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March 20, 2000

J. Clark
ACT/04/002

Dear Interested Party,

On March 13, 2000, the U.S. Forest Service (USFS) and Bureau of Land Management (BLM) prepared a letter summarizing the status of the Quitchupah Creek Road Environmental Impact Statement (EIS). This letter was sent to all parties interested in the Quitchupah Creek Road EIS.

A summary of the significant issues identified to date should have been attached to the original respondent letter; however, they were mistakenly left out and not attached. Enclosed, please find a summary of the significant issues text that should have originally been enclosed with your original letter. Please accept our apologies for any inconvenience.

Should you have any questions or if we can be of further assistance, please feel free to contact either the USFS or BLM, or myself at JBR Environmental Consultants, Inc. (JBR). Thank you for your time and attention to this matter.

Sincerely,

JBR ENVIRONMENTAL CONSULTANTS, INC.

Catherine Clark

Catherine Clark
Manager, Reno Office

Received
MARCH 23, 2000

2.0 SIGNIFICANT ISSUES

Internal scoping between the USFS and the BLM, and through external scoping (see September 99 Scoping Summary) with the public and other agencies has resulted in identification of the following issues for the evaluation in the EIS:

2.1 SOILS

The presence of erodible soils, and consequently potentially unstable soils, in the middle stretches of the Quitchupah Creek area, would increase road construction costs. Approximately 25 to 30 percent of the proposed road alignment in the Quitchupah Creek area is located on erodible soils as defined by Natural Resources Conservation Service. The need for additional borrow material would increase borrow area use, therefore, increasing the areas of disturbance. The unstable soil areas could also be a high maintenance item in the future as evidenced by maintenance requirements in the unstable areas within the State Highway 10 alignment.

The disturbance of erosive soils also contributes sediments and salts to the creek.

2.2 WATER QUALITY

Changes may occur to the water quality in Quitchupah Creek due to rerouting the headwaters and eliminating some of the stream-side hydric fringe and wetlands. Water quality may also diminish due to increased sedimentation from disturbed erosive soil sections.

The increase in sedimentation in Quitchupah Creek may increase salinity due to the highly saline soils in the Quitchupah Creek drainage. The increase in salinity may affect the salinity management of the Colorado River system.

2.3 WETLANDS

Some wetlands associated with Quitchupah Creek would be filled during construction of the road. The filled wetlands would not function to filter sediments or absorb flood flows for the creek flow regime. Most of the proposed filled wetlands are at the head of the creek where they presently function as a sediment filter to preserve the water quality of the creek and as flood basins to absorb excess waters and regulate the flows in the channel. The filled wetlands would need to be mitigated by constructing wetlands at other sites along the creek.

Permits for altering a stream would be required from the Utah State Engineers Office and a 404 permit would be required from the U.S. Army Corps of Engineers (Corps) to fill the wetlands.

2.4 VEGETATION

Riparian zones along Quitchupah Creek and those associated with wetlands would be impacted due to construction of the road. The loss of riparian vegetation could impact wildlife and could cause increased sedimentation in the stream. Surface disturbance could also create direct impacts to vegetation, including the potential to encourage the invasion of noxious weeds and/or exotic plants. The plant communities of the project area should be identified and mapped to provide data for a more specific analysis.

2.5 WILDLIFE

The proposed road in the Quitchupah Creek area could interfere with big game use of the winter ranges on the benches and in the agricultural fields. Fencing of the road could become a barrier to big game migration and also daily movements between the fields and cover in the hills. The traffic on the roads in the form of large loaded trucks going downhill would be a hazard to all wildlife, especially big game and raptors.

Raptor nesting within the project area could be affected by road construction and operation. The increased human presence and use could tend to cause raptors to abandon active nesting sites.

The project area is home to a wide variety of wildlife species that could be impacted by the construction of the road and subsequent haul truck traffic.

Increased sedimentation and destabilization of Quitchupah Creek could impact fisheries and aquatic macroinvertebrates in the stream. The loss of the hydric fringe and stream-side wetlands could affect the reproductive success of fish species and some macroinvertebrates species that depend on vegetation for cover and prey.

2.6 THREATENED, ENDANGERED, AND SENSITIVE SPECIES

Originally four species of threatened, endangered, and sensitive (TES) plants were suspected of occurring in the Quitchupah Creek area. However, from additional information supplied by Lori Armstrong of the BLM and Bob Campbell of the USFS there is the potential for seven species of TES plants to occur in the project area. The presence of a potentially larger number of TES plant species in the project area would increase the potential for disturbance and loss of these TES plants. Each TES plant species would need to be identified and mapped in the project area to ensure the road design avoids or minimizes impacts to these TES plants. The location and use of staging areas and borrow areas would need to be coordinated to avoid known TES plant species sites.

