



Suzanne Steab <suzannesteab@utah.gov>

Fwd: Banning Coal Loadout- Sensitive Species Consultation

Lisa Reinhart <lreinhart@utah.gov>
To: Suzanne Steab <suzannesteab@utah.gov>

Fri, Apr 8, 2016 at 8:10 AM

Please post this correspondence as "DWR Coordination" for C/007/0034 for the mid-term review.

Thanks,

Lisa Reinhart
Environmental Scientist
Utah Coal Program
Division of Oil, Gas, and Mining
(801) 538-5437, (801) 359-3940 (Fax)

Web site: <http://ogm.utah.gov>

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From: Daniel Eddington <danieleddington@utah.gov>
Date: Thu, Apr 7, 2016 at 9:57 AM
Subject: Fwd: Banning Coal Loadout- Sensitive Species Consultation
To: Lisa Reinhart <lreinhart@utah.gov>
Cc: Makeda Hanson <makedatrujillo@utah.gov>

Hi Lisa,

The largest impacts DWR would see from the Banning load out would be impacts by a dust plume from this facility. The 2 sensitive species of great concern would be **Ferruginous hawks** and **Golden eagles** (there are other raptor species that are not that far away, but far enough).

Burrowing owls do nest near that area some years. Also **white-tailed prairie dogs** are nearby. Bald and golden eagles do winter in that area.

As per your request, the general guide lines we have for restrictions for those species are:

1. Ferruginous hawks - DWR recommends a restriction period during Mar 1-July 15 with in 0.5 mile buffer.
2. Golden Eagle we recommend a restriction period between Feb 1-Aug 1 with in 0.5 mile buffer.
3. Burrowing Owls - recommend a restriction period between Apr 1- Aug 1 with in 0.5 mile buffer.

We agree with your assessment that habitat for Western-Yellow Billed Cuckoo, Mexican Spotted Owl, or Northern Goshawk do not occur in that area.

Thanks

Daniel Eddington
Habitat Manager
Utah Division of Wildlife Resources
319 N Carbonville Rd
Price, UT 84501
435 613-3709
danieleddington@utah.gov

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From: **Lisa Reinhart** <lreinhart@utah.gov>
Date: Wed, Mar 30, 2016 at 10:42 AM
Subject: Banning Coal Loadout- Sensitive Species Consultation
To: Daniel Eddington <danieleddington@utah.gov>

Hi Daniel,

Per our phone conversation, I am conducting a mid-term review of the subject permit. For background, operations at the Banning Loadout began in 1976 and we issued them a permit in the early 1980's. They are currently not active but they still have a permit and could start up operations if they wanted. The legal description of is Parts of E2E2SE4 Sec. 16 and part of W2W2 Sec. 17, T.15S, R.12E. A map is also attached. You can also use the map on our website: <http://utahdnr.maps.arcgis.com/apps/MapTour/index.html?appid=f778809beec845beadd57f560a7048bc&webmap=2fcfadbf71f94befa3e99508044cf339>

According to our rules, the mining company is required to 1. Determine what resources are in the project area, 2. Determine how their operations could impact said species, and 3. Monitor or mitigate for any impacts. In their current plan, they list species that were on the radar back in the early 80's. I am going to ask them to update their plan with current species of concern that are identified by both FWS and UDWR to potentially occur in the area. I have determined the following species could potentially occur in the area: T&E species are Western Yellow-Billed Cuckoo and Mexican Spotted Owl and State Sensitive Species are White-tailed Prairie-dog, Ferruginous Hawk, Kit Fox, Burrowing Owl, and Northern Goshawk. I don't believe they have habitat for Western-Yellow Billed Cuckoo, Mexican Spotted Owl, or Northern Goshawk. I do think there have been sightings of Burrowing Owl and White Tailed Prairie-dog within a 1 mile buffer of the project boundary.

Will you please consider these species at this location and provide me with:

1. Your rational on if the mining operations (as-is and in operation) have the potential to impact any of them. Also- if I missed a specie, let me know... I used IPaC and the DWR TES data to make my determinations.
2. Any special precautions or exclusions that should be implemented to protect a species that could potentially be impacted, and
3. If mitigation is warranted, what do you suggest.

Thanks so much for your input. I have included a map of the area, but if you want to dig deeper into the permit, all our files are online here: <http://linux3.ogm.utah.gov/WebStuff/wwwroot/coal/mrps.php>

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Map.pdf
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