



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WILDLIFE RESOURCES

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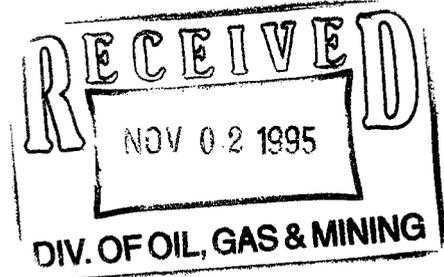
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October 31, 1995

Mr. James W. Carter, Director  
Utah Division of Oil, Gas and Mining  
355 West North Temple, Suite 350  
Salt Lake City, Utah 84180

Attention: Pamela Grubaugh-Littig, Permit Supervisor

Subject: Horizon Coal Company Proposed Mining and Reclamation Plan,  
PRO/007/020, Folder #2, Carbon County, Utah



*Copy Baron, Pam,  
Paul*

Dear Ms. Grubaugh-Littig:

The Utah Division of Wildlife Resources (Division) has reviewed the above referenced Mine Plan. We have several concerns and offer the following comments.

We are concerned with the dated material used to prepare this plan, and the narrow focus of the plan itself. Analyses of impacts are limited to the area within the mine permit boundary, with little discussion of impacts associated with moving coal from the mine site, or downstream influences. Our specific concerns are with the potential for increased big game road kills along the haul route, the potential for chemical spills into Gordon Creek, and the possibility of mining operations affecting ground and surface water.

Chapter 10 of the plan states that most of the information concerning wildlife was obtained from the Division in March 1981. Since that time we have seen increased use of the area by elk, documented golden eagle nests in the permit area, and discovered a cutthroat trout population in Gordon Creek, among other changes involving wildlife populations in the area. The mule deer population, similar to other populations around the state, has experienced a reduction related to the drought, making much of the surrounding habitat even more critical to maintenance of a viable herd.

We could find no reference to the fact that the permit area is located just northwest of the Division's Gordon Creek Wildlife Management Area, nor the fact that the haul route bisects it. This wildlife management area (WMA) consists of more than 11,000 acres of critical and high value big game winter range purchased with sportsmen's dollars. The Division has entered into a



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Memorandum of Understanding with the Bureau of Land Management (BLM) to designate another 7,800 acres as critical wildlife habitat. The Division has also leased grazing rights to about 3,600 acres of School Trust Lands, making the size of the Gordon Creek WMA more than 22,000 acres. The major objective of this WMA is to provide big game winter range.

We have enclosed updated deer and elk critical habitat maps. As you can see, the haul route, U-139, traverses about 12 miles of critical or high value deer and elk winter range (CWT and HWT, respectively). Our experience shows that the number of deer and elk killed by coal trucks will increase significantly. Since the Beaver Creek Mine closed in 1992, we are not aware of any road killed big game west of the Wildcat loadout.

The most critical section of the haul route will be from the bend just west of the Coal City fields, east past the Wildcat loadout. More than 1,000 deer, and up to 600 elk have been observed in this area during recent winters. These animals cross from the fields to cover along Gordon Creek and habitat on Cedar Bench. The excellent condition of this gravel road, coupled with the downhill gradient, will encourage truck drivers leaving the mine to travel speeds that would make braking for wildlife unsafe. We oppose paving the road, and recommend that physical structures be placed in the road way that would encourage slower speeds. Dale Stapley of the Utah Department of Transportation has reported to us that speed limits have little effect, but that the physical structure of the road itself will determine travel speeds. A concrete barrier in the center of the road at strategic locations may result in slower travel speeds.

Cottonwood trees in the Coal City fields provide winter roosting habitat for bald and golden eagles. We are concerned that these eagles will feed on road-killed big game, and in turn be struck by trucks. We have recovered eagles killed by coal trucks on haul routes leaving most mines in the area. We recommend that Horizon Coal be required to remove all road-killed deer and elk from the haul route immediately to minimize this impact. All road-killed animals should be reported to the Division weekly.

