



United States Department of the Interior

FISH AND WILDLIFE SERVICE
 FISH AND WILDLIFE ENHANCEMENT
 UTAH STATE OFFICE
 2078 ADMINISTRATION BUILDING
 1745 WEST 1700 SOUTH
 SALT LAKE CITY, UTAH 84104-5110



In Reply Refer To
 (FWE)

February 28, 1989

RECEIVED
 MAR 01 1989

Diane Nielson, Director
 Division of Oil, Gas, and Mining
 355 West North Temple
 3 Triad Center, Suite 350
 Salt Lake City, Utah 84180

DIVISION OF
 OIL, GAS & MINING

Re: Genwal Coal Company, Crandall Canyon Mine ACT/015/032 Mine plan update

Dear Ms. Nielson:

We have examined the information provided by your correspondence of January 3 and January 31, 1989. Based upon the plan described, we believe that it provides adequate protection for the eagle nest located on the mine plan area.

One point of information -- Fish and Wildlife Service biologists observed nesting Williamson Sapsuckers in the Crandall Canyon area riparian habitat prior to the development of the mine.

Also, the plan indicates that if the eagle nest subsequently comes under threat from subsidence that a mitigation plan would be developed by the Divisions of Wildlife Resources and Oil, Gas and Mining. Keep in mind that no action can be approved that would result in loss of the nest without the issuance of an appropriate permit by the Fish and Wildlife Service. In addition, if the nest becomes "active" (occupied by adults, presence of eggs, or presence of young) no activities should be approved that might result in a "taking action" during that period of time.

We thank you for the opportunity of participating in your permitting actions for this mine and if we can be of further assistance contact Clark D. Johnson at 524-5649.

Sincerely,

Robert G. Ruesink
 Robert G. Ruesink
 State Supervisor