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DIVISION OF  
OIL GAS & MINING

April 23, 1992

Mr. Daron R. Haddock  
Division of Oil, Gas and Mining  
355 West North Temple  
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Salt Lake City, Utah 84180

Dear Daron:

The Division of Wildlife Resources (DWR) has reviewed Southern Utah Fuel Company's application to amend their experimental practice for escarpment subsidence at their Convulsion Canyon mine (ACT/041/002-92D). We have the following comments, concerns, and recommendations regarding this amendment.

The zone of potential subsidence provides habitat for a variety of wildlife including deer, elk, moose, raptors, and a number of nongame species. DWR is concerned about the effect of subsidence on wildlife species. Our two main concerns are loss of habitat for species dependent on cliffs or similar topographic features and modification or destruction of critical water sources. Golden eagles are dependent on cliffs and outcrops as nesting areas. Escarpment failures due to subsidence can destroy nest sites.

Raptor surveys of Convulsion Canyon conducted in 1981 and 1988 revealed two inactive golden eagle nests and one inactive buteo nest within a half mile of the escarpment proposed for addition to SUFCo's experimental practice. The potential exists for these nests to become active in the future. If this occurs, subsidence could potentially impact these nest sites. Four additional nests are located within one mile of the escarpment. The potential for nesting raptors is high in this area. In addition to nests discovered during the raptor survey that SUFCo indicated they would conduct this spring, DWR recommends that SUFCo monitor these existing nests to determine if they become active. If activity is noted, measures should be taken to prevent damage to the nests. The U.S. Fish and Wildlife Service should be consulted and the appropriate permits obtained if protective measures include moving nests. The area contains potential habitat for a number of other raptor species. Monitoring should also determine if active nest sites of these species are established and if potential damage from subsidence could occur.

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Subsidence can result in the modification of flows at seeps, springs, perennial streams, and even intermittent channels. Such an impact can have serious consequences on the available water that the area's wildlife use as drinking water. Ultimately, flow reductions result in a decreased carrying capacity for terrestrial and aquatic wildlife. Subsidence occasionally results in increased flows. While this may appear as a benefit, in actuality, it could mean that some other aquatic system has lost flows. DWR supports the philosophy that each and every seep, spring, and stream is a critical resource for wildlife.

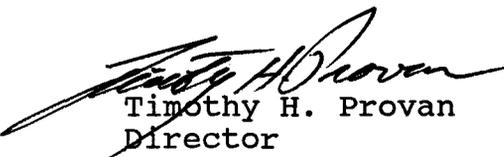
Existing water sources support zones of riparian vegetation. Riparian areas support a high diversity of wildlife species. Reduction in perennial stream flows will likely cause a degradation of riparian habitat. DWR recognizes riparian areas as critical wildlife habitat and such a loss would be harmful.

Most wildlife species have relatively small home ranges. Loss of habitat, terrestrial or aquatic, due to subsidence results in wildlife being displaced from their home range. This often forces them into areas already occupied by other individuals. This results in mortality due to direct conflict or over-utilization of resources. Loss of habitat will require mitigation.

Monitoring of seeps, springs, and streams should continue during operation to assess water flows and determine if depletion is occurring. In the event that subsidence does occur and flows of seeps, springs, or streams are affected, mitigation is anticipated. An impact would be deemed substantial if daily flows were reduced by 50 percent or more. Mitigation would then include measures designed to replace lost water. Such measures could include sealing of cracks or construction of other water sources such as guzzlers. Guzzlers should be designed according to DWR standards which allow passage of wildlife species, but excludes livestock.

We appreciate the opportunity to comment on this amendment. DWR supports SUFCo's efforts to determine the effect of subsidence on surface resources. If DWR can be of further assistance or if you have any questions, feel free to contact Ken Phippen, Regional Habitat Manager (637-3310).

Sincerely,



Timothy H. Provan  
Director