



Canyon Fuel Company, LLC
 Skyline Mines
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March 31, 2004

Coal Regulatory Program
 Attn.: Pam Grubaugh-Littig
 Division of Oil, Gas and Mining
 1594 West North Temple, Suite 1210
 Box 145801
 Salt Lake City, Utah 84114-5801

Incoming
C/007/0005
0005

RE: 2003 Annual Report for Canyon Fuel Company, Skyline Mine, C/007/005

Dear Ms. Grubaugh-Littig:

Please find enclosed with this letter two copies each of the Skyline Mine 2003 Annual Report. The information contained within the report is, to the best our knowledge, current and correct. Also attached to this letter in a separate envelope are copies of the written portion of the 2002 Raptor Survey for Skyline Mine. This information was apparently lacking from the 2002 Annual Report and was recently requested by Jerriann Ernstsen of your staff. The mine is still waiting on Dr. Dennis Shiozawa's macro invertebrate studies for the fall of 2003 in the Burnout, James and Eccles Creeks. The mine plans to perform the required fish studies in James and Burnout Creeks in 2004. Earlier, the Utah Division of Fish and Game requested the mine not perform the electro-shock survey of the fish two consecutive years. They were concerned about mortality rates due to the survey.

If you have any questions regarding the 2003 Annual Report, please call me at (435) 448-2669.

Sincerely:

Chris D. Hansen

Chris D. Hansen
 Environmental Coordinator
 Canyon Fuel Company, LLC

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 MAR 31 2004
 DIV. OF OIL, GAS & MINING

File in:
C/007/0005 2004 Incoming
 Refer to:
 Confidential
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 Date: *03/31/04* For additional information
2003 Annual Report

**2002 RAPTOR SURVEY
WRITTEN REPORT**

Patrick Collins
Mt. Nebo Scientific
330 E. 400 S., Suite 6
P.O. Box 337
Springville, UT 84663

Skyline Mine Northern Goshawk Survey

The Northern Goshawk (*Accipiter gentilis*) in the western United States has been proposed for addition to the USFWS species list in the threatened category several times in the last decade, but the USFWS has consistently decided that the status of the species does not yet warrant such protection. Nevertheless, the USFS in Utah lists Northern Goshawk as a sensitive, special status species and requires general presence-absence surveys for it in areas adjacent to proposed development projects. The purpose of this survey was to determine if goshawks are present in the Skyline Mine area within the Manti-La Sal National Forest.

Areas of potentially suitable nesting habitat for Northern Goshawk typically consist of coniferous forest and mixed-aspen forest types dominated by spruce, fir, pine, and aspen (Squires and Reynolds, 1997). The Skyline property is made up of 463 acres of aspen, 123 acres of aspen /conifer, 251 acres of spruce/fir and 40 acres of Dry Meadow. All of these habitats except for the meadow comprise suitable goshawk nesting habitat. The standardized inventory and monitoring protocols developed by Kennedy and Stahlecker (1993) and Joy et al. (1994) and adopted by the USFS in Utah were used to conduct surveys for nesting Northern Goshawks.

The survey was conducted by Thomas Sharp of SWCA Inc. Mr. Thomas Sharp has been a professional wildlife ecologist for the last 10 years and has been conducting goshawk surveys for three years. He has conducted goshawk surveys in both the Manti-La Sal and Uinta National forests as well as in Devil Canyon just outside of Monticello Utah.

The surveys were conducted June 13-14, 2002, by broadcasting playback recordings of kecking calls from stations approximately 300 meters apart in the study area between dawn and approximately midday. The observer waited quietly at each broadcast station for one minute before initiating broadcasts of Northern Goshawk calls for 30 seconds, then repeating 10 seconds of calls for each 30 second interval (at least one in each of the four cardinal directions) thereafter for three minutes. The observer then remained silent and scanned for flying, silently responding, Northern Goshawks for one additional minute before moving on to the next station. The calling stations were plotted on a map without the use of a GPS system (Map 1). The boundaries for the

No Northern Goshawks were detected either visually or vocally. The lack of Northern Goshawk detections within the Skyline Mine area does not mean unequivocally that there is not a nesting pair on this property. Historically a pair inhabited this area and an abandoned goshawk nest was discovered in a conifer. However, this nest is roughly five years old. Although young goshawks have been observed in this area since that nest was active, the origin of the young goshawks remains unknown, there is no proof that the fledgling nests were on this property (Player, 2002).

References

- Joy, S.M., R.T. Reynolds, and D.G. Leslie. 1994. Northern Goshawk broadcast surveys: hawk response variables and survey costs. *Studies in Avian Biology* 16:24-30.
- Kennedy, P.L., and D.W. Stahlecker. 1993. Responsiveness of nesting Northern Goshawks to taped broadcasts of three conspecific calls. *Journal of Wildlife Management* 57:249-257.
- Player, Rod. 2002. Personal Communication with Thomas Sharp of SWCA. U.S. Forest Service, Manti-La Sal National Forest, Price, Utah.
- Squires, J.R., and R.T. Reynolds. 1997. Northern Goshawk (*Accipiter gentilis*). In *The Birds of North America*, No. 298 (A. Poole and F. Gills, eds.). The Academy of Natural Sciences, Philadelphia, PA, and the American Ornithologists' Union, Washington, D.C.