



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

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May 28, 1999

TO: File

THRU: Daron Haddock, Permit Supervisor *DORZ*

FROM: Paul Baker, Reclamation Biologist *PRB*

RE: 50-Acre Incidental Boundary Change, Genwal Resources, Inc., Crandall Canyon Mine, ACT/015/032-IB99(1), Folder #2, Emery County, Utah

SUMMARY:

In an application received May 10, 1999, Genwal Resources has proposed to add fifty acres to its permit area. The area is between an existing state lease and the Joe's Valley Fault.

A few changes have been made to the ownership and control section. Genwal needs to submit right of entry information. There are no other changes to Chapter 1, and unchanged sections of this chapter were not reviewed. This proposal does not affect the reclamation plan, so this section of the current mining and reclamation was also not reviewed.

TECHNICAL ANALYSIS:

ADMINISTRATIVE INFORMATION

OWNERSHIP AND CONTROL

Regulatory Reference: R645-301-112

Analysis:

The application shows one change to the officers and directors of Genwal Resources, Inc., and to its parent, Andalex Resources, Inc. One person was removed from the list of officers.

Appendix 1-12 contains a list of affiliated companies, and the applicant has revised this appendix. The information should be checked in the applicant violator system.

The only other changes proposed for this section of the plan are to add some wording

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referencing affiliated coal mining and reclamation operations and a statement that the applicant has no pending interests in lands contiguous to the permit area.

Findings:

Information provided in the proposal is considered adequate to meet the requirements of this section of the regulations. Information in the revised Appendix 1-12 should be checked against the applicant violator system.

RIGHT OF ENTRY

Regulatory Reference: R645-301-114

Analysis:

The application says Genwal will obtain a coal right of way from the Bureau of Land Management to extend the longwall panels to the west boundary of Section 2 of Township 16 South, Range 6 East, with setup rooms and barrier pillars in the incidental boundary change area. The area is shown on Plates 1-1, 4-4, and 5-2A. The application includes a legal description of the area.

The applicant needs to obtain right of entry for this area before the Division can approve the amendment.

Findings:

Information provided in the proposal is not considered adequate to meet the requirements of this section of the regulations. Prior to final approval, the applicant must supply the following in accordance with:

R645-301-114, The applicant needs to supply complete right of entry information.

ENVIRONMENTAL RESOURCE INFORMATION

**LAND USE AND HISTORIC AND ARCHAEOLOGICAL RESOURCES
INFORMATION**

Regulatory Reference: R645-301-411 and R645-301-412

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Analysis:

Current land uses in the area are grazing and wildlife, and the proposed mining is not expected to affect these uses. The application would update portions of the plan referencing cemeteries, the Wild and Scenic Rivers System, and the National System of Trails and show that none of these features is in the proposed addition to the permit area.

The applicant has updated maps that show grazing allotments and oil and gas development. The proposed mining should not affect grazing, and Plate 4-3 does not show any oil or gas development in the incidental boundary change area.

The application does not include additional information about cultural resources in the area; however, since no surface disturbance would occur and subsidence is unlikely, no information should be needed. The State Historic Preservation office has previously concurred with similar proposals, and the Division should recommend a cultural resources clearance based on no surface disturbance.

Findings:

Information provided in the proposal is considered adequate to meet the requirements of this section of the regulations. The Division should recommend a cultural resources clearance from the Division of State History based on no surface disturbance.

VEGETATION AND FISH AND WILDLIFE INFORMATION

Regulatory Reference: R645-301-321 and R645-301-322

Analysis:

Vegetation and fish and wildlife maps have been updated to include the incidental boundary change area. Vegetation in the area consists primarily of aspen and conifer communities, and these would be expected to provide habitat for big game calving and fawning and for tree-nesting raptors. The area contains poor habitat for cliff-nesting raptors, and no nests were found in the area in the 1998 raptor survey.

No listed threatened or endangered species are known to inhabit the area with the possible exception of bald eagles and peregrine falcons that might fly over occasionally.

Because the proposal is for underground development only and because surface effects are unlikely, no further information is required.

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Findings:

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

OPERATION PLAN

FISH AND WILDLIFE RESOURCE PROTECTION PLAN

Analysis:

The current mining and reclamation plan contains plans for monitoring and protecting wildlife. The incidental boundary change area is almost entirely for setting up longwall rooms and barrier pillars, so subsidence is unlikely. Therefore, additional protection plans are not required.

The application includes some information about the Colorado cutthroat trout that were found in Crandall Creek before it was culverted and about the mitigation work done for this fish and the riparian areas. This does not relate directly to the current proposal, but it can be approved.

Findings:

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

RECOMMENDATIONS:

The application should not be approved until the applicant has supplied complete right of entry information.