Contract No.
160670
Amend No.

State of Utah
Department of Natural Resources
Division of Wildlife Resources

CONTRACT INFORMATION

Date **9/8/2015**

Vendor No. ITA COM-96119

Vendor **Utah Division of Oil Gas and Mining**

Address

City

Description of work to be completed.

DOGM will implement WRI project #3352 - Wiskey Creek ($18,000) and WRI project #3453 - Eccles Creek ($12,000). Funds will be transferred after project completion via IAT

Receivable [ ] Payable [x] Land Acquisition [ ] MOU [ ] Easement/Right of Way [ ]

NUMBER OF FTE'S PER THIS CONTRACT:

# of AJ's	0
# of AL's	0
# of B's	0
Total number of FTE's	0

Funding Source, if Payable Contract:

DELIVERABLES (Reports, products, materials):

	Due Date:

Effective Date Date of Last Signature

Expiration Date 6/30/2016

Total Amount to be Received/Paid:

Description	Amount
	$30,000.00
TOTAL	**$30,000.00**

Charge indirects Yes No

Is this a new Project number? Yes No

A budget change form will need to be submitted with all contracts, including amendments.

Unit	Appr	Activity	Function	Program	Object	Amount	SLO Use
5735	RFF	XEHD		**E4Z167A12**	7303	$18,000.00	
5735	RFF	XEHD		**E4Z167A29**		$12,000.00	
					TOTAL	**$30,000.00**	

Contract Monitor: Tyler Thompson

Regional Supervisor Approval:

Section Chief Approval:

160670
ORIGINAL
OGM

Cooperative Agreement

BETWEEN
UTAH DEPARTMENT OF NATURAL RESOURCES, DIVISION OF OIL, GAS, AND MINING
AND
UTAH DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE RESOURCES

This AGREEMENT is made and entered into upon the date of the last signature to this document, between the State of Utah, Department of Natural Resources, Division of Wildlife Resources (UDWR) and State of Utah, Department of Natural Resources, Division of Oil, Gas, and Mining (DOGM) for completion of the Whiskey Creek Stream Restoration *(WRI #3453)* and Eccles Creek Stream Reclamation *(WRI # 3352)* proposed and funded through UDWR's Habitat Council, Blue Ribbon Fisheries Council, and UWRI.

The terms and conditions of this Agreement are as follows:

1. UDWR will provide DOGM up to $18,000 for the completion of Whiskey Creek Stream Restoration *(WRI #3453)* and up to $12,000 for the completion of Eccles Creek Stream Reclamation *(WRI # 3352)*.
2. DOGM will complete their portion of the project as described in the attached project proposal.
3. UDWR will work with DOGM as needed to implement the project as described in the attached project proposal.
4. Projected costs are estimates. Funds may be moved among budget line items as necessary.
5. This is a cost reimbursable agreement; DOGM will provide UDWR with invoices to be reimbursed.
6. This agreement has an expiration date of June 30, 2016.

John R. Baza — 9/2/2015
Division of Oil, Gas, & Mining/Director — Date

9/2 Dave R. Haddock acting — 8/26/15
Division of Oil, Gas & Mining/ Associate Director — Date

Tony Reynolds — 9/15/15
Division of Wildlife Resources/Director — Date

P. Bartholomew — 9/15/15
Division of Wildlife Resources/Financial Manager — Date

CONTRACT RECEIVED AND PROCESSED BY DIVISION OF FINANCE

SEP 22 2015

160670

Paula Dupin-Zahn
Division of Oil, Gas & Mining/ Accounting Manager

9/1/15
Date

[illegible]
Division of Oil Gas & Mining/Financial Officer

August 26, 2015
Date

Eccles Creek Stream Reclamation

Utah's Watershed RESTORATION INITIATIVE

Project ID: 3352 **Status**: Project **Approved for Fiscal Year:** 2016

Description: An approximate 400 culvert pipe will be removed from an access road off of Highway 96. This culvert pipe contains the entire flow of Eccles Creek. The stream channel will be restored to a natural state.

