



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

August 20, 2015

Daren Rasmussen
Water Rights Manager
Utah Division of Water Rights
1594 West North Temple, Ste 220
Salt Lake City 84114-6300

Dear Mr. Rasmussen,

Thank you for the opportunity to discuss the Eccles Stream pad and culvert reclamation project with you and Mr. Timm Kennedy on August 6, 2015. The supplemental information that you requested for this project is attached.

During our meeting we discussed a second project on Whiskey Creek which is tributary to Eccles Creek. A stream application form for this second project is also attached.

I apologize that our response was delayed due to illness.

Sincerely,

Dana Dean
Associate Director



Rec. by _____
 Fee Rec. _____
 Receipt # _____

JOINT PERMIT APPLICATION FORM
U.S ARMY CORPS OF ENGINEERS – FOR SECTIONS 404 AND 10
UTAH STATE ENGINEER’S OFFICE – FOR NATURAL STREAM CHANNELS

Application Number _____ / _____
 (assigned by): _____ Corps _____ State Engineer

Applicant’s Name (Last, First M.I. or entity if not an individual)	Authorized Applicant Representative (if any)	Applicant’s Telephone Number and Area Code 801-538-5340
Division of Oil, Gas & Mining - Coal Program	Dana Dean, Associate Director Mining	Representative’s Telephone Number and Area Code 801-538-5320

Applicant’s Address (Street, RFD, Box, Number, City, State, Zip)
1594 West North Temple, Ste 1210
Salt Lake City UT 84114-5801

PROJECT LOCATION

Quarter Section(s) NW1/4	Section 19	Township T13S	Range R7E	Base & Meridian Salt Lake
County Carbon	Associated Watercourse or Watercourse to be Altered Whiskey Creek		Check one: <input type="checkbox"/> Within City Limits <input checked="" type="checkbox"/> Outside City Limits List town or nearest town: Scotfield	

Project location or address:
 1.26 miles west of SR 96 on Hwy 264. The project is where a logging road crosses Whiskey Creek (an ephemeral stream), 0.1 miles south of the confluence of Whiskey and Eccles Creek.

Brief description of project including methods and equipment to be employed to complete the work:
 A 20ft length of 12 inch diameter culvert placed at a road crossing on Whiskey Creek has become clogged with sediment (photo 1). This has forced Whiskey Creek flows to leave the channel and run down the road in eroded gullies. Upstream there is a broad flood plain (15 ft wide, photo #2). Downstream there is a mass of logs and debris (photo 3). One tenth of a mile downstream from the work, as Whiskey Creek approaches Eccles Creek it is contained in a narrow channel 3 ft. wide and 2 ft deep (Photos 4 & 5). Approximately 268 cu yds of sediment will be removed from the road to create a swale which will direct flows across the road to the channel. The swale will have the dimensions shown on the attached figure and be hardened with rock obtained from an adjacent road cut. The removed sediment will be placed along the logging road so as to create water bars every 50 ft. above and below the crossing. The debris pile will be removed from the stream channel at the swale outlet. A riprap drop structure at the swale outlet will protect the swale from erosion.

Purpose (justification) of project:
 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 2009 (photo 6), was partially controlled by mine reclamation work at the head of the canyon completed in 2001 and 2012. However, the plugged culvert on the road below the mine site has forced the creek to run down the road, contributing to large amounts of sediment to Eccles Creek. This project received 2016 grant funds from the WRI and is partially funded by UDWR and the landowner.

Is this a single and complete project or is part of a larger project, continuing project, or other related activities? If so, please describe the larger project or other related activities.
This action is part the White Oak Mine reclamation, Utah Coal Mining permit C/007/0001 which included stabilization of Whiskey Creek under stream alteration permit #09-91-18SA.

If project included the discharge of dredged or fill material into a watercourse or wetland:

Cubic yards of material:	Approximately 268 CY of fill will be removed from a 20 ft. length of road crossing the ephemeral channel to create a trapezoidal swale. Riprap (2 CY) will be placed in the swale bottom.
Acreage or square footage of waters of the United States affected by the project:	
Source and type of fill material:	
Length of stream that will be impacted below ordinary high water elevation:	

Alternatives (other ways to accomplish project purpose): The purpose of the project is to direct flow across the road back into the existing ephemeral channel. Without this repair, high flows will create a path down the road.	
Describe any proposed mitigation to offset impacts to the stream channel. Silt fence and straw bales will control sediment during construction. The disturbed area will be seeded with the attached seed mix.	
Cultural resource impacts: Are you aware of any cultural resources or any historic properties that will be impacted by the proposed project? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain: Has a cultural resource survey been conducted on the property where the proposed project is to occur? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please briefly explain the survey results: Yes. "Intensive Archaeological Surface Evaluations in the Proposed Whiskey Creek Canyon-Pleasant Valley Project in Carbon County, Utah." . F.R. Hauck, and D.G. Weder . 1980. IN Appendix 411.140. White Oak Mining and Reclamation Plan, C/007/0001. The survey found no historic sites at the location of the present day culvert and fill. The mining and reclamation permit received SHPO clearance at the time of permitting.	
List other authorizations required by Federal, state, or local governments (i.e.: National Flood Insurance Program), and the status of those authorizations.	
Estimated starting date of project: mid-October 2015	Estimated completion date: November 2015

Please complete the following checklist

Failure to indicate that all pertinent information has been submitted will result in your application being returned.

- Appropriate application processing fee payment (see fee schedule below).
- A clear site location map with enough detail to easily find the site, a recent aerial/satellite image of the site, and a USGS topography map (7.5 minute quadrangle map is recommended).
- Plan view and cross-sectional drawings showing all work requiring a permit, including fills, structures, borrow sites, staging areas and storage areas. The drawings must clearly demarcate the ordinary high water mark of the waters of the U.S. to be impacted. Professional drawings are not required; however, drawings must be scaled or indicate dimensions of the work to be completed.
- A restoration plan for any areas temporarily disturbed during work, including re-contouring, revegetation with appropriate native plants and maintenance and monitoring to ensure success for the restored area.
- Ground photographs taken from various locations of the proposed disturbance area.
- Please check the box if the proposed project involves bank stabilization or protection. If so, please complete the following:
 - A narrative demonstrating the proposed activity incorporates the least damaging bank protection methods. These methods include, but are not limited to, the use of bioengineering, biotechnical design, root wads, large woody debris, native plantings, and beach nourishment in certain circumstances. If rock must be used due to site erosion conditions, explain how the bank stabilization structure incorporates elements beneficial to aquatic organisms.