Increased traffic along the haul route will impact wintering big game by increasing disturbance. Recent studies have shown that mule deer use within 100 meters of roads is reduced, and elk are displaced up to 400 meters from roads. Assuming that about 9 miles of the road will be used by deer in any given winter, which means that critical winter range for deer will be reduced about 327 acres. We recommend that Horizon Coal be required to enhance 327 acres to mitigate this impact. This should be done in a location that will encourage big game to avoid the haul route, further reducing the potential for road kills.

We are concerned that the mining operation may impact the quantity of water in the drainage by changing the discharge potential of several springs in the area. Owners of water rights in the

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Gordon Creek and Beaver Creek Basins have noticed reduced quantities of water over the past 20 years. The cause for this reduction is not known. Recent reductions are undoubtedly due to the drought. However, much of the reduction was noticed before the drought during normal or wet water years. Although the plan states that the potential for encountering ground water is negligible, local residents who worked in the National and Blue Blaze mines say they were wet mines, and encounters with water were common. We feel that stream and ground water monitoring is critical to documenting any changes in water quantity.

Regarding streams in the permit area, we are concerned that baseline data was collected during a drought period and does not accurately reflect normal flows. In particular, the plan states that the North Fork of Gordon Creek is an intermittent stream, because it went dry in 1990, 1991, and 1992. It did not go dry in 1989 or 1993. Our own observations are that it flowed in 1995 as well. Can flow data from normal or wet years be extrapolated to estimate 'normal' or average flows? The plan states that if water quantity is affected, Horizon Coal will mitigate this by providing alternate water. Does Horizon Coal own sufficient water rights in the drainage to meet their own needs and replace lost water? Are any water shares available in the basin? Should any mining activity be allowed in the stream buffer zone?

Water quality may also be impacted by the mining operation. Use of petroleum-based fuels and lubricants provides the potential for accidental spills into Gordon Creek. We recommend that safeguards be put into place which will reduce the potential for this impact, and an emergency protocol be established in case of an emergency. We are also concerned with fugitive coal dust and its impact on water quality in Gordon Creek. The plan does not adequately state how this problem will be solved.

Cutthroat trout have been observed in Gordon Creek in the past several years. We recommend that the applicant be required to fund a survey to obtain up to date baseline data on this resource.

A small wetland exists in the bottom of the North Fork of Gordon Creek. The plan shows that this area will be used for surface facilities and the stream placed in a culvert. Wetlands are an important part of this ecosystem. If this wetland is destroyed, the same acreage of similar wetlands should be created nearby. How long will these culverts be?

A low water crossing on the North Fork of Gordon Creek has been used to access a core hole drilling site this past fall. Was this permitted through the Utah Division of Oil, Gas and Mining, and the Utah Division of Water Rights?

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The reclamation plan seems adequate, but we have two suggestions. First, add Wyoming big sagebrush to the shrub component. Second, the access roads for core hole/well monitoring should be reclaimed by recontouring and reseeding. We recognize that the area where the old mine facilities have been located has been in a disturbed state for many years. Local habitat will be greatly enhanced if this area is reclaimed as well.

Big game habitat in the permit boundary consists of critical winter range for elk on the ridge tops, high value winter range for elk and deer on the south facing slopes, and high value summer range for deer and elk on north facing slopes. We recommend that habitat displaced by surface facilities be mitigated by off site enhancement.

An additional concern we have is with the road which bisects the permit area. In the plan it states this road will be closed to public access with a locked gate. The road through National over Beaver Creek provides the only public access from the Consumers' area to Scofield. We recommend that this portion of the road be left accessible to the public.

The following are specific comments on Chapter 10, 'Fish and Wildlife Resources.'

