

state of utah

File Coal
ACT/015/027
#2 JWS



DIVISION OF WILDLIFE RESOURCES

DOUGLAS F. DAY
Director

EQUAL OPPORTUNITY EMPLOYER

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

October 21, 1980

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

Mr. Cleon B. Feight, Director
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Utah 84116

RECEIVED

OCT 27 1980

Attention: Mary Ann Wright

DIVISION OF
OIL, GAS & MINING

Dear Mr. Feight:

In response to the request for consultation concerning the nature and level of detail for fish and wildlife resource information to be provided for the Cottonwood Portal project (ACT/015/027) by Utah Power and Light Company, the following recommendations are offered. These recommendations parallel the "Guidelines for Fish and Wildlife Resource Information Required in Utah on Coal Mine Lands" suggested by our Division and provided earlier to Mary Ann Wright.

Mapping and Associated Narrative

1. The applicant should provide detailed topographic maps or aerial photographs of the mine plan and designated adjacent areas that display vegetation cover. Unique habitat types such as wetlands, bogs, seeps, flood plains and riparian zones are of special importance to wildlife. The maps should be accompanied by sufficient descriptive narration describing the various plant communities as follows:
 - a. Total acreage for vegetation community.
 - b. Species composition of vegetation communities.
 - c. Condition, successional stage and trend of all vegetation communities.
 - d. Present use by livestock.

It is probable that this information would have to be secured through a land management agency or a qualified, private consultant.

2. The applicant should provide detailed topographic maps of the mine plan and designated adjacent areas that display distributions and use areas for high interest species of terrestrial and aquatic vertebrate wildlife. Such maps should be of the same scale as the vegetation cover maps. The maps should be accompanied by sufficient descriptive narration describing the high interest Aquatic, Amphibian, Reptilian, Avian and Mammalian forms of wildlife and the quality (ranking) and quantity (extent or acreage) of their use areas.

This information is available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

3. The applicant should provide detailed topographic maps of the mine plan and designated adjacent areas that display locations of all seeps, springs, wells, perennial, intermittent and ephemeral streams, lakes, reservoirs and ponds. Such maps should be accompanied by sufficient descriptive narration and tabular data concerning quantity and quality of the various surface waters (e.g., miles of stream as classified by the state water plan to include stream velocity, gradient - width, depth, pool-riffle ratio, substrata type, acres of flat water and surface water information required for SMC, Part 779.16). Water sources and unique habitats are critical to the survival of many forms of wildlife.

It is probable that this information would have to be secured through a land management agency, State Department of Health (Bureau of Water Quality) or a qualified, private consultant.

Fish or Wildlife Studies

A. Aquatic Wildlife

1. Macrophytes - studies are not recommended since high interest fishes do not inhabit Cottonwood Creek.
2. Macroinvertebrates - no studies are recommended. However, the applicant must identify in the application what impact avoidance procedures will be utilized to keep any form of coal sediments or other pollution from entering Cottonwood Creek which is a tributary drainage to Straight Canyon Creek. Deposition of coal particles in the aquatic system could have a variety of negative impacts on invertebrate populations. These animals are needed as forage for fishes that inhabit Straight Canyon Creek.
3. Fish - all fish in the state of Utah are protected; therefore, data from low levels of study for fishes inhabiting the mine plan and adjacent areas (Cottonwood Creek and Straight Canyon Creek) are recommended to be included in the application for this mine project. Low level studies should identify potential occurrence, relative abundance, status, population trend and preferred habitat use areas for all fishes inhabiting the mine plan and adjacent areas.

