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April 28, 1987

TO: File

FROM: Lynn Kunzler, Reclamation Biologist

RE: Response to Condition UMC 817-97-(1)-LK, Tract II Lease Modification, Genwal Coal Company, Crandall Canyon Mine, ACT/015/032, Folder #2, Emery County, Utah.

Background:

Condition UMC 817.97-(1)-LK required Genwal Coal Company (GCC) to Develop a mitigation plan acceptable to the Utah Division of Wildlife Resources (DWR) for impacts to wildlife caused by impacts of mining to seeps and springs.

In a letter dated March 10, 1986 from Mr. John Livesay, DWR, to Mr. Andy King, GCC, DWR outlined minimum mitigation as simply the replacement of water for impacted seeps and springs. Impacts would be deemed substantial if the daily flow was reduced by 50% or more. This letter also provided the rationale for ranking every seep and spring as critical value for wildlife.

Response to Condition:

GCC has provided a mitigation plan that will replace water at seeps and springs through the use of guzzlers (pages 3-9 & 3-9a). The design and placement of guzzlers will be done in cooperation with DWR and the Division. GCC will implement this mitigation if it is proven that mining activities have dried up a significant spring in the area.

Findings and Conclusion:

Replacing water at impacted seeps and springs by installing guzzlers, the number and placement to be determined on a site specific basis in consultation with DWR and DOGM is acceptable. However, concern exists in that the plan does not identify seeps per se , and what constitutes 'drying up a significant spring'.

Before the response to stipulation UMC 817.97-(1)-LK can be considered adequate, the following comment must be addressed:

> GCC must identify in the mine plan that all seeps and springs are significant to wildlife, that mitigation will occur for all impacted seeps and springs, and that a seep or spring will be considered impacted if there is a 50% or greater reduction in normal flow.

cc: Sue Linner
James Leatherwood
0463R/59-60