The presence of a singing male southwest willow flycatcher in the large willow riparian area along Quitchupah Creek raises the potential to impact the nesting habitat of a listed species. The road as presently designed would impact a portion of this habitat.

The flannel mouth sucker and the leatherback chub, state sensitive fish species, occur in the lower

portion of Quitchupah Creek. The potential of increased sedimentation and stream destabilization may or may not impact these fish species.

Implementation of the proposed project will require Section 7 Consultation with the U.S Fish and Wildlife Service.

2.7 CULTURAL RESOURCES AND PALEONTOLOGY

Based on consultation performed to date, Native Americans have indicated that all sites in the Quitchupah Creek area are sacred and should not be disturbed. This has complicated the analysis of known sites which in turn makes the impact analysis an unsure estimate. The degree of impacts may only be known when the sites are cleared for construction of the road. The presence of rock art, a highly visible cultural site, increases the potential for impacts as these sites become more accessible to the public. The relative remote nature of the rock art site setting would be compromised by the presence of the paved road. The presence of the road immediately adjacent to the rock art site may affect the solar, lunar, and audio interactions with the site.

The historical and personal connection to the Quitchupah Creek area that many individuals feel would be affected greatly by the road construction and operation. Ranch houses, wagon roads, rock writing, and building foundations are some of the known historical sites along the Quitchupah Creek project alignment. There is a concern for historical sites in the project area.

2.8 LAND USE AND RECREATION

Although access to the public lands and the National Forest System would be made easier with the construction of the proposed road, the riding experience along Quitchupah Creek would be negatively affected. The traditional uses of ranching, hunting, trapping, and remote country adventure would be replaced with increased tourism and public use. The issue of increased access for ATVs is seen as a boon to those who use ATVs for their recreation experience, or as a bane to those who do not use ATVs for their recreation experience. Those who advocate ATV use request an ATV trail alongside the road to allow access into the forest lands. The construction of a paved road on the current road/trail alignment, where ATVs presently travel at will, would restrict access for ATV users. There would be pull-offs and parking along the paved road at the Link Canyon channel crossing, at North Fork, and at East Spring Creek Canyon.

Those who enjoy the peacefulness and solitude of the canyon would see a change if ATV use became common.

ATV use in the project area was addressed by many who commented during scoping on both sides of the issue.

The wilderness and roadless areas issues were raised but no wilderness or inventoried roadless areas are designated on the forest or public lands near the project area. The project area is not affected by the USFS moratorium on road maintenance or construction in inventoried roadless areas.

2.12 NOISE

The change in nature of a remote area to a readily accessible area with the high speed transportation network would also increase the noise level both in intensity of the noise and frequency of events. This basic change would potentially degrade the recreation experience of those seeking a remote type of recreation, and would also degrade the quality of living for those engaged in traditional pursuits.

The noise level and frequency would change in the town of Emery due to the potential increase in truck traffic.

2.13 TRANSPORTATION

A new road system would be developed that would link the Acord Lakes Road with State Highway 10 by bypassing Interstate 70 (I-70). The road would facilitate coal hauling to the east by reducing the round-trip distance by approximately 56 miles. The road would also reduce the distance for coal mine service providers located in Carbon County traveling to the SUFCO Mine. Carbon County is the center for the coal mine service industry. The proposed road would also be an alternate access to the SUFCO Mine providing increased mine safety. The new road would also lessen coal haul traffic on a narrow stretch of State Route 10 from the I-70 junction north to the new junction near Emery. The coal haul traffic from the Quitchupah Creek area would still be routed through the town of Emery.

The road would open access to alternative customers in the local area and in eastern coal markets.

There is concern for the location and design of the junction with State Highway 10. The proposed junction for the Quitchupah Creek Road is adjacent to a bridge that would need to be widened to facilitate the placement of turn and acceleration/deceleration lanes. Just north of the proposed junction is an increased grade up a hill that slows northbound trucks and may interfere with the regular movement of traffic. Accelerating trucks may be slowed by the grade consequently slowing northbound traffic on State Highway 10.

The shortening of the coal haul round-trip east would increase the competitive balance for the SUFCO Mine with the other coal mines in Emery and Carbon counties, and in turn increase the sales to eastern coal markets. This may increase coal haul traffic on State Highway 10 through the towns of Emery, Ferron, Clawson, Castledale, and Huntington.

An increase in coal haulage would also increase the deterioration of State Highway 10 which is a high maintenance road due to the presence of Mancos shale derived soils underlying the road base.

The need for the road has been questioned on the basis of shortening the round-trip haul distance for the SUFCO Mine, mine safety, and the increased access to the Acord Lakes area.

Other permitted facilities in the creek that may be affected include the drainfield for the mine wastewater system, the powerline, and the irrigation system for the agricultural fields.

