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# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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November 4, 2011

TO: Internal File

THRU: April Abate, Lead *CAA 11-4-2011*

FROM: Ingrid Campbell, Environmental Scientist *IC*

RE: West Lease Boreholes, Canyon Fuel Company, SUFCO Mine, C/041/0002, Task ID #3942

## SUMMARY:

On October 24, 2011, the Division received an application from Canyon Fuel Company (CFC) to drill 4 boreholes to collect data from a sealed part of the West Lease of the SUFCO mine. The boreholes are located approximately 700 feet from SUFCO's main mine site disturbed area boundary. CFC proposes to drill the boreholes using helicopter supported drill rigs and a camera to view the condition of the mine.

This application is recommended for approval with the following conditions:

- If drilling continues into January 2012, CFC must immediately consult with the Division and DWR to discuss the necessity of raptor surveys prior to any helicopter or drilling activities.

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**TECHNICAL ANALYSIS:**

**OPERATION PLAN**

**PROTECTION OF PUBLIC PARKS AND HISTORIC PLACES**

Regulatory Reference: 30 CFR784.17; R645-301-411.

**Analysis:**

Canyon Fuel Company submitted a cultural resource inventory for the area surrounding portal #2 and the boreholes. The inventory includes a class I file search and a class III intensive pedestrian survey conducted in 2009 (Utah SHPO authorization No. U-09-EP-0634f). The inventory was originally intended for proposed portal #2, however, the inventory includes the area where the proposed boreholes will be. No cultural resources were identified. The Division sent this finding and a copy of the inventory to the Utah State Historic Preservation Office on October 31, 2011 for their concurrence.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

**FISH AND WILDLIFE INFORMATION**

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

**Analysis:**

CFC states that threatened, endangered or special interest species in the vicinity of the proposed drill holes include sage grouse, bald eagle and peregrine falcon. The drilling will not occur near breeding areas or nests, and will occur in a time period that is out of the traditional raptor and migratory bird breeding season (November).

A raptor survey for the 2011 breeding season was submitted to the Division on July 26, 2011. Craig Brown of TetraTech conducted the two-visit survey on June 9 and 16, 2011 for Northern Goshawks, nesting raptors, and special status species. The area surveyed included

Section 9 and 17 of T22S R4E. The proposed boreholes are not included in these sections. Existing raptor survey data from previous years held by the Division of Wildlife Resources indicates that there are several golden eagle nests in the vicinity of the emergency boreholes. However, the boreholes will be drilled in the remainder of 2011, which is outside of the breeding season. Also, the drill holes are located in areas where no vegetation will be disturbed. The possibility of the helicopter assisted drilling affecting any raptor nests will be minimal. If CFC has not completed the work by the beginning of the breeding season in 2012 (January), then CFC must complete a raptor survey before work can continue.

CFC provided the Division with an additional raptor survey conducted in 2011 in the vicinity of the proposed emergency drill holes. The survey was conducted by helicopter and included areas in sections 2, 10, 14 and 15 of T22S 4E. The flight lines are about .75 miles from the proposed emergency drill holes. An active redtail hawk nest and an active golden eagle nest were identified during the survey and are over a mile away from the proposed borehole sites. The drilling activities should have no impact on these two nests.

**Findings:**

The information provided is considered adequate to meet the minimum regulatory requirements for this section. However, if CFC plans to do any earthwork or work that could disturb nesting raptors in 2012, they must complete a raptor survey prior to the work.

**VEGETATION**

Regulatory Reference: R645-301-330, -301-331, -301-332.

**Analysis:**

The application submitted by CFC indicates that the vegetation near the emergency boreholes is comprised of a mix of aspen, mixed conifer, pinyon-juniper woodland and mountain brush communities. Adjacent vegetation can be found on plate 3-1 in the approved M&RP. The helicopter assisted drilling is expected to disturb little to no vegetation. Since no vegetation will need to be reestablished, the Division will not require CFC to provide further description to enable a prediction of the potential for reestablishment according to R645-321.100.

**Findings:**

The information provided in the application is considered adequate to meet the minimum regulatory requirements for this section.

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**RECOMMENDATIONS:**

This application is recommended for approval with the following condition: If drilling continues into 2012, CFC must immediately consult with the Division and DWR to discuss the necessity of raptor surveys.

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