- Data was provided by the Division in 1981- some information should be updated.
- The techniques for gathering wildlife data were valid for occurrence data only, not population status or trend.
- Aquatic surveys were conducted in 1980 and 1981. Changes have occurred.
- Page 10-7. The riparian community along Gordon Creek has improved.
- 10.3.2.1. Gordon Creek now has a limited number of trout. The Division plans to create a sport fishery as stream conditions improve.
- Page 10-11. Why is it important to note that bobcats occasionally kill the young of big game animals?
- Page 10-12. What is the current status and trend of big game populations in the area and how will the mine affect these populations? Deer herd unit numbers for the area have changed. The mine permit area is now in Unit 30, Northeast Manti.

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- The list of federally listed species should be updated. Changes of the status of bald eagle and southwest willow flycatcher have occurred in recent months. The loggerhead shrike and willow flycatcher should be added to the list of sensitive species (page 10-24).
- Page 10-14. Four golden eagle nests are found within the lease boundary. Prairie falcons have also been observed in the area. While no bald eagle nests have been found, courtship activity has been observed at the winter roost on the Gordon Creek WMA. Bald eagles are likely to use the permit area (page 10-34). Golden eagles and red-tailed hawks also are found in the permit area. Sharp-shinned hawks and goshawks may use the area.
- We recommend that a one-half mile buffer zone be used around all raptor nests to provide adequate protection to nestlings. Trees should be surveyed for nests before removal for surface facilities.
- Page 10-35. All power lines must be raptor proof. The technology is currently available at reasonable cost. Bald and golden eagles, as well as red-tailed hawks are likely to roost on power poles.
- Elk use has increased substantially in recent years. No road kills have been documented west of the Wildcat loadout since closure of the Beaver Creek Mine (page 10-35).

Thank you for the opportunity to comment on this mine plan. If you have any questions, please contact Bill Bates in our Southeastern Regional Office at (801) 637-3310.

