

state of utah

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DIVISION OF WILDLIFE RESOURCES

DOUGLAS F. DAY 1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333
Director

Reply To SOUTHEASTERN REGIONAL OFFICE
455 West Railroad Avenue, Box 840, Price, Utah 84501
(801) 637-3310

August 31, 1979

Mr. Dan Guy
Swisher Coal
P.O. Box AU
Price, Utah 84501

Dear Mr. Guy:

In reference to special stipulation No. 21 in Swisher Coal Company's mine-reclamation plan for Huntington No. 4 mine, it is recommended that the stipulation be adjusted to read as follows:

No. 21. Coal haulage should be disallowed from midnight to daybreak (one-half hour before sunrise) during the winter period when deer are physically on their winter ranges between November 1 and May 15 each year as determined by Utah Division of Wildlife Resources. It is important to note that this stipulation should only apply when mule deer are actually on their winter ranges. It will be the responsibility of the permittee to regularly contact the Price, Utah, office of Utah Division of Wildlife Resources during the winter period for determination as to whether the stipulation is in effect or not.

This stipulation will mitigate for disturbance and the resultant loss of crucial energy reserves for individual mule deer during the winter period. It will also lessen the potential for accidental collisions between motor vehicles and mule deer during the season when the animals are concentrated and during the time period when they are most active. It is believed that the stipulation will allow maximum coal production with minimal impacts on the mule deer herd.

As Larry Dalton has indicated, Utah Division of Wildlife Resources will prepare the "wildlife resource information" and recommendations for a "wildlife plan" that will assist Swisher Coal Company comply with the final OSM regulations for coal mining and reclamation. At that time reasonable alternatives to the above stipulation will be recommended for your consideration. Mr. Dalton has indicated that you have discussed OSM compliance and other facets concerning wildlife in relation to the Swisher No. 4 mine.

R & F fill in Swisher #4

*JWS
2/14/80*

*TJS
MTH*

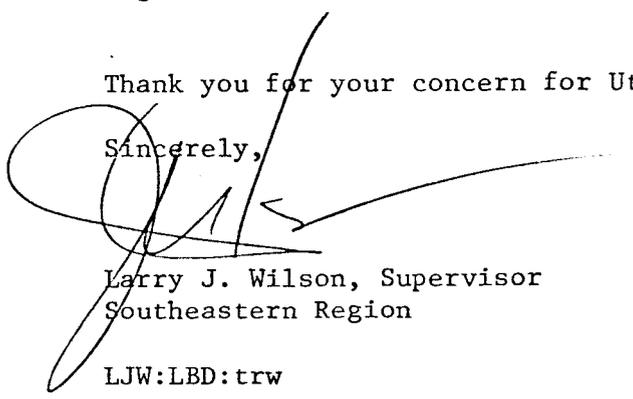
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Thank you for your concern for Utah's wildlife resource.

Sincerely,



Larry J. Wilson, Supervisor
Southeastern Region

LJW:LBD:trw

cc: Darrell Nish
Castle Dale Conservation Officer
Clark Johnson
✓ Cleon Feight