

file 36 Susan Linner (DOGAM)

POTENTIAL IMPACT OF SAGE POINT-DUGOUT CANYON
MINE DEVELOPMENT ON RAPTORS

RECEIVED

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Eureka Energy Company
September 1981

*ACT 1007/009
would appreciate
receiving any comments.
Thanks
Nierst*

DIVISION OF
OIL, GAS & MINING

INTRODUCTION

As of August 13, 1981, the U. S. Fish and Wildlife Service have identified 22 golden eagles nests and prairie falcon scrapes or suspected scrapes within the Eureka permit area or within 1 km of the permit boundary (see Map No. 1). In addition, two Cooper's hawk nest sites have been located in Dugout Canyon (see Map No. 2).

The Service feels that only the nests in sections 16 and 22 (T13S, R12E) have "a high potential to be impacted." Their evaluation is based upon only examination of topographic maps and the nature and location of the proposed mine development. The two nests in Fish Creek (section 16) have been designated "occupied/tended." USFWS biologists feel that the Fish Creek nests are not alternative nests for eagles nesting elsewhere (Soldier Creek and Dugout Canyon) and therefore should be considered viable and given full protective consideration under Unsuitability Criterion 14. In their opinion, the spatial and visual separation between Soldier Creek, Fish Creek, and Dugout Canyon nests is more than adequate for three pairs of eagles. Mr. Charles Greenwood (the Utah Division of Wildlife Resources) believes that three pairs of golden eagles inhabit this area

*NOTE: ① photos will be included in the final
② Map No. 2 is not included*

during nesting season (personal communication, September 1981). In section 22, two prairie falcon scrapes (one is active and the other is a possible scrape) and one inactive golden eagle nest have been spotted in the steep cliffs overlooking Dugout Road.

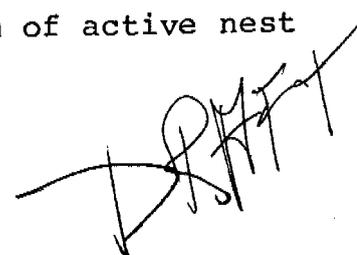
Eureka decided to conduct a field examination to evaluate the probability of these nests being impacted by the proposed mine development. Hopefully, the results of this survey will help in the development of meaningful mitigation strategies. Since some raptors are sensitive to disturbances during the nesting season, we are interested in finding practicable and reasonable mitigation measures to curb negative mining effects. Eureka is very willing to cooperate with federal and state agencies committed to resolving conflicts between resource development and raptor populations. However, we are concerned about restrictive, across-the-board application of buffer zones which may negatively impact mining operations.

The USFWS recommends implementation of the following measures to reduce negative impacts of mine related activities on golden eagles, prairie falcons, and Cooper's hawks.

Golden Eagles: Blasting and other surface disturbance should not be permitted within 1 km of a nest. (Buffer zones may be relocated after further field examination of the nest sites.) Mining activities should not be permitted between February 15 and May 1.

Prairie Falcons: No blasting or other surface disturbance should be permitted within .50 km of any prairie aerie. Construction activities should not be permitted between March 15 and June 15.

Cooper's Hawks: Major construction activities and blasting should be avoided within 1 km of active nest sites.



RESULTS AND DISCUSSION

In our estimation, only the golden eagles nesting in section 16, Township 13 South, Range 12 East (Fish Creek mine portal area) are potentially vulnerable to disturbances caused by construction and blasting activities related to our proposed Sage Point-Dugout Canyon mine development. No other "active" nests (designated as A, O/T, or P/A in Map No. 1) should be negatively impacted by the proposed surface facilities.

Cooper's Hawks

Two Cooper's hawk nests have been observed in Dugout Canyon (see Map No. 2). On September 10, 1981, Mr. Charles Greenwood (DWR) assisted Eureka in locating these nests. Active in 1980 and 1981, one nest is situated approximately 50 meters from Dugout

Road. The second nest, not active since 1978, is located about 75 meters up the creek and about 150 meters from the same road. The construction and use of Dugout Road should not affect the use of the active nest site. Both nests, situated in a riparian area that shows some signs of human degradation, are well away from the road and are not in line-of-sight of this area.

