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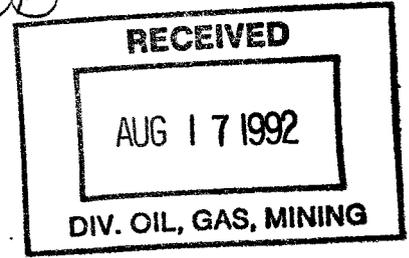
State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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Southeastern Region
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August 5, 1992

Mr. Tom Paluso,
Chief Engineer
Soldier Creek Coal Company
P.O. Box I
Price, Utah 84501

Dear Tom:

Enclosed you will find a report summarizing the results of the raptor and bird surveys we performed for Soldier Creek recently. Raptor surveys were conducted by helicopter in conjunction with Utah Power and Light. Val Payne, Senior Environmental Engineer at the Huntington Field Office, should be billing you separately for the helicopter time. As I recall, we used almost 2 hours.

During the helicopter surveys we found 4 occupied golden eagle territories in the permit area. Only one of those raised young, 2 young were found in one nest. There is also an occupied prairie falcon territory in the Alkali Creek permit area, however, we did not find an active eyrie. Raptor territories were also found in Pine Canyon as part of the bird surveys. A pair of red-tailed hawks raised one young in Pine Canyon. The fledgling was seen on June 30, after it had left the nest. The actual nest location was not found, but 2 areas of high use by the red-tails were identified. The nest is probably in one of those locations, and it will be easier to find next spring before leaf-out. A goshawk was also seen on 2 occasions in the Pine Canyon area. However, no nest was found for this bird either.

No target species were found during the bird surveys. These included the three-toed woodpecker, the Williamson's sapsucker, and Western bluebird. A cassette recording of a three-toed woodpecker doing a territorial drumming was used to identify woodpeckers in the area. Responses were received from the common flicker. At least one pair, but probably more, of flickers raised a brood in Pine Canyon. Forty-five species of birds were observed during the bird surveys, including numerous nesting pairs of mountain bluebirds. Twelve species of mammals, or their sign, were also encountered. A complete list of species observed is included in the report.

We appreciate the opportunity to work with you on this project. This information has increased our understanding of the diverse resource found in the Soldier Creek area. This will also help us find ways to reduce impacts on wildlife while providing for responsible use of our natural resources. The most critical issues appear to be protecting raptor nests from

subsidence and maintaining healthy riparian areas. We would appreciate it if you would notify us if you anticipate subsidence in areas with nests. We will then help find ways to avoid or mitigate potential impacts.

We will send a copy of this report to the Division of Oil, Gas and Mining. If you need more information, please contact Bill Bates of our Price staff at 637-3310.

Sincerely,

A handwritten signature in cursive script, appearing to read "Miles Moretti".

Miles Moretti,
Regional Supervisor

cc: Division of Oil, Gas and Mining
Ralph Miles
Randy Radant
Reed Harris, U.S. Fish and Wildlife Service
Linda Seibert, Bureau of Land Management

SOLDIER CREEK COAL COMPANY AVIAN SURVEYS ON CURRENT AND PROPOSED PERMIT AREAS SPRING AND SUMMER, 1992

*Bill Bates, Nongame Manager, and Julie Novick, Biological Aide
Utah Division of Wildlife Resources, 455 West Railroad Avenue, Price, Utah 84501*

INTRODUCTION

The Soldier Creek Coal Company operates a room and pillar coal mining operation in central Carbon County, Utah. The company is currently applying to increase their coal lease area. As part of the application process, they have been required to survey the proposed permit area for raptors, or birds of prey, and sensitive bird species. These sensitive species include the: three-toed woodpecker; Williamson's sapsucker; and western bluebird. Soldier Creek contracted with the Utah Division of Wildlife Resources to conduct these surveys. The purpose of these surveys were to: 1) locate raptor nests; 2) determine which raptors inhabit the permit area; and 3) document the presence or absence of sensitive bird species on the permit area.

