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Division Director

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WILDLIFE RESOURCES

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DIVISION OF
OIL, GAS & MINING

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December 3, 1990

Dr. Dianne Nielson, Director
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84116

Dear Dianne:

The Division has reviewed Southern Utah Fuel Company's permit application package amendment for the Convulsion Canyon Mine. The East Ventilation Portal location is in the vicinity of two golden eagle nests (nest numbers 181.74 and 181.75) and an unknown buteo nest (number 281.31). Observations in 1981 showed that nest 181.74 had been tended. The term "tended" means that evidence existed in the form of greenery that an eagle was maintaining the nest in good repair even though a nesting attempt was not obvious. The other two nests were inactive in 1981. The territories should continue to be monitored for nesting activity. Human disturbances within a 0.5 mile radius of the nest sites should be minimized during the crucial breeding season of February 1 - July 15, if the birds are present.

Page 3 addresses reclamation activities. Final revegetation should include shrub species both in the seed mix and as transplants.

Thank you for the opportunity to provide comment.

Sincerely,

Timothy H. Provan
Timothy H. Provan
Director