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U.S. FISH AND WILDLIFE SERVICE
1311 FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84138

Top...
File ACT/015/018-A
~~Copy to Tom T. Ly~~
~~Sub, Mary B.~~

February 4, 1982

MEMORANDUM

TO: Acting Deputy Administrator, Technical Service Center West
Office of Surface Mining
Denver, Colorado
Attention: Shirley Lindsay

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

SUBJECT: Utah Power and Light Company, Deer Creek Coal Mine Permit
Application (UT-0016)

RECEIVED
FEB 16 1982

DIVISION OF
OIL, GAS & MINING
Jim
2-21

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

During the summer of 1981, the Fish and Wildlife Service (FWS) completed a survey for cliff nesting raptors. A total of 12 golden eagle nests, a possible falcon scrape, a red-tailed hawk nest and 3 nests identified only as inactive stick nests were found within 1 km of the mine area boundary. The red-tailed hawk nest was active in 1981. As shown on the map it is located very close to the surface facilities.

No new developments were identified in the mine plan that would impact raptor nesting or nest sites. However, should new surface disturbance be proposed and occur within 1 km of nests of eagles, falcons, or other raptors of high federal interest a field review should be conducted in coordination with this office. The following recommendations should be implemented where appropriate to reduce negative impacts of mine related activities on golden eagle and prairie falcon populations in the mining area. For golden eagles, no construction, blasting or other disturbance should be permitted within 1 km of a nest while a nesting attempt is in progress. The period most critical is February 15 to May 1. No blasting or other surface disturbance should be permitted within .5 km of any prairie falcon eyrie. The .5 km buffer zone figure was selected because prairie falcon eyries are generally much higher on the cliff and are more secluded than those of golden eagle. Construction activities should not be permitted near prairie falcon eyries between March 15 and June 15.

Red-tailed hawks are relatively tolerant of human activities. Even so, some care should be taken to avoid any unnecessary disturbances near the nest site while a nesting attempt is being made.

Can escarpments 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 plan indicated there has been up to 2.6 ft. subsidence already.

Should new areas be proposed for disturbance, they should be inventoried for migratory birds of high federal interest (MNHFI). The mine plan indicates that Cooper's hawks are expected to be a common resident of the permit area. 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. Similarly, we have a report indicating the Williamson's sapsucker occurs in the upper elevations near the mine site. Should inventories indicate the presence of MNHFI, the FWS wishes to be contacted to assist in determination of the importance of the site, what protective measures are appropriate, and what mitigative measures can be implemented.

The revegetation plan needs to have standards clarified to evaluate successful completion of revegetation. The plan indicates only that "plant productivity shall equal the reference area".

The plan also indicates that reclamation may not totally be dedicated to returning the cover types to premining conditions. In the description of existing environment 5 acres of the 20 acres disturbed were listed as riparian. In the reclamation plan, none of the 18 acres to be reclaimed were being reclaimed to a riparian cover type. Riparian areas are some of our most important habitat and should be protected and restored wherever possible.

We have not evaluated the plan for hydrology at this time as this information was not included in our copy of the plan. Our concerns are that surface sources of water are described, monitored, and mitigated if interrupted by mining activities. These dispersed water sources represent an important component of habitat affecting habitat utilization by virtually all wildlife on the permit area.

This completes our comments in regard to the subject mine plan. If we can be of further assistance, please feel free to contact this office.