Low levels of study concerning fishes have already been completed and are available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

B. Terrestrial Wildlife

1. Amphibians - all amphibians in the state of Utah are protected; therefore, data from low levels of study for amphibians inhabiting the mine plan and adjacent areas are recommended to be included with the application for this mine project. Currently, the tiger salamander is the only species of amphibian recognized as being of high interest to the state of Utah that inhabits the project area. It is not believed that the project will significantly impact this species or its high value habitat use areas, thus, high level studies need not be considered.
2. Reptiles - all reptiles in the state of Utah are protected; therefore, data from low levels of study for reptiles inhabiting the mine plan and adjacent areas are recommended to be included with the application for this mine project. Currently, the Utah milk snake and Utah mountain kingsnake are the only species of reptiles recognized as being of high interest to the state of Utah that inhabit the project area. It is not believed that the project will significantly impact these species or their high value habitat use areas, thus, high level studies need not be considered.

Low level studies should identify potential occurrence, relative abundance, status, population trend and preferred habitat use areas for all amphibians and reptiles inhabiting the mine plan and designated adjacent areas. Such studies concerning amphibians and reptiles have already been completed and are available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

3. Birds - all birds in the state of Utah are protected; therefore, data from the low levels of study for avifauna inhabiting the mine plan and adjacent areas are recommended to be included with the application for this mine project. Low level studies should identify potential occurrence, season of use, relative abundance, status population trend and preferred habitat use areas for all birds inhabiting the mine plan and designated adjacent areas. These studies have already been completed and are available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

An intensive survey to be provided by the applicant for breeding raptors and "high priority" habitats--43 CFR 3461.1 (n-1)--for other birds that have high federal interest is recommended. Raptors are extremely sensitive to man's disturbances. There exists a lack of significant site specific knowledge of aeries and "high priority" habitats on the mine project area. Such a survey would represent a high level of study and only needs to be conducted within a one-kilometer radius of planned surface developments and activity centers. The results of such study should be included with the application for a mining permit.

If such surveys have already been completed, the Division requests an opportunity to review this work in order to make a determination of its adequacy.

High level studies relative to use of the mine plan and designated adjacent areas by migratory and upland game birds, federally listed endangered species of avifauna and potential use by migratory birds having high federal interest in the Uintah-Southwestern Utah coal leasing region should be included with the application for a mining permit. Such studies are ongoing or have been completed and are available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

No other high level studies are recommended for avifauna since unique habitats have not been identified as having potential to be impacted by the mine project. If the applicant's plans change, high levels of study would be recommended concerning high interest species and their use of unique habitats. Results of such studies should be included with the permit application. This data is not generally available and would necessitate the services of a qualified, private consultant.

4. Mammals - it is recommended that data from low levels of study for mammals inhabiting the mine plan and adjacent areas be included with the application for this mine project. Low level studies should identify potential habitat use areas for all mammals inhabiting the mine plan and designated adjacent areas. These studies have already been completed and are available from Utah's Division of Wildlife Resources Southeastern Regional Office in Price, Utah.

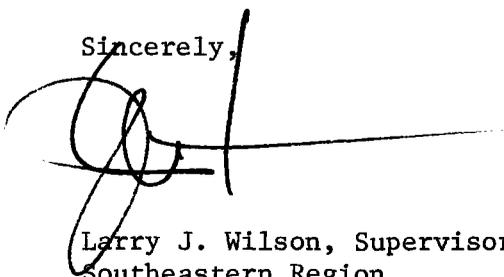
Additionally, high level studies relative to use of the mine plan and designated adjacent areas by protected species and federally listed endangered species of mammals should be included with the application for a mining permit. Such studies are ongoing or have been completed and are available from Utah's Division of Wildlife Resources Regional Office in Price, Utah.

No other high level studies are recommended for mammals since high interest species of limited distribution will not be severely impacted by the mining project.

5. Consultation Required for the Presence of Threatened or Endangered Species - it is recommended that the applicant and the Division of Oil, Gas and Mining contact the U. S. Fish and Wildlife Service for consultation required to determine the presence or non-presence of threatened or endangered biotic species on the project.

Thank you for an opportunity to provide input into this area of concern.

Sincerely,



Larry J. Wilson, Supervisor
Southeastern Region

LJW:LBD:gp

cc: Darrell Nish
Clark Johnson
Sam Rowley
Reid Christensen