



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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0013

April 11, 1984

CERTIFIED RETURN RECEIPT REQUESTED
P396 996 958

Mr. Wendell Owen
Co-Op Mining Company
P. O. Box 1245
Huntington, Utah 84528

RE: Raptor-proofing of Power
Poles and Technical
Deficiencies under UMC 817.97
(March 1984 DOC/TD Document)
Co-Op Mining Company
Bear Canyon Mine
ACT/015/025, Folder No. 13
Emery County, Utah

Dear Mr. Owen:

On July 27, 1983, the Division of Oil, Gas and Mining (Division) sent a letter to Co-Op Mining Company requiring all power poles associated with mining in Bear Canyon to be modified regarding raptor-proofing. Prior to this letter, a survey (June '83) was conducted by the U. S. Fish and Wildlife Service (USFWS) and the Division to determine whether or not power poles were raptor-safe and/or whether or not expected raptor use of the Bear Canyon area warranted pole modification. It is apparent that confusion has arisen with regards to the results of the June 1983 and the July 27, 1983 letter to Co-Op. This present communication will serve as clarification regarding Co-Op's needs for raptor proofing power poles at the Bear Canyon Mine.

The USFWS wrote a letter to the Division, July 6, 1983, summarizing the June '83 survey of Co-Op's power poles. This letter stated the following:

Mr. Wendell Owen
ACT/015/025
April 11, 1984
Page 2

Mr. Lynn Kunzler, Mr. Joe Helfrich, and Ms. MaryBoucek accompanied by Ron Joseph met with Co-Op Mine officials on June 14, 1983, to assess raptor powerline conflicts. Most of the powerlines examined are three-phase configurations energized with 12.8 Kv of electricity. The design is not an approved raptor safety configuration as specified in REA bulletin 61-10 or "Suggested Practices for Raptor Protection on Powerlines... The State of the Art 1981". However, the Fish and Wildlife Service (FWS) does not recommend that these lines be modified to conform with raptor protective designs because it is unlikely that eagles and hawks will perch on the crossarms. Members of both agencies examined the base and crossarm of several poles and could not observe evidence of raptor use. Two major factors contribute to the lack of raptor use on Co-op mine powerlines. The lines are located at the bottom of the canyon and are not the most elevated perch structures from which an eagle or hawk can scan the surrounding terrain. The canyon ridges are heavily wooded and offer a greater array of perch sites and hunting habitat than afforded by the powerlines.

However, on July 27, 1983, the Division wrote a letter requiring all poles be modified due to the fact that Co-Op had never responded to the Division's original requirements for pole modification or pole survey (through the Division) prior to April 30, 1982. On April 6, 1984, Division biologists and field inspectors met to discuss resolution of this problem, i.e. whether or not Co-Op should indeed be required to modify power poles in Bear Canyon. At this meeting it was decided that the Division will adopt USFWS recommendations that power poles not be modified and thus, negate the July 27, 1983 requirement for all poles to be modified. It should be emphasized, however, that all new power poles or existing poles which are replaced must be constructed according to REA Bulletin 61-10 or "Suggested Practices for Raptor Protection on Powerlines... The State of the Art (1981)." Co-Op must make the commitment in the Bear Canyon MRP, as previously noted on p.19 (UMC 817.97 (c)) of the March, 1984 DOC/Technical Deficiency document. It should also be noted that if raptor use of the Bear Canyon area increases in the future to the point where the regulatory authorities determine that a problem exists with the power poles, Co-Op will at that time be required to modify any existing poles deemed a hazard to raptors by the regulatory authority.

In regards to the DOC/Technical Deficiency document, March 1984, the Division is amending certain informational requirements as listed on page 19 of the document, under UMC 817.97(a), as follows:

1. 2nd paragraph - There is no need to supply the June 1982 USFWS raptor survey in the MRP. Information from UDWR contained in chapter 10 of the MRP summarizes both 1981 and 1982 USFWS data as well as 1983 DWR data and is sufficient for permitting purposes.

Mr. Wendell Owen
ACT/015/025
April 11, 1984
Page 3

2. 3rd paragraph - There is no need to provide a new map delineating raptor survey results. The map currently appearing in Appendix 10 is adequate for permitting purposes. Therefore, this paragraph is expunged.

Should you have any questions, please do not hesitate to contact Steve Cox or Mary Boucek of the Division.

Sincerely,

Mary M. Boucek
Mary M. Boucek
Reclamation Biologist/
Permit Supervisor

MMB/jvb
83900

cc: Joe Helfrich, DOGM
Ken Wyatt, DOGM
Steve Cox, DOGM
Lynn Kunzler, DOGM
Ev Hooper, DOGM