



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

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March 23, 2000

TO: Internal File

THRU: Steve Demczak, Project Team Lead *SM for S.D.*

FROM: Paul Baker, Reclamation Biologist *AB*

RE: Mining Under Escarpments in the North Rilda Lease Area, PacifiCorp, Deer Creek Mine, AM00B-1 *ACT/015/018*

SUMMARY:

On February 14, 2000, the Division received a proposal from PacifiCorp to mine under escarpments in the Rilda and Mill Fork Canyon areas. The proposal was revised in a submittal received March 14, 2000. PacifiCorp has previously reviewed approval to mine this area with the stipulation that they not mine under escarpments.

TECHNICAL ANALYSIS:

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21; R645-301-322.

Analysis:

Appendix 3 of the application includes a copy of the Forest Service Environmental Assessment which contains some fish and wildlife information. In addition, information from raptor surveys conducted by the Division of Wildlife Resources is available to the Division.

According to the information in the application and available to the Division, there are currently no known raptor nests in the area that would be subsided. The area appears to contain good nesting habitat, and golden eagles have apparently nested in the area in the past.

The environmental assessment discusses use of the area by bats. Townsend's big-eared

bats and spotted bats are both known to occur in the area, and they probably roost in some of the cliffs. George Oliver of the Utah Natural Heritage Program indicates inventorying these types of areas for specific roosting locations is extremely difficult, and finding roost sites is usually simply fortuitous.

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations.

FISH AND WILDLIFE PROTECTION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Because the area contains no known raptor nests, a protection plan is not needed. However, if the applicant discovers new or previously-unknown nests in future monitoring, it will be necessary to develop a protection plan.

As discussed in the environmental assessment, there is a possibility some individual bats could be killed if cliffs fail. Cracks in rocks being used by bats could fail and kill or trap any animals using them, but since there are no known concentration areas, it is unlikely this would seriously reduce the local population. Generally, rock crevices and defective trees are used by only a few bats rather than large populations. Therefore, it is unlikely there would be adverse effects on the population of the area.

In its environmental assessment for this project, the Forest Service considered potential effects on listed and proposed threatened and endangered species that might be in the area and also on Forest Service Region 4 sensitive species. The Division agrees there will be no effects on any of these species.

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations. If new or previously-unknown raptor nests are found, it will be necessary to develop a protection plan.

RECOMMENDATIONS:

The applicant has adequately addressed fish and wildlife information and protection plan requirements, and these portions of the application can be approved.

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