

0045

cotyong  
2015018

**From:** Jerriann Ernstsén  
**To:** Chuck Semborski; Dennis Oakley  
**Date:** 6/13/2006 12:35:00 PM  
**Subject:** Golden eagle at Rilda

Dennis,  
Thanks for the tour yesterday. Attached is a follow up letter from yesterday's visit. If you have any concerns or corrections, please let me know.

Diana, Tom, and Leroy: I copied you as a follow up to our conversations about this nest on 6/1/06.

Thanks

**CC:** Diana Whittington; Leroy Mead; Lucia Malin; Pam Grubaugh-Littig; Priscilla Burton; Sheila Morrison; Steve Demczak; Tom Lloyd; Wayne Hedberg

Dennis,

Thanks for the tour yesterday.

I thought that I would follow up from our discussion that we had on-site.

The golden eagle nest in Rilda Canyon is active. We saw an adult bird flying from and over the mountain west of the topsoil pile.

The exclusionary period is through July 15<sup>th</sup> and there is a 0.5-mile buffer zone for the nest.

Part of the work being done in Rilda is one of the mitigation projects (re-reclamation of the Leroy Mine) for Rilda and relocating the power-lines. Topsoil will be moved to the topsoil storage area – most likely starting this or next week.

So far, the orange netting (indicator for the topsoil) has been laid down. However, EW was not on-site during the installation and the contractor inappropriately lay, what appeared to be about half of the netting, within the 0.5 mile buffer zone (hence working within the 0.5 mile buffer zone). An aerial photo with 0.5-mile buffer zone and pics taken 6/12 are attached. The clearing within the delineated topsoil storage area is where the orange netting is currently located.

We are trying to prevent 'take' of this nest/raptors. Dennis agreed to do the following to prevent the contractor from placing the topsoil on the orange netting that is within the 0.5-mile buffer zone:

- Lay down additional netting east and north of the netting already placed. This additional netting will go to the tree line (east) and near the edge of the sloped area (north-east).
- Flag the 0.5-mile buffer zone so the workers know exactly where not to place the topsoil.
- Be on-site during topsoil movement to make sure that the contractors do not lay the topsoil within the buffer zone.

Dennis had mentioned that EW had recently lost their GPS unit, which they would've used to help accurately place the flagging for the 0.5-mile buffer zone. Here are some options for you to consider for flagging this zone:

- Borrow a GPS unit from another group
- Purchase 150.00 unit, this should give you close approximation (within 20-30') of the zone
- Use your Aerial picture that shows the buffer zone to pick out distinguishing features e.g., the fence to the spring, manhole cover, specific vegetation cover. Dennis mentioned that the corner of the buffer zone is approximately right on the manhole cover.

The Division requests that you provide photos of the flagged area prior to any placement

of soil. A photo from higher up the opposite slope provides a good vantage point to see the markers – given that you select a color other than orange.

I think that your cooperation with preventing the entry to this 0.5-mile buffer zone is commendable. If any one has other ideas of how to accurately place this flagging and prevent a possible issue, please let me know.