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ACT/041/002

January 2, 1979

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MEMORANDUM

TO: Regional Director
Office of Surface Mining
Denver, CO

ATTN: Murray Smith

FROM: Area Manager, Area 5
U.S. Fish and Wildlife Service
Salt Lake City, UT

SUBJECT: Review of Mining Plan - Coastal States Energy Company, Convulsion Canyon Mine, Operated by Southern Utah Fuel Corporation, Emery County, Utah

Attached to this mining plan was a good Fish and Wildlife discussion prepared by Westeck Corporation. This Westeck report should be specifically identified as the wildlife evaluation for this mining operation. A presentation such as this is the type that should be expected for future mine plans or future modifications to mine plans. We would encourage this type of submission from all coal companies.

The Fish and Wildlife Service is concerned about the continued deposition of waste materials in the ravine near the mouth of the mine portal. The slope of this particular point of deposition is extreme. When reclamation of this area is begun, there will be a significant movement of material required to achieve a satisfactory slope and revegetation. In addition, there does not appear to be any top-soil stock pile to accomplish revegetation. This point should be addressed in the proposed reclamation plan.

The continued deposition of material in this ravine will eliminate additional wildlife habitat. We believe the company should be required to consider the

alternative of placing this waste material underground in completed workings of the mine. The amount of material, as pointed out in the plan, is small, and surely there would be some feasible method of placing this material in the mined-out areas. This would be a much more satisfactory manner of resolving this problem than that presented in the mine plan.

At the completion of need, the road to the mine portal should be regraded and revegetated to restore its premining uses. However, the plan should indicate that other options be maintained open and the final decision on this road be made at the time that need for the road ends.

There has been a reduction in the utilization of elk habitat occasioned by the mine access road and the operation of the mine itself. Studies have indicated that elk will not use habitat within a quarter of a mile of areas being extensively used by man. We encourage the maintenance of the exclusion of mining operations on the surface of the leased area through the period of November 1 through April 30. This would provide a measure of protection for wildlife during the critical winter period.

The Service is concerned about the possible impact on large mammals resulting from loss of water caused by subsidence in the mined-out areas. There is a very definite correlation between the intensity of use of habitat by large game mammals and the presence of water. We notice that no evaluation was made of the potential impact of the loss of natural water sources on small mammals, birds, reptiles, and amphibians. Many species of these animal groupings are very dependent upon water, and the loss of seeps and springs in these areas could result in considerable loss of available habitat. Considering these potential problems, we recommend that a ground water and subsidence monitoring program be established by the mining company. The purpose of the monitoring program would be to maintain observations over the life of the mine to determine if subsidence that occurs does interupt any of these natural water sources. The Surface Mine Control and Reclamation Act requires the replacement of water so impacted by subsidence. Without monitoring these impacts, it would be difficult to establish an adequate replacement program to offset such losses that do occur.

The mining company should be advised of their responsibilities in regard to the Bald and Golden Eagle Protection Act. Observations of eagles during the nesting season in the immediate area of the mine operation should be reported to the U.S. Fish and Wildlife Service. The Service would then investigate and determine if mining operations have any detrimental impacts on these protected species. This would be in the best interest of the company since they would be legally responsible and subject to prosecution for disturbance of nesting eagles.

Another concern of the Fish and Wildlife Service is the increased incidence of game law violations occuring with the influx of additional people into a mining area. This has been demonstrated in other areas. The mining company has the responsibility of maintaining an awareness of their employees of safety requirements in their operations. We believe it is also appropriate then for the company to convey to their employees information regarding the laws that relate to the protection of wildlife resources. This could be accomplished by posting informative materials on company bulletin boards. These materials are usually readily available from local representatives of the Utah State Division of Wildlife Resources.

A final area of concern to the Service is the potential for increased loss of wildlife species from collision with vehicular traffic developed by the mining operation. We recommend that if these collisions do occur and reach a significant level, that steps be taken to restrict this vehicular movement to reduce an occurance of these impacts as much as possible. These restrictions could take form in the manner of speed limits, restriction of coal truck movements to daylight hours, etc.

CDJohnson/aie: 01-02-79

cc: Official File
Reading File
Daryl Nish DWR