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DIVISION OF WILDLIFE RESOURCES

DOUGLAS F. DAY
Director

EQUAL OPPORTUNITY EMPLOYER

1596 West North Temple/Salt Lake City, Utah 84116/801-533-9333

March 2, 1981

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

RECEIVED
MAR 4 1981
DIVISION OF
OIL, GAS & MINING

Mr. Chris Shingleton
Utah Power and Light Company
P.O. Box 899
Salt Lake City, Utah 84110

Dear Chris:

I want to take this opportunity to extend thanks for the assistance you have provided our staff in becoming familiar with existing and planned surface facilities on the area encompassed by the Utah Power and Light Company's Utah Deer Creek mining project. I believe that you will find the enclosed information helpful at filing a mine and reclamation plan.

In response to your request for wildlife resource information (UMC 783.20) the attached map, data and comments are provided. The wildlife resource information is consistent with the formal guidelines for aqusition of fish, wildlife and habitat information provided your Company by Utah's Division of Oil, Gas and Mining. In instances where your Company was required to provide for study beyond existing information, such findings need be merged with our report.

Please note that the enclosed wildlife plan (UMC 784.21) represents our recommendations; Utah's Division of Oil, Gas and Mining is the regulatory authority for approval of the mining and reclamation plan. Implementation of the recommended wildlife plan should assist the Company in compliance with performance standards UMC 817.97.

Thank you for an opportunity to assist your Company in complying with the State's permanent program for coal mining and reclamation and the resultant protection of Utah's wildlife resources. If the Division can be of any further service, please coordinate with our Regional Resource Analyst (Larry Dalton, phone 801-637-3310) as appropriate.

Sincerely,

John Livesay

John Livesay, Supervisor
Southeastern Region

JL:LBD:gp

Enclosure

cc: Darrell Nish
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Cleon B. Feight
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UMC 783.20; FISH AND WILDLIFE RESOURCE INFORMATION
UTAH POWER AND LIGHT COMPANY, DEER CREEK MINING PROJECT

General Wildlife Resource Information--All Species of Vertebrate Wildlife

The mine plan area encompasses a portion of the Wasatch Plateau in Emery County, Utah. This area drains into Huntington Creek and on into the San Rafeal River, which flows into the Green River and ultimately into the Colorado River at a point upstream from Lake Powell. Generally speaking, the Wasatch Plateau is encompassed by cold desert (upper Sonoran life zone), submontane (Transition life zone) and montane (Canadian, Hudsonian and Alpine life zones) ecological associations. These life zones could be inhabited on occasion and during different seasons of the year by about 364 species of vertebrate wildlife--1r fish species, 6 amphibian species, 18 reptile species, 242 bird species and 84 mammal species. It is interesting to note that 83 percent of these species are protected.

The mine plan area itself is represented by the Transition and Canadian life zones and provides habitat for approximately 239 species of wildlife--5 fish species, 6 amphibian species, 17 reptile species, 136 bird species and 75 mammal species. Fifty-eight of these species are of high interest to the State of Utah.

The Division Publication No. 78-16 "Species List of Vertebrate Wildlife that Inhabit Southeastern Utah" is appended (Appendix A) to this report since it represents a low level of study for the wildlife species listed. It identifies those species having potential to inhabit the region as well as those inhabiting the environs of the mine plan area. Appendix A also identifies which species are considered to be of high interest for the habitats and local area represented.

High interest wildlife are defined as all game species; any economically important species; and any species of special aesthetic, scientific or educational

significance. This definition would include all federally listed, threatened and endangered species of wildlife.

A ranking and display of wildlife habitats and use areas relative to high interest species of vertebrate wildlife has been developed (Table 1 and 2 and the attached map). Critical wildlife use areas followed in respective importance by high-priority, substantial value and limited value wildlife use areas require various levels of protection from man's activities and developments. Wildlife habitats and use areas are ranked as being of critical or high-priority value to wildlife should be protected from surface disturbance, subsidence impacts and human or industrial disturbance. This can be accomplished through development and implementation of a wildlife plan.

Critical wildlife use areas are "sensitive use areas" necessary to sustain the existence and perpetuation of one or more species of wildlife during crucial periods in their life cycles. These areas are restricted in area and lie within high-priority wildlife use areas. All stream sections, reservoirs, lakes and ponds identified by Utah Division of Wildlife Resources as Class 1 or 2 are classified as being critical. Biological intricacies dictate that significant disturbances cannot be tolerated by the members of an ecological assemblage on critical sites. Professional opinion is that disturbance to critical use areas or habitats will result in irreversible changes in species composition and/or biological productivity of an area.

High-priority wildlife use areas are "intensive use areas" for one or more species of wildlife. "Intensive use areas" are not restricted in area and in conjunction with limited value use areas form the substantial value distribution for a wildlife species. All stream sections, reservoirs, lakes and ponds identified by Utah Division of Wildlife Resources as Class 3 are classified as being of high-priority. In addition, wildlife use areas where surface disturbance or

underground activities may result in subsidence that could interrupt underground aquifers and result in a potential for local loss of ground water and decreased flows in seeps and springs should be considered as being of high-priority to wildlife.

Substantial value wildlife use areas are "existence areas" for one or more species of wildlife. "Existence areas" represent a herd or population distribution and are formed by the merging of high-priority and limited value wildlife use areas for a species. All stream sections, reservoirs, lakes and ponds identified by Utah Division of Wildlife Resources as Class 4 are classified as being of substantial value.

Limited value wildlife use areas are "occasional use areas" for one or more species of wildlife. "Occasional use areas" are part of the substantial value wildlife use area for a species. All stream sections, reservoirs, lakes and ponds identified by Utah Division of Wildlife Resources as Class 5 or 6 are classified as being of limited value.

MAPPING

Vegetation and Wildlife Habitats

It is recommended that the Company's primary effort be placed on identifying species of vegetation in each wildlife habitat within the various wildlife use areas for purposes of reclamation. The Division does not have site specific information relative to vegetation types at the mine plan area. However, there are nine wildlife habitats present--riparian or wetland types, cliffs and tallus, sagebrush, pinion-juniper forest, shrubland, aspen forest, ponderosa forest, parkland and spruce-fir forest. The Company should identify each of these habitat associations on appropriately scaled maps.

It is believed that if satisfactory reclamation is achieved and man's disturbance does not continue or become a factor, that most species of wildlife dis-

placed from the mine plan area will return. Without doubt, the key to success for enhancing or restoring wildlands will be development of habitats so that the postmining condition as compared to the premining condition will have similar species, frequency and distribution of permanent plants in each vegetative type this will allow for natural plant succession. Additionally, other habitat features that represent the various life requirements for local wildlife must be provided.

Wildlife Use Areas

The enclosed map displays mapable, high value use areas for high interest wildlife on or adjacent to the mine plan area. This display includes stream sections and bodies of water, if any, utilized by high interest fish species. Also displayed are know seeps, springs, wetlands, and riparian zones. Note that there are high interest wildlife distributions that are so broad that they cover the entire map and therefore are not illustrated. However, all vertebrate species of high interest wildlife and their distributions are discussed in the following narrative.

Water

Due to demands of state and federal coal mining regulations, the Company will probably be required to identify and appropriately monitor all surface waters for potential impacts from subsidence. This information should be correllated with the wildlife use area information due to the value of water to wildlife.

FISH AND WILDLIFE INVENTORY

Aquatic Use Areas

Macrophytes

From a position of the aquatic wildlife resource it is believed that there is no practicality for information relative to macrophytes to be addressed by the mine permit application; such information is not generally available.

Macroinvertebrates

The results from studies of macroinvertebrates may be required for purposes of determining need for stream buffer zones (UMC 817.57) in stream sections supporting biological communities. Since historic impacts from this mine's operation have not significantly impacted Huntington, Deer and Meeting House Creeks data relative to macroinvertebrates as a pollution index or a forage base for fishes or other predators dependent upon the aquatic resource need not be presented.

Note, impact avoidance procedures that would protect the integrity of the aquatic resource need to be included with the mine permit application. Of importance would be facility designs and operational plans that will preclude further impacts on both streams and identification of procedures that will be utilized to keep any form of coal sediments or other pollution from entering Deer Creek and Huntington Creek. Snow removal is a significant contribution of sediments to local riverine systems. Deposition of coal particles in the aquatic system could have a variety of negative impacts on invertebrate and fish populations.

