From: Gelatt, Patty
To: Toolen, John
Subject: Re: Hayden Gulch Loadout Permit Renewal 4 consultation question
Date: Tuesday, September 03, 2013 3:37:44 PM

I agree. Thanks for handling this.

Patty

Patty Schrader Gelatt
Western Colorado Supervisor
U.S. Fish and Wildlife Service, Ecological Services
764 Horizon Drive, Building B
Grand Junction, Colorado 81506
patty_gelatt@fws.gov
Phone: 970-243-2778 ex. 26
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On Tue, Sep 3, 2013 at 3:25 PM, Toolen, John <john_toolen@fws.gov> wrote:

> Patty,
>
> After talking with Nicole Caveny of OSM this morning, and looking at some new information she forwarded to me, including a map, I've figured out what they're talking about,
>
> In a nutshell, the company is planning to renew their mining permit with the state; reclamation is almost fully complete, but they want to leave the loadout, some office trailers, and the railroad tracks. They don't plan to do anything on the site or with the tracks or the loadout during the 5-year renewal period. Local mine personnel will continue to use the offices.
>
> OSM wants to know if any consultation is needed, since the last BO was in 1993 (Nicole cites the fact that several more species are listed since then). Since they're not doing anything during the permit renewal, it doesn't seem like they need to do any consultation since nothing is changing, and nothing will be done during the 5-year renewal period.
>
> The company apparently wants to keep its options open to use the railroad and loadout in case market conditions change and more transport for coal is needed in the next 10-30 years.
>
> I think no consultation is needed, and Creed agrees. He though I should just e-mail Nicole a response explaining that since nothing is happening on the ground, there's nothing to consult about.
>
> JT
>
> On Mon, Aug 12, 2013 at 9:21 AM, Gelatt, Patty <patty_gelatt@fws.gov> wrote:
>
> > John -

Can you please take a look at this and determine how we should respond?

Thanks.

Patty

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---------- Forwarded message ----------
From: **Linner, Susan** <susan_linner@fws.gov>
Date: Mon, Aug 12, 2013 at 9:15 AM
Subject: Re: Hayden Gulch Loadout Permit Renewal 4 consultation question
To: "Sanchez, Brian" <brian_c_sanchez@fws.gov>
Cc: Patty Gelatt <Patty_Gelatt@fws.gov>

Since this is in Routt County, it'll be a Grand Junction project. Patty, can you respond to Nicole? Thanks.

Susan

On Mon, Aug 12, 2013 at 6:45 AM, Sanchez, Brian <brian_c_sanchez@fws.gov> wrote:

> Hi Susan,
>
> See email from Nicole Caveny with the Office of Surface Mining. Can you answer her questions about Section 7 consultation for the Hayden Gulch Loadout in Routt County?
>
> Thanks.
>
> Brian
>
> ---------- Forwarded message ----------
> From: **Caveny, Nicole** <ncaveny@osmre.gov>
> Date: Thu, Aug 8, 2013 at 2:08 PM
> Subject: Hayden Gulch Loadout Permit Renewal 4 consultation question
> To: Brian_C_Sanchez@fws.gov
>
> Hello Brian,
>
> It was very nice to speak to you on the phone today. I had asked whether or not a formal or informal section 7 consultation is required for the permit renewal 4 (PR4) of

the Hayden Gulch Loadout. The last BO assessment on the Hayden Gulch Loadout was written July 23, 1993 (see attached). Since that last BO, one T&E species (the Greenback cutthroat trout), two candidate species, and (the Grater sage grouse & the Yellow-billed cuckoo), and one proposed (the North American wolverine) have been added to the area.

On August 14, 2001, the Hayden Gulch Loadout status was changed from active to a temporary cease of operations. On July 5th 2011 operations were change from temporary cease of operations to active in order to begin reclamation activities. Reclamation is almost fully complete, except that most of the railroad is still in place (however some sections have been removed so trains cannot use the line) and there are a few office trailers that have not been removed. All seeding and mulching is finished and MWH (the operator) is currently monitoring the are to ensure that the plants are growing and healthy. Please see the liked google drive for more information on the current bond release application.

Bond Release Application SL-1.pdf

MWH is wanting to renew the Hayden Gulch Loadout because they do not know if they will need the area for future operations, but as of yet do not have future mining plans.

For the purpose of this current action (PR 4), please let me know if a formal or informal section 7 consultation is needed, or, if no consultation is needed.

Sincerely,

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Nicole Caveny
Environmental Protection Specialist
Western Region
U.S. Office of Surface Mining/DOI
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303-293-5078

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Brian C. Sanchez
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