0007 state of utah

File ACT/007/001
ACT/007/014
Copy to Mary Ann & Lee
Jim

DIVISION OF WILDLIFE RESOURCES

DOUGLAS F. DAY
Director

EQUAL OPPORTUNITY EMPLOYER

1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333

March 11, 1981

Reply To SOUTHEASTERN REGIONAL OFFICE
455 West Railroad Avenue, Box 840, Price, Utah 84501
(801) 637-3310

Mr. Cleon B. Feight, Director
Utah Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

Attention: James W. Smith

RE: ACT/007/001
ACT/007/014

Dear Cleon:

The Division has reviewed the Mining and Reclamation Plan (MRP) for Valley Camp of Utah Inc., Belina No. 1 and No. 2 Mines and Utah No. 2 Mine. Generally speaking, most of the wildlife resource information is adequate in relation to the guidelines provided to the applicant by OGM on October 16, 1980. It is recommended that the MRP be improved as per our attached comments.

The Wildlife Plan (Appendix D in Volume III) is a verbatum copy of our Division's recommendations to the Company. It appears from discussions on pages 84 through 88A of Volume III that the Company intends on implementing our recommendations. The MRP should be modified so that a singular, definitive wildlife mitigation plan exists.

Attached are the Division's comments.

Thank you for an opportunity to provide comment on this permit application.

Sincerely,

John Livesay

John Livesay, Supervisor
Southeastern Region

JL:LBD:gp

Attachment

cc: Darrell Nish
U.S. Fish and Wildlife Service
BLM

RECEIVED
MAR 16 1981
DIVISION OF
OIL, GAS & MINING

GOVERNOR
Scott M. Matheson

DEPT. OF NATURAL RESOURCES
Gordon E. Harmston
Exec. Director

WILDLIFE BOARD
Roy L. Young — Chairman
Lewis C. Smith
L. S. Skaggs
Warren T. Harward
Chris P. Jouflas

DIVISION OF WILDLIFE RESOURCE'S COMMENTS
ON THE MINE AND RECLAMATION PLAN (MRP)
FOR VALLEY CAMP OF UTAH INC. UTAH NO. 2 AND BELINA NO. 1 AND NO. 2 MINES

Vegetation Information

Volumn II, Page 39-51: The MRP fails to quantify and appropriately note the riparian vegetation communities. Such areas have been significantly impacted by the Company's road development and maintenance program. This vegetation community is a valuable component of the local wildlife habitats.

Fish and Wildlife Information

Volume II, Page 52-72: The MRP fails to document and describe the condition of Eccles Creek up to the time of the permit application. Of special concern are the impacts from the landslides just below the Eccles Creek crossing in Eccles Canyon, the long culvert at the aforementioned crossing and encroachment of the access haul-road on Eccles Creek and its associated riparian habitat. An assessment of those problems from a wildlife management perspective were provided to the applicant by the Division of Wildlife Resources on January 12, 1981. (Note, a carbon copy of that report was forwarded to OGM, reference pages 4-10 of the aforementioned report.)

The MRP fails to utilize all of the existing fishery data and resultant analysis of impacts for Eccles and Pleasant Valley Creeks. Data up through 1980 has been summarized for the applicant's use and is part of the January 12, 1981 report. It is interesting to note that a majority of that report appears in the MRP, but the fishery, habitat rankings and avifauna sections were not utilized.

Volume II, Page 72: The applicant's survey for breeding raptors is adequate and need not be extended to include a fall migration survey. Although the applicant has provided survey for some birds, the MRP fails to qualitatively discuss the total avifauna situation. This information was provided by the Division of Wildlife Resources to the applicant on January 12, 1981. Use of this information will satisfy the appropriate guideline sections for fish and wildlife and habitat information provided to the applicant by OGM on June 25, 1980.

Volume II, Page 35-51 (vegetation) or Pages 52-72 Wildlife Resource Information: Neither of these MRP sections qualitatively discuss wildlife habitats or use areas as perspective correlated to use by the wildlife resource. The Division of Wildlife Resources has provided the applicant with such an analysis (January 12, 1981).

RECEIVED
MAR 1 6 1981
DIVISION OF
OIL, GAS & MINING

Volume III, Pages 48-54: It appears that the applicant is somewhat premature at identifying development of a recreational area for the post-mining period at Belina 1 and 2 portal sites. This is evidenced by lack of comment (Pages 52, 53 and 54) by current land owners and the fact that this area will soon be zoned as a critical environmental (CE) I or II zone in Carbon County. (Rodney Despain, Carbon County Planner, has advised the Division that revision of zoning ordinances is now ongoing and that there will not likely be a recreation, forestry and mining zone in the near future. Such areas will be classified under the CE zones.) In any event plans for a developed recreation area must be detailed and approved by the Carbon County Commission. Such detail and evidence of coordination with the County Commission is not demonstrated in the MRP.

Volume III, Page 41: Although the applicant does not feel that impacts from the mining operation will impact water sources associated with the area, such a potential does exist, especially as a result of subsidence. In view of this potential the MRP has failed to identify that changes in local habitat and the resultant loss of local wildlife would be of an irretrievable nature. Possibly, development of artifical water catchments (guzzlers) could serve as mitigation for some forms of wildlife. However, maintenance of such facilities beyond the life of the project is a serious concern and if needed, should remain the responsibility of the applicant.

RECEIVED
MAR 1 6 1981
DIVISION OF
OIL, GAS & MINING