



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
 Governor
 Kathleen Clarke
 Executive Director
 Lowell P. Braxton
 Division Director

1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, Utah 84114-5801
 801-538-5340
 801-359-3940 (Fax)
 801-538-7223 (TDD)

September 11, 2000

Reed Harris, Assistant Field Supervisor
 U. S. Fish and Wildlife Service
 Lincoln Plaza
 145 East 1300 South, Suite 404
 Salt Lake City, Utah 84115

Re: Section 7 Consultation on the Wild Horse Ridge Mine application, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025-SR98(1), Outgoing File

Dear Mr. Harris:

The purposes of this letter are to, first, request your concurrence with our findings on the Wild Horse Ridge addition to the Bear Canyon Mine in accordance with the Section 7 requirements of the Endangered Species Act, and second, to let you know how we are addressing your concerns about raptors as expressed in your December 16, 1999, letter about this project.

We do not feel there will be any adverse effects on threatened or endangered species. The mine is in Emery County, and we have evaluated the possibility of the following species occurring in the area or being adversely affected by the proposal:

Barneby Reed-Mustard	Jones Cycladenia	Last Chance Townsendia
Maguire Daisy	Despain Footcactus	Wright Fishhook Cactus
Winkler Cactus	Black-Footed Ferret	Bald Eagle
Razorback Sucker	Colorado Pikeminnow	Bonytail Chub
Humpback Chub	Southwestern Willow Flycatcher	

All of the plant species on this list occur at lower elevations than the mine and have no potential habitat in the proposed addition to the permit area.

There have been no confirmed sightings of black-footed ferrets in Emery County in several years, and the area proposed to be added to the permit area does not contain a prairie dog or black-footed ferret habitat.

Bald eagles are common in the area during the winter and could occasionally fly through or roost in the proposed addition to the permit area, but there are no nearby nests. Mining would have negligible effects on these birds.

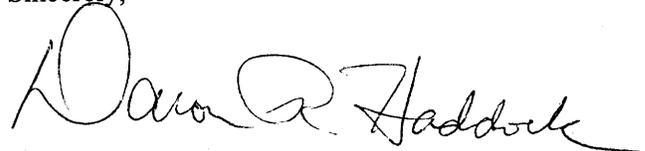
Southwestern willow flycatchers require dense patches of willows and other riparian vegetation, this habitat is lacking in the proposed addition to the permit area. In the proposed disturbed area, coyote willows are present at an average density of 25 per acre.

Through water depletions, the mine has potential of adversely affecting the four listed threatened and endangered fish species of the upper Colorado River drainage. The mine is currently using about 36.2 acre-feet of water annually; however, this is not expected to increase with the Wild Horse Ridge addition.

Your December 16, 1999, letter recommends constructing the facilities outside the raptor breeding and nesting periods. Unless monitoring shows nearby nests are inactive, the applicant will need to begin construction outside the breeding and nesting season. We are willing to allow construction to begin outside the nesting season and continue into this time period; however, we feel both construction and operation of the mine may adversely affect use of nearby nests. Therefore, we are developing a mitigation plan with the Division of Wildlife Resources and have consulted Scott Gamo of your office about this plan. This plan will include enhancement of habitat for prey species and may also include construction of an artificial nest site.

Please let us know if you concur with our findings on threatened and endangered species and if you have other concerns. If you have any questions about this project, please call Paul Baker at 801-538-5261.

Sincerely,



Daron R. Haddock
Permit Supervisor

pbb/sm
cc: Wendell Owen, Co-Op Mining
Price Field Office
O:\015025.BCN\FINAL\sec7.wpd