The results from long-term studies of macroinvertebrates in Huntington Creek and Deer Creek could be of value for the Company to demonstrate that impacts from accumlations of coal and other sediments in each creek are not evident.

Studies relative to macroinvertebrates, if desired or needed, must be conducted by a qualified, private consultant.

Fish--Species Occurrence and Use Areas

Aquatic habitats adjacent to the mine plan area support three species of game and two species of non-game fish; all of which are protected. Of these fish, four species have been determined to be of high interest to Utah (Appendix A

and reference the Division Publication No. 78-16).

The yellowstone cutthroat trout is an introduced species. It annually spawns between early May and mid-July. Most populations are sustained through natural reproduction; hatching is usually completed by mid-July.

The rainbow trout is an exotic species. Within Utah there are several different strains of this species. Generally speaking they spawn from mid-March through June; hatching is normally completed by late June. It is important to note that natural reproduction by this species is almost non-existent, since it is managed as a stocked population. This management scheme has resulted since their catchability is higher than other trout and the life expectancy of hatchery fish is short.

The brown trout is an exotic species. Its spawning period begins as early as mid-October and is normally completed by late December; hatching of eggs begins in the spring and is usually completed by late May. Most populations are sustained through natural reproduction and supplemental plantings of fingerling brown trout.

The spawning period represents a crucial period for maintenance of trout populations; spawning areas are ranked as being of critical value. Such areas are characterized by clean, gravel zones that are at least six inches deep. These zones must also be covered by a minimum of six inch deep water flowing at a velocity of not less than one foot per second. These physical parameters are necessary for optimum spawning success.

Once the cutthroat or rainbow trout have spawned their eggs incubate in the redds approximately 30 to 50 days--water temperatures ranging from 45 to 50 F. Brown trout eggs incubate throughout the winter which lasts approximately 100 to 150 days--water temperatures ranging from 35 to 40 F. During this crucial period water temperature affects the rate of embryonic develop--the warmer the water the more quickly incubation is completed. It is also during this period

that ongoing sedimentation can result in suffocation of the eggs. Flucuations in stream flow also negatively affects incubation; wherever practicable, maintenance of a constant flow of water during the spawning period enhances reproductive success.

The mottled sculpin is a native species. It annually spawns in the spring between February and May. All of their populations are sustained through natural reproduction. The spawning period represents a crucial period for maintenance of sculpin populations; spawning areas (nest) are ranked as being of critical value. Such areas for sculpin are characterized as a nest scooped out beneath a stone or other submerged object. Spawning areas must have clean, gravel or rubble zones. Both the adult fish attend and defend the nest. They are known to spawn in water temperatures ranging from 45 to 48 F.

The reach of Huntington Creek adjacent to the project area (stream section 3) is ranked as being of high-priority to Utah's cold water fishery management program and is a Class 3 fishery. It supports natural reproduction of self-sustaining cutthroat and brown trout populations. Occasionally, fingerling transplants of both of these species supplement the population. The majority of trout in this stream section are hatchery planted, catchable sized rainbow trout. Section 3 of Huntington Creek is also inhabited by mottled sculpin and mountain sucker.

Although there are no fish in Deer or Meeting House Creeks, their flow of water is of great value for reproductive success of spawning trout in the lower reaches of Huntington Creek for which they are tributary waters. Additionally, drift of macroinvertebrates from these streams represent an important contribution of forage to trout and other fishes in Huntington Creek.

If project operations are planned or develop that would alter, destroy or discharge polluting effluents into any perennial waters, appropriate state and federal permits, a mitigation plan and results from high level studies of the

salmonid fishery resource, if any, would be required of the Company. Achievement of mitigation would demand detailed studies of stream velocity correclated to flow, representatives of the stream channel profile, gradient, pool-riffle ratio, substrata types identifying percent representation of each type and surface water information required for SMC 779.16.

If modification of flows is anticipated, instream flow requirements must be considered to meet the needs of the existing fisheries, "biological community" and maintenance of existing riparian or wetland zones. Such baseline information would allow for development of mitigation or reclamation plans that would allow for avoidance, lessening or mitigation of impacts to the fishery and maintenance or re-establishment of unique habitat types. This baseline information is not generally available and would necessitate the services of a qualified private consultant and/or contracting Utah's Division of Wildlife Resources since special permits would be required.

It is important to note that no species of fish having relative abundances so low as to have caused them to be federally listed as threatened or endangered inhabit the mine plan or adjacent areas. The endangered humpback chub, bonytail chub and Colorado squawfish inhabit the Green and Colorado Rivers. Additionally, the humpback (razorback) sucker also inhabits those rivers; it is likely that this species will one day be federally listed as threatened. It is not believed that implementation and operation of the Company's project will impact any of these species.

Terrestrial Use Areas

Wildlife Habitat Types

Of the nine wildlife habitat types present on the mine plan area wetlands and riparian habitats are ranked as being of critical value to all wildlife. Such zones are normally associated with drainage bottoms (ephemeral or intermittent), or perennial streams (UMC 700.5), seeps and springs within the upper Sonoran,

Transition and Canadian life zones. Cliffs and their associated tallus areas that lie within the upper Sonoran and Transition life zones are ranked as being of high-priority value to all wildlife. When compared to all other wildlife habitats the aforementioned situations are considered to represent unique habitat associations (Table 1).

Riparian and wetland areas are highly productive in terms of herbage produced and use by wildlife as compared to surrounding areas. Experience has shown that as much as 70 percent of a local wildlife population are dependent upon riparian zones. Cliffs and tallus are of special importance to many high interest wildlife. These unique habitat types must be identified in the permit application and protected due to their high value for all wildlife.

Quantitative (acreage) and qualitative (condition, successional stage and trend) data concerning the wildlife habitats in each ecological association should be included as part of the mine permit application. It is important to note that each legal section of land represented by the mine plan and adjacent areas has been ranked as to its value for the total wildlife resource. Sections 21, 22, 27, 28 and 34 of Township 16 South Range 7 East have been ranked as being of critical value to wildlife. This is also true for Sections 12, 13 24 and 25 of Township 17 South Range 6 East and Sections 2, 7, 18, 19 and 30 of Township 17 South Range 7 East. Sections 19, 20, 29, 30, 31, 32 and 33 of Township 16 South Range 7 East have been ranked as being of high-priority value to wildlife. This is also true for Section 1 Township 17 South Range 6 East and Sections 3, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 26, 27, 28 and 29 of Township 17 South Range 7 East. These rankings were developed through an analysis of cummulative values for use areas of selected individual species of high interest wildlife inhabiting each legal section of land (Table 2).

Amphibians--Species Occurrence and Use Areas

Six species of amphibians, all of which are protected, are known to inhabit the biogeographic area in which the mine plan and adjacent areas are located. It is probable that all of these species inhabit the project area (reference the

Division Publication No. 78-16). Only one species of the amphibians inhabiting the project area have been determined to be of high interest to the State of Utah (Appendix A).

The tiger salamander is a yearlong resident animal of the project area. The substantial value use area for the adult form is represented by any moist underground site or any similar habitat such as inside rotten logs, cellars or animal burrows. Such sites can be found within any wildlife habitat extending from the cold desert (upper Sonoran life zone) through the submontane (Transition life zone) and into the montane (Canadian life zone) ecological association. The larva form, often referred to as a mud-puppy, is a gilled animal that must remain in water within the above described ecological associations. It is interesting to note that the larva may fail to transform into an adult, even after their second season, and they can breed in the larva condition.

Once the larva is transformed into the adult form the animal is primarily terrestrial. Salamanders do migrate to water in the spring for breeding and may remain there during much of the summer. Such an intensive use area would be ranked as being of high-priority value to the animal. In September the newly transformed animals leave the water to find suitable places to spend the winter.

The tiger salamander breeds from March through June and is sexually mature after one year. The male deposits a small tent-shaped structure containing a myriad of sperm on the pool bottom. During courtship the female picks up this structure in her cloaca; then the eggs are fertilized internally before or just at the time they are laid. The eggs, singly or in small clusters, adhere to submerged vegetation; after 10 to 12 days they hatch. Obviously, a critical period for maintenance of the population is when breeding salamanders, eggs or their larva are inhabiting a water.

