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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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file

February 14, 1989

TO: John Whitehead, Permit Supervisor

FROM: Brent Stettler, Reclamation Biologist *Brent*

RE: Powerline Modification, Beaver Creek Coal Company, Gordon Creek #2 and 7 Mine, ACT/007/016, Folder #2, Carbon County, Utah

The issue of raptor safety on powerlines at the Gordon Creek No. 2 and 7 Mine has been a protracted affair. In a memo to John Whitehead dated July 27, 1988, I outlined the history of the issue. Because of questions raised in that memo, I made a written request of Clark Johnson, U.S. Fish and Wildlife Service (USFWS), to re-inspect all Gordon Creek lines under Beaver Creek Coal Company (BCCC) control. On September 13, 1988, Mr. Johnson inspected the line from Beaver Creek's substation to the mine yard.

In correspondence dated September 26, 1988, he recommended that ground wires be gapped on all poles from the substation to the Gordon Creek No. 2 and 7 Mine. BCCC completed modification of ground wires by November 7, 1988, in compliance with the Division's directive dated October 6, 1988. On November 7, 1988 I walked the line to document compliance, and found several poles which had not been properly gapped. BCCC corrected the omission and I inspected once again on December 2, 1988. On December 7, 1988, I reported back to Clark Johnson that gapping had been completed, as requested. At that time, Mr. Johnson suggested we take a look at the poles in the mine yard to determine raptor safety.

On February 1, 1989, Clark Johnson, Dan Guy of BCCC, Bill Malencik of the Price Field Office (DOGMA) and I met at the Gordon Creek No. 2 and 7 Mine for the purpose of inspecting the lines. Mr. Johnson was satisfied with powerpoles servicing the No. 7 Mine, which were protected with raptor perch guards. However, in the lower No. 2 Mine yard were three tall poles (between the trailers and the top of the coal stockpile), having multiple conductors and cross arms. Mr. Johnson recommended that elevated perches be bolted to the top of each of the three poles.

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The Division is reluctant to require modification of the three poles, as recommended by USFWS, due to the circumstances explained below:

1. Raptors have never been observed using the power poles within the mine yard, nor has the mine been known to have ever electrocuted a bird. The mine's canyon bottom location, coupled with mine activities and noise, appears to discourage use by raptors.
2. The No. 2 Mine powerline will be decommissioned in two years, according to Dan Guy. Given the unblemished history of the line and its short service life, modification is not considered expedient.
3. BCCC has a history of cooperation with regulatory authorities. Recent ground wire gapping and installation of perch guards on all poles servicing the No. 7 Mine are evidence of the company's good faith. In the remote event of raptor electrocution, BCCC may be expected to report the kill and immediately implement the measures recommended by USFWS in correcting the hazard.
4. Regulatory authorities have not been consistent in their determinations of raptor safety over the years. Powerline designs which at one time had received clearance were all-too-often re-examined and found inadequate. BCCC is deserving of relief from recurring requests for powerline modification.

In summary, the Division recommends, but will not require, BCCC to make further modifications of existing powerlines. New poles, however, must be constructed according to the standards established by "Suggested Practices for Raptor Protection on Power Lines - The State of The Art in 1981", published by Raptor Research Foundation, Inc. If a raptor electrocution should occur, BCCC will be in violation of the Migratory Bird Treaty Act of 1918, as amended. In which case, they will be responsible for immediately rectifying the offending poles to the satisfaction of USFWS.

djh
cc: D. Guy, BCCC
C. Johnson, USFWS
AT68/1-2