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United States Department of the Interior
Fish and Wildlife Service
Ecological Services
UTAH FIELD OFFICE
 2369 WEST ORTON CIRCLE, SUITE 50
 WEST VALLEY CITY, UTAH 84119

C/007/041
Incoming

OFFICE NUMBER: 801/975-3330

FAX NUMBER: 801/975-3331

TO: Paul Baker	DATE: 2-8-02	TIME: 8:30 am
FAX NUMBER: 359-3940		
FROM: Laura Romin		
SUBJECT: Whitmore Canyon		

COVERSHEET PLUS 4 PAGE

COMMENTS:

Paul:

Sorry this is delayed getting to you. I was trying to get the final copy for you, but have been unsuccessful. Dave Mills, BLM, Price would have a copy...please contact him if you want a copy for your files. We have one somewhere in the office, but it is somewhere in the middle of a huge stack of "to be filed" stuff. In the interim, the attached Prelim Draft should provide enough info.

Laura.

RECEIVED

FEB 08 2002

DIVISION OF
OIL, GAS AND MINING



EMPLOYEE FILE

United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FWS/R6
ES/UT

December 26, 2001

Memorandum

To: State Director, Bureau of Land Management, Utah State Office, P.O. Box 45155,
Salt Lake City, Utah 84145-0155

From: ~~PETTING~~ Field Supervisor, U.S. Fish and Wildlife Service, Utah Field Office, Salt Lake
City, Utah

Subject: Whitmore Canyon Coal Lease Application

In response to your memorandum of December 4, 2001, we concur with your "not likely to adversely affect" determination for Mexican spotted owl (*Strix occidentalis lucida*) and we concur that the project will not adversely modify or destroy Mexican spotted owl critical habitat. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

Only a Federal agency can enter into formal Endangered Species Act section 7 consultation with the Service. A Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment by giving written notice to the Service of such a designation. The ultimate responsibility for compliance with ESA section 7, however, remains with the Federal agency.

We appreciate your interest in conserving endangered species. If further assistance is needed or you have any questions, please contact Laura Romin, at (801) 975-3330 extension 142.

cc: David Mills, BLM, Price Field Office
Ron Bolander, BLM, Utah State Office
Chris Colt, UDWR, Price, Utah

Laura Romin

bcc: Project file
Reading file

file: zhwa.se
D:\WP\BLM\2001\whitmore coal
LAR/kk:12/26/01