

Inspector: James Owen

Weather: overcast, cold, 42 degrees F

InspectionID Report Number: 3678

Accepted by:

Permittee: **UTAHAMERICAN ENERGY INC**
 Operator: **UTAHAMERICAN ENERGY INC**
 Site: **HORSE CANYON MINE**
 Address: **PO BOX 910, EAST CARBON UT 84520-0910**
 County: **CARBON**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

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This was a partial inspection. Arrived unannounced at the West Ridge Mine. Neither Jay Marshall or JD Leonard were at the office so I proceeded to the Lila mine site unaccompanied. This inspection included the sediment ponds and topsoil stockpile. Jerry, an employee of Scamp, was at the Topsoil stockpile during the inspections and reviewed the work that had recently been completed as a result of the midterm permit review.

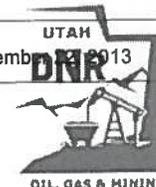
Inspector's Signature:

James Owen,
Inspector ID Number: 62

Digitally signed by James Owen

DN: cn=James Owen, o, ou,
email=jamesowen@utah.gov,
c=US

Date: 2013.11.22 11:49:07 -07'00'



Note: This inspection report is based on information provided by the permittee and is not a guarantee of compliance with the regulatory program of the Division of Oil, Gas and Mining.

telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

3. Topsoil

Topsoil stockpile earthwork had been completed and equipment removal was completed the morning of the inspection. As requested during the midterm permit review inspection, the South side of the topsoil stockpile had been regraded, roughened, and hay mulch was mixed into the pile during the re-work process. The diversion ditches and berms around the stockpile were stabilized and maintained and the roads around the stockpile were regraded. The work appeared to be done in accordance with DOGM's requirements.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Impoundments have been properly inspected. No hazards or signs of instability were identified at either Pond 1 or Pond 2 during the inspection. All inlets and outlets were functional. Both ponds contain sediment as a result of recent storms. Pond 1 was dry, while pond 2 had minimal amounts of water.