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Technical Analysis and Findings

Utah Coal Regulatory Program

September 29, 2015

PID: C0410002
TaskID: 4973
Mine Name: SUFCO MINE
Title: SITLA LEASE MOD & BLM ROW ADDITION

Summary

On 6/24/15, Canyon Fuel Company submitted an amendment to incorporate new land into the existing permit area. The amendment was found deficient in regards to meeting regulations governing cultural resources. A deficiency letter was sent to the operator on 8/13/15. That process was associated with Task 4944.

On 9/1/15 the Division received a revised application to address the deficiencies. The following is a technical analysis of the revised amendment in respect to Biology and Land Use and is associated with Task 4973.

The permittee proposes to incorporate new property (approximately 70 acres of BLM ROW and 420 acres SITLA for mining) into the existing permit area. The BLM land is leased under UTU-91108 and the SITLA land is lease under ML-49443-OBA. Additional surface disturbance is not expected as all work is to be conducted and accessed from existing underground workings.

The ROW indicates the property will be used to create an underground right-of-way for access from existing mine workings to coal reserves in the SITLA tract. There is no planned entry closure or surface subsidence expected.

The property under the SITLA lease will be used for room & pillar mining to facilitate maximum extraction of the coal in adjacent leased areas. Subsidence is not anticipated.

Deficiencies Details:

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Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

Plate 5-10Cv4 indicates two known cultural resource sites exist within the proposed lease modification area.

Page 4-11 of the MRP references Appendix 4-2 for cultural and historic resource information on the Muddy Creek Coal Tract Area. As noted, 34 sites were documented during an evaluation by Cirrus Ecological Solutions, LC as part of Manti-LaSal project number ML-02-1033. Submission of the cultural report and concurrence of recommendations from

SHPO were not provided and they were not available from USFS or SHPO. Consequently, site reconnaissance was made by the USFS archeologist on 9/22/15 to confirm conditions and subsequently request SHPO concurrence on findings. SHPO concurrence is pending at time of analysis.

Deficiencies Details:

Information provided in the application is not considered adequate to meet the minimum requirements of the regulations R645-301-411.140.

Prior to approval, the permittee must update and correct the narrative on page 4-11 (Muddy Creek Coal Tract Area) to account for correct cultural resource locations within the revised Muddy Tract Lease. A comparison of the narrative and table to Plate 5-10C v4 was used to reveal the table on page 4-12 is not an accurate list of cultural sites contained in the Muddy Tract. The plate shows the following sites are located within the proposed lease boundary: 42SV2584, 2596, 2594, 2597, 2554, and 2492. Included in the table provided, but not within the boundary are 42SV2493, or 42SV1571. 42SV2592.

Although no impacts are anticipated under the current mining plan, the permittee must commit to coordinating with USFS and DOGM in the event the mining plan changes and subsidence is likely to occur. A narrative describing why subsidence is not anticipated is warranted since several streams in the area have been impacted by subsidence.

Prior to approval, the permittee must provide evidence of SHPO consultation and concurrence on cultural resources within the permit area.

Ireinhart

Vegetation Resource Information

Analysis:

Information provided in the application meets the minimum requirements of R645-301-321. In accordance with R645-301-321.100, plant communities are adequately described in the approved plan in section 3.2.1.1, page 3-3. Plate 3-1 has been updated accordingly. Vegetation communities consist of oak brush, sagebrush/grass, mountain herblands, conifer, and mountain brush. Due to no surface disturbance proposed, productivity measurements on the property are not required pursuant to R645-301-321.200

Editorial Note: MRP V.1, Ch. 3, page 3-5, lines 9 & 10 of need to be updated to reflect when the plate was last updated. The language is confusing as it states, "This plate will be updated in the appropriate season of 2006 to more clearly indicate types and extent of vegetation" Since this plate was recently updated to include subject property, the language should indicate the plate was updated with this amendment.

Information provided in the application meets the minimum requirements of R645-301-321.

Ireinhart

Fish and Wildlife Resource Information

Analysis:

Fish and wildlife resources are adequately described in Section 3.2.2.1 through 3.2.2.3 in the approved MRP. The map provided with known raptor locations is consistent with data provided by Utah Division of Wildlife. Updated maps for Elk and Deer Winter/Summer range and Raptor nests are provided. Table 3-1 was updated April 2, 2013 and adequately lists federally listed and proposed endangered species in the area.

Information provided in the application meets the minimum requirements of R645-301-322.

Ireinhart

Land Use Resource Information

Analysis:

An updated land use map has been provided as plate 4-1Bv5. Additional information provided on cemetery locations, National System of Trail, and Wild and Scenic River systems confirms no impact on those resources. Pages 4-6 through 4-8 of the MRP adequately describe the land use on the Muddy Tract Area.

Plate 5-10C v4 indicates two cultural resource sites are located within the boundary.

Information provided in the application is adequate to meet the minimum requirements of the regulations R645-301-411.

Ireinhart

Operation Plan

Protection Public Places

Analysis:

Page 4-8 of the MRP (incorporated 1/20/06), states "There are no cemeteries, public parks, historic places, or areas within the boundaries of any of any units of the National System of Trails or the Wild and Scenic Rivers System located in areas to be affected by the SUFCO Mine."

Information provided in the application meets the minimum requirements of R645-301-411.143 and R645-301-411.144

Ireinhart

Air Pollution Control Plan

Analysis:

Analysis: As noted on page 4-20 of the approved MRP, the UDOGM does not require an air monitoring program for the SUFCO underground mine at this time. The mine currently operates under the Division of Air Quality Approval Order DAQE-AN0106650013-11 SUFCO Mine Site dated March 30, 2011 and Small Source Registration DAQE-EN010659004-11 Waste Rock Disposal Site dated March 31, 2011 found in Appendix 4-4 of the approved MRP.

Findings The application meets the requirements of R645-301-420.

Ireinhart

Fish and Wildlife Protection and Enhancement Plan

Analysis:

Analysis: The operations plan for fish and wildlife described in Sections 3.3.3.3 and 3.5.8.5 in the approved MRP applies to the entire permit area and therefore it is not necessary to repeat that information in this application.

Findings: The application meets the requirements of R645-301-322.

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Vegetation

Analysis:

Analysis: The operations plan for fish and wildlife described in Sections 3.3.3.3 and 3.5.8.5 in the approved MRP applies to the entire permit area and therefore it is not necessary to repeat that information in this application.

Findings: The application meets the requirements of R645-301-322.

Ireinhart

Reclamation Plan

PostMining Land Use

Analysis:

Analysis: There is no narrative or map in the application regarding post mining land use. However, pages 4-13 through 4-17 of the MRP adequately cover post mining land use. Plate 4-1B (Land Use) needs to be updated to reflect proposed permit

boundary.

Findings: Information provided in the MRP is adequate to meet the minimum requirements of R645-301-412.

Ireinhart

WildLife Protection

Analysis:

Analysis: The application meets the requirements of R645-301-333 through R645-301-358. Although no surface disturbance is proposed in the additional permit area, the reclamation plan for disturbed areas within the permit is adequately described in Section 3.40, pages 3-46 through 3-59 in the approved MRP.

Findings: The application meets the requirements of R645-301-333 through R645-301-358.

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