



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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November 20, 2001

TO: Internal File

THRU: Wayne H. Western, Sr. Reclamation Specialist, Team Lead *WHW*

FROM: Susan M. White, Sr. Reclamation Specialist/Biologist *SMW*

RE: Midterm Review, Lodestar Energy, Inc. Horizon Mine, C/007/020-MT99-5

## SUMMARY:

The changes to the mining and reclamation plan submitted September 19, 2001 meet the minimum requirements of the regulations.

## TECHNICAL ANALYSIS:

## ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR Sec. 783., et. al.

## FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21; R645-301-322.

### Analysis:

The permit states (page 10-5) a spring (late May/early June) and fall (September/October) macroinvertebrate surveys will be done in the North Fork of Gordon Creek, by a qualified person, on standardized dates beginning in spring 2001. The surveys will be done every year for three years and then every other year after that. On each sampling date, samples will be taken from a site .2 of a mile above the confluence of Jewkes Creek and a site 0.1 of a mile below the confluence. The Division will be notified prior to survey.

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TECHNICAL MEMO

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**Findings:**

The proposed changes to the MRP meet the requirements of this section.

## **OPERATION PLAN**

### **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**

The Plan (page 10-38) states that Horizon will monitor road kills and report numbers quarterly to the DWR; and remove killed deer and elk from the road between the Wildcat Coal Loadout and the mine site. Appendix 10-1 reports road kills for 1997 through 2000. A commitment should be made in the MRP to report numbers of road kills and kills removed from the road in the **Annual Reports**.

As part of a mitigation program the Operator is to recreate a riparian vegetative community along Jewkes Creek channel below the sediment pond to the road. The channel was reconstructed during road construction activities. During the site inspection, completed revegetation work was observed however, the success of that work could not be evaluated due to the early season.

**Findings:**

Information found in the plan and on site relevant to this midterm review have been resolved to be consistent with the requirements of this section.

## **RECLAMATION PLAN**

### **REVEGETATION**

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

**Analysis:**

**General Requirements**

Plate 3-7, Reclamation Topography, show areas of interim reclamation. One designation is "interim reclamation not to be recontoured during final reclamation" and the other "interim reclamation which may be re-disturbed during final reclamation". These labels can be somewhat confusing. Areas labeled not to be recontoured during final reclamation may need to be recontoured, particularly the area adjacent to the portals. Areas not to be recontoured have not received Phase I bond release and the Division has not determined the areas meet all backfilling and grading requirements. Additionally these areas could be potential areas of substitute topsoil or waste burial.

**Findings:**

The information provided in the application meets the minimum Vegetation requirements of the regulations.

**RECOMMENDATIONS:**

The amendment may be approved.