- A description of current and expected post-activity sediment movement and deposition patterns in and near the activity area.
- A description of current and expected post-activity habitat conditions, including the presence of fish, wildlife and plant species in the activity area.
- An assessment of the likely impact the work would have on upstream, downstream and cross-stream properties (at a minimum the area assessed should extend from the nearest upstream bend to the nearest downstream bend of the watercourse). Specifically, discuss how the project will impact the following:
 - Will the activity accelerate deposition or erosion?
 - Will impacts to sensitive species or habitats result from a change in suspended sediment load or turbidity?
 - Will the activity affect the diversity of the channel by eliminating in-stream habitat, meanders, or gravel bars?
 - Will the activity result in a shift in the main flow patterns?
- A planting plan which involves the use of native riparian plants, unless the applicant demonstrates it is not appropriate or not practicable.

Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief, such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or am acting as the duly authorized agent of the applicant which is a (check one of the following) commercial , non-commercial , or governmental entity.

Signature of Applicant *Priscilla Burton* Date: *8/20/15*

I hereby certify that *Priscilla Burton* is acting as my agent on this project.

Agent's address and telephone number: *Price, DNR 319 N. Carbonville Rd., Price, UT 845*

Filing Instructions

Application supplements should be submitted on paper no larger than 11 x 17 inches or alternatively as PDF format electronic files. If more than one watercourse is to be altered as a result of the project, a separate application must be submitted for each watercourse. Application fees must be received by the Division of Water Rights at the time of application submission and must be either hand delivered or submitted through standard mail. Checks should be made out to the Utah Division of Water Rights.

Application Processing Fees

Application fees are based on the type of entity applying for the proposed stream alteration project.

Commercial Entities:	\$2000.00	per application processed.
Non-Commercial Entities:	\$100.00	per application processed.
Governmental Entities:	\$500.00	per application processed.

5/31/2013

HWY 264 and Eccles Creek

Hwy 96 and Mud Creek

Work Location

Whiskey Canyon

Reclaimed White Oak Mine

Image USDA Farm Service Agency

31/19/11

1997

Imagery Date: 9/14/2011

39°40'34.53" N 111°10'43.93" W elev : 8603 ft

GOO



Whiskey Creek Stream Alteration Permit Application
August 20, 2014

Photo 1. Location of Work. Buried culvert will be replaced with a swale where Whiskey Creek crosses a logging road.



Photo 2 . Whiskey Creek upstream



Photo 3 Whiskey Creek channel downstream of work, adjacent to road.



Photo 4. Whiskey Creek channel near its confluence with Eccles Creek.



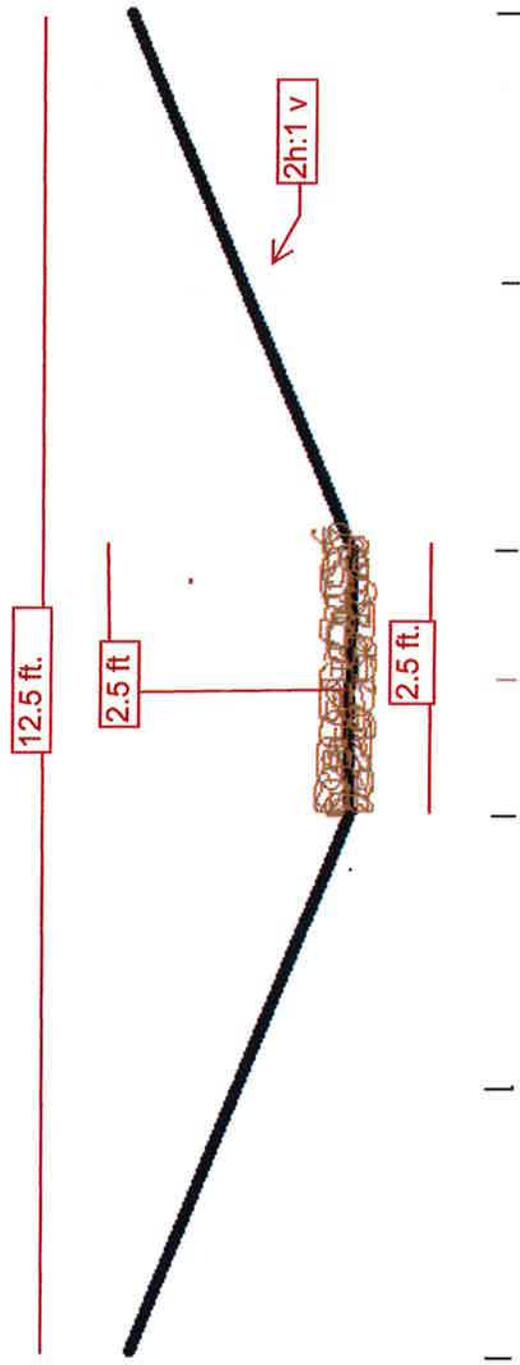
Photo 5. Whiskey Creek channel near the confluence with Eccles Creek.



Photo 6. Sediment enters Eccles Creek at its confluence with Whiskey Creek (an ephemeral creek), May 2009.



Proposed Swale Design



Rec. by	_____
Fee Rec.	_____
Receipt #	_____

JOINT PERMIT APPLICATION FORM

U.S ARMY CORPS OF ENGINEERS – FOR SECTIONS 404 AND 10

UTAH STATE ENGINEER’S OFFICE – FOR NATURAL STREAM CHANNELS

Application Number _____ / _____
 (assigned by): _____ Corps _____ State Engineer

Applicant’s Name (Last, First M.I. or entity if not an individual)	Authorized Applicant Representative (if any)	Applicant’s Telephone Number and Area Code 801-538-5340
Division of Oil, Gas & Mining - Coal Program	Dana Dean, Associate Director Mining	Representative’s Telephone Number and Area Code 801-538-5320

Applicant’s Address (Street, RFD, Box, Number, City, State, Zip)
**1594 West North Temple, Ste 1210
 Salt Lake City UT 84114-5801**

PROJECT LOCATION

Quarter Section(s)	Section	Township	Range	Base & Meridian
NW1/4	19	T13S	R7E	Salt Lake
County	Associated Watercourse or Watercourse to be Altered		Check one: <input type="checkbox"/> Within City Limits <input checked="" type="checkbox"/> Outside City Limits List town or nearest town:	
Carbon	Eccles Creek		Scotfield	

Project location or address:
Adjacent to State Route 264, two miles west of the intersection of SR 264 and SR 96.

