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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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August 1, 1989

TO: File

FROM: Lynn Kunzler, Reclamation Biologist *LK*

RE: Resolution of BLM Special Stipulations #13 and 14, New Portal Facilities, Soldier Canyon Mine, ACT/007/018, Folder #2, Carbon County, Utah

On August 1, 1989, I called Mr. Mark Bailey of the BLM in Price, Utah to discuss the referenced stipulations and what the BLM expected of Soldier Creek Coal Company to meet these stipulations.

Stipulation #13 requires a clearance for the presence of the sensitive plant, Hydesarum occidentale canone (Canyon sweetvetch). Concern exists since this same area was the subject of an exploration plan over a year ago and that this (July 3, 1989) was the first apparent request for the clearance. Mr. Bailey indicated that if SCCC's vegetation consultant would provide a letter or other documentation regarding the presence or absence in the area, that this would suffice.

Stipulation #14 required additional mitigation for the small amount of riparian habitat that would be disturbed by the proposal. Concern here was that DOGM and the Company had been led to believe that the proposed mitigation (deer winter range improvement via chaining) would be all that BLM or the Utah Division of Wildlife Resources would require. The Company had already provided the funds for the chaining and felt their obligation was met. Mr. Bailey indicated that BLM would not require additional funds of the Company to enhance other riparian areas and that if BLM ultimately decided that this was necessary, they would use a portion of the funds submitted for the chaining.

At this point in time, DOGM considers Soldier Creek Coal Company to have met wildlife mitigation obligations for this project.

cc: Dave Spillman, SCCC
S. Linner

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