Location: This site is located on Eccles Creek, a tributary to Mud Creek and Scofield Reservoir. The project site is located along Highway 96 approximately 6 miles upstream from Scofield Reservoir.

Project Manager: Justin Hart
PM Agency: Utah Division of Wildlife Resources
PM Office: Southeastern Region
Lead Agency/Organization: Utah Division of Wildlife Resources
UWRI Region: Southeastern

Submitted to: [ ] UWRI [x] Habitat Council [ ] External Conservation Permit

[x] BRFAC

Description of Need for Project: In the early 1990's a culvert crossing was placed on Eccles Creek to allow mining and logging access to private property. This culvert crossing has nearly 30 feet of earthen overburden and contains 400 feet of Eccles Creek. The culvert pipe presents an impassable barrier to cutthroat trout. The upstream section of Eccles Creek is fishless. Removing this culvert pipe and restoring the natural stream channel will be aesthetically pleasing and provide approximately 1.5 miles of habitat for cutthroat trout. This newly connected stream segment will provide important spawning habitat and provide additional access for anglers.

Objectives: To remove a 400 foot section of culvert pipe and restore the natural stream channel of Eccles Creek along Highway 96.

Threats/Risks: Timing of this project will need to consider cutthroat trout spawning. Any work inside the stream channel will need to occur after September 1, 2015.

Relation to Management Plans: This project will help help connect approximately 1.5 miles of fishless stream. It will aid the fishery in Eccles Creek, Mud Creek, and Scofield Reservoir and provide additional angling opportunity. Thus, it will address objectives within the Scofield Reservoir sport fish management plan. Removing the culvert pipe and restoring the natural stream channel will help reduce erosion from high velocity flows exiting the culvert pipe. Reducing erosion will help reduce phosphorus loading in Scofield Reservoir that has been identified in Scofield Reservoir TDML.

Methods: This will be a cooperative project with the Division of Oil, Gas, and Mining (DOGM). DOGM has funds for a reclamation project on this parcel of private property. DOGM will remove the access road that connects Highway 96 to the private property and remove all the earthen overburden that exists on top of the culvert pipe and Eccles Creek. The Utah Division of Wildlife Resources will remove the section of culvert pipe and restore the natural stream channel. The stream channel is somewhat confined. Highway 96 is located on the north side

of the creek, and steep terrain in located on the south side. Additionally, this stream section has a relatively steep gradient. Restoration will include providing as much stream meander as possible and creating a series of step pools with rocks and logs. This restoration plan will match the existing habitat type of Eccles Creek.

Grazing / Management Prescriptions: The project will be monitored over time to ensure vegetation from seeding and willow transplants is successful. Any structures (e.g., rock veins or log step structures) will be assessed for continued function and repaired if necessary.

Monitoring Methods: Riparian seeding and willow transplants will be monitored over time by Regional DWR Aquatics employees.

Archaeology

Date	Project Manager Comments
12/18/2014	none needed, this project will occur on a previously disturbed site.

NEPA

Date	NEPA Comments
12/18/2014	None needed, this is private property on a previously distrubed site.

Species Affected

Primary

Species	Status
Bonneville Cutthroat Trout	S4
Rainbow Trout	SNA
Yellowstone Cutthroat Trout	S3

Secondary

Species	Status
Not Applicable	N/A

Budget

Item	Description	UWRI	Partner	In-Kind	FY
Personal Services (permanent employee)	DWR Heavy equipment crew time and machine operation and fuel.	$12,000.00	$0.00	$0.00	2016
Contractual Services	DOGM funding to reclaim access road and remove earthen overburden on top of the Eccles Creek culvert pipe	$0.00	$61,000.00	$0.00	2016

