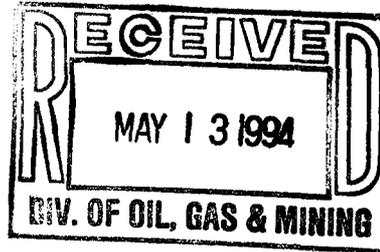




State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WILDLIFE RESOURCES

Michael O. Leavitt  
Governor  
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Executive Director  
Robert G. Valentine  
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May 9, 1994

Mr. James W, Carter, Director  
Division of Oil, Gas and Mining  
355 W. North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

cc: JPB  
ABZ 5-13-94  
orig name  
file

Attention: Pamela Grubaugh-Littig,  
Coal Permit Coordinator

RE: Addition of Aberdeen Seam to Lease UTU-69600, Andalex Resources Inc., Centennial Mine, ACT/017/019-94B, Folder #2, Carbon County, Utah

Dear Mr. Carter:

The Utah Division of Wildlife Resources has reviewed Andalex Resources' permit application to extract coal from the Aberdeen Seam. Mr. Mike Glasson of their office also met with personnel from our Price office to discuss this proposal. We have several concerns and offer the following comments.

Several golden eagle nests were found in Deadman Canyon during a helicopter survey in 1981. One nest has been active and young eaglets have been produced for the past three years. Another nest was found on a cliff directly above a proposed longwall panel. If subsidence occurs, this nest could fall off of the cliff and young eaglets may be injured or killed. This nest has not been active since 1987 and may not even remain in the area. We recommend that Andalex conduct a raptor survey in the area of potential subsidence to determine if this nest, or others, may be impacted. Goshawks and red-tailed hawks also nest in the area. The raptor survey should also search forested areas for tree nests. We discussed this recommendation with Mr. Glasson. We have scheduled a survey on May 17, 1994.

If nests are found during this survey in the proposed subsidence area, Andalex should contact the U.S. Fish and Wildlife Service to obtain a 'take' permit for nests that may be lost.



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We are willing to assist Andalex in covering cliff nests with chain link or other fencing to prevent use. This will help reduce the chances of losing young birds. Raptor nests in the area should be monitored annually to determine which nests are active and determine the long-term impact of subsidence on local populations. If active nests are found in an area where surface subsidence is occurring, the Division should be contacted. A plan to protect the young may then be developed.

On page 196 of the amended mining and reclamation plan, it indicates that Andalex does not intend to revegetate or plant seeds in disturbed areas upon final reclamation. We were unclear as to the reason. Is it because these areas have revegetated naturally or because "all disturbed slopes have [already] been revegetated?" Will other areas be disturbed during reclamation? Please have Andalex clarify this portion of the plan.

Thank you for the opportunity to comment on this amended plan. As stated earlier, we are willing to assist Andalex with the recommended raptor survey and plans to protect impacted nests. If you have any questions or concerns about our comments, please contact Bill Bates, Regional Habitat Manager at 637-3310.

Sincerely,



Robert G. Valentine  
Director