Post-embryonic development of a salamander's larval form progresses at a pace somewhat controlled by water temperature; in some cold waters the larva may no transform into an adult and drying up of a pool may hasten the process.

Migration to or from water usually occurs at night, during or just after a

rain storm. When inhabiting terrestrial sites the tiger salamander is most active at night, particularly on rainy nights, from March through September.

Larva, when small feed on aquatic invertebrates and become predacious to the point of cannibalism when they are larger. Food items for adults include insects, earthworms and occasionally small vertebrates.

No amphibians have relative abundances that are so low to have caused the animal to be federally listed as a threatened or endangered species.

Reptiles--Species Occurrence and Use Areas

Eighteen species of reptiles, all of which are protected, are known to inhabit the biogeographic area in which the mine plan and adjacent areas are located. It is probable that seventeen of these species inhabit the project area (Reference the Division Publication No. 78-16). Only two species of the reptiles inhabiting the project area have been determined to be of high interest to the State of Utah (Appendix A).

The Utah milk snake is a yearlong resident animal of the project area. Its substantial value use area encompasses all wildlife habitats extending from the upper Sonoran (cold desert life zone) through the submontane (Transition life zone) and into the montane (Canadian and possibly Hudsonian life zone) ecological associations. Although its use area spans a multitude of habitats, the animal is extremely secretive, mostly nocturnal and is often found inside or under rotten logs, stumps, boards, rocks or within other hiding places. At night they can be found in the open where they hunt for small rodents, lizards and other small snakes. Occasionally, the milk snake may take small birds or bird eggs.

The milk snake may live beyond twenty years and it becomes sexually mature during its third spring season. After mating, which occurs during spring or early summer when they are leaving the den, female milk snakes produce clutches which average seven eggs. The eggs are secreted in a moist warm environ and then abandoned; incubation lasts 65 to 85 days. The site where an individual snake has

deposited its clutch of eggs is of critical value to maintenance of the species.

The Utah mountain kingsnake is a yearlong resident animal of the project area. Its substantial value use area encompasses all wildlife habitats extending from the submontane (Transition life zone) into the montane (Canadian and possibly Hudsonian life zones) ecological association. Little is known concerning this animal except that it frequents areas of dense vegetation and that it is often found near water. Its life history and food habits parallel that described for the Utah milk snake.

To date snake dens, which are protected and of critical value to snake populations, have not been identified on or adjacent to the project area. It is important to note that inventory for such has not been attempted. If the Company at some later time discovers a den it should be reported to the Utah Division of Wildlife Resources. If a den(s) is currently known, its location must be included with the permit application.

No reptiles have relative abundances that are so low to have caused the animal to be federally listed as a threatened or endangered species.

Birds--Species Occurrence and Use Areas

Two hundred forty-two species of birds, all of which are protected, are known to inhabit the biogeographic area in which the mine plan and adjacent areas are located. It is probable that one hundred thirty-six of these species inhabit the project area (Reference the Division Publication No. 78-16). Twenty-five species of the birds inhabiting the project area have been determined to be of high interest to the State of Utah (Appendix A).

Ducks commonly known as waterfowl are not known to utilize the project area, but may on occasion or during different seasons of the year make limited use of the mine plan area. All of these species are of high interest to the State of Utah (Appendix A). Generally speaking, the riparian and wetland habitats encompassed

by the project and adjacent areas provide substantial valued habitats for waterfowl. Each species has different life requirements and makes various uses of the riparian and wetland habitats.

For those waterfowl that nest locally, the period March 15 through July 15 is ranked as being of crucial value to maintenance of the population. Following incubation, which dependent upon the species may vary between 20 and 28 days and extend up until mid-August, the riparian and wetland habitats represent a high-priority brooding area. Additionally, the wetland habitat (large open water areas or dense marshland, none of which exist on the project area) is of high-priority for seclusion and protection of adult waterfowl during their flightless period when they moult. Males may begin the moult in early June and both sexes and the young are capable of flight by mid-August.

The project and adjacent areas provides substantial valued habitat for a multitude of raptors--turkey vulture, bald and golden eagles, four species of falcons (prairie, American and arctic peregrine falcons and American kestrel), five species of hawks (goshawk, sharp-shinned, Cooper's, red-tailed and Swainson's hawks) and seven species of owls (barn, screech, flammulated, great horned, pygmy, long-eared and saw-whet owls). Many of these species are of high federal interest pursuant to 43 CFR, 3461.1 (n-1). All of these species are of high interest to the State of Utah (Appendix A).

Realistically, nesting habitat does not exist on the project or adjacent areas for many of these species. However, if a species were to nest on or adjacent to the project area, it would have a specific crucial period during which the aerie would need protection from disturbance; this period of time lies between February 1 and August 15. Generally speaking, aeries represent a critical valued site and need protection from significant or continual disturbance within a one-half kilometer radius of the nest. This consideration need only be implemented during

the period of time that the nest is occupied. Species specific protective stipulations for aeries are available from the Utah Division of Wildlife Resources and the U.S. Fish and Wildlife Service.

The current level of data relative to site specific use of the area by raptors is unsatisfactory. Likely, there are aeries that have not been identified. Many of these species are highly sensitive to man's disturbances. Therefore, it is recommended that intensive surveys be initiated on the mine plan and adjacent areas for determination of locations for raptor aerie territories. Such data needs to be merged with information provided within this report.

Golden eagles are a common yearlong resident of the mine plan area. There are no known active aerie territories associated with the project. (Note, an aerie territory is utilized by one pair of eagles but may contain several nest sites).

It is believed that aerie territories for eagles may exist on the project area. This belief is based upon the fact that suitable nesting habitat is widespread on the mine plan area and throughout the local area. It is important to note that the regularity of golden eagle observations and the fact that their status is common has resulted in documentation of mostly opportunistic observations of aerie territories.

An active golden eagle nest site is extremely sensitive to disturbance within a one-half kilometer radius. This buffer zone is ranked as being of critical value to maintenance of the eagle population when the bird is actually utilizing the aerie; that period of time is normally between April 15 and June 15. The radius for a buffer zone may need to be increased to one kilometer if a disturbance were to originate from above and within direct line of sight to the eagle aerie.

To date there are no known high-priority concentration areas or critical roost trees for golden eagles on the project area. The mine plan and adjacent

areas have been ranked as being of substantial value to golden eagles.

The northern bald eagle is an endangered winter resident (November 15 to March 15) of the local area. To date there are no known high-priority concentration areas or critical roost trees for this species on or adjacent to the project. The mine plan area has been ranked as being of substantial value to wintering bald eagles. Note that no bald eagles are known to nest in Utah, however, historic data documents nesting activity by these birds in the State. There is no known historic evidence of the northern bald eagle nesting on the mine plan or adjacent areas.

The American peregrine falcon (relative abundance is endangered) and the prairie falcon (relative abundance is common) are yearlong residents of the mine plan and adjacent areas. Each of these species utilizes cliff nesting sites. To date there are no known aerie sites for cliff nesting falcons on the project area. However, suitable nesting habitat for the prairie falcon is widespread. Suitable nesting habitat for the American peregrine falcon cannot be found on the mine plan and adjacent areas. Since existence on the area by prairie falcons would not be unlikely, the project area has been ranked as being of substantial value to this cliff nesting falcon. However, the project area only is ranked as being of limited value to peregrine falcons.

For each falcon their aerie site while being utilized and a one-half kilometer radius would be ranked as being of critical value to maintenance of their populations. The falcon's period of use at the aerie site spans the spring and early summer period--prairie falcon, April 15 to June 30; peregrine falcon, March 1 to June 30.

The level of data relative to site specific use of the project area by cliff nesting falcons (not including the kestrel) is unsatisfactory and there could be aeries that have not been identified. Therefore, it is recommended that intensive surveys be initiated on the area for determination of locations for cliff falcon

aerie sites.