DESCRIPTION OF STUDY AREA

The proposed and currently active coal leases occur on approximately 8700 acres in central Carbon County, Utah. Major drainages in the study area included Pine Canyon, Alkali Creek, and Soldier Creek. Elevations range from 6560 feet on the foothills to over 8290 feet on the peaks. Vegetative and habitat types include: cottonwood and willow riparian areas; sagebrush flats; pinyon-juniper; grassland meadows; ponderosa pine; aspen parks; and spruce-fir covered slopes. Lands in the lease area include both private and those administered by the Bureau of Land Management.

METHODS

Raptor nests were located using a Bell Jet Ranger helicopter. Each cliff surface was surveyed using altitudinal transects which allowed coverage of about 100 feet of cliff at a time. Observers included 2 biologists and the pilot. Historic nests were searched for and status recorded. New nest locations and status were plotted on maps. The number of young in each active nest was recorded. The survey was done on May 22, 1992.

Woodpecker surveys were conducted following a protocol devised by the Division of Wildlife Resources and Natural Heritage Program (Howe and Toone 1992). Recorded calls of drumming three-toed woodpeckers were played every 0.2 miles along roads and trails

bisecting woodpecker habitat. Additionally, calls were played in areas with dead snags with woodpecker holes to attempt to locate active nests.

Bluebirds surveys were conducted by slowly walking or driving through potential habitat. An attempt was made to identify all birds encountered, both through binoculars and by song. Each species identified was recorded. Locations of active nests found were also recorded. Surveys for woodpeckers, bluebirds and other birds were conducted on June 3, 23, 30 and July 22, 1992.

RESULTS

A total of 33 raptor nests were found in the lease area. Twenty-three of these were golden eagle nests (Table 1). This represented 5 different eagle territories. Four of these territories were occupied, but only 1 nest was active. There were 2 eaglets in this nest. Three fresh prairie falcon scrapes were seen, but an active eyrie was not found. Two red-tailed hawk territories were found, one along the cliffs near Alkali Creek, and the other in conifer trees in Pine Canyon. The territory in Pine Canyon was active, and had one successful fledgling. The actual nest was not found. The young red-tail had already left the nest. However, areas of activity were identified, and it is likely the nest was in this area. A goshawk was seen on two occasions in the Pine Canyon area. It did not attempt to defend a nest site either time. It is likely that a nest is in the lease area, possibly south of Pine Canyon in the aspen park area.

Table 1. Raptor nests found on Soldier Creek Lands, 1992.

Species	Nest Status			Number of Young
	Active	Tended	Inactive	
Golden Eagle	1	6	16	2
Prairie Falcon	0	3	0	
Red-tailed Hawk	1	0	3	1
Raven	1	0	2	

Neither three-toed woodpeckers nor Williamson's sapsuckers were identified in the lease area. Responses to the recorded calls were received from common flickers and Clark's nutcrackers. A pair of flickers and their fledglings (6 in all) came into the area where the call was being played. Another unidentified woodpecker was also called in. It was the size and color of a Williamson's sapsucker. Adequate observation of this bird was not possible to positively identify it, and it was not seen again.

Although western bluebirds were not observed, the lease area supports a substantial number of nesting mountain bluebirds. Twenty-eight bluebirds were seen, which included 4 immatures. At least 2 nests were identified. A total of 45 bird species were identified in the lease area (Table 2). Some of these included sage grouse, Hammond's flycatcher, red-breasted nuthatch, hermit thrush, yellow-breasted chat, and green-tailed towhee. While

