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Governor



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NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

1588 West North Temple  
Salt Lake City, Utah 84116  
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CLEON B. FEIGHT  
*Director*

November 14, 1979

Mr. Don Crane  
Office of Surface Mining  
Denver Regional Office  
Room 270, Post Office Bldg.  
1823 Stout Street  
Denver, Colorado 80202

Re: Eureka Energy Company  
Proposed Sage Point  
Dugout Canyon Mine  
PRO/007/009

Dear Don:

Please find attached, a letter from Eureka Energy Company dated November 13, 1979 which describes the access road situation that exists for the above-mentioned mine.

The Division will keep you informed on the status and progress of the road construction.

Sincerely,

RONALD W. DANIELS  
COORDINATOR OF MINED  
LAND DEVELOPMENT

RWD/sp

enc: Letter dated 11-13-79  
cc: Bruce Benzler

# EUREKA ENERGY COMPANY

A SUBSIDIARY OF PACIFIC GAS AND ELECTRIC COMPANY

1010 KEARNS BUILDING • 136 SOUTH MAIN STREET • SALT LAKE CITY, UTAH 84101 • (801) 359-3811

November 13, 1979



Ron W. Daniels, Coordinator  
Division of Oil, Gas & Mining  
State of Utah  
1588 West North Temple  
Salt Lake City, Utah 84116

RE: Eureka Energy Company

Dear Mr. Daniels:

Pursuant to the Cooperative Agreement between the State of Utah and the United States Department of the Interior, Eureka Energy Company has contacted the Division of Oil, Gas and Mining concerning its intention to proceed with an underground mining and reclamation permit application for the "Sage Point-Dugout Canyon" project in Carbon County, Utah. In a letter to you dated August 21, 1979, a map was submitted designating a preliminary proposed mine plan area, permit area, and adjacent area.

In the explanation to the map, it was stated that an existing jeep trail extending from the Dugout Canyon County road to the Fish Creek Canyon Portal would likely be improved and maintained under the auspices of Carbon County.

Eureka Energy Company has entered into an agreement with Carbon County and filed an application with the Utah Department of Transportation whereby the Fish Creek Canyon Road will be improved by Carbon County with prepaid sales and use tax funds provided by Eureka Energy Company in accordance with Chapter 51, Title 63, Utah Code Annotated. The agreement also contemplates improvement by the county of the entire length of the existing Dugout Canyon County road which extends to State Collector Route 381. Both the Fish Creek Canyon road (approximately 3.95 miles in length) and the Dugout Canyon County road (approximately 8.68 miles in length) will become part of the State County Collector Road System.

The proposal that funding for this project be provided by Eureka through the prepayment of sales and use taxes is subject to approval of the Department of Transportation; submission of the item by the Governor as part of his proposed budget to the Legislature; and approval by the Legislature in the 1980 Budget Session. If all of such steps are taken, then construction could begin as early as Spring of 1980.

Road construction specifications will be consistent with the usual standards for the contemplated use and with Bureau of Land Management right of way requirements. Since the Fish Creek Canyon road will be a county road designated for public use and the Dugout Canyon road is already part of the Carbon County road system, we assume that the road improvements will be outside the scope of the mining and reclamation permit to be obtained through your office.

We will keep you posted on our progress. If additional information is needed concerning the nature of the project or the procedures being followed, please advise.

Very truly yours,



P. Bruce Benzler

PBB:mt

cc: D. Oglesby  
C. Parr



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E. STEELE McINTYRE

November 9, 1979

Mr. Bruce Benzler  
Administrative Engineer  
Eureka Energy Company  
215 Market Street  
San Francisco, California 94106

RE: Wildlife Resources  
Information Consultation  
Pursuant to MC 783.20  
PRO/007/009

Dear Mr. Benzler:

The Division has completed the consultation process for the level of detail which will be required for fish, wildlife and habitat information to be included in Eureka's mining and reclamation plan. The enclosed guidelines for required information were compiled from comments from various agencies having jurisdiction over fish and wildlife or their habitats on the proposed mine plan area.

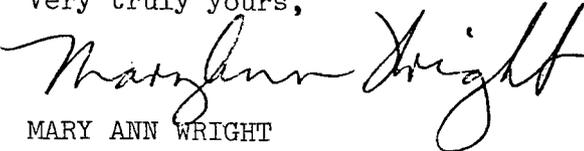
As I'm sure you are aware, the same agencies consulted for these guidelines will also review the mine plan for the adequacy of the fish and wildlife plan. The second consultation, pursuant to 786.17(a)(2), must be based on the results of this first consultation. The Division, however, will make the final determination on the plan adequacy.

