



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)

June 22, 2000

Johnny Pappas, Sr. Environmental Engineer
Plateau Mining Corporation
847 Northwest Highway 191
Helper, Utah 84526

Re: Finding for Raptor Monitoring, Plateau Mining Corp., Star Point Mine, ACT/007/006-AM00B, Outgoing File

Dear Mr. Pappas:

The above-referenced amendment has been reviewed and there are deficiencies that must be adequately addressed prior to approval. Discontinuance of all raptor monitoring can not be approved until after final reclamation. However, the annual helicopter raptor surveys will not be required provided the permit is modified to address this change. Future site specific monitoring maybe required during demolition and reclamation activities. A copy of our technical analysis is enclosed for your information. Please respond to these deficiencies by September 1, 2000 or the Division will return your application.

If you have any questions, please feel free to call Susan White at (801) 538-5258, or me at (801) 538-5268.

Sincerely,

A handwritten signature in cursive script, reading 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Supervisor

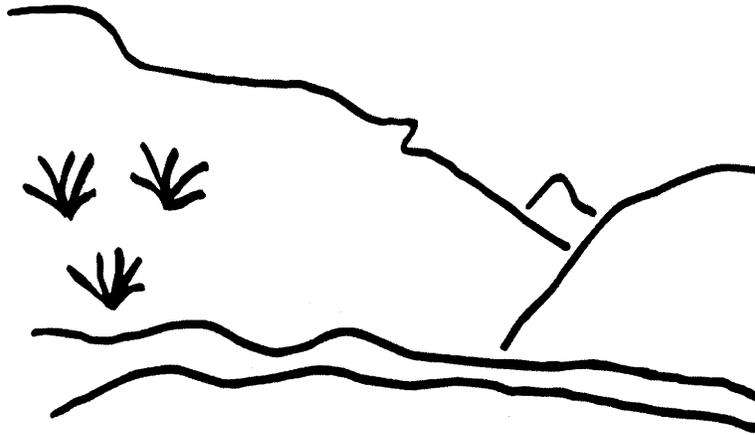
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Enclosure:

cc: Price Field Office

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State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Star Point Mine
Raptor Monitoring
ACT/007/006-AM00B
Technical Analysis
June 12, 2000

INTRODUCTION

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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.

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 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.

ENVIRONMENTAL RESOURCE INFORMATION

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.

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