The endangered arctic peregrine falcon is a winter resident (November 15 through March 15) of the local area. This species has not been observed to utilize the environs on or adjacent to the mine plan area, however, its occasional presence would not be unlikely. Therefore, the project area is ranked as being of limited value to this species.

The blue grouse is a yearlong resident of the project area. Adult birds prefer open stands of conifers. During winter the blue grouse feeds exclusively upon needles and buds of douglas-fir and spruce trees. Thus, this wildlife habitat (spruce-fir forest) is ranked as being of critical value to over-winter survival of the population during the crucial period of December through February.

Blue grouse annually exhibit what has been termed a reverse vertical migration. That is, during the spring months, they migrate from the high elevation spruce-fir habitat to lower elevation sagebrush, pinion-juniper or shrubland habitats. This movement is caused by a need of the birds to feed on early developing vegetation. Such movement also facilitates successful breeding, nesting and brooding of their young. Then as the year progresses, they move to the higher elevations.

The males are polygamous and will set up and defend territories for booming and breeding activities against other breeding males. Such territories are critical to maintenance of the population during the crucial period of mid-March through mid-June.

After breeding the female develops a nest site which is secreted on the ground; the nest is of critical value to maintenance of the blue grouse population. Upon hatching, which occurs in late May and early June, the young accompanied by the hen immediately leave the nest. The young blue grouse while being brooded rely heavily on insects for their protein needs during the first several months

of development. The adult bird also shifts its diet during this period to include a high proportion of insects. Brooding areas are ranked as being of high-priority value to blue grouse. The crucial period extends from hatching into mid-August.

As summer progresses into the fall season the grouse consumes large quantities of berries.

The ruffed grouse is a yearlong resident of the project area. These grouse are usually found in the continum of habitats extending from aspen to shrubland types. But, during winter they often roost in dense stands of conifers. Generally speaking ruffed grouse prefer habitats lying with 0.25 mile of a stream course; such areas are ranked as being of high-priority value to their population. During winter the ruffed grouse feeds exclusively upon staminate aspen buds. Thus, this wildlife habitat (aspen forest) is ranked as being of critical value to over-winter survival of the population during the crucial period of December through February. During the remainder of the year their diet shifts to include a wide variety of plant and insect material.

Ruffed grouse do not exhibit any type of seasonal migration.

The males are polygamous and will set up and defend territories against other breeding males. The focal point for breeding activity is the drumming log; all such logs are ranked as being of critical value to grouse since they represent sites of historical use. Such territories are critical to maintenance of the population during the crucial period of early March through May.

After breeding the female develops a nest site which is secreted on the ground and deep within an aspen grove; the nest is of critical value to maintenance of the ruffed grouse population. Upon hatching, which occurs in late May and early June, the young accompanied by the hen immediately leave the nest. The young ruffed grouse while being brooded rely heavily on insects for their protein needs during the first several months of development. The adult bird

also shifts its diet during this period to include a high proportion of insects. Brooding areas are ranked as being of high-priority value to ruffed grouse. The crucial period for brooding extends from hatching into mid-August.

The band-tailed pigeon is a summer resident of the project area. This bird is seldom observed to utilize the Wasatch Plateau, but when observed the species is only represented by a single bird, pairs or even less frequently a small flock. Since the band-tailed pigeon's use of the Wasatch Plateau is best described as "occasional", the environs associated with the project are only ranked as being of limited value to the bird. Nesting birds secret their nest in trees within the spruce-fir wildlife habitat. Peak on-nest activity occurs in late July and early August.

Mourning doves normally inhabit the project and adjacent areas, which represents a substantial valued use area for these birds, between May 1 and September 15 each year. They nest throughout most of this period and each pair produces two clutches. The pinion-juniper and riparian habitats are ranked as being of high-priority value for nesting. Locally, mourning doves show two peaks in on-nest activity--early July and early August. Successful nesting activities and any water sources are critical to maintenance of the mourning dove population.

The yellow-billed cuckoo is a summer resident of the project area. This bird only nests in the riparian wildlife habitat, therefore, such areas are of critical value to maintenance of this species. Little is known concerning the yellow-billed cuckoo. Its nest is represented by a frail, saucer shaped structure of twigs and is always placed in bush or tree.

The black swift is a summer resident of the Wasatch Plateau. The montane ecological association represents the swift's substantial valued use area. Normally, the bird is associated with a small flock that represents a colony. Black swifts are usually observed soaring as pairs and they feed upon flying insects. A colony's nests are scattered along percipitous terrain where the nest is often

secreted behind a waterfall. Such a moist habitat is not known to exist on the project area. Cliff and tallus wildlife habitats are ranked as being of high-priority value to the black swift. There is evidence that pair bonds are long lasting and that a nest may be utilized in successive years.

The belted kingfisher is a yearlong resident of the project area. It is found only along riverine systems and its substantial value use area extends from the cold desert through the submontane and into the montane ecological associations. Therefore, the riparian wildlife habitat represents a high-priority valued use area for this bird. It feeds exclusively upon fish. The kingfisher's nest is always secreted within a burrow along stream banks, thus, dirt bank habitats along riparian areas are of critical value to this bird.

The pileated woodpecker is a species having high federal interest pursuant to 43 CFR 3461.1 (n-1). The spruce-fir and aspen wildlife habitats of the montane ecological association represent this birds substantial valued use area. It is important to note that the pileated woodpecker has never been documented to utilize the environs of the biogeographic area that surrounds the project site. In areas of the State where the bird is known to exist, it is a yearlong resident with a relative abundance considered to be rare.

The Williamson's sapsucker is another species having high federal interest pursuant to 43 CFR 3461.1 (n-1). Typically, the substantial valued use area for this species is the spruce-fir habitat of the Hudsonian life zone in the montane ecological association. Therefore, the spruce-fir habitat of the Canadian life zone on the project site would only represent the substantial valued use area for the yellow-bellied sapsucker. The yellow-bellied sapsucker is a yearlong resident of the environs associated with the project area and it has a relative abundance considered to be common. Where as the Williamson's sapsucker has never

been documented to utilize the environs of the biogeographic area that surrounds the project site. In areas of the State where the Williamson's sapsucker is known to exist, it is a summer resident with a relative abundance considered to be uncommon.

The Lewis woodpecker is also another species having high federal interest pursuant to 43 CFR 3461.1 (n-1). Its substantial valued use area is represented by riparian habitats characterized by cottonwood stands and ponderosa forests. These habitats do not exist on the project site. It is important to note that the Lewis woodpecker has never been documented to utilize the environs of the biogeographic area that surrounds the project site. In areas of the State where the bird is known to exist, it is a summer resident or only a transient. Its relative abundance is unknown.

The purple martin is a summer resident known to inhabit the environs of the biogeographic area that surrounds the project site. In Utah its substantial valued use area is represented by open spruce-fir, aspen or ponderosa forest habitats of the montane ecological association. The purple martin feeds on flying insects and may secret its nest within any suitable above-ground cavity.

The western bluebird is an uncommon summer resident known to inhabit the environs of the biogeographic area that surrounds the project site. Where as the mountain bluebird is a common yearlong resident of the area. Both birds are cavity nesting species. The western bluebird nests from the pinion-juniper habitat of the submontane ecological association up into the lower forest habitats within the Canadian life zone of the montane ecological association. The mountain bluebird utilizes the same continum of habitats for nesting, but also extends its nesting use across the Canadian and Hudsonian life zones and into the Alpine life zone. During winter both species show elevational and longitudinal migrations; they then utilize all habitats associated with the cold desert ecological association. Therefore, the substantial valued use area for each species spans a

broad continum of habitats. It is important to note that trees with cavities located on the project area can be of critical value to bluebirds.

Grace's warbler is a species having high federal interest pursuant to 43 CFR 3461.1 (n-1). Its substantial valued use area is shrublands and associated ponderosa forest habitats of the submontane and montane ecological associations. This bird's nest is built twenty or more feet above ground in a ponderosa tree. It is important to note that the Grace's warbler has never been documented to utilize the environs of the biogeographic area that surrounds the project site. In areas of the State where it is known to exist, it is a summer resident with a relative abundance considered to be uncommon.

