



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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December 13, 2000

Reed Harris, Assistant Field Supervisor
U. S. Fish and Wildlife Service
Lincoln Plaza
145 East 1300 South, Suite 404
Salt Lake City, Utah 84115

Re: Section 7 Consultation on the Beaver Creek Tract, Lodestar Energy Inc., Horizon Mine,
2000-20-SR00B, Outgoing File

Dear Mr. Harris:

The purpose of this letter is to, request your concurrence with our findings on the Horizon permit area addition in accordance with the Section 7 requirements of the Endangered Species Act.

We do not feel there will be any adverse effects on threatened or endangered species. The mine is in Carbon County, and we have evaluated the possibility of the following species occurring in the area of being adversely affected by the proposal:

Black-Footed Ferret
Razorback Sucker
Humpback Chub

Bald Eagle
Colorado Pikeminnow
Bonytail Chub

There have been no confirmed sightings of black-footed ferrets in Carbon County in several years, and the area proposed to be added to the permit area does not contain black-footed ferret habitat.

Bald eagles are common in the area during the winter and could occasionally fly through or roost in the proposed addition to the permit area, but there are no nearby nests. Mining would have negligible effects on these birds.

Through water depletions, the mine has potential of adversely affecting the four listed threatened and endangered fish species of the upper Colorado River drainage. The mine is currently using about 60 acre-feet of water annually; however, this is not expected to increase with the permit area addition.

According to the current raptor survey, (conducted by The Utah Division of Wildlife Resources on May 12, 2000), there is one active Kestrel nest located above the proposed mining area. We have

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requested the applicant to develop and implement a mitigation plan in cooperation with Wildlife Resources and the Division. The plan should include how raptors and their offspring will be protected from disturbance and subsidence.

Please let us know if you concur with our findings on threatened and endangered species and if you have other concerns. If you have any questions about this project, please call Joe Helfrich at 801-538-5290.

Sincerely,



Daron R. Haddock
Permit Supervisor

pbb/sm
cc: David Miller, Lodestar Energy Inc.
Price Field Office
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