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**DIVISION OF  
OIL, GAS & MINING**

MITCHELL

November 17, 1981

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**MINING AND  
EXPLORATION**

**TO:** Acting Deputy Administrator, Office of Surface Mining  
Denver, Colorado

**FROM:** Acting Area Manager, Fish and Wildlife Service  
Salt Lake City, Utah

**SUBJECT:** Utah Power and Light Company, Des-Bee-Dove Coal Mine Permit  
Application (UT-0015)

The plan was reviewed for completeness. As this mine is in place, the plan was reviewed with emphasis on missing data, current mining activities, and revegetation/reclamation standards.

Since the writing of this plan, a raptor survey for cliff nesting species was completed. A total of 8 golden eagle nests and an active red-tailed hawk nest were identified within the permit area or within 1 km of the permit boundary. One golden eagle nest is within 1 km of the portal area. It is probable that use of the portal area has precluded eagle use of this site. A field review of any proposed new surface disturbance that will occur within 1 km of nests of eagles or other raptors of high federal interest should have a field review conducted in coordination with this office.

The following recommendations should be implemented to reduce negative impacts of mine related activities on golden eagle populations in the mining area. Blasting and other surface disturbance should not be permitted within 1 km of a nest. The period most critical is February 15 to May 1 which coincides with nest construction (or re-construction), courtship, and egg laying. Mining activities not allowed between these dates will provide birds with the opportunity to lay eggs and raise young without human interference. In general, young are old enough in early May to withstand a brief absence of adults during cold weather. A wet downy chick does not survive very long in a cold rainstorm without parental brooding.

It was not clear to us if escarpments could be affected by subsidence. We are concerned that escarpment failure could result in the loss of raptor nests and nest sites. The mine plan should address those precautions or techniques used in mining that will ensure that these escarpments do not fail.

The mine plan indicated that Cooper's hawks were expected to be a common resident of the permit area. Areas of new disturbance in or near suitable nesting habitat should be inventoried. If active nest sites are located,

major construction activities and blasting should be avoided within 1 km of these active nest sites. The critical nesting period of the Cooper's hawk is April, May and June. In all instances, the Fish and Wildlife Service is willing to work with the coal developers in examining the status of each nest in the spring to determine nest activity. We are committed to resolving conflicts between resource development and raptor populations.

Areas of new development should be examined for conflicts with all species on the list of species of migratory birds of high federal interest. Incidentally, we have an unconfirmed report indicating the Williamson's sapsucker occurs in the upper elevations near the mine site.

The revegetation plan needs to have standards specified to evaluate successful completion of revegetation. The possibility exists that fencing or other measures may also be required to obtain successful revegetation.

There appears to be a conflict between pages 2-88 and 4-25 regarding the impact mining will have on water sources. It should be made clear what mitigation is intended for disrupted water supplies and for how long these water supplies will be maintained.

We are concerned that the standards (10 year, 24 hour) used to design the sedimentation pond may not be adequate to prevent contaminants from escaping as it appears there is an excellent chance for these to be periodically flushed into Grimes Wash and possibly farther down drainage.

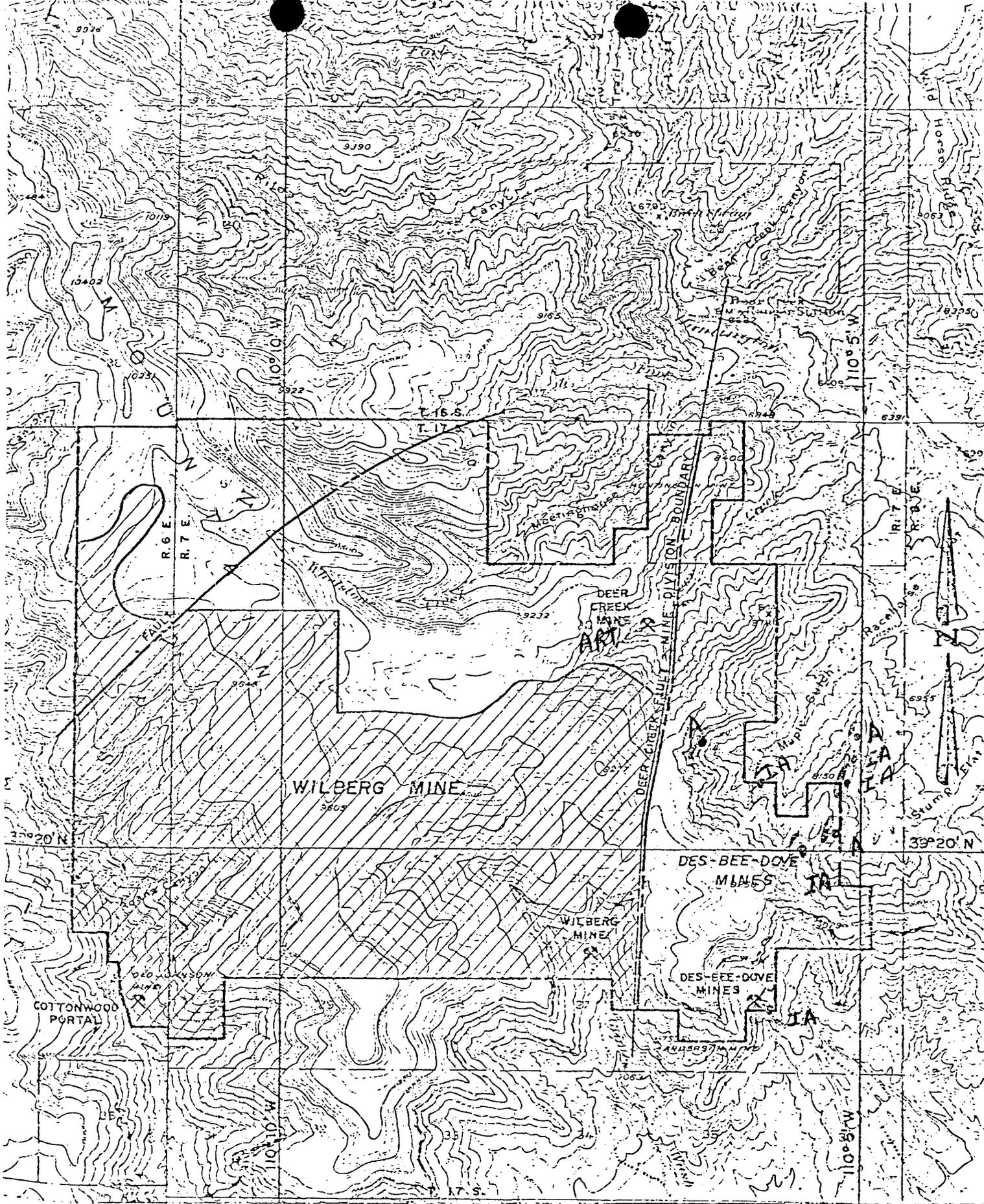
As some long term losses of wildlife habitat has and will occur due to mining activities and surface disturbances, proposals for enhancement of wildlife habitat should be considered.

If you have any questions regarding this evaluation, please contact Bruce Maddell at 878-588-5878.

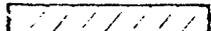
Attachment

ROBERT D. JACOBSEN

cc: BWR, ELC  
DWR, EC/Price  
OCN, SIA



----- Existing Lease Boundary

 Mine Permit Area

**WILBERG COAL MINE**

EMERY COUNTY, UTAH

PERMIT AREA 4P

UTAH POWER & LIGHT

SCALE: 1" = 1 MILE

JAN 9 1981