

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

May 8, 2007

TO: Internal File

FROM: Jerriann Ernstsens, Ph.D., Environmental Scientist, Biology *JE*

RE: Removal of Reminder of Silt Fencing, Energy West Mining Company, PacifiCorp, Deer Creek Mine, C/015/0018, Task ID #2774

SUMMARY:

The Permittee submitted an amendment to remove a silt fence at the toe of fill slopes along the Deer Creek Mine Waste Rock Disposal Site access road. This memo provides evaluations of the review of the Biology Information section.

TECHNICAL ANALYSIS:

OPERATION PLAN

VEGETATION[Sheila Mo1]

Regulatory Reference: R645-301-330, -301-331, -301-332.

Analysis:

The Permittee requests to remove a few hundred feet of remaining silt fencing located on the slope of the waste rock road. The Permittee previously removed much of the original fencing in the 90s, but left three portions of the fencing for continued erosion control.

DOGM visited this site in 2005 during an OSM evaluation overview. The remaining silt fencing was in disrepair, unsightly, and probably was no longer functioning as intended. The vegetation and other ground cover appeared to be functioning adequately to control erosion.

DOGM supports that the removal of this remaining fencing, from the surface, will clean the slopes of deteriorating fabric without compromising the stability of the slopes. The Permittee

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will cut and remove the fencing above the surface and leave the fencing that is below ground.

Findings:

Information provided in the plan meets the Operations - Vegetation requirements of the regulations.

RECOMMENDATION

Approve this amendment.