



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
P.O. Box 46667
Denver, Colorado 80201-6667

UT-0020

December 13, 2005

Mr. Henry Maddux - Field Supervisor
U.S. Fish & Wildlife Service
2369 West Orton Circle
West Valley City, Utah 84119

Jacobs
C/007/0013

RE: Formal section 7 Consultation, UtahAmerican Energy Company, "Lila Canyon" mine, Utah State Permit C/007/0013

Dear Mr. Maddux:

The Office of Surface Mining Reclamation and Enforcement (OSM) Western Region has been requested to formally consult with the U.S. Fish & Wildlife Service, regarding the above subject by the Utah Division of Oil, Gas, and Mining (UT-DOGM).

The proposed Lila Canyon mine is located in Carbon and Emery Counties, Utah approximately ten (10) miles north northeast of Woodside, Utah, on lands within all or part of;

Township 16 South, Range 14 East SL Meridian Utah

Section 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, and 26.

Township 16 South, Range 15 East SL Meridian Utah

Section 19, and 30.

The above-mentioned tracts of land are also shown on USGS 7.5 minute quadrangle maps of Cedar and Lila Point.

UtahAmerican Energy Company proposes to construct and operate the Lila Canyon underground mine adjacent to its inactive Horse Canyon underground mine. UtahAmerican Energy Company proposes to construct new mine facilities, i.e., portals, an offices/warehouse/bath house building, ventilation fan, parking lots, coal storage and transportation facilities, along with other necessary support facilities on approximately forty-one (41) acres in the SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15.

As a part of its permit application, UtahAmerican Energy Company estimates that mining and associated operations will result in an 80.81 ac/ft average annual depletion to the Price River in the upper Colorado River Basin at an average production rate of 4.5 million tons per year.

TAKE PRIDE[®]
IN AMERICA 

RECEIVED
DEC 16 2005

DIV. OF OIL, GAS & MINING

Colorado pikeminnow

The Colorado pikeminnow (*Ptychocheilus lucius*) is a torpedo-shaped fish with an olive-green and gold back, silver sides and white belly. The Colorado pikeminnow thrives in swift flowing muddy rivers with quiet, warm backwaters and are primarily piscivorous, but smaller individuals also eat insects and other invertebrates. These fish spawn between late June and early September and when they are 5 to 6 years old and at least 16 inches long. Spawning occurs over riffle areas with gravel or cobble substrate. The eggs are randomly splayed onto the bottom, and usually hatch in less than one week.

razorback sucker

The razorback sucker (*Xyrauchen texanus*) is brownish-green with a yellow to white-colored belly and has an abrupt, bony hump on its back shaped like an upside-down boat keel. Razorback suckers are found in deep, clear to turbid waters of large rivers and some reservoirs over mud, sand or gravel and like most suckers feeds on both plant and animal matter. Razorback suckers can spawn as early as age 3 or 4, when they are 14 or more inches long. Breeding males turn black up to the lateral line, with brilliant orange extending across the belly. Depending on water temperature, spawning can take place as early as November or as late as June. In the upper Colorado River basin, razorbacks typically spawn between mid-April and mid-June.

bonytail

The bonytail (*Gila elegans*) is a member of the minnow family and has large fins and a streamlined body that typically is very thin in front of the tail with a slight hump behind the head. They are gray or olive-colored back, silver sides and a white belly. The bonytail typically lives in large, fast-flowing waterways of the Colorado River system. Adults feed on terrestrial insects, zooplankton, algae and plant debris. Young feed mainly on aquatic insects. They are capable of spawning at 5 to 7 years of age. During breeding, males turn red-orange on the belly and paired fins. No reproducing populations are known in the wild.

humpback chub

The humpback chub (*Gila cypha*) is member of the minnow family that is olive-colored back, silver sides, a white belly, small eyes and a long snout that overhangs its jaw. The pronounced hump behind its head gives the humpback chub a striking, unusual appearance. The humpback prefers deep, fast-moving, turbid waters often associated with large boulders and steep cliffs feeding predominately on small aquatic insects, diatoms and filamentous algae. These fish spawn as young as 2-3 years and at lengths as small as 5 inches. Their spawning season is between March and July. During breeding, males develop red tinges on the venter and cheeks.

Determination of Effect

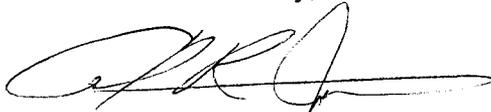
The U.S. Fish & Wildlife Service has previously determined that water depletions in the Upper Colorado River System are a major source of impact to the endangered fish species. Continued water withdrawals have restricted the ability of the Colorado River system to produce the flow conditions required by the various life stages of these fish.

OSM has determined that the effect of proposed Lila Canyon underground mine will result in an increased annual depletion of water from the Colorado River Basin that may effect the continued existence of the Colorado pikeminnow, humpback chub, bonytail, and razorback sucker. Therefore, OSM is requesting the initiation of formal section 7 consultation for the cumulative 80.81 ac/ft annual depletion resulting from the proposed Lila Canyon underground mine.

OSM understands that, should the estimated annual depletion change in the future, or if UtahAmerican Energy Company makes changes in the Lila Canyon permit application or mining operations, OSM will need to reinitiate consultation with your office.

If you have any questions regarding this biological assessment, please give me a call at (303) 844-1400, extension 1500.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. R. Johnston', with a long horizontal flourish extending to the right.

Carl R. Johnston
Natural Resource Specialist

cc: UT-DOGM