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May 10, 1989

TO: Richard V. Smith, Acting Permit Supervisor
FROM: Brent A. Stettler, Reclamation Biologist *B. Stett*
RE: Five-Year Permit Renewal, Biology Review, Beaver Creek Coal Company, C. V. Spur Preparation Plant, ACT/007/022, Folder No. 2, Carbon County, Utah

UMC 783.19 Vegetation Information-(BAS)

(a) Reference area sampling was not done in accordance with the Division's Guidelines, as stated on page 3-48. In fact, the reference area itself was never sampled (see Plate 9-1). Please delete all transect locations from Plate 9-1 to avoid future comment on this issue, which could result in resampling.

(b) Plate 9-1 delineates vegetation types occurring within the permit area, but omits vegetation typing in adjacent areas, as required by this section. Because the permit area provides only marginal habitat for wildlife resources, the Division exempts the applicant from the requirement to expand vegetation mapping to include a 1 km perimeter around the permit area.

UMC 784.13 Reclamation Plan: General Requirements-(BAS)

✓ (a) Please include a column on Table 3-3 (page 3-60) showing the number of pure live seed (PLS)/ft². Seed prices should be updated.

✓ (b)(5)(i) Please include a reclamation timetable in the PAP similar to that in the Division's "Revegetation Guidelines", Appendix A.

It is stated on page 3-58 that seeding may be done in the spring or fall. Please specify that seeding will be done only in the fall, preferably after October 15.

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(b)(5)(ii) The applicant may wish to make several substitutions in both temporary and permanent revegetation seed mixes. In general, it is a sound practice to use the permanent mix on interim reclamation in order to test the effectiveness of the permanent mix. I recommend that this change be made. In particular, Agropyron intermedium is probably not sufficiently drought-tolerant to do well at the C. V. Spur Preparation Plant. Both Hilaria jamesii and Sporobolus airoides are difficult to establish, as attested by test plot results to date. Substitutions are recommended for these species.

The applicant will commit to having a State Department of Agriculture inspector sample seeds used in reclamation. Seed testing assures seed mix integrity and helps explain revegetation problems, should they arise.

(b)(5)(iv) Page 3-47 states that mulch will be applied as necessary. Use of mulch is not optional unless a suitable alternative procedure is demonstrated to be more effective. Please revise the statement.

On page 3-62, rate of tackifier is not specified for "shallower" slopes. If all slopes, 3h:1v or steeper, will be tackified at the same rate, please so state.

The applicant must commit to having an inspector from the State Department of Agriculture inspect all hay which will be used as mulch, prior to use. This will safeguard the operator from costly weed control during the bond liability period.

The PAP must include a plan for control of bindweed, Convolvulus spp., a designated noxious weed, which occurs in the permit area.

(b)(5)(vi) The reference area and revegetated areas need not be sampled simultaneously during each monitoring period, as stated on page 3-63. Sampling of the reference area need not be conducted until years 9 and 10 of the bond liability period.

The PAP must include and commit to a revegetation monitoring schedule like that in the Division's "Revegetation Guidelines", Table 1. Qualitative observations should be made yearly. Quantitative sampling must be conducted during years 2, 3, 5, 9 and 10.

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UMC 784.15 Reclamation Plan: Postmining Land Use-(BAS)

(a) The PAP must provide a description of postmining land use in Chapter 4, which satisfies the requirements of this section.

UMC 817.97 Protection of Fish, Wildlife, and Related Environmental Values-(BAS)

(c) On page 10-27 it is stated that powerlines under the applicant's control were approved as being raptor safe. Please provide additional details and a USFWS clearance letter attesting to this fact.

(d)(6) Please provide in the PAP a description of the seep, which flows across the permit area. Describe its present and future status and value for wildlife and vegetation.

UMC 817.100 Contemporaneous Reclamation-(BAS)

The applicant will please describe interim revegetation efforts of the previous permit term. Discussion must include revegetation locations, methods, and results. Describe what interim revegetation is anticipated for the up-coming permit term.

UMC 817.116 Revegetation: Standards for Success-(BAS)

(a) The applicant must provide an up-to-date assessment of reference area range condition, which will replace that found in the PAP on page 9-4a.

(b)(1) Pages 3-58 and 3-58a identify soon-to-be outdated revegetation success standards. The soon-to-be adopted new rules specify that ground cover, production and stocking level may not be less than 90 percent of the approved standard (reference area). The sampling techniques for measuring success must use a 90 percent statistical confidence interval (i.e., one-sided test with a .10 alpha error). Please revise your success standards at this time.

(b)(3)(iv) The applicant must commit to a shrub density standard which will replace the narrative on page 3-61. The standard is 90 percent of reference area shrub stocking level (see Table 9-8, page 9-20) at 90 percent statistical confidence, using a one-sided t-test with .10 alpha error.

djh
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