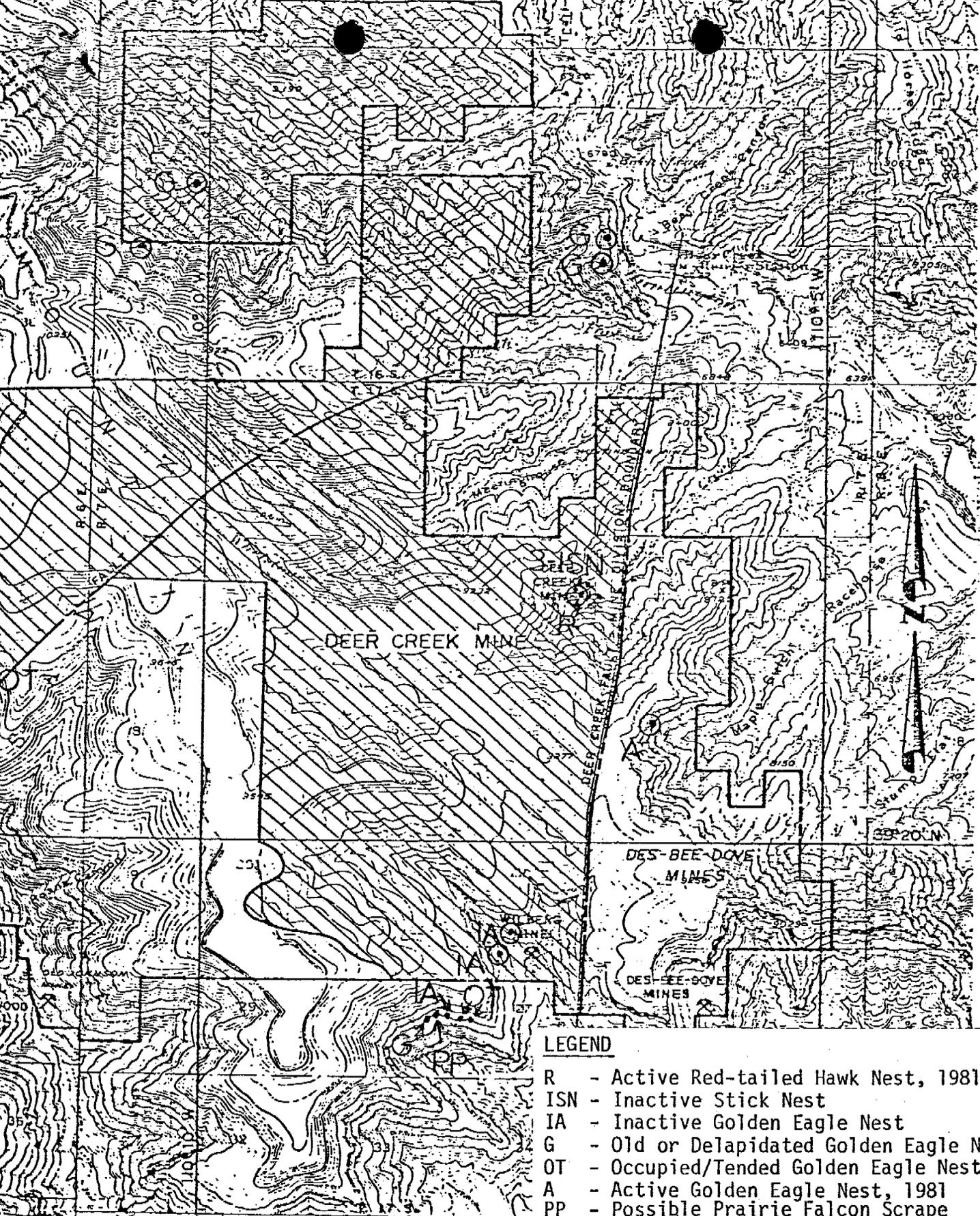
JIMMIE L. TISDALE

cc: DWR, SLC
 ✓ DWR, Price
 ✓ DGM, SLC

RO/AE

Reading File
 Official File

BWaddell:wls



DEER CREEK MINE

DES-BEE-DOVE MINES

DES-BEE-DOVE MINES

- LEGEND**
- R - Active Red-tailed Hawk Nest, 1981
 - ISN - Inactive Stick Nest
 - IA - Inactive Golden Eagle Nest
 - G - Old or Delapidated Golden Eagle Nest
 - OT - Occupied/Tended Golden Eagle Nest
 - A - Active Golden Eagle Nest, 1981
 - PP - Possible Prairie Falcon Scrape

DEER CREEK COAL MINE
EMERY COUNTY, UTAH

PERMIT AREA MAP

--- EXISTING PERMIT BOUNDARY
 MINE AREA

UTAH POWER & LIGHT COMPANY	SCALE:	DATE:
	1:62500	JAN. 9, 1981
		FIGURE 1

EMERY COUNTY, UTAH