Scott's oriole is also a species having high federal interest pursuant to 43 CFR 3461.1 (n-1). Its substantial valued use areas are riparian habitats characterized by cottonwood stands and the continum of habitats extending from the pinyon-juniper forest into shrublands of the submontane ecological association. The oriole's nest is characterized as a grassy pouch and is hung in a tree. It is important to note that the Scott's oriole has never been documented to utilize the environs of the biogeographic area that surrounds the project site. In areas of the State where it is known to exist, it is a summer resident with a relative abundance considered to be uncommon.

Mammals--Species Occurrence and Use Areas

Eighty-four species of mammals, of which 25 percent are protected, are known to inhabit the biogeographic area in which the project and adjacent areas are located. It is probable that seventy-five of these species inhabit the project area (Reference the Division Publication No. 78-16). Twenty-six species of the mammals inhabiting the project area have been determined to be of high interest to the State of Utah (Appendix A).

The red bat is a summer resident of the biogeographic area that surrounds the project site. The animal roosts in wooded areas (riparian woods and pin-

ion-juniper forests) of the submontane ecological association. Such areas represent this animals substantial valued use area. An occasional individual has been known to utilize caves; those individuals could hibernate and remain over winter.

The western big-eared bat is a yearlong resident of the biogeographic area that surrounds the project site. This animal roosts and hibernates within caves, mine tunnels or suitable buildings located in the pinion-juniper, shrubland and low elevation spruce-fir habitats of the submontane and montane (Canadian life zone) ecological association. Such areas represent this bats substantial valued use area.

The snowshoe hare is a yearlong resident of the biogeographic area that surrounds the project site. Its relative abundance has been determined to be limited, since its substantial valued use area is restricted to the spruce-fir and nearby aspen and riparian habitats of the montane (Canadian and Hudsonian life zones) ecological association. Such areas are ranked as being of high-priority value to the animal during its breeding season which spans the period between early April and mid-August.

The cottontail rabbit (mountain cottontail inhabits sites lying between 7,000 and 9,000 feet in elevation and the desert cottontail inhabits sites lower than 7,000 feet in elevation) is a yearlong resident of the biogeographic area that surrounds the project site. The entire project area represents a substantial valued use area for cottontails. Their young are born between April and July. This is a crucial period for maintenance of the cottontail population.

The northern flying squirrel is a yearlong resident of the biogeographic area that surrounds the project site. Currently, its relative abundance is unknown. Its substantial valued use area is restricted to spruce-fir or other mixed conifer habitats of the montane (Canadian and Hudsonian life zones) ecological association.

This specie is the only nocturnal squirrel in Utah. The flying squirrel may build its nest within an old woodpecker hole or it may build an outside nest of leaves, twigs and bark. Mating occurs twice in each year--February through March and June through July. Afterwhich, two to six young are born after a gestation period of 40 days--April through May and August through September. These periods are of crucial value to maintenance of their populations. During winter flying squirrels are gregarious; 20 or more have been known to den together.

Beaver are yearlong inhabitants of the biogeographic area that surrounds the project site. Their substantial valued use area is restricted to riparian and adjacent aspen habitats (those located within 100 meters of the riparian zone) in the cold desert, submontane and montane (Canadian life zone) ecological associations. These animals construct a conical shaped lodge in which a family group lives throughout the year. The lodge is of critical value to maintenance of the beaver population. One litter of kits is produced each year; they are born between late April and early July after a gestation period of 128 days. Kits and yearlings coinhabit the lodge with the adult pair. When they attain 2 years of age they are forced to leave; females can breed at 2.5 years of age. Due to the animals dependency upon flowing water and the associated riparian vegetation, the riparian wildlife habitat is ranked as being of critical value to beaver populations.

The red fox is a yearlong inhabitant of the biogeographic area that surrounds the project site. The substantial valued use area for the red fox would include all wildlife habitats extending from the cold desert through the montane (Canadian life zone) ecological associations. Almost nothing is known of their population dynamics. Without doubt a crucial period for this specie is when they are caring for young in the den. Dens while being inhabited are a critical use area.

The gray wolf is a historic inhabitant of the biogeographic area that sur-

rounds the project site. Currently its relative abundance is so low that the animal is listed as endangered with extinction. The wolf's substantial valued use area would be represented by any remote habitat in any ecological association.

Black bears are inhabitants of the biogeographic area that surrounds the project site. Their substantial valued use area is represented by all natural wildlife habitats (excluding the pasture and fields and urban or parks types) extending from the submontane into the montane (Canadian and Hudsonian life zones) ecological associations. These animals go into a semi-hibernation during winter. During this crucial period, which may last from December through March, the animal secrets itself in a den in order to conserve body energy reserves. The young are born in the den during January or February. Dens while being inhabited represent a critical valued use area for bears.

Many of the members of the family mustelidae are known to inhabit the biogeographic area that surrounds the project site. They are all protected and classified as furbearers--short-tailed and long-tailed weasles, mink, wolverine, marten, badger, striped and spotted skunks. Additionally, raccoon and muskrat, although not furbearers, are also inhabitants of the biogeographic area that surrounds the project site. All of these species are of high interest due to their value in the fur market.

The substantial valued use area for short-tailed and long-tailed weasles, mink, muskrat and raccoons is the riparian habitat. Weasles, which are inhabitants of the project site, do make some use of other habitats that are proximal to riparian zones. Muskrats and raccoons are restricted to riparian habitats of the cold desert and submontane ecological association; thus, they are not found on the project area. The long-tailed weasle can be found from the cold desert up into the montane (Canadian and Hudsonian life zones) ecological associations. The short-tailed weasle and mink populations extend their use from the submontane into the montane ecological association. It is important to note that the weasle

is restricted to the Canadian life zone; where as the mink utilize the Canadian and Hudsonian life zones.

The substantial valued use area for marten and wolverine is the montane ecological association. The marten does not utilize the Alpine life zone but the wolverine can be found at that elevation. Both species could be found in the environs of the project site.

The substantial valued use area for badger and skunks span all wildlife habitats other than dense forests in the cold desert, submontane and montane (Canadian life zone) ecological associations. Skunks show some afinity for habitats proximal to water. Skunks and badgers are dependent upon a suitable prey source.

A crucial period for maintenance of all furbearers, raccoons and muskrat populations is when they have young in a nest, den or lodge. Such sites are critical for reproductive success.

Bobcat, Canada lynx and cougar are known to inhabit the biogeographic area that surrounds the project site. For all of these species a crucial period for maintenance of their population is when the female has her young secreted at a den site. Such sites are of critical value when being utilized. It is also crucial to their survival that a female accompanied by young not be killed or harassed.

The substantial valued use area for bobcats extends from the cold desert through the submontane and into the montane (Canadian life zone) ecological association. The bobcat is normally associated with percipitous terrain, but has been observed in every wildlife habitat within the aforementioned ecological associations. Their primary prey source is represented by small mammals and birds or any other small animal they can catch. It is important to note that bobcats occasionally do kill the young of big game animals.

The substantial valued use area for the Canada lynx is restricted to the

Canadian and Hudsonian life zones of the montane ecological association. Normally, this cat would only be expected to utilize riparian and forested wildlife habitats. The lynx is similar in predation habits to the bobcat.

The substantial valued use area for the cougar (locally known as mountain lion) extends from the submontane into the montane (Canadian and Hudsonian life zone) ecological association. Due to the dependency of the cougar upon mule deer as a prey source, a ranking of the lion's seasonal distribution parallels that of the deer.

Mule deer are inhabitants of the biogeographic area that surrounds the project site. Their substantial valued use area spans all wildlife habitats extending from the cold desert through the submontane and montane ecological associations. In some situations deer show altitudinal migrations in response to winter conditions. There are, however, habitats where deer reside on a yearlong basis (see attached map).

Migration of mule deer from summer range to winter range is initiated during late October; probably, the annual disturbance of the fall hunting season coupled with changing weather conditions is the initial stimulus. The onset of winter weather reinforces the deer's urge to migrate and continued adverse weather keeps the deer on the winter range.

A portion of the project site represents winter range for mule deer herd Unit 34. Winter ranges for mule deer are all ranked as being of high-priority value to the animal; these areas are usually inhabited between November 1 and May 15 each year. During winters with severe conditions the higher elevation portion of the winter range becomes unavailable to deer due to snow depth. Traditionally, some restricted portions of the winter range have shown concentrated use by the deer; these sites are ranked as being of critical value. It is important to note that all of the canyon bottoms associated with the project are of critical value to deer. Critical valued sites must be protected from

man's disturbance when the deer are physically present on the range.

