



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

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April 29, 1996

**TO:** File

**THRU:** Joe Helfrich, Permit Supervisor 

**FROM:** Jess Kelley, Reclamation Specialist 

**RE:** Amendment 96A to Facilitate Mining in Accordance with the Approved Resource Recovery and Protection Plan (R2P2) in the Third, Fourth, and Fifth East Longwall Panels; Trail Mountain Mine; PacifiCorp; ACT/015/009-96A; Folder #2; Emery County, Utah

**SYNOPSIS**

On April 22, 1996, the permittee submitted Amendment 96A for Division approval. This amendment allows for entry development--first mining--in the 3rd, 4th and 5th east longwall panels. The easternmost ends of these panels come very close to the Castlegate escarpment, which lies, in this particular area, very close to the boundary between U.S. Forest Service (USFS) land to the west and Bureau of Land Management (BLM) land to the east. The Castlegate escarpment forms the rim of Cottonwood Canyon, in the bottom of which there is a public road. For this reason, the stability of this escarpment has been a concern for USFS, BLM, and the permittee in the design and layout of the longwall panels.

**ANALYSIS**

The permittee had originally planned, and had been required by the Bureau of Land Management (BLM), to extend the panels beyond the Castlegate escarpment in order to recover a large quantity of coal which would otherwise be left in place. However, during an April 10 helicopter survey, the permittee discovered that a pair of Peregrine falcons--an endangered species--had established a territory, and perhaps a nest, in the escarpment above the panel extensions. The protection of this nesting pair necessitated a further evaluation, on the part of the responsible Federal and state agencies, of the possible impact of the extended panels on the stability of the escarpment.

On April 25, 1996, representatives from the Division, the permittee, BLM, USFS, the U.S. Fish and Wildlife Service (USFWS), and the Utah Division of Wildlife Resources (DWR) met at the Salt Lake City office of USFWS to discuss the mine plan for this area. At this meeting, the representatives of these various agencies agreed that 1) second mining in the 4th East panel must not go beyond the escarpment protection zone dictated by the 15° angle of draw which prevails in this area, 2) entry development for the 5th East panel might proceed as proposed, and 3) the actual extent of second mining in the 5th East panel would be decided by consultation between the permittee and the various agencies as the location of the Peregrine nest site was discovered.

This writer is in agreement with the decisions made during the April 25 meeting, which are also in accord with the present amendment submittal. Keeping mining in the 4th East panel at or behind the original escarpment protection barrier is the safest course to pursue, given the possibility that the Peregrines may have established a nest on the Castlegate escarpment. Entry development for the 5th East panel is very unlikely to cause escarpment failure or any other surface effect. And, in any event, the 5th East panel will not be second mined until September of this year, by which time the nesting season will be over and the danger to the young Peregrines will have passed.

#### **FINDINGS/RECOMMENDATIONS**

It is recommended that Amendment 96A be approved and that entry development--first mining--in preparation for the 5th East longwall panel, be allowed to proceed as proposed.