Brief description of project including methods and equipment to be employed to complete the work:
 The project will remove 4,000 CY of fill and a 48 inch culvert (220 ft. long) from Eccles Creek (Figure 1). A cross section showing the location of the fill in relation to the existing 48 inch culvert is attached. Cross sections of stream channel locations (shown on Figure 2) illustrate Eccles Creek in its undisturbed condition. (Photos of the cross section locations are attached.) The undisturbed channel averages six feet wide and 1.5 ft. deep. The ordinary high water mark was identified from the bank structure and the riparian vegetation (Figure 2). Approximately 4,000 cu yds of fill will be removed from the channel to re-expose the 48 inch culvert. The fill will be placed in the road cut at an elevation 50 - 150 feet above the creek. The 48 inch culvert located below the pad, within Eccles Creek, will be removed. The creek will be re-established along a 220 ft. length of creek as shown on the attached figures. The stream will be captured in a pipe during construction. Silt fence and straw bales will treat water leaving the work area during construction.

Purpose (justification) of project:
 The White oak mine was reclaimed in 2004 and stabilized in 2010. The mile long asphalt road From Eccles Creek to the White Oak mine was reclaimed in 2014. There is no longer a need for access across Eccles Creek. The Mining and Reclamation Plan outlines removal of the pad pending UDOT’s agreement. Jim Chandler, R- 4 East Area Engineer, requested the pad be removed (email dated 1/27/2014). The UDWR has agreed to provide funding for restoration of habitat to encourage fish passage upstream.

Is this a single and complete project or is part of a larger project, continuing project, or other related activities? If so, please describe the larger project or other related activities.
This action is part the White Oak Mine reclamation, Utah Coal Mining permit C/007/0001 which included stabilization of Whiskey Creek under stream alteration permit #09-91-18SA.

If project included the discharge of dredged or fill material into a watercourse or wetland:

Cubic yards of material:	Approximately 4,000 CY of fill will be removed from a 220 ft. length of stream channel. Gravel filter rock (106 CY) will be placed in the channel bottom, to the level of the ordinary high water mark. Riprap (212 CY) with D50 of 18 inches will be placed in the channel.
Acreage or square footage of waters of the United States affected by the project:	
Source and type of fill material:	
Length of stream that will be impacted below ordinary high water elevation:	

Alternatives (other ways to accomplish project purpose):

The purpose of the project is to re-establish the stream channel and provide habitat. There is no other way to achieve this purpose, than to remove the pad and culvert.

Describe any proposed mitigation to offset impacts to the stream channel.

Construction will occur after September 1 to avoid spawning fish. During construction sediment control will be placed around the perimeter of the work area to prevent sediments from entering Eccles Creek. Eccles Creek will be contained in a 36 inch culvert during channel reconstruction.

The disturbed side slopes will be stabilized with mulch incorporated with surface roughening and seeded with native seed (mix attached). Willow cuttings, Juncus, and Carex seedlings will be planted at the ordinary high water mark.

There are no critical habitats within the project area. (Section 7 consultation attached).

Cultural resource impacts:

Are you aware of any cultural resources or any historic properties that will be impacted by the proposed project? Yes No

If Yes, please explain:

Has a cultural resource survey been conducted on the property where the proposed project is to occur? Yes No

If Yes, please briefly explain the survey results:

Yes. "Intensive Archaeological Surface Evaluations in the Proposed Whiskey Creek Canyon-Pleasant Valley Project in Carbon County, Utah." . F.R. Hauck, and D.G. Weder . 1980. IN Appendix 411.140. White Oak Mining and Reclamation Plan, C/007/0001.

The survey found no historic sites at the location of the present day culvert and fill. The mining and reclamation permit received SHPO clearance at the time of permitting.

List other authorizations required by Federal, state, or local governments (i.e.: National Flood Insurance Program), and the status of those authorizations.

Highway ROW Encroachment Permit application will be filed with UDOT.

Questar blue stakes will be called to mark JTL83 gas line that runs in the SR 264 ROW.

(The Centra Com telecommunications line is not near the fill. It runs on the north side of SR 264.)

Estimated starting date of project:

mid-September 2015

Estimated completion date:

mid-October 2015

Please complete the following checklist

Failure to indicate that all pertinent information has been submitted will result in your application being returned.

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Signature of Applicant *John Christian and Dana Deen* Date: *8/20/15*

I hereby certify that *Priscilla Burston* is acting as my agent on this project.

Agent's address and telephone number: *Price Dept of Natural Resources, 319 N. Carbonville Rd. Suite C*
Price, UT 84501

