

0022



ACT/00102

orig mine file
cc L. Braxton
W. Hedberg

United States Department of the Interior

FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
2060 ADMINISTRATION BUILDING
1745 WEST 1700 SOUTH
SALT LAKE CITY, UTAH 84104-5110

RECEIVED
OCT 15 1986

**DIVISION OF
OIL, GAS & MINING**

IN REPLY REFER TO:

(ES)

October 14, 1986

Dr. Dianne Nielson
Division of Oil Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
Attn: D. Wayne Hedberg

Dear Dr. Nielson:

This letter is being written as a result of Southern Utah Fuel Company's proposed MRP Amendment for the Convulsion Canyon Mine. The Company is requesting authorization to subside below the cliff lines. Based on our review, and discussions held at your office September 29, 1986, we have the following comments and recommendations:

1. Authorization for the east side of Quitchupah Canyon should not be considered at this time.
2. We recommend that the Company complete a detailed raptor survey of all cliffs proposed for subsidence. This should be completed during late spring, 1987. This survey should be accomplished by helicopter. Because we surveyed the west side of Quitchupah in 1981 by helicopter and no additional nests have been located by ground surveys; we suggest no further protective stipulations for raptors be placed upon the Company at this time, if you should choose to grant this Amendment for the west side of Quitchupah Canyon.

However, should nests be encountered next spring under the subsidence effects area, the Company will, at a minimum be required to request permits from our Enforcement Office. If it is a non-endangered, non-eagle raptor, a permit request may be all that is required. However, if it is a golden eagle or endangered species the problems will be more severe, and may range from a requirement for much more extensive raptor inventories (10-mile radius) to a situation that is non-mitigatable and could halt underground development. In all cases, if a permit is issued, mitigation measures will be included as a requirement of the permit.

3. We recommend that a system for monitoring subsidence of the escarpments be established that is detailed enough to document movement, displacement and type of displacement (e.g. slippage, rotation, catastrophic cliff failure). A record of the results

would be useful, but not necessarily wholly transferable, in analyzing the potential subsidence impacts on the east side of Quitchupah Canyon.

Please contact us if we can be of further assistance.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "R. L. McCue".

Robert L. McCue
Field Supervisor