

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

July 26, 2004

CK

TO: Internal File

THRU: Peter H. Hess, Environmental Scientist III/Engineering, Team Lead *PHH bryan*

FROM: Jerriann Ernstsens, Ph.D., Environmental Specialist II/Biologist *JE*

RE: Sealing South Portals, Canyon Fuel Company, LLC., SUFCO, C/041/002, Task ID #1965

## SUMMARY:

The Division received an amendment in June 2004 that addresses sealing the south portals and eliminating a plan for a breakout into Muddy Creek. The Division did not conduct a biological or cultural technical review of the MRP. The review only included determining if the amendment will alter the intent of the remaining biological or archeological content in the MRP.

The change in the MRP will result in the removal of a paragraph concerning the work schedule near a falcon scrap during construction of the Muddy Canyon breakout. It will also include the removal of a summary paragraph of the Hauck (1999) cultural/historic survey results near the Muddy Creek breakout. These changes will not affect or alter the intent of the remaining biological or archeological content in the MRP. Revegetation of the portal closure will follow the material and methods text discussed in the Operation Plan (section 3.4.1).

## RECOMMENDATIONS:

Approve the amendment.