Filing Instructions

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Application Processing Fees

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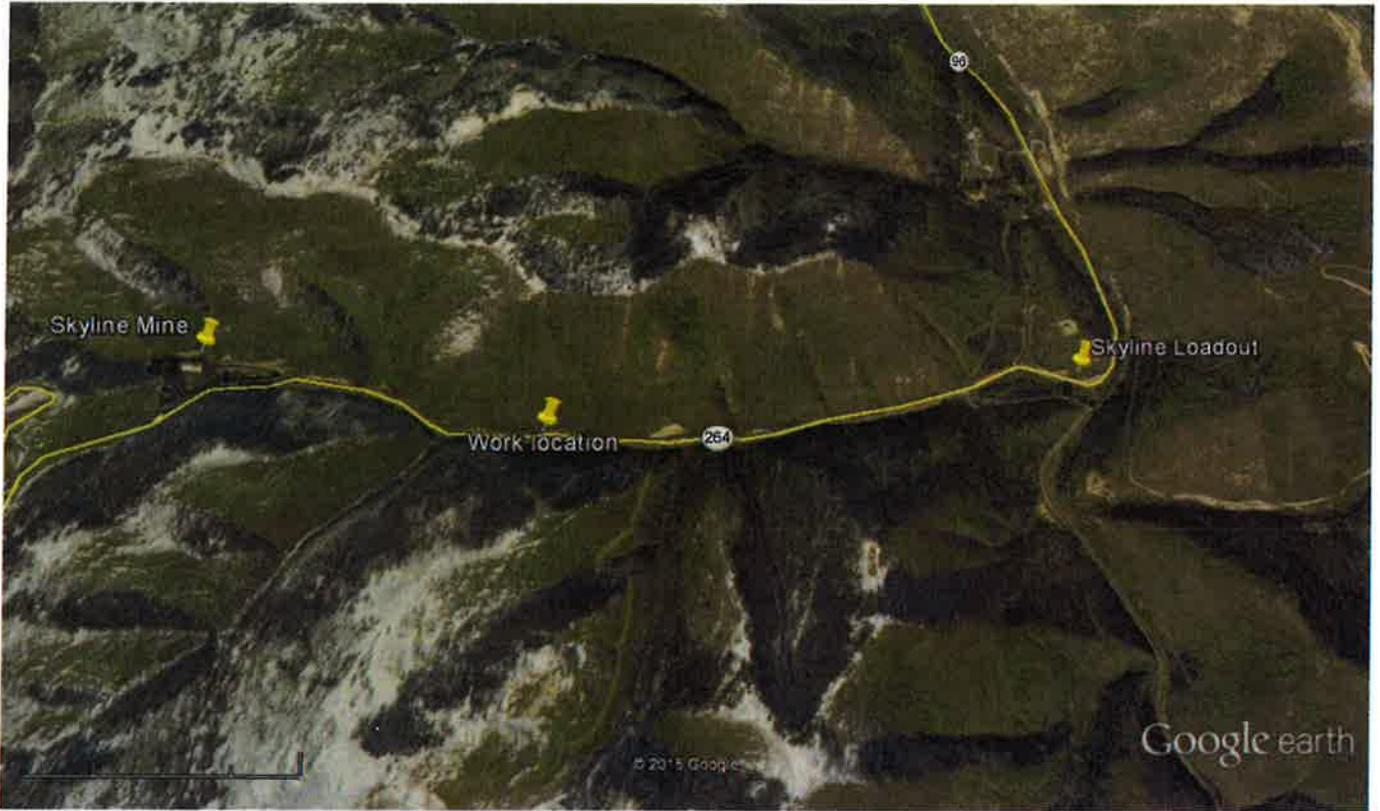
Commercial Entities:	\$2000.00	per application processed.
Non-Commercial Entities:	\$100.00	per application processed.
Governmental Entities:	\$500.00	per application processed.

USA Topo Maps

This map service presents detailed USGS topographic maps for the United States at multiple scales.

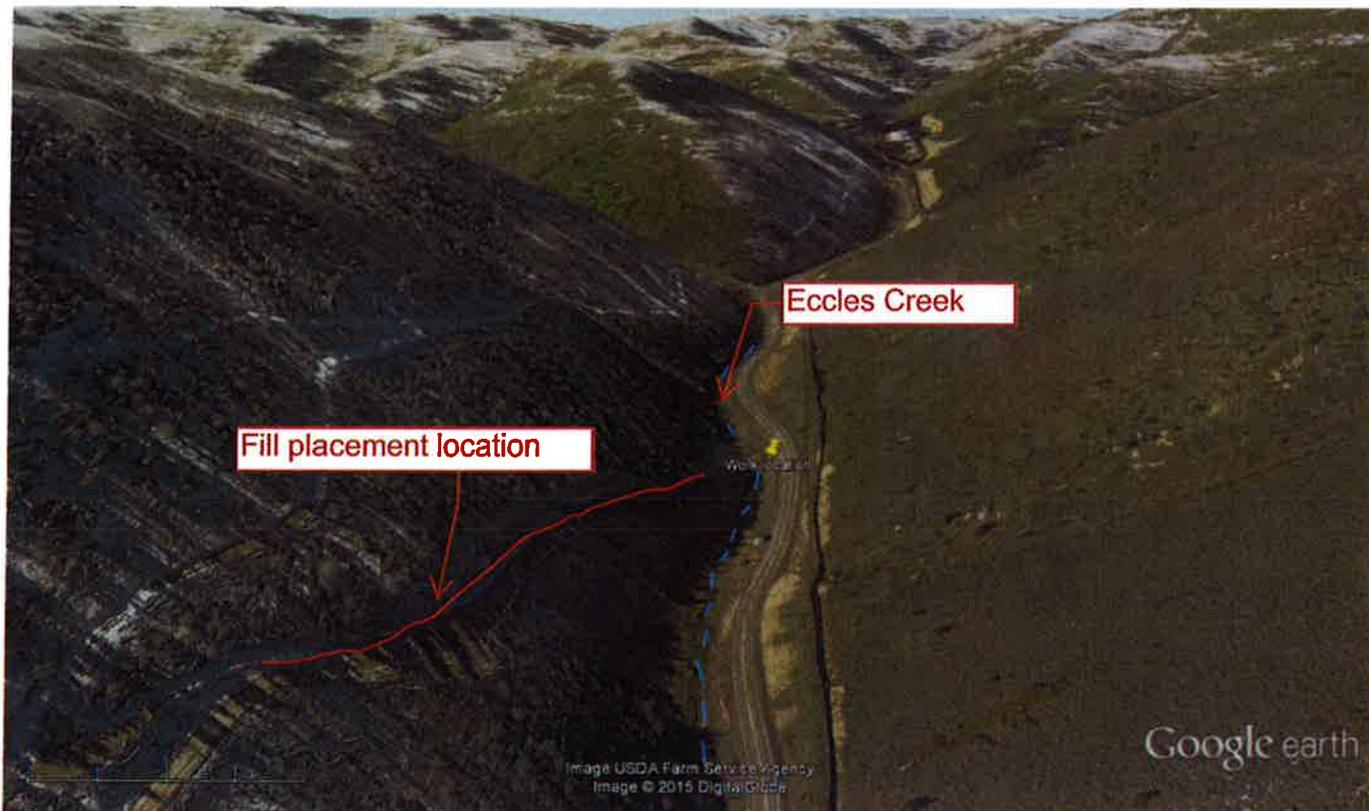


Copyright:© 2013 National Geographic Society, i-cubed



Google earth





Google earth

feet
meters





83 41.5 0 83 Feet

NOTES

1. UGS SUPPLIED GPS DATA FROM SURVEY CONDUCTED 7/29/15

REFERENCE

ELEVATIONS SURVEYED OFF BENCHMARK PLACES AT 8346.9 FT +/- 0.2 FT
 PROJECTION: NAVD 88 (NORTH AMERICAN VERTICAL DATUM)
 COMPUTED USING GEIOD12B (BEN GRIMES, 7/31/15)
 BAGRIMES SURVEYING & ENVIRONMENTAL SERVICES, LLC

