



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 7, 1989

TO: Susan Linner, Permit Supervisor

FROM: Lynn Kunzler, Reclamation Biologist *L. Kunzler*

RE: Review of As-Built Plans, Soldier Creek Coal Company, Banning Siding, ACT/007/032, Folder #2, Carbon County, Utah

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Summary:

The above referenced plan received on March 3, 1989, has been reviewed for compliance with biological resources and land use regulations and Stipulation UMC 817.133 - (1) - 1k. The submittal adequately addresses all of my concerns except for a statement regarding the applicability of wildlife planning regulations.

Analysis:

Stipulation UMC 817.133 - (1) - 1k required the operator to develop plans for the final disposition of fences associated with the project at the time of reclamation, and to coordinate such plans with the BLM and DWR. The operator provided documentation of consultation with these agencies and both are in agreement that fences should be removed when no longer needed. SCCC has provided plans to remove these fences (see page 3-4) during final grading or when the site meets bond release criteria. The revegetation testplot (not fenced) will be monitored to determine grazing use and impacts (page 3-12). Results of monitoring will be the basis for determination of the period (final grading or at bond release) for fence removal.

Exhibits 5.2-2 and 6.2-1 have been revised to show the location of the revegetation testplot.

Page 2-14 states that "the applicant reserves the right to amend the fish and wildlife plan, since 30 CFR and UMC 784.21 are presently suspended". The Division does not question the applicant's right to amend plans. However, the statement regarding the status of these regulations should be deleted from the MRP since 30 CFR 784.21 was revised and re-instated as a final rule on December 11, 1987 (see Federal Register for that date) and UMC 784.21 has not been suspended.

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Recommendations:

It is recommended that page 2-14 be revised to by deleting a statement regarding the status of 30 CFR 784.21 and UMC 784.21 regulations. Otherwise, the MRP meets DOGM's requirements for completeness and technical adequacy for land use information and planning, vegetation, fish and wildlife resources information and planning and revegetation planning.

cc: M. DeWeese
BT3013/2-3