Table 2. Birds Species Observed on Soldier Creek Mine Lands, 1992

Species	Date Observed (#)			
	June 3	June 23	June 30	July 22
Turkey Vulture			4	
Goshawk	1		1	
Red-tailed Hawk		2	3	
Golden Eagle	1	2		
Killdeer	1	1		
Mourning Dove				2
Sage Grouse	2			
White-Throated Swift			5	1
Broadtailed Hummingbird		2		2
Northern Flicker	3	1	6	
Western Wood-Peevee	2			
Gray Flycatcher	3			
Hammond's Flycatcher		1		
Unid. Flycatcher	4			
Say's Phoebe		1		
Violet-Green Swallow				2
Cliff Swallows	many	many	several	
Clark's Nutcracker			6	1
Raven		2		4
Black-capped Chickadee	2		1	
Mountain Chickadee	many	many	many	1
Red-breasted Nuthatch		10	3	1
House Wren				1
Ruby-crowned Kinglet		many	many	
Mountain Bluebird	12	6		10
Stellar's Jay				2
Hermit Thrush		2	2	
American Robin	6	10	10	
Loggerhead Shrike	1			
Solitary Vireo		1		
Warbling Vireo		8	5	
Yellow Warbler		2		
Yellow-rumped Warbler	1	2		
Yellow-breasted Chat		3	1	
Western Tanager		10	4	
Green-Tailed Towhee	3	1	1	
Rufous-sided Towhee		1	1	
Chipping Sparrow	2	3		
Tree Sparrow	4			
Song Sparrow	3			
Lark Sparrow				8
Dark-eyed Junco	1	2		
Brewer's Blackbird	many			
Brown-headed Cowbird	4			
House Finch	3			
Pine Siskin	6			4
American Goldfinch		3		

nesting was only documented for the red-tailed hawk, common flicker, ruby-crowned kinglet, mountain bluebird, robin, warbling vireo, and house finch, given the time of year, it is believed that all of these species are nesting on the lease area.

Several species of mammals were also seen during surveys. Others were documented in the area by their sign. These species included: mule deer; elk; red squirrel; yellow-bellied marmot; chipmunk; raccoon; black bear; coyote; Uinta ground squirrel; badger, cottontail rabbit; and rock squirrel.

DISCUSSION

The proposed lease area supports a wide variety of wildlife. The varied habitats, including cliff, riparian, foothill, meadow, and conifer forest, offer ample and suitable living areas for many species. Species of concern in the area include the: goshawk; golden eagle; prairie falcon; black bear; and possibly the Williamson's sapsucker.

The lease area does not appear to have suitable habitat for the three-toed woodpecker. This species is found at elevations of over 9500 feet in spruce forests in Emery County. It is found commonly in areas with beetle infested or killed trees. The lease area does not support a large, extended spruce forest, and is possibly too low for the woodpeckers.

There may not be suitable habitat for the western bluebird either. In Emery County, this species is found in ponderosa pine forests. The lease area does have ponderosa pine, but not in extensive stands. However, these bluebirds may inhabit the aspen parks south of Pine Canyon. This area was not surveyed, but appears similar to habitat occupied by mountain bluebirds north of Pine Canyon.

MANAGEMENT RECOMMENDATIONS

There are several potential impacts to wildlife that may result from coal mining activities. First, raptor nests located on cliffs or in trees may be lost due to subsidence. It is necessary to identify areas, and timing of subsidence to avoid the loss of active nests. Areas of potential subsidence should be surveyed in the spring of year prior to subsidence to locate active nests. Another alternative is to cover nests in areas of subsidence in the fall to prevent raptors from using them until danger is past. Both the covering of nests, or the 'take' or loss of nests due to subsidence require permits from the U.S. Fish and Wildlife Service and the Utah Division of Wildlife Resources. Consultation with these agencies is necessary when subsidence may affect raptor nests.

Disturbance from surface activities or facilities may also pose conflicts at certain times of the year. If new construction activities are to occur during the breeding and young rearing seasons from March until July, all active raptor nests within 0.5 miles must be identified. Possibilities to avoid or mitigate these conflicts may be available. It is important to consult with the Division or the Fish and Wildlife Service early in the planning process to alleviate potential problems.

A healthy riparian community supports a wide variety of wildlife, and is normally the most important habitat component in the arid west. Precautions should be taken to avoid

any disturbance of stream channels or the vegetation that grows along its banks. Riparian vegetation enhances water quality by acting as a natural filter of turbidity and some heavy metals or other contaminants. Riparian vegetation also provides for bank stability and reduced erosion of stream channels. Some permits are required for work in stream channels, such as the 404 permit obtained from the U.S. Army Corps of Engineers. Wildlife will benefit immensely if a healthy riparian community is maintained. Mining activities should avoid stream channels if at all possible.