Sincerely,

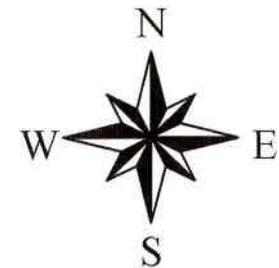
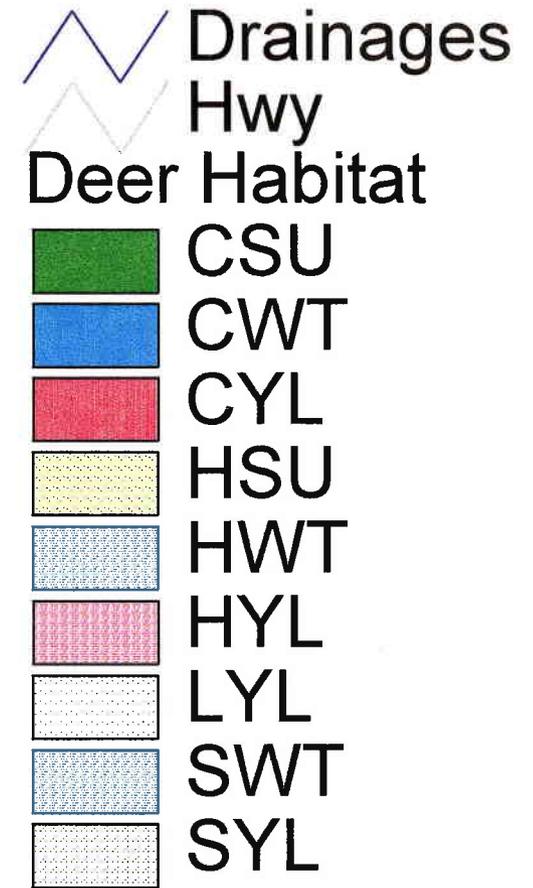
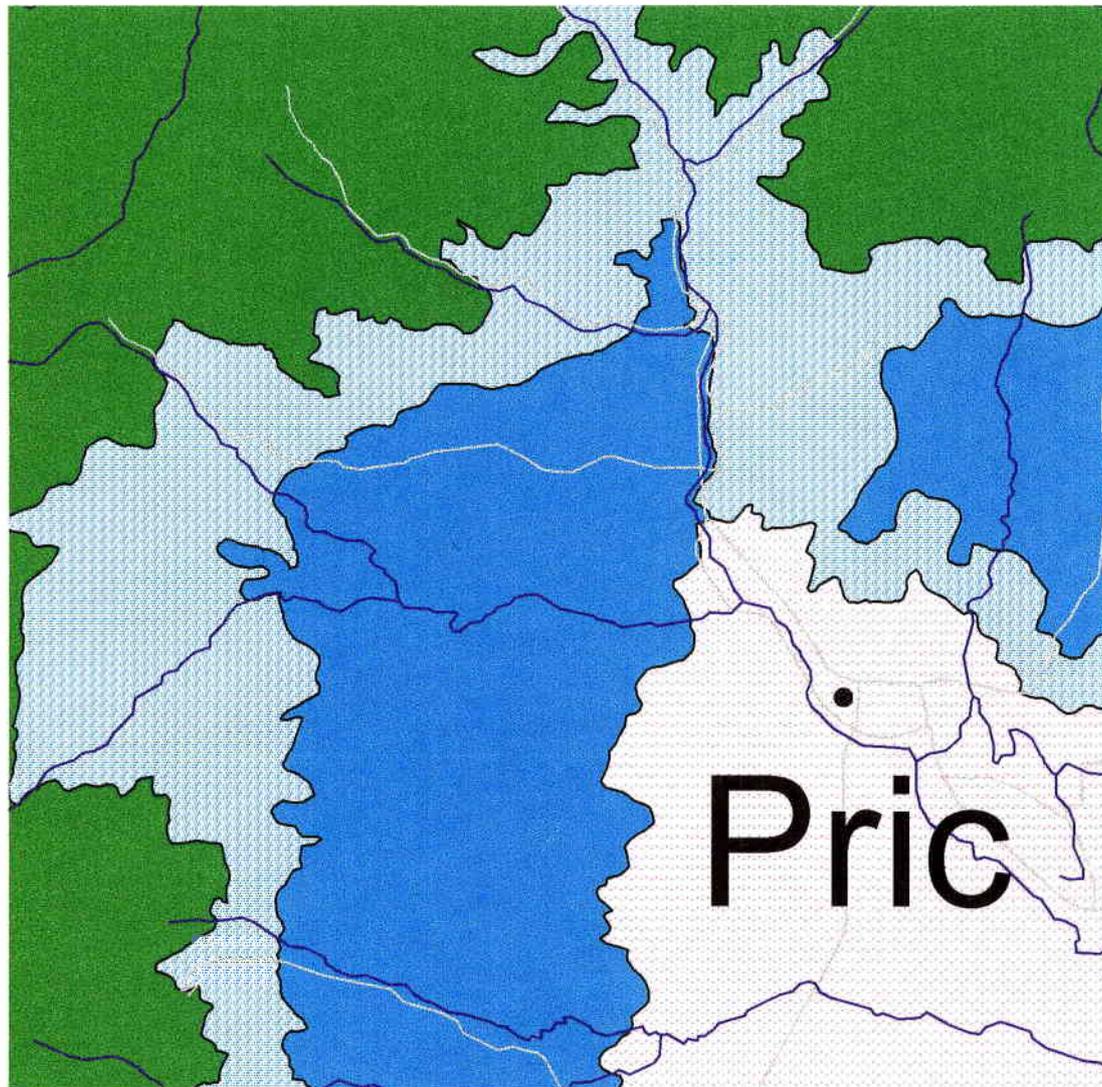


Robert G. Valentine  
Director

cc: Ralph Miles, DWR Habitat  
Carbon County Commission  
Mark Page, Water Rights

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# Mule Deer Habitat Classification West of Price, Utah



# Eastern Utah Elk Habitat