Budget Totals

	UWRI		Partner		Net Total	
Totals	$12,000.00	+	$61,000.00	=	$73,000.00	
					+ $0.00	**In-Kind Total**
			Grand Total:		$73,000.00	

Funding

Source	Amount	In-Kind	Funding Channel	FY
Blue Ribbon (Restricted)	$6,000.00	$0.00	DWR	2016
Habitat Council Account	$6,000.00	$0.00	DWR	2016
UDOGM	$61,000.00	$0.00	Other	2016

Funding Totals

	Through UWRI		Through Partner		Net Total	
Totals	$12,000.00	+	$61,000.00	=	$73,000.00	
					+ $0.00	**In-Kind Total**
				Grand Total:	$73,000.00	

Type	Percent

Habitat Council Allocation

Type	Percent
Sport Fish	100


Project ID: 3352
Project ID: 3453

Project ID: 3352

Total Terrestrial Acres:	0.00
Total Aquatic/Riparian Acres:	0.06
Total Stream Miles:	0.00

Whiskey Creek Stream Restoration

Utah's Watershed RESTORATION INITIATIVE

Project ID: 3453 **Status**: Project **Approved for Fiscal Year:** 2016

Description: This project will remove a blocked culvert and create an armored swale in Whiskey Creek. Installed water bars along a 0.25 mile steep length of logging road and drop structures above and below the swale will capture sediment and reduce stream velocity.

Location: The Mud Creek Watershed Phase II project is on private land owned by the Oman Trust. The project site is in T 13 S, R 7 E Sec. 19, adjacent to Hwy 264, approximately 4 miles SW of Scofield Reservoir, near the confluence of Whiskey Creek and Eccles Creek.

Project Manager: Justin Hart
PM Agency: Utah Division of Wildlife Resources
PM Office: Southeastern Region
Lead Agency/Organization: Utah Division of Wildlife Resources
UWRI Region: Southeastern

Submitted to: [x] UWRI [x] Habitat Council [ ] External Conservation Permit

[ ] BRFAC

Description of Need for Project: Whiskey Creek (an ephemeral stream) drains a watershed area of 960 acres. Whiskey canyon is 1.5 miles long with an elevation change of 8,200 ft to 9,500 ft. During snow melt, and summer precipitation events, the headwaters of the channel handled peak flows of 448 gpm (approximately 1 cfs), according to information reported on the Utah Coal Program water monitoring data website for the White Oak Mine sample location VC4 http://linux1.ogm.utah.gov/WebStuff/wwwroot/wqdb.html). The Whiskey Creek drainage affects water quality in Eccles Creek, which is the receiving stream, and Mud Creek and Scofield Reservoir further downstream. Eccles Creek is protected as a drinking water source and a cold water fishery. Scofield Reservoir has been listed as an impaired water body for phosphorus and dissolved oxygen. Phosphorus may adhere to soil particles in suspension or be in solution in the water. Total phosphorus was measured in Whiskey Creek during a single summer precipitation event at 8.3 mg/L (Mine Name: White Oak,Year 2010, document location: Internal File, document date: 20101101 in http://linux1.ogm.utah.gov/WebStuff/wwwroot/coal/filesbypermit.php?C0070001). The upper reaches of Whiskey Creek and surrounding slopes were surface coal mined in 2001-2003. Canyon slopes were logged in 2008 - 2010. Excessive sediment being contributed to Eccles Creek from erosion of the Whiskey Creek Channel noted in 2007 (photo 1), was partially controlled by mine reclamation work at the head of the canyon completed in 2001 and 2012 (photo 2). However, there remains an area outside of the mining permit boundary that is contributing large amounts of sediment to Eccles Creek (photo 3). In particular, a culvert placed at a road crossing has become clogged with sedimen t(photo 4), forcing the Whiskey Creek flows to leave the channel and run down the road in eroded gullies (photo 5 &9). This drainage is not controlled and continues to add sediment load to Eccles Creek (photo 10). This project will enhance previous reclamation work downstream in Mud Creek (WRI project #3440) and completed reclamation projects upstream (State of Utah Division of Purchasing project AR 11035 and AR 14171). This project is needed to prevent additional contributions of suspended solids to Eccles Creek. This project will enhance the funded 2015 reclamation to occur 0.5 miles upstream in Eccles Creek under the supervision of

both the DWR and DOGM. This project will help improve hiding cover in fawning and calving area for deer and elk. It will be improved by increasing tall vegetation that can be used during the early stages of the big game life cycles.

