



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

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October 17, 1997

TO: File

THRU: Daron Haddock, Permit Supervisor *DH*

FROM: Susan M. White, Senior Reclamation Biologist *SMW*

RE: Federal Lease U-024316, Application for Mining the Tank Seam, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025 - 97- 1, Emery County, Utah

SUMMARY

The Tank Seam Federal Lease Application was received March 29, 1997. A response to the initial application was provided to the Operator on June 6, 1997. This current Technical Analysis reviews the response from the Operator and is dated received September 16, 1997.

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: R645-301-411.

Analysis:

No additional historic and archeological resource information was provided with the current lease application. No escarpment failure is expected with the current mining plan. If the mine proposes mining underneath the Castlegate escarpment an archeological and historic resources inventory will be required.

Findings:

Information provided in the proposed application meets the minimum regulatory

requirements of this section.

VEGETATION RESOURCE INFORMATION

Regulatory Reference: R645-301-320.

Analysis:

Plate 9-1, Vegetation Map was updated to include Federal Lease U-024316. The riparian community type along Bear Creek is shown to extended into the Federal Lease. No wetlands were delineated on the map. Plate 9F-1, Vegetation Resources Map for Federal Lease Area U-024316 was developed during vegetation field work for this lease. Plate 9F-1 does not correlate with Plate 9-1. Different vegetative communities are described for the same areas, for example, no riparian community is delineated along Bear Creek on Plate 9F-1. Plate 9F-1 is of a larger scale and was verified in the field and therefore will be considered the correct map of the lease area. The vegetation descriptions as well as the map units on Plate 9-1 is of concern and will need to be resolved but will not be tied into this lease approval since Plate 9F-1 meets the requirements for this approval.

Findings:

Information provided in the proposed application meets the requirements of this section.

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Protection and enhancement plan.

Known raptor nest sites in the area are shown on Plate 3-3 and in Appendix 10-D.

One nest is shown in the Federal Lease which was last surveyed in 1996. The "unknown Buteo" nest was tended in 1991 but not found in 1996. Major impacts to fish and wildlife would be caused by subsidizing the Castlegate cliff escarpment and Bear Creek. The current mining plans associated with this permit amendment, 97A, do not allow for pillaring or second mining under the Castlegate escarpment, thus reducing any chance for subsidence. No mining is currently proposed under Bear Creek where it runs through the Federal Lease.

The operator has committed to retaining a copy of the raptor monitoring reports at the mine site. Surveys will be conducted every five years. The reports must be made immediately available to the Division upon request. If future mining plans consider subsidizing cliff escarpments then annual raptor monitoring may be required.

There is a potential for Townsends and Spotted Bats to occur along the cliff escarpment in Bear Canyon. At this time no survey will be required however, prior to any future request for cliff subsidence a survey will be required.

Findings:

Information in the Tank Seam Lease Application is considered adequate to meet the minimum requirements of this section.

RECOMMENDATION

The amendments meets the above reviewed portions of the Utah Coal Mining Rules.