

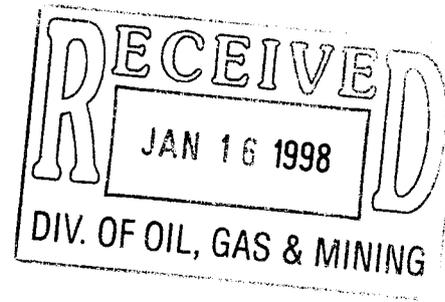
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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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January 13, 1998

Utah Coal Regulatory Program
Division of Oil, Gas, and Mining
1594 west North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

ACT/007/035 #2.
Copy Pam

Attn: Pam Grubaugh-Lettig

RE: Determination of Administrative Completeness for Permit Renewal, Sunnyside
Cogeneration Associates, Sunnyside Refuse & Slurry, ACT/007/035-97PR, Folder #3,
Carbon County, Utah

Pam:

Utah Division of Wildlife (DWR) has reviewed the above referenced permit. We would like to make the following comments:

In recent years, bighorn sheep and moose have been found adjacent to the permit area and, elk are transient residents of the area. These animals should be added, along with the appropriate biological description, to the mammals subsection of section 322, FISH AND WILDLIFE INFORMATION.

Page 300-5, second paragraph, the bald eagle is no longer listed as an endangered species. However, peregrine falcons, a listed endangered species, are found in Carbon County and should have been included with golden eagles and other raptor, in Figure 3-5.

Given the importance of the area for raptors, we recommend that the company conduct raptor survey flights. These flights should be conducted once every three years in the area east of the permit area and/or in the permit area if ferruginous hawk habitat is found. In order to reduce survey costs, these flights should be conducted in conjunction with Andalex's surveys. A DWR representative will need to be on the survey to verify nest status and raptor species. DWR would be glad to provide a biologist at no cost on these flights

Pam Grubaugh-Leydig

January 13, 1998

What is the status of water flows in Grassy Trail Creek associated with this permit? Is the company required to release some water and if so how much, and how is it monitored?

A dryland alfalfa, either nomad or ladak, should be used in the interim and final reclamation seed mix. The alfalfa should be applied at a rate of four pounds per acre. The interim mix would also benefit with the addition of yellow sweet clover. The type of rabbitbrush to be used in the final reclamation is unspecified. The green subspecies of rabbitbrush (Chrysothamnus nauseosus graveolens) Utah source, should be used in the final seed mix.

We appreciate the opportunity to review this permit and provide our comments. If you have any question on our comments please call Ben Morris, Habitat Biologist, at 435-636-0279 or Bill Bates, Regional Habitat Manager, at 435-636-0267.

Sincerely,



Miles Moretti
Regional Supervisor

Copy: Jim Muck, USFWS