



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

May 17, 1983

Mr. Trevor Whiteside
Valley Camp of Utah
P.O. Box 507
Clear Creek, Utah 84517

RE: Wildlife Concerns
ACT/007/011
Folder No. 2
Carbon County, Utah

*w/007 # should be
refile 007/001*

Dear Trevor:

As you may be aware of, the U. S. Fish and Wildlife Service (USFWS) has filed written comments with OSM voicing their concerns regarding the fish and wildlife information and mitigation plans in the MRP for the Belina mines and Utah #2 (copy enclosed).

I have met with the USFWS and discussed these comments and what response was needed to satisfy their concerns. If Valley Camp will respond as outlined in this letter it will satisfy USFWS as well as address most of the technical deficiencies that would come out in the technical analysis of the MRP.

1. Paragraphs 1 and 2--It will not be necessary for Valley Camp to map these riparian habitats, however Valley Camp should acknowledge that riparian habitat does exist and that impacts have occurred.
2. Paragraph 3--Although paving the access road will reduce sediment, the company needs to stabilize the steep slopes. As per the company's plan to leave the road permanently, the slopes should be revegetated with a permanent species mix which includes grasses, forbs, and woody plants. Valley Camp should commit to doing this at the earliest time possible for revegetation success. The species list must be approved by DOGM prior to implementation.
3. Valley Camp needs to acknowledge that some impacts to wildlife will be of a permanent nature. Valley Camp should show good faith in enhancing or mitigating wildlife impacts. And, even though the opportunities to enhance habitat or mitigate impacts to wildlife may not directly influence the impacted species, Valley Camp should provide a narrative in the MRP which describes any mitigation or enhancement projects Valley Camp has participated in or will participate in [either alone or jointly with other companies (i.e. fish habitat, improvement, etc.)].

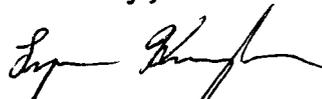
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4. The USFWS believes that when a private company is given the opportunity (through the permit and leasing system) to use and develop, for profit, natural resources belonging to the public, enhancement of other public resources (e.g. wildlife habitat) should be required. This is especially true when the development of one resource leads to the detriment of another. (This philosophy is also held by other agencies as well.) The USFWS has made several specific recommendations to Valley Camp to mitigate existing problems and enhance wildlife habitat in the future, none of which has been addressed by Valley Camp (see September 13, 1982 memo to OSM, enclosed).
5. 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 Camp, therefore, the company is responsible for the statements. Valley Camp should acknowledge the fact that impacts may occur to these species and that they will be held responsible to mitigate potential impacts.

A response to these items will be needed before the Division can complete the technical analysis. Your timely response will be greatly appreciated.

Should you have any questions, please don't hesitate to call.

Sincerely,



LYNN KUNZLER
RECLAMATION BIOLOGIST

LK/lm

cc: Allen Klein, OSM
Sarah Bransom, OSM
Jim Munson, USFWS
Tom Tetting, DOGM