Legend

..... Eccles Creek

← Culvert

UDOT Roads

— 5 - Major Collector

Extent of Project Disturbance

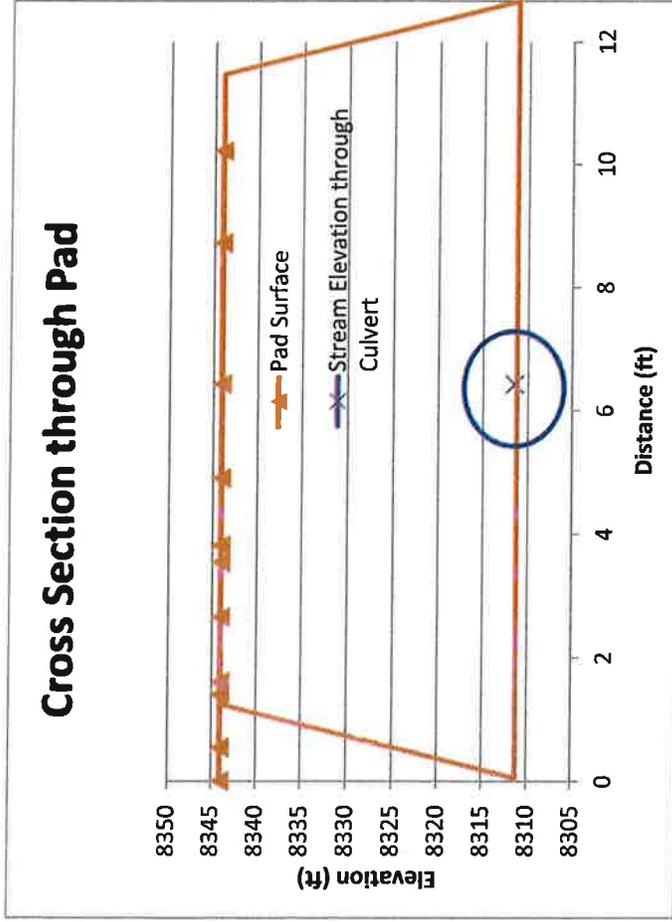
Fill Removal Area

Fill Placement Area

Project Area
 Utah Counties

PROJECT	ECCLES CREEK PROJECT		
EXISTING CONDITIONS AND PROJECT AREA			
PROJECT	WHITE OAK		
PROJECT	C/007/001		
TITLE	PAD REMOVAL		
TASK	#4793		
DATE	2015-04-07		
PREPARED BY	CHERYL PARKER		
DESIGNED BY	CHERYL PARKER		
REVIEWED BY	PRISCILLA BURTON		
APPROVED BY	###		
DATE	C/007/001		
PROJECT	Task 4793		
SUBJECT	White Oak Mine		
FIGURE	1		

Eccles Creek Cross Sections Existing



Access pad fill area to be removed
~4,000 CY of fill to be removed

Existing 48" Culvert 220 ft long

HWY 264



30 15 0 30 Feet



NOTES

- 1. UGS SUPPLIED GPS DATA FROM SURVEY CONDUCTED 7/29/15 FOR OHWM
- 2. SEE DETAILS FOR TYPICAL DROP STRUCTURE PLAN &

REFERENCE

ELEVATIONS SURVEYED OFF BENCHMARK PLACES AT 8346.9 FT
 +/- 0.2 FT
 PROJECTION: NAVD 88 (NORTH AMERICAN VERTICAL DATUM)
 COMPUTED USING GEIOD128 (BEN GRIMES 7/31/15)
 BAGRIMES SURVEYING & ENVIRONMENTAL SERVICES, LLC