Deer begin their migration back to summer range during mid-May and remain there throughout October. Summer ranges on the project area represent deer herd Unit 34. They are ranked as being of high-priority value to mule deer. In instances where extent of summer range is the major limiting factor for a deer herd, those summer ranges are ranked as being of critical value.

There are ranges that support mule deer on a yearlong basis. Most of these ranges are of limited value to deer. However, there are some areas supporting yearlong use that are ranked as being of high-priority value to deer. There are no yearlong ranges for mule deer on the project site.

Mule deer fawn during the month of June. The continum of wildlife habitats extending from the pinion-juniper through the shrubland and into the aspen type probably represents the fawning area. All riparian areas are of critical value for fawning and maintenance of the deer population. To date no specific areas showing annual use for fawning are known. It is probable that such areas exist; they would be ranked as being of critical value to deer. It is important to note that June represents a crucial period for maintenance of deer populations.

Agriculture areas that are bisected by the access route to the project area are utilized yearlong by mule deer. Their use is sometimes intensified during the winter and spring periods.

Moose are inhabitants of the biogeographic area that surrounds the project site. Their substantial valued use area spans all wildlife habitats in the montane ecological association except those associated with the Alpine life zone. In some situations moose show altitudinal migrations in response to winter conditions. There are, however, habitats where moose reside on a yearlong basis (see attached map).

Migration of moose from summer range to winter range is initiated during late November; probably, changing weather conditions is the initial stimulus.

The onset of winter weather reinforces the moose's urge to migrate and continued adverse weather keeps the animal on the winter range.

A portion of the project site represents winter range for the Southeastern Utah moose herd--Huntington drainages. Winter ranges for moose that are characterized as riparian habitats are ranked as being of critical value, where as the remainder of the winter ranges are ranked as being of high-priority value to the animal. Note that all riparian areas associated with the project have shown use by moose. Winter ranges are usually inhabited by moose between December 1 and May 15 each year. During winters with severe conditions the higher elevation portion of the winter range becomes unavailable to moose due to snow depth. Critical valued sites must be protected from man's disturbance when the moose are physically present on the range.

Moose begin their migration back to summer range during mid-May and remain there throughout November. Summer ranges on the project area support animals from the Huntington drainages of the Southeastern Utah moose herd. Those summer ranges are ranked as being of high-priority value.

Ranges that support moose on a yearlong basis are ranked as being of critical value.

Moose calf during late May and June. Calving takes place in the riparian or adjacent forest habitats. Without doubt, all riparian areas are of critical value for calving and maintenance of the moose population. To date no specific areas showing annual use for calving are known. It is probable that such areas exist; they would be ranked as being of critical value to moose. It is important to note that June represents a crucial period for maintenance of moose populations.

Rocky mountain elk are inhabitants of the biogeographic area that surrounds the project site. Their substantial valued use area spans all wildlife habitats

extending from the submontane through the montane ecological association. Elk do not show as strong of altitudinal migration as mule deer do in response to winter conditions, but they do migrate to wintering areas (see attached map).

Migration of elk from summer range to winter range is initiated during late October; probably, the annual disturbance of the fall hunting seasons coupled with changing weather conditions is the initial stimulus. The onset of winter weather reinforces the elk's urge to migrate and continued adverse weather keeps elk on the winter range.

A portion of the project site represents winter range for the Manti elk herd--Unit 12. Winter ranges for elk are all ranked as being of high-priority value to the animal; these areas are usually inhabited between November 1 and May 15 each year. During winters with severe conditions some portions of the winter range becomes unavailable to elk due to snow depth. Traditionally, some restricted portions of the winter range have shown concentrated use by the elk; these sites are ranked as being of critical value. The high ridges associated with the project are critical winter ranges for elk. Critical valued sites must be protected from man's disturbance when the elk are physically present on the range.

Elk begin their migration back to summer range during mid-May and remain there throughout October. Summer ranges on the project area support the Manti elk herd--Unit 12; they are ranked as being of high-priority value.

Elk calf during the month of June. Their preferred calving areas are best described as aspen forests with lush understory vegetation. All riparian areas on the summer range are of critical value for calving and maintenance of the elk population. To date no specific areas showing annual use for calving are known. It is probable that such areas exist; they would be ranked as being of critical value to elk. It is important to note that June represents a crucial period for maintenance of elk populations.

Currently, there are no other known high interest wildlife species or their habitat use areas on or adjacent to the project area. It is not unreasonable to suspect that in the future, some additional species of wildlife may become of high interest to the local area, Utah or the Nation. If such is the case, the required periodic updates of project permits and reclamation plans can be adjusted and appropriate recommendations made.

SMC 780.16 OR UMC 784.21; FISH AND WILDLIFE PLAN
UTAH POWER AND LIGHT COMPANY, DEER CREEK MINING PROJECT

Mitigation and Impact Avoidance Procedures General to all Wildlife

Utah Division of Wildlife Resources provides the following recommendations in order to minimize disturbances and impacts on wildlife and their habitats that could be impacted during developmental, operational and reclamation operations at the Company's mining project. The recommendations address how enhancement of the wildlife resource and their habitats as discussed in UMC 783.20 can be achieved. They are also consistent with the performance standards of UMC 817.97. In instances where it would be necessary to restore or could be beneficial to enhance or develop high value habitats for fish and wildlife, recommended plant materials and rates of application are provided as "Appendix B" (UMC 817.97 and UMC 817.111 through 817.117). This list should prove useful in meeting the additional requirements to be imposed upon the operator if the primary or secondary land use will be for wildlife habitats (UMC 817.97 d 9). Additionally, "Appendix C" represents a list of commercial sources for plant materials.

The project and adjacent areas are represented by nine basic wildlife habitats which are inhabited on occasion and during different seasons of the year by about 239 species of vertebrate wildlife. The wildlife habitats and use areas for the "high interest" species from this group of wildlife have been ranked into four levels of importance. The most valuable to an individual species or ecological assemblage are the critical sites followed in respective importance by high-priority, substantial value and limited value sites. Each type of use area requires various and specific levels of protection from man's activities. Additionally, due to the variability of vegetation communities in each use area, various and specific tech-

nologies in site development will need to be evaluated for possible mitigations, enhancements of wildland habitats or the required level of reclamation. It is recommended that all land clearing impacts be designed so that irregular shaped openings are created in contrast to openings that would have straight edges.

It is recommended that the Company make significant efforts to educate all employees associated with their coal handling operation of the intricate values of the wildlife resource associated with the project and adjacent areas and the local area. Each employee should be advised not to unnecessarily or without proper permits harrass or take any wildlife. (Apprehension of wildlife violators has increased by nearly 250 percent during recent years in the region). It is especially important that wildlife not be harrassed during winter periods, breeding seasons and early in the rearing process. Exploration should be limited as much as possible during these crucial periods.

During winter wildlife are always in a depleted condition. Unnecessary disturbance by man causes them to use up critical and limited energy reserves which, often times, results in mortality. In less severe cases, the fetus being carried by mammals may be aborted or absorbed by the animal, thus reducing reproductive success of a population.

During breeding seasons, disturbance by man can negatively affect the number of breeding territories for some species of wildlife. Disturbance can also interrupt courtship displays and preclude timely interactions between breeding animals. This could result in reduced reproductive success and ultimate reductions in population levels.

Early in the rearing process, young animals need the peace and tranquility normally afforded by remote wildlands. It is also during this crucial period that young animals gain the strength and ability to elude man and other predators. This allows the young animal to develop in relatively unstressed situations and to

utilize habitats that are secure from predators. Disturbance by man can compromise this situation and result in abandonment of the young by the female, increased accidents that result in mortality to young animals or increased natural predation. It is recommended that employees be cautioned against disturbing young animals or females with young if accidentally located.

Employees associated with coal handling operations should be instructed that when wildlife are encountered during routine work that they not stop vehicles for viewing purposes. Moving traffic is less disturbing to wildlife than traffic that stops or results in out-of-the-vehicle activities. If viewing is desireable, the vehicle should only be slowed, but not stopped.

