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March 24, 1980

Mr. Tom Paluso, Project Engineer
Soldier Creek Coal Company
Hidden Valley Mine
P.O. Box AS
Price, Utah 84501

Re: Fish and Wildlife Studies
Hidden Valley Mine
ACT/015/022

Dear Mr. Paluso:

Thank you for your letter appraising this Division of the status of your permanent program application with regards to the requirements of UMC 783.20. Undoubtedly, the information which you have sought and obtained goes a long way towards compliance in this area. However, until we have completed the consultation process with all of the agencies having jurisdiction over fish and wildlife and their habitat, the Division cannot really know what information will be required for your permanent permit application.

When you met with this Division on April 16, 1979, you indicated a desire to obtain an interim permit for the Hidden Valley Mine (which subsequently has been obtained). All comments at that meeting were thus directed towards interim program compliance with an eye towards permanent program compliance to follow shortly thereafter. At that time, the referral was made to the resource of the Division of Wildlife Resource area office for information as well as the mention of the need to comply with the consultation process required by 30 CFR 783.20.

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In summary, the Division's position is that you may choose to utilize your existing information and data as part of the UMC 783.20 submittal, but please be cognizant that the Division cannot consider this action to be in compliance with the regulations adopted by the Board of Oil, Gas and Mining on February 14, 1980.

Sincerely,

Sandy Perry

for
MARY ANN WRIGHT
RECLAMATION BIOLOGIST

MAW/sp

cc: Division of Wildlife Resources
Southeastern Regional Office