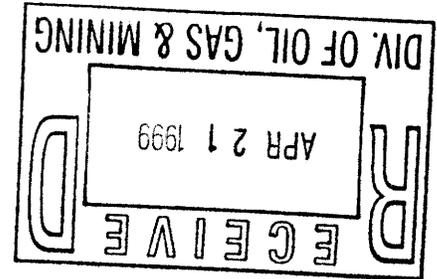




State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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15 April 1999

Lowell Braxton, Director
Division of Oil, Gas, & Mining
1594 W. North Temple #1210
PO Box 145801
Salt Lake City, UT 84114-5801

ACT/067/013 #2
Daron

RE: Lila Canyon Mine Permit

Dear Lowell,

The Division of Wildlife Resources has reviewed the mine permit for the Lila Canyon Mine and has the following comments:

1998 and 1999 raptor surveys in Lila Canyon documented three nests at the mouth of Lila canyon. These nests were shown on maps in the mine permit and are within a 250 yards of the proposed mine facility, however, we found no analysis or discussion of how these nests will be impacted or mitigated for. We believe that the construction of the mine facilities will prohibit further use of these nests by raptors. Additionally, the mine permit stated that there was no foreseeable impact to nesting raptors due to escarpment failure. However, the mine plan maps indicate that some areas with escarpments will be undermined. We therefore see potential for subsidence and subsequent cliff spalling which may impact raptor nests. We feel that analysis and discussion of these items should be included in the mine plan.

Page 5 of Chapter III-Biology states that power lines will be designed and constructed according to the guidelines in Environmental Criteria for Electric Transmission Systems (*Best Technology to Safeguard Raptors*). We feel that the construction of raptor safe power lines is critical. This area is heavily used by foraging raptors, particularly golden eagles, and any poles erected in this area will be used as hunting perches.

Lila Canyon, and more particularly the water sources up the canyon are heavily used by chuckars. We feel that the mining operations will impact these birds. As a mitigation measure we suggest that some artificial water sources of a suitable design (*contact the Division of Wildlife Resources for designs*). These water sources would greatly benefit chuckars, as well as other wildlife in the area.

In the early 1990's fifty bighorn sheep were released or "have moved" between the Green River, the Price River, and Lila Canyon. Some of these bighorn sheep move into Lila Canyon and spend all year there. We agree with the statement on pages 9-10 of Chapter III-Biology that, "use by sheep is expected to be curtailed following [mine] construction." However, there is no discussion of mitigation for this impact. The same is true for deer and pronghorn, mention is made that there will be impacts, but no mitigation measures are discussed. We feel these deficiencies in the mine plan need to be addressed. Finally, the number of vehicles and speed limits on the mine and haul roads dramatically increases the number of game animals killed in vehicle collisions. Discussion regarding the effects of the roads and coal hauling will have on big game is lacking.

Thank you for your consideration of these comments. If you have any questions regarding these comments, please call Chris Colt (Habitat Biologist) at 435-636-0279.

Sincerely,



Miles Moretti
Regional Supervisor