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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

January 24, 1991

Mr. Rick Olsen, President
Soldier Creek Coal Company
P. O. Box I
Price, Utah 84501

Dear Mr. Olsen:

Re: Initial Completeness Review Deficiencies, Temporary Waste and Topsoil Storage Facilities, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018/90-1, Folder #2, Carbon County, Utah

An initial Completeness Review of your temporary waste and topsoil storage facilities has been done by Randy Harden, Senior Reclamation Engineer, of the Division's Technical Staff. At this time the submittal cannot be considered complete. The attached memo discusses items that must be included before the revision can be considered complete.

Issues discussed over the phone with Johnny Pappas, on January 22, 1991, include; prime farmland determination, information regarding alluvial valley floors, and additional PHC information. Groundwater monitoring wells will need to be drilled prior to implementing any plans for waste rock storage. Mr. Pappas indicated that the area might only be used for topsoil storage. This being the case, the revision should reflect that only topsoil will be stored in the area. The wells for groundwater monitoring could then be drilled during the topsoil public comment period and a revision to allow waste rock storage submitted after the initial baseline information is gathered.

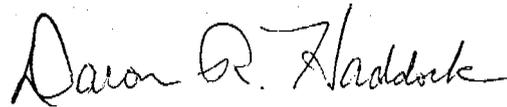
On a separate but related issue, we recently received a letter (copy enclosed) from the Division of Wildlife Resources (DWR) requesting additional raptor information at the Soldier Canyon site. We concur that raptor surveys are needed, however

Page 2
ACT/007/018/90-1
January 24, 1991

DWR's request may be somewhat excessive. We suggest you contact DWR to work out a mutually acceptable arrangement for conducting raptor surveys in the Soldier Canyon area. The Division would be happy to participate in these arrangements.

If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in cursive script that reads "Daron R. Haddock". The signature is written in black ink and is positioned above the typed name and title.

Daron R. Haddock
Permit Supervisor

DRH/mbm
Enclosures
cc: L. Braxton, DOGM
B Team
BT007018.901



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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January 11, 1991

TO: Daron Haddock, Permit Supervisor

FROM: Randy Harden, Sr. Reclamation Engineer 

RE: **Initial Completeness Review, Temporary Waste and Topsoil Storage Facilities, Soldier Creek Coal Company, Soldier Canyon Mine, ACT/007/018-90-1, Folder #2, Carbon County, Utah**

SUMMARY:

A proposal for the temporary waste and topsoil storage facilities was submitted to the Division on December 10, 1990. The operator has requested that a determination of completeness for this project be made as soon as possible in order to expedite the newspaper public notice.

This review constitutes a general review of the proposed facility in order to determine whether or not the operator has provided sufficient information for publication. This review is not intended to be a technical completeness review and additional deficiencies may be found in these reviews when they occur.

ANALYSIS:

Page 2-4 of the submittal indicated that there are no areas within this site which are considered as Prime Farmland. The operator needs a determination from the SCS in order to substantiate this information.

Information is currently under review by the Division regarding Alluvial Valley Floors. This determination must be made by the Division prior to determination of completeness. Review of the information provided by the operator in order to make this determination has not yet been completed, and, the Division may require additional information in order to make that determination.

Because the area is not contiguous to the existing permit area, a CHIA will have to be made by the Division in conjunction with the new facilities. Sufficient PHC information has not been presented in the proposal in order to complete the CHIA. Additionally, the operator intends on expanding the facilities to provide for permanent

Page 2.
ACT/007/018-90-1
January 11, 1991

waste storage facilities. Assessment of the entire area needs to be made by the division prior to determining the temporary storage area complete. Detailed information or commitments by the operator to provide information in their PHC will have to be accomplished prior to determination of completeness of the proposed facility.

RECOMMENDATIONS:

This initial review of the temporary waste and topsoil storage facilities indicates that the proposal cannot be determined complete at this time. Specific deficiencies and requirements in order to determine the site complete will be submitted to the operator in conjunction with the technical review which is forthcoming by the staff.



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

Norman H. Bangarter
Governor

Dee C. Hansen
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Timothy H. Provan
Division Director

1596 West North Temple
Salt Lake City, Utah 84116-3195
801-533-9333
801-533-7073 Fax

AD 12/18/90
cc D. Haddock
Route orig to L. Provan
RECEIVED
DEC 13 1990

DIVISION OF
OIL, GAS & MINING

December 10, 1990

Dr. Dianne R. Nielson, Director
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Daron Haddock, Permit Supervisor

Subject: Soldier Creek Mine expansion
Raptor survey, Soldier Creek Coal Company
Soldier Canyon Mine
ACT/007/018

Dear Dianne:

After reviewing Soldier Creek's proposed expansion, we recommend the following monitoring program to determine impacts on raptors in the area.

1. We have no information on raptor nests in the affected area. However, we know that there are golden eagles, red-tailed hawks, goshawks, Cooper's hawks and sharp-shinned hawks in the area. The area needs to be surveyed in February or March while the aspen trees are leafless to locate nests. While golden eagles and red-tailed hawks typically nest on cliffs, the others normally build a stick nest in the tops of aspen or cottonwood trees. These nests should be visible at that time. The Pine Canyon area will have to be surveyed for golden eagle and red-tailed hawk nests. The total area could be surveyed with a helicopter in about three hours of helicopter time.
2. Nests that are located during this survey will need to be visited each May to determine if they are being used by nesting raptors. This will involve on-the-ground observation. The number of nestlings should be recorded. Mining activities will need to be scheduled to avoid subsidence or above-ground activities in areas near active nests. This monitoring will need to be done by a member of your staff or by contracting the work out.
3. An annual report will need to be submitted to our office by July 10 each year reporting the results of the nest monitoring program.

Dr. Dianne R. Nielson, Director
December 10, 1990
Page 2

4. If nests or birds are lost due to mining activities, mitigation for these losses will be determined at a later date.

The area in question is described as follows:

Salt Lake Meridian, Utah
T13S, R11E
Sec. 1-lot 1 & 8

T12S, R12E
Sec. 31-all
Sec., 32-NW4NE4
Sec. 33-all
Sec. 34-W2

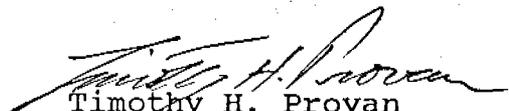
T13S, R12E
Sec. 3-W2

In addition to these activities, Soldier Canyon Mine should also be monitoring known raptor nests in their existing 5-year lease area, particularly if the possibility exists for escarpment failure on the cliffs near the mine offices. We know of several golden eagle nests along those cliffs and will be happy to supply those locations to them.

We will also be willing to provide a biologist to accompany the mine on the helicopter survey. However, they will need to make the necessary arrangements and take care of all associated costs with the helicopter.

If you have questions about these requirements, please contact Bill Bates or Ken Phippen of our staff at 637-3310. Thank you for your consideration.

Sincerely,


Timothy H. Provan
Director