

0007



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922

February 14, 2003

Regulatory Branch (200350060)

RECEIVED

FEB 21 2003

DIV. OF OIL, GAS & MINING

James Jensen
Savage Industries, Inc.
6340 South 3000 East, Suite 600
Salt Lake City, Utah 84121

Jensen
02/02/03
FAX AND COPY
Disilla

Dear Mr. Jensen:

This letter concerns the delineation of waters of the United States, including wetlands, for the CV Spur Savage Industries Coal Loadout Area near Price, Utah. The delineation was submitted to this office for verification on your behalf by Environmental Industrial Services on February 11, 2003. This site is specifically located in the SW 1/4 of the SW 1/4 of Section 11, Township 15 South, Range 10 East, Carbon County, Utah.

Based on the information that was provided, we concur with the estimate of waters of the United States, as depicted on the attached map, labeled Plate 3-2 and dated September, 1998. Approximately 0.05 acres of waters of the United States, including wetlands, are present within the surveyed area. These waters are regulated by this office under Section 404 of the Clean Water Act since they are tributary to the Price River. This verification is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date. A notice of appeal options is enclosed.

Under Section 404 of the Clean Water Act, a Department of the Army permit is required prior to discharging dredged or fill materials into waters of the United States. The type of permit required will depend on a number of factors, including the type and amount of waters affected by the discharge. For more information on how to obtain a permit from our office, please visit our website at <http://www.spk.usace.army.mil/cespk-co/regulatory/>.

It is our understanding that your project proposes to fill the entire wetland area delineated. We believe that this activity will qualify for authorization under Nationwide Permit 21, verified on March 18, 2002, under section 404 of the Clean Water Act. We have attached several enclosures which will assist you in obtaining verification to discharge fill material into the wetlands identified in this delineation. Please be aware that mitigation in all its forms (avoidance, minimization, compensation) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal. Please read the enclosures carefully and contact this office with any questions or concerns that you may have.

We have issued identification number 200350060 to this action. Please refer to this number in any further correspondence concerning this project. If you have any questions, please contact Ms. Amy Defreese at our Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, or email Amy.Defreese@usace.army.mil, or telephone 801-295-8380, extension 13.

Sincerely,

ORIGINAL SIGNED

Susan Bachini Nall
Chief, Utah Regulatory Office

Enclosures

Copy furnished with enclosures:

Dan Guy, Blackhawk Engineering, 1056 W. 2060 North, Helper, Utah 84526

Copies furnished without enclosures:

Melvin Coonrod, Environmental Industrial Services, 31 North Main Street, Helper, Utah 84526

Pam Grubaugh-Littig, Permit Supervisor, Utah Division of Oil, Gas and Mining, P.O. Box 145801, Salt Lake City, Utah 84114