

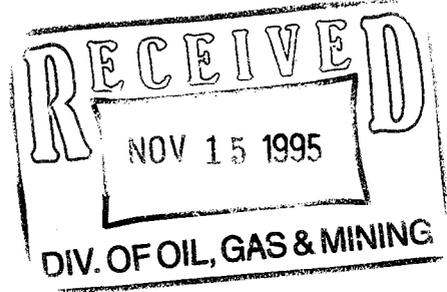
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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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November 9, 1995

Mr. James W. Carter, Director
Utah Division of Oil, Gas, & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180

Copy Sharon and Paul

Attention: Pamela Grubaugh-Littig, Permit Supervisor

Subject: Willow Creek Permit Application Package, Willow Creek Mine, Cyprus Plateau Mining Corporation, PRO/007/038, Folder #2, Carbon County, Utah

Dear Ms. Grubaugh-Littig:

The Utah Division of Wildlife Resources (UDWR) has reviewed this mine plan. We have several concerns and offer the following comments.

Our main concern is the potential impact to Willow Creek. The canyon bottom where surface facilities are proposed is very narrow and limited in area. We wonder why surface facilities cannot be located in Price Canyon, on property previously occupied by the town of Castle Gate. Placement of surface facilities in Willow Creek will require the realignment of more than 1,100 feet of the stream, remove vegetation from a recovering riparian area, and may increase likelihood of pollutants entering the stream.

In considering the realignment of the Willow Creek, we offer the following comments. Trout utilize the stream at various times of the year. The realignment should offer habitat similar to what is available now with no barriers to fish passage. Mining activities should not impact water quality and quantity. Suitable riparian vegetation must be reestablished. Finally, we are concerned with sedimentation and erosion problems during and after the realignment process. In recent years we have cooperated with Helper City to enhance aquatic habitat and create a recreational fishery in the Price River. All work should occur during low flow. Measures should be taken to prevent sedimentation and erosion problems. If these issues are addressed, realignment of the stream may actually enhance fish habitat, given proper design. We suggest that Dr. Jack Schmidt at Utah State University review the realignment plan. Dr. Schmidt is an expert in the geomorphology of river systems.



Ms. Grubaugh-Littig
November 9, 1995
Page Two

We concur with the protection and mitigation plan for golden eagle nests on the mine site. Monitoring of nests should be continued until the possibility of disturbance is past. Cyprus Plateau is to be commended for past efforts to protect nesting golden eagles, and we plan to continue to work closely with them to assist in these efforts.

We have seen problems with major pollution events involving other mines in the area, using long wall miners located close to streams. We recommend that precautions be taken to prevent emulsion lubricants or petroleum-based products from entering either Willow Creek or the Price River. Cyprus Plateau should establish an emergency protocol to address such problems. The conveyor and trucks moving coal should probably be covered to reduce the likelihood of coal fines from entering the streams.

We have some general comments concerning content in Chapters 3 and 4. Table 3-3.1 should be amended to indicate that the following wildlife species are known in the permit area: elk, cougar, bobcat, and badger. Sharp-shinned hawk and California myotis should be listed as likely. Spotted bat and round-tail chub should be listed as possible.

Regarding page 3-3.19, UDWR's interest in tiger salamanders is not just aesthetic. We are concerned with the continued viability of **all** native wildlife populations in the state as well as selected introduced species.

Willow Creek and the Price River offer only "minimal potential" for wintering bald eagle roosts because of previous human disturbance. Potential would be much higher if a healthy riparian corridor with large cottonwood trees existed along these waters.

The area where the surface facilities are proposed is not suitable habitat for some wildlife species in the area, such as mule deer, because of previous disturbance. It would offer suitable habitat if properly reclaimed.

We take exception to footnote number 1 at the bottom of page 3.3-6. Habitat classifications used by UDWR are from our "Policy on Mitigating Wildlife Losses" and based on actual values. For example, "critical habitats" are sensitive use areas that, because of limited abundance or unique qualities, constitute irreplaceable critical requirements for "high interest wildlife." High Priority habitats are intensively used areas more widely distributed. Substantial Value areas are used by high interest wildlife, but at moderate levels with no concentrations. Limited Value areas have only sporadic use or sparse populations. Mule deer winter range is not always "high priority" habitat. It could fall into any one of the four categories. The example that critical habitat can be

Ms. Grubaugh-Littig
November 9, 1995
Page Three

assigned to an area in poor range condition whether the density is one or 100 animals per 100 mi² is not accurate, unless it involves an endangered species with only a few individuals. We recommend the footnote be removed.

We have recently revised our big game distribution maps in the area. An updated copy of mule deer habitat designations for the mine plan area is enclosed. The area where surface facilities are proposed is designated as high priority winter habitat. The problem with digitizing this type of map is resolution, specifically the smallest unit of area required for designating different habitat types. While the canyon bottom from the confluence of Willow Creek and the Price River upstream past the cemetery itself is not used heavily by deer, both deer and elk use the exposed ridges higher in elevation. In extreme winters deer may be forced out of these areas as well.