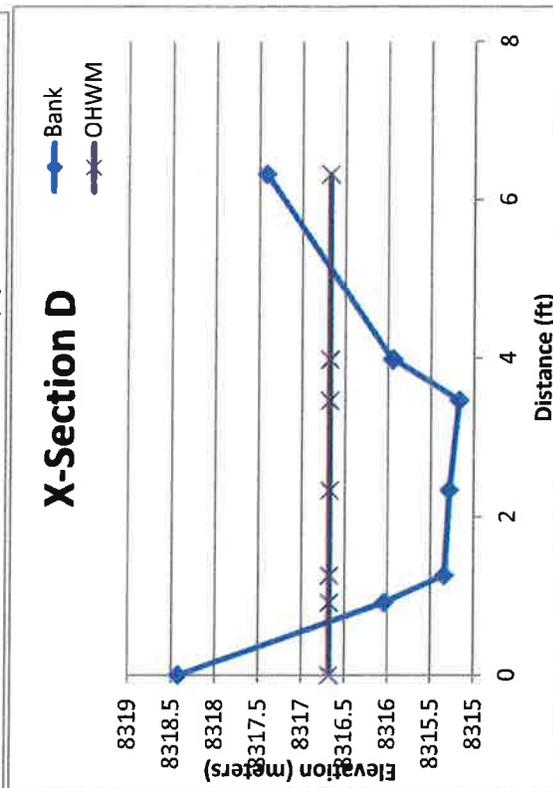
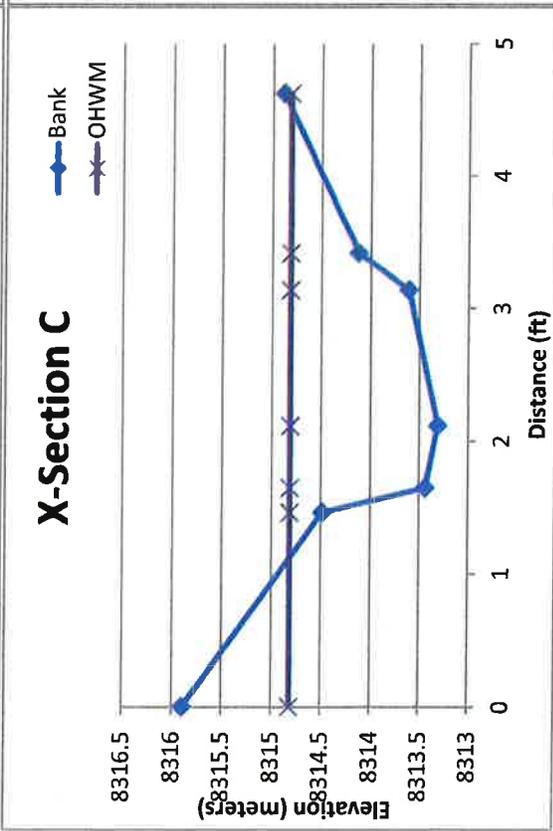
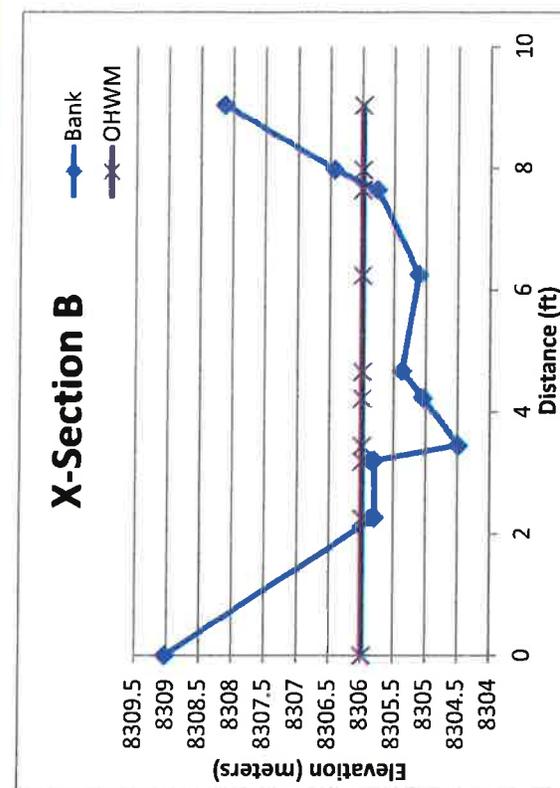
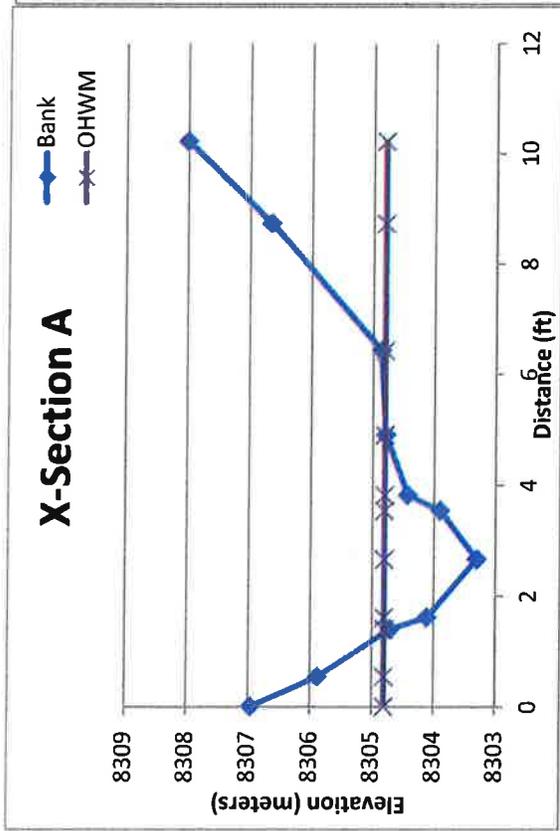
Legend

- Stream Bed Reconstruction Area
- Proposed Step Pool Structures
- Proposed OHWM
- Proposed Eccles Creek Stream
- Cross Sections
- Project Area
- Utah Counties
- OHWM
- Wetlands
- UDOT Roads
- 5 - Major Collector



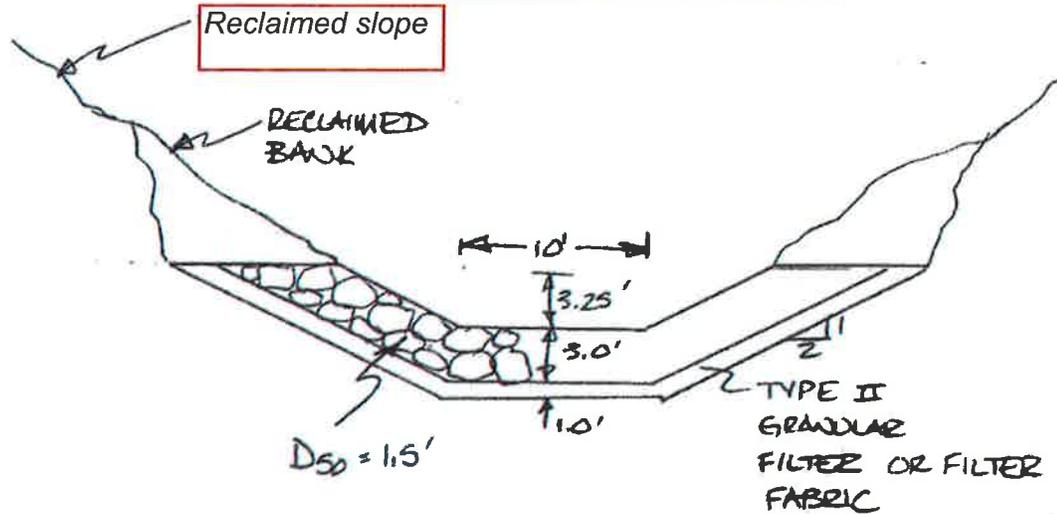
CLIENT	ECCLES CREEK PROJECT
PROJECT	PROPOSED RECONSTRUCTION
DATE	7/29/15
BY	WHITE OAK
NO.	C/007/001
DATE	7/29/15
BY	PN
NO.	REMOVAL
DATE	TASK #4793
DATE	2015-04-07
BY	CHERYL PARKER
NO.	CHERYL PARKER
DATE	7/29/15
BY	PRISCILLA BURTON
NO.	###
DATE	7/29/15
BY	White Oak Mine
NO.	C/007/001
DATE	2

