October 28, 1985

TO: Coal File

FROM: Kathryn M. Mutz, Reclamation Biologist KMM

RE: Raptors and Technical Analysis Review, Utah Power & Light Company, Deer Creek Mine, ACT/015/018, #2, and Wilberg/Cottonwood Mine, ACT/015/019, #2, Emery County, Utah

Earlier this month, the Deer Creek Technical Analysis (TA) was reviewed for information on raptors. The TA states that the only potentially affected nest is an inactive raven's nest (#46). This information appears to be accurate since the northern area of the original permit area has been deleted. The northern area includes nest #8, an inactive golden eagle nest. The vicinity of the northern area also includes an active golden eagle nest near the West Appa facilities in Rilda Canyon. Any plan revisions which include this area should be evaluated for raptor impact since the old #8 nest could be reactivated by the pair nesting in Rilda Canyon.

Conversations with Bruce Wadell, U. S. Fish & Wildlife Service (USFWS), indicated that they did not feel that any stipulations were necessary for the raven's nest. Legally required mitigation of any damage to the nest would be sufficient. Wadell indicated that UP&L was working with the USFWS to develop a monitoring plan for nests potentially impacted by the new mining schedule for the Cottonwood Mine in the vicinity. Wadell will be sending a draft copy to the Division.

kmm
cc: J. Whitehead
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