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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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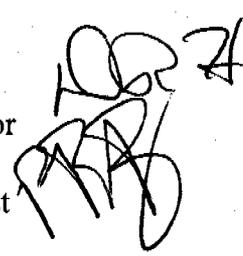
July 22, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor

FROM: Paul Baker, Reclamation Biologist

RE: Barn Canyon Ventilation Facility, Cyprus Plateau Mining Corporation, Willow Creek Mine, ACT/007/038-AM98B, Folder #2, Carbon County, Utah

A handwritten signature in black ink, appearing to be 'P. Baker', is written over the 'THRU' and 'FROM' lines of the memo.

**SUMMARY:**

Cyprus Plateau Mining Corporation is proposing to install a ventilation/escape shaft in Barn Canyon about 1000 feet up the canyon from the Castle Gate Preparation Plant disturbed area. The area contains critical deer and elk winter range and a nearby golden eagle nest, but the plan adequately addresses these, and other, issues.

**TECHNICAL ANALYSIS:**

**ENVIRONMENTAL RESOURCE INFORMATION**

**VEGETATION AND FISH AND WILDLIFE RESOURCES**

Regulatory Reference: R645-301-320

**Analysis:**

The application includes a qualitative survey of the vegetation in the area of the proposed shaft. Because the shaft would be near the bottom of the canyon, there are two aspects and three vegetation communities. They are pinyon/juniper, grass/sage, and Gambel oak/maple. The application also includes a discussion of the predominant species in these communities.

Two of these three communities are described in detail in the current mining and reclamation plan. The plan does not contain a description of the Gambel oak/maple community, but it does have a description of a very similar community, mixed brush. However, considering the size of the proposed disturbance and the similarity of the vegetation to what is described in

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the plan, it is not necessary to acquire additional quantitative vegetation information.

The proposed shaft is near where a golden eagle nest was found in about 1995. The applicant monitored the area from the ground weekly during the spring of 1998, but no birds were seen. In a helicopter check in May of 1998, the nest could not be found.

The current mining and reclamation plan contains information about other wildlife species in the area. Barn Canyon in the vicinity of the proposed shaft contains critical elk and deer winter range.

**Findings:**

Information provided in the application is considered adequate to meet the requirements of this section of the regulations.

## **OPERATION PLAN**

### **PROTECTION OF BIOLOGICAL RESOURCES**

Regulatory Reference: R645-301-330

**Analysis:**

The current mining and reclamation plan contains a plan for interim revegetation of disturbed areas, and this should be adequate for this site.

Although there were no signs of nesting activity and no nest was found in 1998, it is possible birds could return to the area at some time in the future. However, because the disturbance will be ongoing, returning birds would necessarily be able to tolerate the disturbance.

To not disturb wintering big game, the applicant has committed to not do shaft construction between December 1 and April 15. If the shaft is built, the applicant would need to inspect the site weekly, and this could cause some disruption of big game. Anyone using the road during the winter needs to be instructed to not harass big game, and they should not stop to observe the animals.

In a visit to the Willow Creek Mine on March 18, 1998, a Division representative saw thirteen deer in the Barn Canyon substation area. These deer seemed to have habituated to the nearby disturbance and were not particularly frightened.

**Findings:**

Information provided in the application is considered adequate to meet the requirements of this section of the regulations.

## **RECLAMATION PLAN**

### **REVEGETATION**

Regulatory Reference: R645-301-341

**Analysis:**

Except for riparian areas, the same seed mix would be used to revegetate the entire disturbed area of the Willow Creek Mine. This seed mix was designed primarily for big sage/grass and pinyon/juniper areas, and most of the species are adapted to the Barn Canyon site. However, the bottom of the canyon contains oak and maple trees that need to be reestablished. To this end, the applicant proposes to plant big tooth maple and Gambel's oak at the rate of 250 per acre.

**Findings:**

Information provided in the application is considered adequate to meet the requirements of this section of the regulations.

### **LAND USE**

Regulatory Reference: R645-301-400

**Analysis:**

Land uses in the area are described in the existing mining and reclamation plan, and no additional information is needed. The area has been surveyed for cultural resources, and none were found. The application contains a clearance letter from the Division of State History giving their determination of no effect.

No changes to the postmining land use are proposed. The applicant is proposing to permit the road and proposes to leave it for the postmining land use. The application justifies

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retention of the road because it existed prior to mining, reclaiming the road would unnecessarily disturb the channel and vegetation, and since the road is compatible with the postmining land use. The Division agrees with the arguments in the plan to retain the road.

**Findings:**

Information provided in the application is considered adequate to meet the requirements of this section of the regulations.

**RECOMMENDATIONS:**

The reviewed sections of the amendment adequately address regulatory requirements.