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

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June 5, 2000

TO: Internal File

FROM: Susan M. White, Senior Reclamation Biologist, Project Team Lead *SMW*

RE: Raptor Monitoring, Plateau Mining Corporation, Star Point Mine, ACT/007/006-AM00B

SUMMARY:

A proposed change to discontinue raptor monitoring at the Star Point Mine was received May 8, 2000. The information contained in the proposal is not adequate to find that discontinuance of raptor monitoring meets the requirements of the regulations. The amendment consisted solely of a copy of a letter from the DWR giving authorization to discontinue raptor monitoring. The proposed change may not be approved.

TECHNICAL ANALYSIS :

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR Sec. 783., et. al.

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21; R645-301-322.

Analysis:

The current Technical Analysis for this section reflects the current permit and is shown below.

Raptor inventories have been conducted yearly in the permit area from 1981 to 1997 in conjunction with DWR and USFWS... It is likely that two endangered species of birds, the bald eagle and the peregrine falcon are present within the permit area. The bald eagle as a winter visitor and the peregrine falcon has been

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observed in 1996 and 1997 adjacent to the permit area. The continued monitoring of these birds should document any impacts. Table 322.200f, Raptor Nest Sites Activity, reports the results of the raptor monitoring for the permit area from 1982 to 1997. A total of 44 nests have been observed in the 15 years of monitoring and 23 young in the nests have been observed during this time.

This section of the permit must be updated to summarize the entire raptor monitoring program. A discussion and conclusion must be provided describing this segment of the monitoring program. The letter from the DWR which gives their authorization to discontinue the Raptor Surveys should be reference in this discussion as support for ending this portion of the monitoring program. The current status of the mine is permanent cessation (as of 6/5/00). The Division will not authorize discontinuance of any future need to do raptor monitoring until after reclamation is completed. Future site specific monitoring maybe required during demolition and reclamation activities. The Division should be provided a schedule and timetable of demolition and reclamation activities if the timetable differs than what is shown in the permit.

The peregrine falcon is no longer on the endangered species list. The bald eagle has been down listed to threatened. The most current listing information can be found at <http://endangered.fws.gov/wildlife.html>. The permit must update the current status of the bald eagle and peregrine falcon.

Findings:

Information provided in the proposed amendment is not considered adequate to remove the raptor monitoring requirements. Prior to approval, the permittee must provide the following in accordance with:

R645-301-322.200, the permit must be updated to summarize the raptor monitoring program from 1981 to 1999. A discussion and conclusions must be provided why this segment of the monitoring program should end. The letter can be reference in this section to support the ending of this portion of the monitoring program. The permit must update the current status of the bald eagle and peregrine falcon.

RECOMMENDATION:

The above noted deficiencies (R645-301-322.200) must be address prior to approval. The current status of the mine is permanent cessation (as of 6/5/00). The Division must be notified if the demolition and reclamation schedule identified in the permit changes. Site specific raptor and/or wildlife monitoring may be required.