Eccles Creek Cross Sections Undisturbed



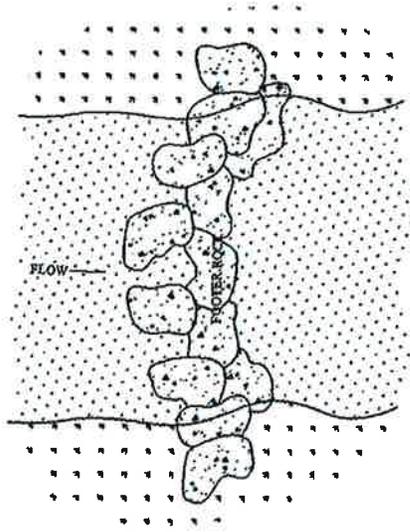
TYPICAL SECTION

**Proposed
Cross Section E-E'**

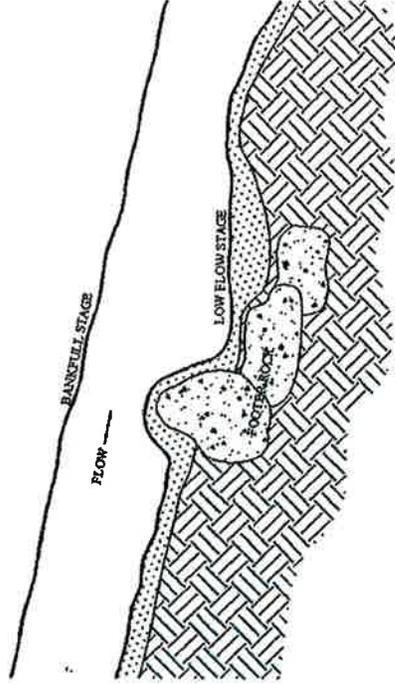


- NOTES:
- SIDES TO MATCH EXISTING EMBANKMENTS
 - MEANDER CHANNEL TO MATCH NATURAL STREAM
 - SHORT BENDS WILL REQUIRE CHECK OF DEPTH TO ACCOUNT FOR WAVE RUNUP.

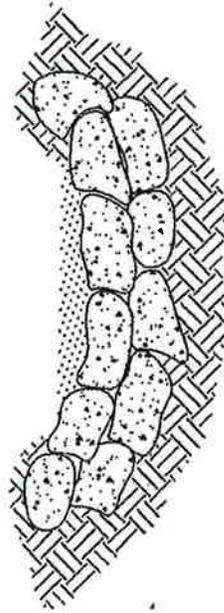
PLAN VIEW



PROFILE VIEW



CROSS SECTION VIEW



LEGEND:

Proposed Drop
Structure design

Temporary Bypass Culvert Calculations

Culvert Analysis Spreadsheet

Ver 5/2012

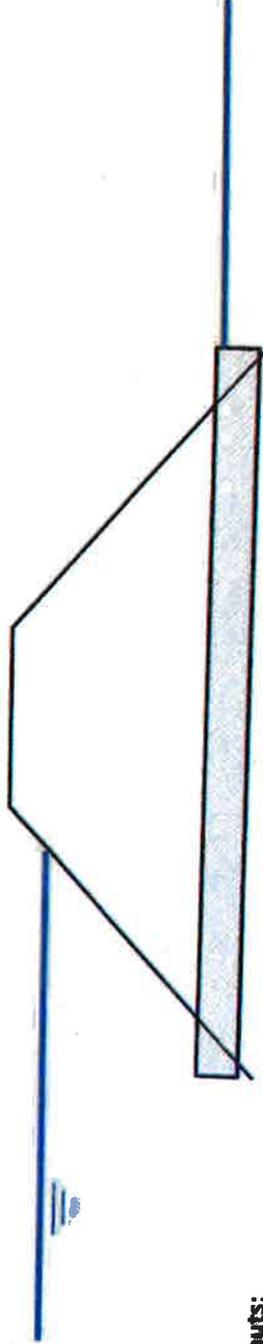
Client:
Design By:
Comments:

White Oak
KS

Designed By:
Culvert sizing calculation for temporary bypass of Eccles Creek

Date:
Date:

Jun-15



Inputs:

Headwater (Upstream Water Surface) Elevation:
Culvert Inlet Invert Elevation:
Culvert Diameter:
Length of Culvert:
Culvert Outlet Invert Elevation:
Tailwater (Downstream) Elevation:

102.40	Feet
100.00	Feet
36.00	Inches
225.00	Feet
75.00	Feet
77.40	Feet

Select Culvert Material:
Select Culvert Inlet Type:

Corrugated_PE
Headwall - Square Edge

Outputs:

CAPACITY = 28.5 cfs INLET CONTROLS (Unsubmerged Equation)

Manning's n value: 0.024
Entrance Coefficient, Ke: 0.5

Corrugated_PE
Headwall - Square Edge

**Eccles Creek Stream Alteration Permit Application
Cross Section location photos**

Section A-A'



Cross section B-B'



Cross Section C-C' (person is at the location)



Cross Section D-D' (log is location)





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Utah Ecological Services Field Office
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UT 84119
PHONE: (801)975-3330 FAX: (801)975-3331
URL: www.fws.gov; www.fws.gov/utahfieldoffice/

Consultation Code: 06E23000-2015-SLI-0263

August 19, 2015

Event Code: 06E23000-2015-E-00887

Project Name: White Oak Pad Removal

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: White Oak Pad Removal

Official Species List

Provided by:

Utah Ecological Services Field Office
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UT 84119
(801) 975-3330
<http://www.fws.gov>
<http://www.fws.gov/utahfieldoffice/>

Consultation Code: 06E23000-2015-SLI-0263

Event Code: 06E23000-2015-E-00887

Project Type: LAND - RESTORATION / ENHANCEMENT

Project Name: White Oak Pad Removal

Project Description: Removal of old mine pad and culvert in stream to restore habitat and landscape to premining condition.

