

0026

ACT/007/034  
File #2

February 4, 1988

TO: File

FROM: Lynn Kunzler, Reclamation Biologist *by [Signature]*

RE: Initial Completeness Review, Soldier Creek Coal Company, Banning Loadout, ACT/007/034, Folder #2, Carbon County, Utah

The following comments need to be addressed before the Division can consider the permit application complete and adequate:

UMC 782.17 Permit Term Information

The applicant has requested a Life of Mine permit (30 years). However, several of the surface leases expire in less than ten (10) years, with no evidence of provisions for guaranteed renewal, nor is there any evidence presented to show that the requirements of UMC 786.25(a)(2) were met. Therefore, a five-year permit term will be required (See 786.25(a)).

UMC 783.18 Climatological Information - LK

Complete.

UMC 783.19 Vegetation Information - LK

Complete.

UMC 783.20 Fish and Wildlife Resources Information - LK

Complete. However, the data provided by Utah Division of Wildlife Resources is currently being updated. It is expected that the updated material will be incorporated into the MRP when it becomes available and during a normal MRP resubmission (i.e., mid-term review, re-permitted application, major revision).

UMC 783.22 Land Use Information - LK

Complete.

UMC 784.13 Reclamation Plan: General Requirements

(b)(5) While this section is generally complete, there are a few points that need to be clarified:

It is not clear whether quantitative data collection will also include the qualitative parameters listed on page 3-12 (see Table 3.7-1). The qualitative observations should be made every year and should be identified as such on Table 3.7-1.

Page 3-11 states that the requirements for cover, productivity, and woody plant density are at least 80% of the cover, productivity, etc. of the reference area. This needs to be corrected to read "...at least 90%...".

Current regulations and policy do not allow augmented seeding, fertilizing, etc. on reclaimed areas without restarting the liability period for those areas. Only activities that would be expected to continue beyond the liability period would be allowed (i.e., pest /weed control). (See UMC 817.116(b)(1)).

The MRP states that only qualitative observations will be made with respect to the vegetation testplots to be established this fall. Quantitative data will be needed to "evaluate the efficacy of the proposed reclamation methods", as stated on page 7-17. At a minimum, this data is to be collected during years 3, 5 and 10.

UMC 784.15 Reclamation Plan: Postmining Land Use - LK

Some question exists on the final disposition of fences along the haul road, whether or not they are needed to control wildlife movement in the vicinity. This question needs to be resolved with the land managing agency and clarified in the MRP.

UMC 784.21 Fish and Wildlife Plan - LK

The Fish and Wildlife Control Plan (FWCP) on page 2-14 needs to reference the compliance section on page 8-3 for details on the employee education program and reporting of threatened and endangered species, or amend the FWCP to show the employee education program is part of the annual retraining program; and that threatened and endangered species reporting will be made to the appropriate State (DWR, DOGM) and Federal agencies (BLM, USFWS).

Technical Deficiencies

Excluding the comments above, the MRP is apparently adequate from a technical point of view regarding land use, vegetation, revegetation, and fish and wildlife related issues. When the above comments are resolved, a final technical analysis of these sections will be made.

jr  
cc: S. Linner  
K. Wheeler  
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