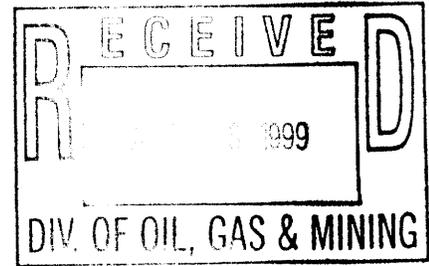


0010



REPLY TO  
ATTENTION OF

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



April 12, 1999

Regulatory Branch (199450397)

Allen Childs  
Cyprus Plateau Mining Corporation  
P.O. Box PMC  
Price, Utah 84501

*Fax Pete @ PFO  
Copy Aaron  
Act 1003/038  
#2*

Dear Mr. Childs:

We have not received the annual monitoring report required under Condition 12 of our permit 199450397, issued April 19, 1996 for the Willow Creek Mine project near Helper, Utah (see enclosure).

Please forward the report by April 30, 1999.

Sincerely,

Michele F. Waltz  
Regulatory Project Manager

Enclosure

Copy furnished:

- > Mr. Steven Johnson, Utah Department of Natural Resources, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801

10. Topsoil shall be placed on top of the riprap armoring in the zone of upland plantings during initial construction in spring 1996 to allow the area to be planted. No topsoil will be placed on the riprap in the zone of riparian plantings during initial construction, to prevent its being washed away by initial flows. A quick-growing cover crop consisting of oats or barley will be planted on the topsoil and other disturbed areas to provide a fast-growing vegetation cover to stabilize soils as soon as possible. The permanent seed mixes will be planted immediately after construction, with sprinkling provided as needed. Supplemental seeding, if needed, will be done during the 1996 fall planting season (sheet 9 of 9).

11. All planting areas will be thickly mulched to protect the seedbed, aid in germination and retain moisture around newly planted vegetation.

12. All monitoring reports prepared for the Utah Division of Oil, Gas and Mining (DOG M) in compliance with permit ACT/007/038 that are related to the areas occupied by the new channels and culverts, including revegetation efforts, shall be submitted to the Corps of Engineers, Utah Regulatory Office concurrent with submission of these reports to the DOGM. These annual reports, in addition to documenting the success of revegetation efforts according to the DOGM's requirements, shall include an assessment by a fluvial geomorphologist documenting the function and stability of the channels, with recommendations for correcting any substandard features. In addition to ensuring that the success of mitigation is properly documented and any developing problems noted and addressed, these concurrent submissions will allow the Corps of Engineers and the DOGM to coordinate recommendations on any required remedial efforts or design modifications. Per the DOGM's requirements, monitoring reports shall be submitted once a year for five years after construction, then at the end of years 8 and 9, with the first full year after construction considered "year one". Reports to the DOGM for a given year are normally submitted by March 31 of the following year. For revegetation efforts to be considered successful, the DOGM's performance standards must be met. Failure to implement the reclamation plan as set forth by the DOGM in its permit may result in the modification, suspension or revocation of the Corps' permit.

13. Prior to January 1, 1997 or before the start of the second season after channel relocation if the project is delayed, the permittee shall submit to the Utah Regulatory Office a set of as-built drawings showing the new channels, culverts and other project features, mapped at a 2-foot contour level. This will provide assurance and documentation that the work authorized by this permit was performed in accordance with the authorized design.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).