



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

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November 4, 1999

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

Re: Proposal to add a Federal Lease, Canyon Fuel Company, Dugout Canyon Mine, ACT/007/039-SR99A, Folder #2, Carbon County, Utah

Dear Mr. Harris:

The Division has received, a proposal by Canyon Fuel Company to add Federal Lease U07064-02781 to their permit for the Dugout Canyon Mine. We have determined the application to be administratively complete and will need to receive your concurrence before we are able to issue a permit for this area. A copy of the proposal is available in our office.

The proposal includes no new surface disturbance, so there is little likelihood most plant and wildlife species would be affected. The possible exceptions we have found are:

1. In the 1998 raptor survey, one inactive golden eagle nest was found in the area, and this nest could be affected by subsidence. We are requiring the applicant to modify their mining and reclamation plan slightly to include monitoring, protection and mitigation plans for this nest.
2. There is a potential through water use of adversely affecting the threatened and endangered fish of the upper Colorado River basin, but the Probable Hydrologic Consequences document included in the application indicates the mine would continue to use water at the current rate of about 46.5 acre-feet annually. Therefore, we do not believe mitigation would be required.

We are currently reviewing the plan and request your comments/concurrence by December 6, 1999. If you have any questions on this plan change, please call me at (801) 538-5325 or Paul Baker at (801) 538-5261.

Sincerely,

Daron R. Haddock  
 Permit Supervisor

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