Hunting and other state and federal wildlife regulations must be adhered to by sportsmen utilizing the project area.

Mitigation and Impact Avoidance Procedures for Aquatic Wildlife

There are no recommendations for a wildlife plan that would enhance any fishery.

If ultimate operations are planned or occur that could physically or chemically impact any perennial stream beyond the impact of mere crossings, detailed reclamation plans will be required. Permanent culvert crossings exceeding a width of eight feet must have a natural bottom and devices for reducing stream velocity so that fish migration is not blocked. A reclamation plan for a stream or lake would have to provide for measurement of the physical characters of the water prior to disturbance. Such measurements should consider surface water information required in SMC 779.16, data on stream velocity, gradient, width, depth, pool-riffle ratio and substrata types.

Reclamation that would achieve development of a lake bed or stream channel similar in character to that which existed prior to disturbance should result in natural re-establishment of macroinvertebrates, macrophytes and a fish population. If merited, the Division could then introduce desired fishes into those waters.

This would adequately mitigate for disturbance and temorary loss of aquatic resources. There would be no mitigation for displacement and possible loss of other wildlife species dependent upon the aquatic wildlife as a prey source. It is believed that impacts on such species would not be significant.

It is also recommended that adequate precautions be taken to keep all forms of coal or other sediments from being inadvertently deposited along or within perennial stream channels. Similar precautions should be taken to preclude deposition of coal partilces or sediments in or along other drainages from which the material could be transported during a precipitation event into a perennial stream. This would include blow-coal from haulage trucks, railroads or other transportation systems and storage piles. Control of larger coal particles from the above sources is equally important to control of fugitive dust. If needed, haulage vessels or storage sites should be covered, or the surface of the coal appropriately sprayed in order to solidify it against wind movement. Travel speeds of haulage vessels could be reduced so that coal is not allowed to leave the transportation system. The impacts of coal or other sediments on aquatic ecosystems are many and varied; therefore, sediments must be kept out of those systems.

Utah Division of Wildlife Resources reaffirms all of the recommendations in UMC 817.41 through 817.57 and UMC 817.126 for protecting the State's waters and their associated riparian and wetland zones along with the aquatic wildlife resource.

Mitigation and Impact Avoidance Procedures for Terrestrial Habitats

It is recommended that all wetland and riparian habitats be maintained. Roads and other facility developments should not destroy or degrade these limited, highly productive and unique habitats. Roads crossing through those areas should do so in a manner that is least damaging to the habitat. Wetlands and riparian habitats are ranked as being of critical value and are the most productive sites in terms of herbage and biota produced as compared to other local habitat types. It is probable

that a majority of the vertebrate wildlife that inhabit the project area make some use of riparian or wetland areas.

It is important to note that roads and other surface facilities to be constructed should as far as practicable be placed at sites where they will not compromise wildlife or their use areas. Also, surface facilities, including roads, should be screened if possible from wildlife use areas by vegetation or terrain.

In situations where wildland habitats have been or will be disturbed, reclamation is required. Also, there are sites where development or enhancement of wildland habitats through vegetation treatments and/or seedings and transplants of seedlings could benefit wildlife. "Appendix B" depicts the Division's recommendation for plant materials to be utilized for various wildlife habitats on wildland treatments that are intended to benefit wildlife. If circumstances arise where seed or seedling transplants for a recommended plant species are not available, suitable alternates are also recommended.

Seedling transplants from nursery stock as well as nearby rangelands would also be acceptable for some wildland treatments.

Appendix C represents an exaustive list of commercial sources for plant materials for use in wildland treatments.

Temporary control of rodents may be required to ensure a successful rangeland treatment. It is recommended that the county agent be consulted in this area of concern. Poisoned oats are the most common and acceptable method for rodent control; however, only licensed perons may apply the treatment.

Currently, there are some new concepts in metholdology for revegetation that are being successfully implemented in other parts of the nation and world. One promising method is a procedure where a large scoop removes, from a natural and stabilized site, a small area of earth intact with vegetation and subsurface soils for placement on a site to be restored. This same procedure can be utilized when disturbing pristine sites, except that the native vegetation is stored for use in

latent reclamation. Another meritorius method for stimulating natural revegetation, in combination with other reclamation techniques, is to plan facility developments so that islands of natural, native vegetation remain. This will allow for natural vegetation to spread from the islands. These techniques can also be useful for enhancement of poor quality sites that currently exist on the mine plan area.

Encapsulation of seed and fertilizer for several releases over a period of years after a single application is a new and possibly advantageous procedure. This technique along with soil stabilizing structures has been successfully used in South Africa. Dr. J. Van Wyk in the Department of Botany at Potchetstroom University in South Africa could provide additional information on this new technique.

There are also new specialized techniques coming to the forefront for stabilization of problem sites such as roadbanks and steep slopes. It is important that these sites be promptly and permanently revegetated in order to reduce siltation into local riverine systems. This will mitigate for damage to aquatic wildlife populations and habitats from siltation. Enhancement of existing problem sites or reclamation of disturbed sites can mitigate for salt loading of local river systems. It is believed that natural, nonpoint sources represent 50 percent of the salinity in the upper basin of the Colorado River system into which this mine plan area drains.

It is recommended the Company make numerous contacts with appropriate agencies, institutions and persons to ensure that enhancement or reclamation projects achieve the required degree of permanency, plant diversity, extent of cover and capability of regeneration to ensure plant succession. Generally speaking, seeding should be accomplished as late in the fall as possible. Seedling transplants need to be coordinated with local soil moisture conditions which are usually at optimum in the early spring just as the snow melts.

It is paramount that suitable vegetation be maintained and/or re-established if thelife requirements of wildlife are to be satisfied in the postmining period. Success in this area of concern along with cessation of man's disturbances will likely result in a natural reinvasion and the resultant inhabitation by most wildlife species of an impacted site.

It is important to note that enhancement or reclamation projects that are to benefit wildlife must be properly designed so that all the life requirements of the target species are considered in conjunction with forage. Water must be provided or be present and thermal cover along with escape and hiding cover has to be in abundance. Loafing areas and travelways between the many types of use areas must also be provided. In order to meet these goals, a considerable degree of consultation will be required between the Company and Utah Division of Wildlife Resources.

As a service and also to ensure that the needs of wildlife are met, the various expertism within the Division of Wildlife Resources are available to the Company for consultation. For the most part, Larry Dalton, Resource Analyst, for the Southeastern Regional office at 455 West Railroad Avenue in Price, Utah 84501 (phone 637-3310) will coordinate any needed contacts. Richard Stevens, Wildlife Biologist, at the Great Basin Research Center, Box 704, in Ephraim, Utah 84627 (phone 283-4441) is available for consultation and site specific analysis concerning species for vegetation plantings, timing and techniques to achieve the best results.

In instances where revegetation projects are to be planned over coal waste areas, heavy metal uptake by the plants must be evaluated. It is recommended that the Company initiate an appropriate long-term monitoring program to determine the magnitude and resolutions, if needed, for this problem.

It is recommended that persistent pesticides not be utilized on the project area. Other alternate pesticides or forms of control should be utilized.

All hazards associated with the project operation should be fenced or covered to preclude use by wildlife; of special concern would be sites having potential to entrap animals or toxic materials.

Mitigation and Impact Avoidance Procedures for Amphibians and Reptiles

Enhancement or development of habitats that provides a diversity of vegetation will benefit amphibians and reptiles. It is important to note that all of these species are protected by Utah law. Due to the myriad and myths that surround these animals, it is urged that individual specimens not be destroyed. This is especially true for snakes since they are a valuable component of the ecosystem.

Snake dens are ranked as being of critical value to the population and are protected by law. If a den is located, it should be reported to the Utah Division of Wildlife Resources. Snake dens can be moved by the Division, but only with intensive efforts that may take a year or more (snakes are caught and removed in the spring and fall). Thus, construction of facility developments may take place in denning locations if there is sufficient lead time to relocate the occupants.

