Beaver Creek Coal Company

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F/L
ACT/007/016, #2
#13

ACT/007/017 #2
#13

This does not relieve BCCC from maximizing reestablishment of riparian habitat at GC #3 & 6 though indeed they may only be able to reestablish 0.5 acres.

November 15, 1984

Copy to: Mary
Steve

Mr. William H. Geer
Acting Director
Utah Division of Wildlife Resources
1596 West North Temple
Salt Lake City, Utah 84116

RE: Certificate of Registration/
Wetland Mitigation

Dear Mr. Geer:

Beaver Creek Coal Company is pleased to present the Division of Wildlife Resources with a check in the amount of $8,260.00 for participation in the Shoemaker Wash mitigation unit at the Desert Lake Waterfowl Management Area. It is our understanding that this contribution will be used to establish approximately 3.5 acres of wetland habitat as mitigation for the loss of wildlife habitat resulting from the ~~development~~ of our Gordon Creek No. 7 ~~Mine~~.

Since the Certificate of Registration stipulated mitigation through development of 4 acres of wetland habitat, an additional 0.5 acres will be established at the Gordon Creek No. 3/6 Mine area. This area will be addressed in the forthcoming Reclamation Plan approval.

I would appreciate the opportunity to see the Shoemaker Wash unit upon completion. Please let me know when a visit can be arranged.

Respectfully,

Dan W. Guy

Dan W. Guy
Manager of Permitting and Compliance

DWG/sb

Enclosure

cc: Larry Dalton (DWR)
Mary Boucek (DOGM)
J.A. Herickhoff (BCCC)
File 4-P-5-6-1
File 4-P-7-1-1

RECEIVED
NOV 20 1984
DIVISION OF
OIL, GAS & MINING

Beaver Creek Coal Company
.O. Box AU
Price, UT 84501

VENDOR NUMBER
CHECK NUMBER 205622

INVOICE NOS.	GROSS	DISCOUNT	NET AMOUNT
Participation in Shoemaker Wash Mitigation Unit	$8,260.00		
APPROVAL	8,260.00		
PLEASE DETACH BEFORE DEPOSITING CHECK	TOTAL GROSS	TOTAL DISCOUNT	TOTAL NET

THIS CHECK IS VOID IF COLORED BACKGROUND IS ABSENT

Beaver Creek Coal Company

89-5
1252

CHECK NUMBER 205622

MO. DAY YEAR 11/12/84

PAY TO THE ORDER OF

UTAH DIVISION OF WILDLIFE RESOURCES

PAY EXACTLY $8,260.00* * * * * * *

Alden O Whitehead

AUTHORIZED SIGNATURE

NATIONAL BANK OF ALASKA ANCHORAGE AK.

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STATE OF UTAH
NATURAL RESOURCES
Wildlife Resources

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Douglas F. Day, Division Director

1596 West North Temple • Salt Lake City, UT 84116 • 801-533-9333

September 12, 1984

Mr. Dan Guy
Beaver Creek Coal Company
P. O. Box AU
Price, UT 84501

Subject: Certificate of Registration/Wetland Mitigation

Dear Dan:

The coal mining industry in Utah has, at one time or another, caused loss of high valued (critical and high-priority) wildlife habitats. As you are aware, state and federal coal mining regulations specify mitigation for loss of these high valued habitats. Wetland habitat, of which the riparian community is a component, typically is the most impacted high valued type because surface mining facilities and roads are often developed in and along drainage bottoms. Wildlife species intensively utilize local wetlands. To a lesser extent, aspen forests have been impacted by mining developments. Aspen forests are the most productive habitat type in terms of forage within the montane ecological association.

Wetland and aspen forest habitats in Utah are ranked as being of critical and high priority value to all wildlife, respectively. Thus, loss of these high valued habitat types due to coal mining necessitates mitigation.

The Division, in cooperation with the Division of Oil, Gas and Mining, as well as state and federal land management agencies, has made great strides at reducing impacts to wildlife resulting from industry. But, there are situations where small tracts of high valued habitat are lost due to coal mining activity and no suitable mitigation is practical on or near the mine plan area. Such situations do not relieve a company from their obligation to mitigate. Such was the case when Beaver Creek Coal Company was issued a Certificate of Registration for taking of a raptor nest at the Gordon Creek No. 2 coal mine. The certificate stipulated that the company would mitigate through development of 4 acres of wetland habitat during final reclamation at their Gordon Creek No. 3 and 6 mines. It now seems that only 0.5 acres of such habitat can be developed at the No. 3-6 mines. And, no suitable areas exist proximal to the Gordan Creek mines where the remaining 3.5 acres of wetland habitat could be created and maintained.

The Division proposes that, within Shoemaker Wash (Section 15, T17S, R10E, Emery County, Utah) at Desert Lake Waterfowl Management Area, a new wetland unit be developed for mitigation purposes. By impounding water with a dike, 5 acres of wetland habitat would result; 60 percent (3 acres) of this would represent new wetlands, as compared to the status quo. Another 9 acres of wetland habitat would be established from the outflow of the unit; 44 percent (4 acres) of this would represent new wetlands. Therefore, creation of the Shoemaker Wash Unit would result in a net gain of 7 acres of Palustrine Emergent Permanent Wetland.

Cost for such a development is estimated at $16,520. This estimate resulted from consultation with Lowdermilk Construction Company of Helper, Utah. The Division's waterfowl section selected the location, as well as surveyed and designed the proposed wetland unit. The dike would be 500 feet long, 5 feet high, with a 12 foot wide travelway on top, and standard 3-to-1 slopes on either side. The dike would also be covered with 1 foot of 6 inch or smaller riprap. Two 60-inch-tall-by-48-inch-wide water control structures, discharging through 30-foot-long-by-24-inch-diameter, poly-coated outlet pipes would also be needed.

Fill Dirt (2,500 yds^3)	$10,000
Riprap (280 yds^3)	4,200
Water Control Structures (2)	2,320
Total	$16,520

The cost estimate for fill dirt is based upon a contractor securing the 2,500 cubic yards of material on Desert Lake Waterfowl Management Area, and compacting it as a dike. The cost for 280 cubic yards of 6-inch-minus riprap is based upon hauling it from the Price area and installing it at Desert Lake Waterfowl Management Area. The cost of water control structures is just acquisition costs. Based upon the aforementioned estimates, each acre of new wetland habitat that could be developed in the Shoemaker Wash Unit would cost $2,360.

Dan, it is recommended that Beaver Creek Coal Company participate financially in the Shoemaker Wash mitigation unit that will be developed at the Desert Lake Waterfowl Management Area. Considering that Beaver Creek would need to invest in 3.5 acres of wetland development at a cost of $2,360 per acre, a total remittance of $8,260 would satisfy the mitigation stipulation for the company's Certificate of Registration.

We anticipate initiation of construction at the Shoemaker Wash Unit during October, 1984. Therefore, an immediate letter of intent from Beaver Creek Coal Company is needed and remittance for the above-referenced amount must be received prior to October 10, 1984.

Sincerely,

Acting For William H. Geer, Acting Director
DIVISION OF WILDLIFE RESOURCES