



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 AREA OFFICE COLORADO-UTAH
 1311 FEDERAL BUILDING
 125 SOUTH STATE STREET
 SALT LAKE CITY, UTAH 84138

April 8, 1983

IN REPLY REFER TO:

MEMORANDUM

TO: Acting Deputy Administrator
 Office of Surface Mining
 Denver, Colorado

Attention: Don Henne

FROM: Field Supervisor, Ecological Services
 U.S. Fish and Wildlife Service
 Salt Lake City, Utah

SUBJECT: Valley Camp Mine Plan Revision Review

The Belina Mine Complex Plan has not been appreciably changed to receive U.S. Fish and Wildlife Service (FWS) support for approval. The plan does not have a viable, specific mitigation plan and it still contains statements concerning raptors that are unacceptable to the FWS.

Response to Comments:

817.95, page 16A, para. 1, 2, and 3.

1. Riparian habitat in Eccles Creek and Whiskey Creek are not too small to map (use a larger scale map).
2. The intermittent stream and riparian habitat along Whiskey Creek and Eccles Creek have already been disturbed. Coal spillage, earth dozing and snow removal techniques have already been documented.

The mine haul road is narrow and without a borrow pit to prevent contamination from reaching the stream. Little or no attempt has been made to stabilize the steep bank from the road to prevent excessive runoff or erosion problems. Furthermore, snow removal on the road and mine site area could be a problem, as stated in our September 13, 1982 memorandum. Contaminated snow bladed over the edge of the road into Whiskey Creek should not be allowed. We still believe the snow should be removed from the road and mine area, stored above the sediment ponds and contaminants allowed to settle before discharging the water into the Whiskey Creek drainage.

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Moose winter range and summer range for deer, elk and moose will be eliminated during the life of the project. The reclamation proposal to construct "recreation sites" rather than reclaim to the original habitat types and the proposal to not reclaim the mine haul road will result in a permanent loss of usable big game habitat. No mitigation for the losses has been proposed.

PP. 88A, Wildlife Protection Plan

From the non-specific, weak commitments in the protection plan (e.g. (6) "Disturbance to big game... will be kept to a minimum," (9) "Adequate precaution taken to keep coal from being inadvertently deposited along or within streams," (10) "mine personnel...will be informed of the values of wildlife"), side stepping the reclamation problems (no plans to reclaim the road, broadcasting grass seed at portal and building sites and calling them "recreation areas" instead of planting shrubs that were originally present.), and the lack of a specific and operable wildlife mitigation or enhancement plan, it is evident that Valley Camp Coal Company's response to the review is nothing more than rhetoric. It is also clear that the company intends to meet only the absolute minimum requirements, as far as wildlife is concerned, to obtain mine plan approval.

In our May 19, 1980 predesign consultation letter to the Division of Oil, Gas and Mining and our September 13, 1982 memorandum to your office (copies enclosed), we made several specific recommendations directed to Valley Camp Coal Company that would mitigate existing problems and enhance wildlife habitat in the future. None of these proposals have been addressed by Valley Camp's response. Furthermore, the company has not agreed to delete the statement concerning goshawks and Cooper's hawks ability to withstand human impacts.

The Hennessy Report (who, by the way, died before the research was completed) cited in the text is a reference to goshawk and Cooper's hawk nesting success near hiking trails and campgrounds. It in no way attempts to evaluate the impacts of coal trucks, bulldozers, or conveyor systems on hawk nesting success. The statements made by Dr. White represent Valley Coal Company, therefore, the company is responsible for the statements.

The FWS believes that when a private company is given the opportunity (through the permit and leasing system) to use and develop, for profit, natural resources belonging to the public, enhancement of other public resources (e.g. wildlife habitat) should be required. This is especially true when the development of one resource leads to the detriment of another.

This concludes the FWS comments on Valley Camp Coal Company's response. If you have any further questions regarding our comments, please feel free to contact the Energy Operations staff in Salt Lake City. Thank you for the opportunity to comment.

A handwritten signature in cursive script, appearing to read "Robert M. Johnson".

Enclosure

cc: DWR, SLC, UT
DWR, Price, UT
RO/HR, Denver, CO
DOGM, SLC, UT