2.9 PRIVATE LANDS

Some of the private landowners in the Quitchupah Creek area have questioned the need for a road and have not been favorable to granting a right-of-way for the road. The ranchers assert the road will interfere with their ranching operations and reduce the quality of life in the Quitchupah Creek area.

2.10 RANGE RESOURCES

Livestock grazing is the traditional use of the project area. Livestock are wintered in the Quitchupah Creek area on the lower benches and in the agricultural fields. Livestock are moved to and from the summer range on forest lands by trailing along Quitchupah Creek. The presence of a road will change the way livestock are trailed along the creek causing changes in traditional ranching methods. The presence of a road will increase the need for the construction of more fences and other facilities to keep livestock off the road and allow them to trail and graze in adjacent areas of forage and water. The increase in fences and trucks for livestock hauling would increase the operating and maintenance costs for the rancher. There would also need to be parking areas for the livestock trucks and trailers along the road (pullouts are planned for the Link Canyon channel crossing, North Fork, and East Spring Creek Canyon). There may also be a need for a constructed livestock trail to bypass some of the restricted route where it would not be feasible to use the road.

The road presents a hazard, in the form of vehicle-livestock collisions, to any livestock that enters on the road. The ranchers predict an increase in livestock loss due to collisions on the road; that is now being experienced on the Acord Lakes Road.

There would be some loss of feed production in the agricultural fields in the Quitchupah Creek area due to the proposed road alignment and the removal of some agricultural lands from production.

2.11 VISUAL RESOURCES

The road would change the nature of the Quitchupah Creek area. The aesthetics of a remote but accessible creek area with several dramatic scenic canyons would change to an easily accessible area with increased public use. There would be a loss of natural beauty and peacefulness in the creek.

The road would be readily visible in the landscape and would attract the attention of the casual visitor; in contrast to the existing two-track road which is barely visible against the landscape. The views in the project area would be affected by the presence of the road.

The BLM public lands are a Visual Class IV which means that changes are permitted that dominate the landscape. The National Forest System lands Visual Quality Objective are modification, which indicates activities within the area can be visually dominant.

2.14 AIR QUALITY

Some air quality impacts may result from either the continued operation of the SUFCO Mine or the construction and operation of a new coal haul route. Air pollution can readily dissipate; however, the accumulative effects of air pollution can impact the quality of life, environmental quality and diversity, and aesthetic attributes of the Quitchupah Creek area.

2.15 SOCIOECONOMICS

Coal mining provides economic benefits such as employment, royalties, income, and tax revenues on a local and regional level. Economic benefits would continue but could be increased as coal mining production is increased at the SUFCO Mine to fill orders for increased sales in eastern markets.

The concern in Emery County is if any of the increased economic benefits due to increased coal production would come to the people and communities in Emery County. Emery County needs to know whether the economic benefits outweigh the perceived environmental and social impacts. Increased coal production will surely increase the economic benefits to Sevier County, as the SUFCO Mine is the largest employer in Sevier County.

The SUFCO Mine is a non-union mine and with the potential for an increased competitive position for markets east of the Plateau there could be an impact to the union coal mines in Carbon and Emery County. Non-union mines could receive preferential treatment based on this economic advantage.

The shorter route for coal hauling to eastern markets and for coal mine service providers from Carbon County would be a cost saving and potentially increase profits for SUFCO Mine and the service providers in Carbon County..

The need for the new road needs to be weighed against the present economic scenario and the possible future economic scenario. An adequate analysis of the need for a new road is needed to adequately address the impacts caused by construction and operation of the road.



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

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State Engineer

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March 30, 2000

RE: Stream Channel Alteration No. 00-91-07SA
Miller Creek
River Gas Corporation

Attached is a copy of an Application to Alter a Natural Stream No. 00-91-07SA. Your comments are requested so we can evaluate any impacts caused by the project.

We are requesting that all comments be returned to me at our office prior to April 18, 2000. If we do not receive comments by that date, we will assume you have no input on the proposal outlined in the application.

If you have any questions or comments, feel free to contact me at 801-538-7377.

Sincerely,

JRM Daren Rasmussen
Stream Alteration Specialist

DR/jm

pc: Bob Mairley - EPA
Mike Schwinn - Corps of Engineers
Supervisor - U. S. Fish & Wildlife
Mark Page - Regional Engineer
Derris Jones - Regional Wildlife Habitat Manager
Bill Bradwisch - Aquatic Habitat Coordinator
Mike Reichert - Department of Environmental Quality, Water Quality Div.
Ed Storey - State Lands & Forestry
Carolyn Wright - State Planning & Coordinator's Office
Terry Green - State Parks & Recreation
Jim Dykmann - State Office of Historic Preservation
W. D. Robinson - Department of Agriculture, Env. Quality Section
Nancy Barr - Comprehensive Emergency Management
Bureau of Land Management
S.I.T.L.A