We do not anticipate that mining activities will have a significant impact on the wintering mule deer population in the area. However, we recommend that lost habitat be mitigated by an enhancement project that will encourage deer and elk to use areas other than the canyon bottom.

Thank you for the opportunity to comment on this mine plan. Please contact Bill Bates in our Southeastern Regional Office at (801) 637-3310 if you have any questions.

Sincerely,



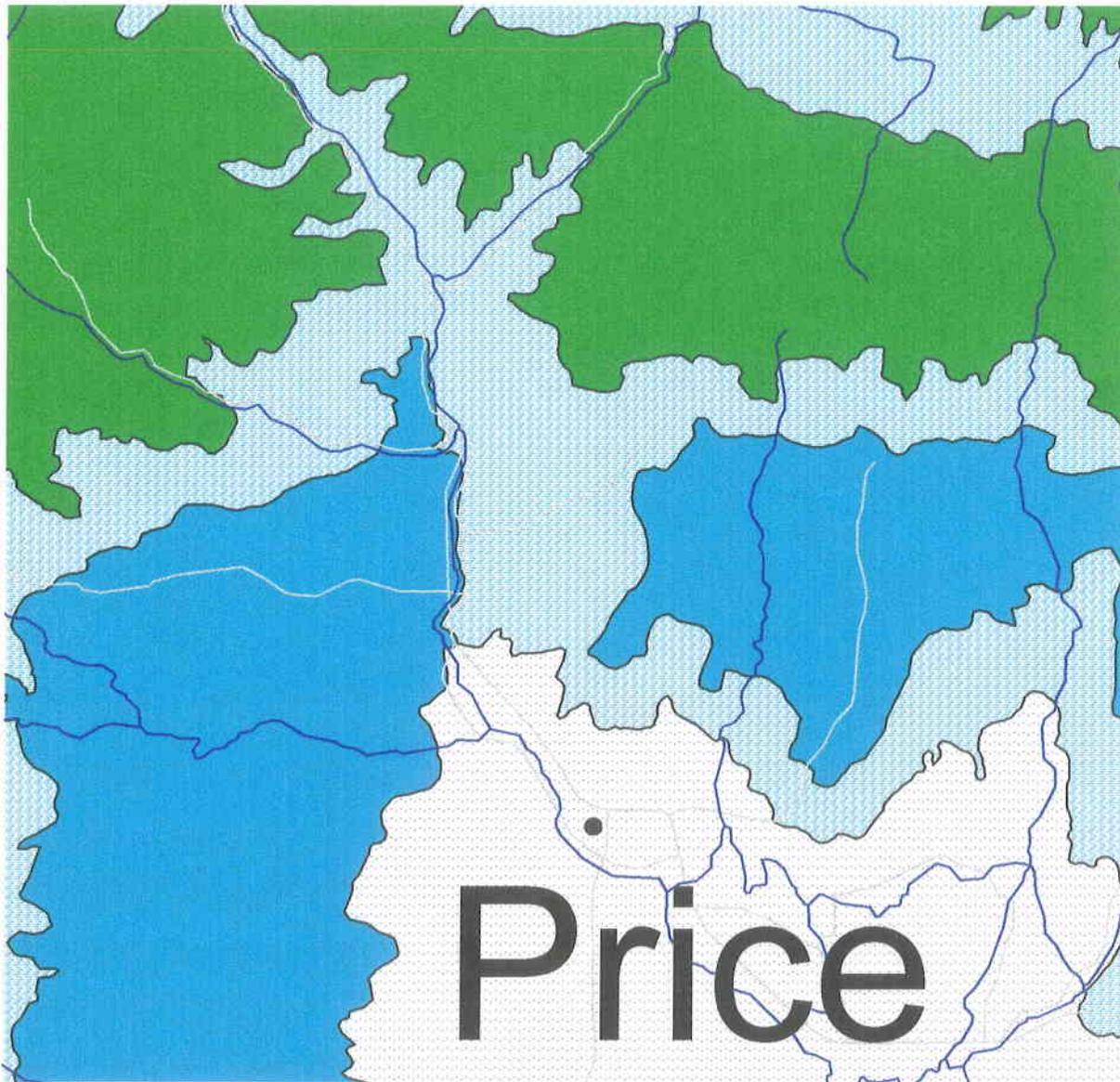
Robert G. Valentine
Director

Enclosure

cc: John Kimball, Assistant Director, Field Operations, UDWR
Miles Moretti, Southeastern Regional Supervisor, UDWR
Michelle Waltz, U.S. Army Corps of Engineers
Mark Page, Utah Division of Water Rights
Mark Bailey, U.S. Bureau of Land Management, Price River Resource Area

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Castle Valley Mule Deer Habitat



- Drainages
- Hwy
- Deer Habitat
 - CSU
 - CWT
 - CYL
 - HSU
 - HWT
 - HYL
 - LYL
 - SWT
 - SYL

