



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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*XX 2/28/92 - orig mine file
cc P. Grubaugh-Littig
ACT/015/009*

RECEIVED

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DIVISION OF
OIL GAS & MINING

February 20, 1992

Dr. Dianne R. Nielson, Director
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Attention: Pamela Grubaugh-Littig

Dear Dianne:

Mountain Coal Company has requested that their mitigation responsibilities for the 600-foot culvert placement at Trail Mountain Mine be resolved. After several projects in the Cottonwood Creek and Straight Canyon drainage were proposed and rejected by Division of Wildlife Resources personnel and Mountain Coal Company representatives, the following solution was agreed upon.

Mountain Coal Company provided funds (\$1,500) for a riparian enhancement project on Lowery Water. This project is designed to improve the riparian vegetative community along Lowery Water and will benefit greatly from their contribution. The Division of Wildlife Resources recognizes this contribution as meeting the requirements requested for mitigation on Cottonwood Creek for the riparian loss due to the culvert installation.

I believe this project is an improvement upon our original mitigation recommendation due to the recent initiation of a project on Lowery Water by the Manti-LaSal National Forest. This contribution will go specifically to the purchase of cottonwood, willow and other important riparian species. Lowery Water is located close to Cottonwood Creek and enhancing this riparian zone will benefit local wildlife species.

I recognize your agency's regulatory authority over this issue but believe this is an appropriate use of this mitigation obligation. This contribution will be placed in an account designated for Mountain Coal's purchase of riparian vegetation for Lowery Water and the account will be limited to this expressed purpose. If there is a problem with Mountain Coal Company's obligations to your agency, this funding can be spent on another appropriate riparian project proposed by your agency. I would like to urge your agency to support this project as meeting Mountain Coal Company's obligations.

I appreciate your agency's attention to this project. If your personnel have any questions or would like to coordinate with this project, please have them contact Ken Phippen, Regional Habitat Manager (637-3310).

Sincerely,


Timothy H. Provan
Director