The Division wishes to make clear that the enclosed guidelines supersede any guidelines received from agencies other than the regulatory authority (Division of Oil, Gas and Mining) and that these guidelines are the final document concerning this matter.

Mr. Bruce Benzler  
November 9, 1979  
Page Two

The Division plans to continue close contact with Eureka as mitigation and reclamation plans develop. Please contact me if you have any questions concerning these matters.

Very truly yours,



MARY ANN WRIGHT  
RECLAMATION BIOLOGIST

Enclosure: Fish and Wildlife and  
Habitat Guidelines

cc: Office of Surface Mining  
U.S. Fish & Wildlife Service  
Bureau of Land Management  
Utah Division of Wildlife Resources  
Paul Anderson, Pacific Gas & Electric

MAW/te

GUIDELINES FOR EUREKA ENERGY COMPANY'S  
SAGE POINT - DUGOUT MINE  
for Proposed Studies of Fish and Wildlife  
and their habitats  
Pursuant to MC 783.20  
\* \* \* \* \*

AQUATIC STUDIES

For the perennial streams or the streams with a biological community which flow through the mine plan area and which will be directly impacted by mining activities (ie., culverted or diverted) studies which will provide for the restoration of the original stream channel, as per part MC 817.57(a) (1) and (2), must be conducted.

Such studies should include, in addition to the information required under MC 783.16, the velocity, gradient, sinuosity, depth, width, pool-riffle ratio, substrate types, aquatic vegetation, streambank vegetation, seasonal temperature and dissolved O<sub>2</sub>.

TERRESTRIAL STUDIES

1. Non-game Vertebrates

For reptiles and amphibians and for most birds and most mammals, no field studies are required. The permit application should, however, include an accounting of the vertebrate species which inhabit the mine plan area. This accounting should be done by habitat type.

Screening by a qualified biologist of existing lists of vertebrate species found in the area should produce this needed information.

2. Raptors and Other Migratory Birds of High Federal Interest

An intensive raptor survey should be conducted in the areas of proposed surface disturbance to determine the presence of any raptor nests or winter concentration areas for bald eagles. The survey should extend to include a one-half mile zone surrounding any planned facilities.

Breeding surveys for raptors should be conducted from February through June while Bald Eagle wintering studies should be conducted between December and February. The Bureau of Land Management and the Division of Wildlife Resources already possess some information concerning raptor use of the area.

Only two of the non-raptor species of High Federal Interest (related to Unsuitability Criterion 14 of 43 CFR), the Black Swift Cypseloides niger and the Western Bluebird Sialia mexicana, would be likely to be found breeding in the area and habitat types which may be impacted by proposed surface disturbance. Black Swifts nest in colonies in cliffs and Western Bluebirds generally nest in old trees of open woodlands and pasturelands. The presence or absence of these two species should be determined if mining activities will impact these habitats on the mine plan area.

### 3. Big Game

Due to the proposed nature and position of the major part of the surface facilities and conveyor belt, it is required that a study be conducted in relation to the deer winter use in the mine plan area. The study should 1. identify patterns and corridors of deer movement, 2. identify preferred gathering places, and 3. monitor the intensity of use of any corridors and gathering places.

In order for the information gained in this study to aid in the proper placement of structures, so as not to impede deer movement, this study should be conducted for two years prior to conveyor belt construction.

### 4. Endangered Species

The possibility of occurrence of the black footed ferret on the mine plan area must be addressed. Therefore, it is recommended that any prairie dog colonies be mapped which occur at the site of, or adjacent to, proposed surface disturbance. The months of May and June are best to assess the viability of a prairie dog colony. Should prairie dog colonies be found in areas to be impacted by the operations, Eureka Energy Company must contact the Division of Oil, Gas and Mining in order to secure a mandatory endangered species consultation with the U.S. Fish and Wildlife Service.

## HABITAT

The areas of habitat studies and mapping have been addressed through the guidelines for vegetation, hydrology, geology, and soils which the Division has discussed on previous occasions with Eureka Energy Company.

Dated November 13, 1979.

Guidelines compiled by;

Division of Oil, Gas and Mining  
Mary Ann Wright  
Reclamation Biologist