Objectives: The project is located in a disturbed ecological site that contributes disproportionately to the overall ecosystem. The project has the potential to improve water quality and habitat and recreational fishing in Eccles Creek. The project will replace the existing 12 inch culvert in Whiskey Creek with a rock lined swale that will allow ATV travel through the channel yet contain flows within the channel. The project will utilize on site rock to line the swale. (Rock cut during trail construction is piled on the trail outslope.) The project will install water bars along the ATV trail. The project will create drop structures using native rock within the channel to heal the downcut sections of channel and restore channel bank vegetation.

Threats/Risks: Funding this project will contribute to the beneficial outcome of all the reclamation work in Whiskey Creek, Mud Creek and Eccles Creeks completed to date. If the project is not undertaken at this time the cost for future improvements may be greater, since this project could be coordinated with the timing and equipment mobilized for the upstream Eccles work planned by DOGM and DWR in 2015. The logging road and culvert were constructed in 2009. Five years later, gullies have eroded that are 3 feet deep and 2 ft. wide due to ephemeral Whiskey Creek flow running down the road. The threat is that the gullies become ever deeper and with each season contribute more sediments and phosphorus to Scofield Reservoir. If this project is not funded sediment will continue to load Eccles Creek and Scofield downstream, potentially affecting aquatic life. A disastrous situation could occur should there be a wildfire in the adjacent National Forest. Denuded slopes would shed rainfall. Water and sediment and debris would exacerbate the gully erosion and sediment flow into Eccles Creek.

Relation to Management Plans: See Attachment.

Methods: Remove the blocked culvert. Construct a rock lined low water trail crossing or swale, using readily available rock from the trail outslope. Within the ephemeral stream channel, construct two drop structures above the swale and one below the swale to slow flow and encourage vegetation re-establishment along the stream bank. Install water bars every 50 ft. along the ATV trail from the Confluence with Eccles Creek south to the swale, to reduce flow and sediment movement. Continue installing water bars every 50 ft. on the existing two trails above the swale for a distance of 150 ft on each trail.

Grazing / Management Prescriptions: Darin Caine has stated that there will be no further logging. He has also indicated future plans are to encourage wildlife use of the land. DOGM will inspect the site for a period of five years to monitor the condition of in stream structures and road water bars. There is no grazing on this property so any plant establishment will be protected from grazing. Project activities will occur on private lands that winter large herds of deer and elk for the Manti. The area is within the The Deer Herd Management Plan for the Manti unit 16B. The herd objective is 38,000 deer with a 3 year average of 16 buck per 100 does post season. The fawn recruitment last year was 65 fawns per 100 does. The Manti Elk Herd (unit 16B) Management Plan states that population objective is 12,000 elk the current population estimate is at 12,300. The 3 year average for harvested bulls is 6.1 years old. The 2013 pre-season calf count was 44 calves per 100 cows. Hopefully these plans will maintain or imp

Monitoring Methods: Installations of drop structures, the swale and the confluence will be monitored for

erosion and stability through observation and the use of photo points for 5 years after completion, 2016 - 2020. Water quality database will be monitored at Skyline Mine monitoring points VC6 and VC9. Skyline mines water data will be used to monitor the improvement in water quality. Field data and lab analysis collected is as described in Table 2.3.7-1 and 2.7.7.2 of the Skyline Mining and Reclamation Plan, attached. Skyline Mine began in 2007 conducting macro invertebrate and cutthroat trout surveys every three years. The results of these surveys will be monitored (Skyline Mine MRP, Vol 1A, Sec 2.8, p. 2-71, 2-71A, B, & C and Table 2.8-1a)