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The Bureau of Land Management (BLM) is not concerned with these nests as long as our construction activities will be restricted to the opposite side of the riparian bank (personal communication, May 1981). BLM feels that this riparian zone is in poor condition and will definitely improve after construction of the road and the implementation of good reclamation measures.

Prairie Falcons

On September 10, 1981, Mr. Charles Greenwood (DWR) pointed out the location of the active prairie falcon scrape and other possible scrapes situated in the high cliffs west of Dugout Creek (see Map No. 3). The term "possible scrape" according to DWR, means nesting areas which have been used by prairie falcons in the past. While the possible scrape is only over .25 mile (.40 km) from Dugout Road, the active scrape is just over .33 mile (.53 km) from the road. Nesting over 600 feet above the road, the prairie falcons utilizing these scrapes have an unobstructed view of this area. These scrapes are not in very close proximity to the

proposed Dugout mine portal and are not in line-of-sight of this area. In our opinion the construction and operation of Dugout Road and the proposed Dugout Canyon mine portal should not affect the use of these scrapes.

Golden Eagles

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We believe that only the golden eagles nesting in section 16 (T13S, R12E) could potentially be impacted by blasting and construction activities at the proposed Fish Creek mine portal. The only other active eagle aerie within the Eureka permit area (section 26, T13S, R12E) is situated on a south facing cliff well away from the proposed Dugout Canyon mine portal and Dugout Road. The nesting eagles should not be disturbed by the vehicular traffic.

The active Soldier Creek nest is located outside the permit area in section 18 (T13S, R12E). Situated about .20 of a mile (.3 km) west of Soldier Creek road, it can be spotted easily with binoculars from the paved road. The existing Soldier Creek mine portal is just up the road. This nest is of critical interest because it can provide valuable insight and assist in proposing practical mitigation measures to ameliorate any significant impacts upon other golden eagle nests. It seems that this pair of nesting golden eagles is oblivious to the coal trucks rumbling underneath this stick nest.

We observed three golden eagle nests in Fish Creek Canyon (see Map N. 4). In addition to the two nests found by the Fish and Wildlife Service and the Division of Wildlife Resources, an old/delapidated stick nest was discovered a short distance from Alternate Nest No. (2)

numbers here don't match those on map #4

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All three nests are in close proximity to the proposed Fish Creek mine portal. Nesting some 300 feet above the portal area, the eagles in Nest No. (2) would be able to observe a portion of the proposed portal (parking lot, emergency stockpile, facilities driven into the Rock Canyon and Gilson seams). This nest is over a 1/4 of a mile (2/5 km) from the parking lot. A much smaller portion of the portal facilities would be visible from the alternate nests.

In our opinion the construction and operation of the Fish Creek mine portal should not affect the use of the nests. Some impact to golden eagle nesting activity may occur. However, we cannot predict the magnitude of the impact or the chances of site abandonment.

CONCLUSION

In our estimation, some impact to golden eagle activity in Fish Creek Canyon may occur due to disturbances caused by the development of the proposed Fish Creek mine portal. However,



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A																				
	1	9-81	ISSUED FOR USE																	
	NO.	DATE	DESCRIPTION	GM	DWN.	CHKD.	SUPV.	APVD.												
REVISIONS																				

APPROVED BY	GM
	SUPV. NKT
	DSGN.
	DWN. MDS
	CHKD. NKT
	O.K.
	DATE 9-22-81
	SCALES 1" = 400'

MAP NO. 4
GOLDEN EAGLE NEST
FISH CREEK PORTAL AREA
EUREKA ENERGY COMPANY
 SAN FRANCISCO, CALIFORNIA

MICROFILM
BILL OF MATL
DWG LIST
SUPSDS
SUPSD BY
SHEET NO.

You might want to suggest mitigation measures which would be in the spirit of cooperation.

these disturbances should not affect the use of the nests. No other "active" raptor nests (designated as A, O/T, or P/A in Map No. 1) should be negatively impacted due to disturbances caused by the construction and blasting activities related to our proposed Sage Point-Dugout Canyon mine development.

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