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: White Oak Pad Removal

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-111.18794918060303 39.68209023231117, -111.18605017662048 39.68237096645959, -111.1851704120636 39.68229665459018, -111.18440866470337 39.6821645444027, -111.18582487106322 39.68183426782825, -111.18794918060303 39.68209023231117)))

Project Counties: Carbon, UT



United States Department of Interior
Fish and Wildlife Service

Project name: White Oak Pad Removal

Endangered Species Act Species List

There are a total of 7 threatened, endangered, or candidate species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Greater sage-grouse (<i>Centrocercus urophasianus</i>) Population: entire	Candidate		
Mexican Spotted owl (<i>Strix occidentalis lucida</i>) Population: Entire	Threatened	Final designated	
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>) Population: Western U.S. DPS	Threatened	Proposed	
Fishes			
Bonytail chub (<i>Gila elegans</i>) Population: Entire	Endangered	Final designated	
Colorado pikeminnow (<i>Ptychocheilus lucius</i>) Population: Entire, except EXPN	Endangered	Final designated	
Humpback chub (<i>Gila cypha</i>) Population: Entire	Endangered	Final designated	
Razorback sucker (<i>Xyrauchen</i>)	Endangered	Final designated	



United States Department of Interior
Fish and Wildlife Service

Project name: White Oak Pad Removal

<i>texanus</i> Population: Entire			
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United States Department of Interior
Fish and Wildlife Service

Project name: White Oak Pad Removal

Critical habitats that lie within your project area

There are no critical habitats within your project area.



Priscilla Burton <priscillaburton@utah.gov>

DOGM White Oak Pad Removal and Restoration Project C/007/0001- Wildlife Consultation

4 messages

Lisa Reinhart <lreinhart@utah.gov>

Wed, Aug 19, 2015 at 11:27 AM

To: Makeda Hanson <makedatrujillo@utah.gov>

Cc: Priscilla Burton <priscillaburton@utah.gov>, Suzanne Steab <suzannesteab@utah.gov>

Hi Makeda,

As you know, DOGM is planning to do a restoration project on the abandoned White Oak Mine. The site is less than an acre in size and located in the NW/4 of Section 19, T 13 S, R 7 E adjacent to State Route 264, two miles west of the intersection of SR 264 and SR 96. There is no longer a need for access across Eccles Creek to the old mine and the removal of the pad and culvert in Eccles Creek is to be accomplished in the project. As a result of the project, the creek will be restored and should improve habitat for fisheries and wildlife.

There are 7 threatened, endangered or candidate species that are listed to occur in the area. Greater sage-grouse, Mexican Spotted owl, and Yellow-Billed Cuckoo are birds that have been evaluated. We have eliminated impacts to Sage-grouse and Spotted owl simply because habitat does not exist at this site to support these species. Although it's possible Yellow-Billed Cuckoo could use the area for breeding and nesting, construction will occur in the fall and therefore, the cuckoo will have migrated on by that time and no impact is anticipated.

There are 4 fish on the list that I would like to verify "no impact" with Utah Division of Wildlife on. They are, Bonytail chub, Colorado pikeminnow, Humpback chub, and Razorback sucker. As we discussed on the phone, will you please verify these fish are not located in this section of Eccles Creek that will be temporarily impacted.

Also- if there are any other fish or wildlife species that we should be aware of protecting during this project, please let me know.

For your reference, I have attached the Section 7 letter and species report in which all species are evaluated. A map of the location is included in the report.

Thanks for your assistance,

Lisa Reinhart
Environmental Scientist
Utah Coal Program
Division of Oil, Gas, and Mining
(801) 538-5437, (801) 359-3940 (Fax)

Web site: <http://ogm.utah.gov>

2 attachments

Section7ConsultationLetter.pdf
77K

Section7Report.pdf
474K

Priscilla Burton <priscillaburton@utah.gov>

Wed, Aug 19, 2015 at 11:32 AM

To: Lisa Reinhart <lreinhart@utah.gov>, Justin Hart - Utah Wildlife Resource <justinhart@utah.gov>

Cc: Makeda Hanson <makedatrujillo@utah.gov>, Suzanne Steab <suzannesteab@utah.gov>

Maked,

This is a project that Justin Hart and I have been discussing for several months. If you have questions please discuss with Justin.

Priscilla

Priscilla Burton, MS, CPSSc
Environmental Scientist III
Utah Division of Oil, Gas & Mining
Price Field Office
phone: 435-613-3733

[Quoted text hidden]

Makeda Hanson <makedatrujillo@utah.gov>

Thu, Aug 20, 2015 at 9:57 AM

To: Lisa Reinhart <lreinhart@utah.gov>

Cc: Priscilla Burton <priscillaburton@utah.gov>, Justin Hart <justinhart@utah.gov>, Suzanne Steab <suzannesteab@utah.gov>

Hi Lisa,

DOGM has worked very closely with the Division of Wildlife Resources on this project and Priscilla Burton has been coordinating with our fisheries manager throughout the planning process. To protect spawning trout species we have requested that work does not begin until the fall. The four T&E fish species that you mentioned in your email do not inhabit waters anywhere near this creek and they will not be affected by this project. Our terrestrial sensitive species biologist has also had an opportunity to review this project and he provided no comments.

Thank you for coordinating and keeping me involved in the process.

Makeda Trujillo Hanson
Impact Analysis Biologist
Utah Division of Wildlife Resources
319 N. Carbonville Rd. Suite A
Price, UT 84501
Cell: 435-630-0805
Fax: 435-613-3704

On Wed, Aug 19, 2015 at 11:27 AM, Lisa Reinhart <lreinhart@utah.gov> wrote:

[Quoted text hidden]

Priscilla Burton <priscillaburton@utah.gov>

Thu, Aug 20, 2015 at 12:43 PM

To: OGMCOAL DNR <ogmcoal@utah.gov>

[Quoted text hidden]