Archaeology

Date	Project Manager Comments
1/21/2015	Archaeological clearance was obtained in 1980 by the Valley Camp Belina #2 Mine. The investigation was titled, Intensive Archaeological Surface Evaluations in the Proposed Whiskey Creek Canyon. Pleasant Valley Project in Carbon County, Utah. 1980. F.R. Hauck, Ph.D. and D.G. Weder. Archaeological Environmental Research Corporation. Paper No. 21. In. 007001 Mining and Reclamation Plan, Appendix 411.140. Historic sites were found. Clearance was issued. This historic work will be reviewed and updated if necessary, by the UDWR archaeologist prior to initiating work.

NEPA

Date	NEPA Comments
1/21/2015	None needed, this is private property on a previously disturbed site.

Species Affected

Primary

Species	Status
Bonneville Cutthroat Trout	S4
Elk	SNA
Mule Deer	S4
Northern pygmy-owl	S3S4B
Olive-sided flycatcher	S3S4B

Secondary

Species	Status
Rainbow Trout	SNA

Budget

Item	Description	UWRI	Partner	In-Kind	FY
Materials and Supplies	Logs and rocks for instream structures, several loads of road base for road.	$12,000.00	$0.00	$0.00	2016
Other	DOGM employee time allocated to project.	$0.00	$0.00	$2,000.00	2016
Seed (not from GBRC)	seed and 1 ton/ac certified weed free straw	$0.00	$1,500.00	$0.00	2016
Personal Services (permanent employee)	DWR Heavy Equipment Crew	$6,000.00	$0.00	$0.00	2016

Budget Totals

	UWRI		Partner		Net Total	
Totals	$18,000.00	+	$1,500.00	=	$19,500.00	
					+ $2,000.00	**In-Kind Total**
				Grand Total:	$21,500.00	

Funding

Source	Amount	In-Kind	Funding Channel	FY
Private	$1,500.00	$0.00	Other	2016
Habitat Council Account	$18,000.00	$0.00	UWRI	2016
UDOGM	$0.00	$2,000.00	Other	2016

Funding Totals

	Through UWRI		Through Partner		Net Total	
Totals	$18,000.00	+	$1,500.00	=	$19,500.00	
					+ $2,000.00	**In-Kind Total**
				Grand Total:	$21,500.00	

Type	Percent

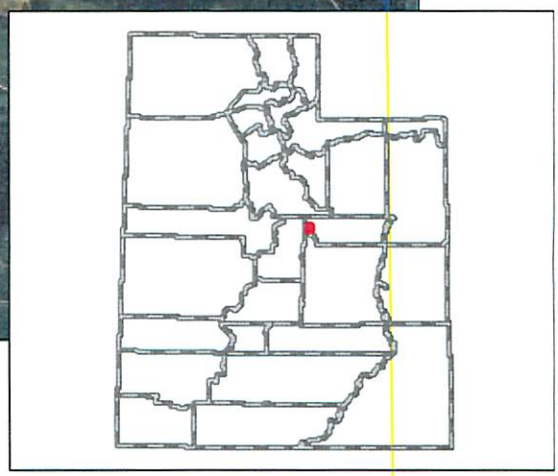
Habitat Council Allocation

Type	Percent
Sport Fish	100

Funding Comments

Date	Funding Comments
1/21/2015	DOGM employee time allocated to the project
1/21/2015	Landowner


Project ID: 3352
Project ID: 3453



160670

Utah's Watershed
RESTORATION INITIATIVE

Project ID: 3453

Total Terrestrial Acres:	0.00
Total Aquatic/Riparian Acres:	2.74
Total Stream Miles:	0.17