



State of Utah

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Office of the Governor
PUBLIC LANDS POLICY COORDINATING

KATHLEEN CLARKE
Director

October 30, 2015

Sent via electronic mail: lreinhardt@utah.gov

Lisa Reinhart
Reclamation Engineer
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple
Salt Lake City, UT 84116

Subject: Horizon Mine / Mine Plan Amendment to change post-mining land use
Permit C/007/0020

Dear Ms. Reinhart:

The Public Lands Policy Coordinating Office received the following comments from the Utah Division of Wildlife Resources (UDWR) regarding Hidden Splendor Resources, Inc.'s revision to their permit application to change Horizon Mine's post-mining land use from undeveloped to recreational use.

The Utah Division of Wildlife Resources (UDWR) has reviewed the proposal by Hidden Splendor Resources, Inc. to revise their permit application for the Horizon Mine to change the post mining land use from undeveloped to recreational use. This change would reduce Hidden Splendor's current reclamation responsibilities, resulting in the retention of culverts, canals, and a sediment pond that previously had been identified for reclamation. UDWR provided comments on the original mine plan in 1995 describing concerns with wetland vegetation that would be affected by surface facilities and by streams being carried in culverts.

According to stream alteration permits (which expired in 2002) reclamation of the channel was to occur during final reclamation. Revegetation standards for the riparian zone would be met when the total living vegetation cover was 71 percent (3 percent shrubs, 66 percent grasses, 30 percent forbs) (MRP Chapter 9-9). The reclamation plan and riparian

reclamation seeding mix (Table 3-3 of the MRP) should still be adequate to meet UDWR wildlife objectives.

The stream channel was to be reclaimed to allow reestablishment of riparian vegetation along Jewkes Creek as it existed prior to the construction of the Horizon Mine. Considering the importance of riparian habitats to wildlife it is important to UDWR that this area be reclaimed. Perennial streams and their associated riparian habitats are categorized as “riverine” systems, and are one of the key Aquatic habitats listed in the recently revised Utah Wildlife Action Plan (2015). Riparian habitats comprise less than one percent of the total land area in Utah but supply a vital element in the overall landscape, acting as both a buffer and an ecological link between aquatic and terrestrial ecosystems. Riparian areas are considered among the most productive habitats in North America. They provide important stopover areas for the resting, feeding, and watering of Neotropical migratory birds with depleted energy reserves. Additionally, riparian areas provide insects and other invertebrates which are high in protein and provide critical foods for maintaining body weight necessary for migration and breeding success. Bird species in the area which would benefit from restoration of the riparian/wetland area include: Cooper’s hawk (which use riparian areas for foraging), Wilson’s snipe, broad-tailed hummingbird, red-naped sapsucker and downy woodpecker (in nearby aspen), western wood-peewee, willow flycatcher (migrant), Cordilleran flycatcher, warbling vireo, tree swallow (nesting), violet-green swallow (foraging), cliff swallow (foraging), green-tailed towhee, and blue-gray gnatcatcher. These species have legal protection under the Migratory Bird Treaty Act and should receive standard levels of conservation and management attention.

In addition to migratory birds, mule deer and elk use riparian habitats for food, cover, and thermal buffering, as well as a source of drinking water to help meet their metabolic needs. This area occurs within crucial winter range for mule deer and crucial year-long range for elk. A diversity of vegetation is especially important to mule deer to ensure winter survival, and riparian zones provide mule deer important foraging areas during the winter. Other game species that would benefit from the restoration of the riparian area include dusky (formerly blue) grouse, as well as wild turkey which have nested immediately downstream of this area. Additionally, this creek is a tributary to the North Fork of Gordon Creek which provides the Gordon Creek Wildlife Management Area (WMA) with 346 acre feet of water to irrigate fields which provide supplemental forage to wintering wildlife. Having a healthy riparian habitat upstream of the WMA improves water quality and helps trap large debris which could compromise management efforts at the WMA.

This project also occurs within the Carbon Sage Grouse Management Area (SGMA). According to Executive Order 2015/001, Implementing the Utah Conservation Plan for Greater Sage-grouse, the Utah Division of Oil, Gas, and Mining is required to consult with UDWR on projects within SGMAs. The Horizon Mine is located within mapped “opportunity habitat” on privately owned surface. In the Conservation Plan for Greater Sage Grouse in Utah (Plan), Section 3.6.3, “opportunity habitat” is described as lands “that currently do not contribute to the life cycle of sage-grouse but are areas where restoration or rehabilitation efforts can provide additional habitat when linked to existing sage-grouse

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populations.” After a thorough on-site review, it has been determined that this area is confined to a narrow canyon, and even with restoration, habitat would not be suitable for use by greater sage-grouse.

Thank you for the opportunity to review the proposed action and provide comment. Please direct any questions regarding this correspondence to the Public Lands Policy Coordinating Office at the address below, or call to discuss any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Clarke', with a long horizontal flourish extending to the right.

Kathleen Clarke
Director