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DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Wildlife Resources

MICHAL D. FOWLKS
Division Director

July 11, 2019

Submitted via electronic mail to: toddmillier@utah.gov

Todd Miller
Range Scientist
Utah Division of Oil, Gas and Mining
1594 West North Temple
Salt Lake City, UT 84116

SUBJECT – Emery Deep Mine plan amendment

Dear Mr. Miller:

The Utah Division of Wildlife Resources (UDWR) was asked by Utah Division of Oil Gas and Mining (DOGM) to review the Emery Deep Mine plan amendment. UDWR provides the following input to help lessen the impacts on protected wildlife.

Our first priority would be to request burrowing owl surveys in the areas where subsidence will occur. If burrowing owls are located, artificial nesting structures could be installed as was completed in 2014. This may help lessen the impacts of subsidence on owl burrows.

Because of land ownership constraints brought to our attention by DOGM, if burrowing owl surveys are found to be unachievable, UDWR would ask at least that no subsidence mining be initiated during the nesting season, referencing the U.S. Fish and Wildlife Service's *Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances* (Romin and Muck 2002) for species timing restrictions.

Thank you for the opportunity to provide input on this project. If your staff have any questions, please contact TJ Cook in our Price office at (435) 650-0083 or tcook@utah.gov.

Sincerely,

Michal D. Fowlks **ACTING DIRECTOR**
Director

MDF/tc