Mitigation and Impact Avoidance Procedures for Avifauna

It is recognizable that development and operation of a mining project will in some cases negatively impact many avian species through physical destruction of habitats and continual disturbance that makes other habitats unavailable or less desireable to an individual bird. It is also true that impacts that are negative to one species may be beneficial to another species. It is recommended that the Company plant native and/or ornamental berry producing shrubs around surface facilities. When mourning doves are a target species, sunflowers or blazing star should be planted. This will provide food and cover for many of the smaller species of birds, resulting in enhancement of their substantial value and high-priority habitats. This action would also mitigate for disturbances and destruction of avifauna habitats at other sites associated with project operations.

It is important to note that the nests of all avifauna (except the house sparrow, starling and rock dove) when active and their eggs are protected by federal (Federal Migratory Bird Treaty Act) or state laws (Utah Code 23-17-1 and 23-17-2). All avifauna utilize a nest during their reproductive process. Dependent upon the species, some nests are well developed while others may be represented by only a scrape on the ground. These sites when being utilized are critical to maintenance of individual bird populations; each species has a specific crucial time period in which the nest is occupied. It is during this crucial period that the nest must be protected from disturbance.

Several species of raptors frequent the project area. Their nests when active should not be disturbed and abandoned stick nests are never to be damaged. Every effort should be made to eliminate man's disturbance within visual sight or one-half kilometer radius of an active raptor nest. This distance would have to be increased to a one-kilometer radius if the cause for disturbance were to originate within view and from above the nest. This effort is demanded in the instance of golden eagles and cliff nesting falcons since they are sensitive to disturbance and could abandon the nest. Termination of man's use of a site would not be required if eagles or falcons constructed their nest after mining had been initiated, since it would demonstrate the individual bird's willingness to tolerate mining activities and the associated disturbance by man.

Roost trees for eagles, if located, must not be disturbed or destroyed. Similarly, activities planned for high-priority concentration areas of eagles must be designed and implemented so that they are not of significant disturbance to the birds.

As a general comment, whenever active raptor nests are observed or roost trees for eagles located, they need to be reported to the Utah Division of Wildlife Resources and the U.S. Fish and Wildlife Service.

Design and construction of all electrical power lines and other transmission facilities shall be designed in accordance with guidelines set forth in "Environmental Criteria for Electric Transmission System" published by the USDA and USDI in 1970 and/or the REA Bulletin 61-10 "Powerline Contacts by Eagles and Other Large Birds." It is also recommended that placement of utility poles over flat or rolling terrain be planned so that they are out of view of roads or at least 300 meters away from any roads. This will lessen opportunity for illegal killing of these valuable birds, since the poles can serve as suitable hunting perches for raptors. In some instances poles can result in an extension of raptor hunting territories, which would represent a beneficial impact.

During the crucial period of December through February spruce-fir forests and aspen forests need to be protected from man's disturbance so that blue grouse and ruffed grouse will not be impacted. Destruction of these wildlife habitats at any time of the year need be minimized due to their value to wildlife.

During the spring period (mid-March through mid-June) care needs to be taken that male blue grouse are not disturbed or precluded from establishing breeding territories. Similar precautions need be taken for male ruffed grouse (March through May) in the area of drumming logs.

Mature trees with natural cavities and dead snags need to be protected for use by cavity nesting birds. Trees with such a character are ranked as being of critical value to cavity nesting birds. The project should be planned so that three such trees are left standing per acre within 500 feet of forest openings or water and two such trees per acre in dense forested areas.

Mitigation and Impact Avoidance Procedures for Mammals

The lodges, nests and dens of all mammals or roosts in the instance of bat like mammals represent a critical use area for maintenance of their individual populations. The crucial period for any species is when the lodge, den, nest or roost is occupied. Therefore, such sites for any mammal must be protected from

disturbance during that period when it is being utilized.

Many species of mammals develop food caches in order to carry individual animals or family groups through periods when they cannot forage. Such sites are of critical value to maintenance of their populations and if located should not be destroyed or subjected to regular disturbance by man.

It is important to realize that within natural ecosystems there exists a predator-prey relationship. One specie of animal may represent a prey source for other species. Therefore, it is important that project operations be designed and implemented so as to not unnecessarily disturb or destroy any wildlife or their habitats.

Big game ungulates--mule deer, moose and elk--each have seasonal use areas ranked as being of critical value to an individual herd. Such sites need to be protected from any of man's activities or developments that could result in destruction, loss or permanent occupancy of the site by man or has facility developments. If these types of impacts cannot be avoided the site must ultimately be reclaimed and revegetated. Also, critical valued areas need protection from disturbance during their appropriate crucial period.

High-priority valued use areas for all wildlife and particularly big game ungulates need to be protected from man's activities or facility developments. Actions that would result in loss or permanent occupancy of significant acreages (25 or more acres) of habitat are of special concern. In any event impacts to high-priority valued areas should be limited and ultimate reclamation planned. Many impacts can be avoided simply by precluding exploration, developmental or other activities during the period of time when a high interest specie is present.

Haulage of coal between the various mine projects and distribution points should be planned so that impacts to wildlife are lessened; of special concern is haulage of coal through wintering areas for big game. It is recommended that the

Company develop coal haulage contracts that require personnel involved with coal haulage to use extreme caution so that accidental collisions between motor vehicles and big game are reduced. Without doubt, a reduction in speed across winter ranges would aleviate this problem during the period between November 1 and May 15 each year.

At present the most successful and cost effective technique for reducing deer-highway mortality is a system of warning reflectors. This system (manufactured by Streiter Corporation, 2100 Eighteenth Avenue, Rock Island Illinois 61201 and known as "Swareflex") is only of value at night time, but it is during darkness that most deer-highway mortality occurs. Strieter Corporation describes the effect of the reflector system as follows: "The headlights of approaching vehicles strike the wildlife reflectors which are installed on both sides of the road. Unnoticeable to the driver, these reflect red lights into the adjoining terrain and an optical warning fence is produced. Any approaching wildlife is [are] alerted and stops or returns to the safety of the countryside. Immediately after the vehicle has passed, the reflectors become inactive, thereby permitting the animals to cross safely".

Installation of a wildlife warning reflector system, a reduction in speed of coal-haulage trucks and other mine related traffic and increased awareness of wildlife values by mine associated employees should result in a reduction of deer-highway mortality problems. Such a reduction would represent satisfactory mitigation.

In instances where conveyors, slurry lines or any other structure having potential to be a barrier to big game movement are to be developed or exist, passage structures must be provided. Generally speaking overpass and underpass type structures are recommended in order to allow passage of big game to habitats either side of any barrier. These crossings should be placed at the points to be identified from either intensive study of big game movements in relation to the mine plan area or if practicable from consultation with Utah's Division of Wildlife Resources.

Such study would not be required if the structure was adequately elevated to allow uninhabited passage of big game along its entire length. The existing conveyor needs to have at least two crossing structures developed; probably, the overpass style is suited to the problem. Placement of these structures can be determined by a Division field inspection.

Underpasses should have aminimum clearance of three meters maintained across a span of at least five meters. Overpasses should be designed as a circular earthern ramp with the barrier bisecting the ramp into two equal halves as follows:

> On either side of the conveyor a half-round ramp with a slope no greater than 3:1 on a five meters wide path placed at an angle 90 degrees to the conveyor and tapering around to a slope of 5:1 at paths adjacent and parallel to the conveyor. The platform over the conveyor should be concrete or some other material that would not echo when being crossed by big game and should be of character similar to rock or natural earth.

Soils associated with either crossing style should be of the A or B horizons to allow for development of vegetation. Vegetative cover must be established in association with all crossing sites. This will lessen anxiety of individual animals using the site through development of a natural appearing environment.

Mature pinyon or juniper trees and an abundance of browse plants need to be placed proximal to crossing points in order to provide a safe travelway. The browse plants will also serve as a permanent attraction for big game to crossing points. Additionally, a mixture of grass and forb seeds should be broadcast over each crossing point to stabilize the soil and enhance the forage situation.

Appropriately sized boulders may need to be placed at crossing sites in order to control off-road vehicles utilized in outdoor recreation.

Industrial developments are encouraged on habitat use areas that are ranked as being of limited value to wildlife. It should be noted, however, that reclamation is ultimately expected on any wildlife use area, regardless of its value to wildlife.