

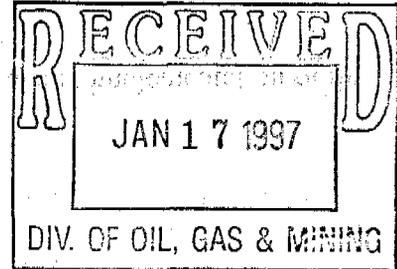
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State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF WILDLIFE RESOURCES

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January 15, 1997

Joel Helfrich
 Utah Division of Oil, Gas, and Mining
 1594 West North Temple #1210
 Salt Lake City, Utah 84116-3154

Dear Joel:

This letter is Utah Division of Wildlife Resources (UDWR) response to Southern Utah Fuel Company's (SUFCO) proposal to bore three exploratory holes (97-24-1, 97-17-1, and 97-13-1). This proposal is contained in the Coal Exploration Plan (Federal Coal Lease U-63214), Convulsion Canyon Mine, Southern Utah Fuel Company, ACT/041/002-96C, Folder 2, Sevier County, Utah.

We recommend the following comments be considered in the approval and implementation of this exploration plan:

1. A sage grouse strutting ground (lek) occurs in T21 S, R5 E, SLBM, sect. 28, NW 1/4, NE 1/4. Typically, the majority of sage grouse nesting and brood-rearing activity occurs within a two-mile radius of a lek. Fortunately, all three bore holes lie outside this critical buffer. Although no work was planned in the vicinity of this breeding area, we recommend that no activity of any kind related to this project occur in T21 S, R5 E, SLBM, sects. 20, 21, 22, 27, 28 and 29 to offer further protection to these grouse.
2. No known raptor nests occur within one-half-mile of any bore holes. This buffer is considered essential to limit disturbance to raptors. Furthermore, the four week work period (starting the third week of July), is outside the nesting season for red-tailed hawks and golden eagles, which are common in the area.
3. Northern goshawks inhabit the area. They nest until the end of July. A survey for goshawk nests is necessary within one-half-mile of all bore hole sites and the closed wheel track that will be reopened to access drill hole 97-17-1. In addition, any trees to be "grubbed" at the actual boring sites should be checked first for goshawk nests. Locating a bore hole near a goshawk nest would require State and Federal input. Work on bore holes occurring within one-half-mile of any goshawk nest would need to be curtailed until the first week in August.
4. We recommend native species be used to seed reclaimed areas where possible.



Overall, impacts to wildlife were considered very carefully in this plan. If you have any further questions concerning these comments, please contact Jeff Beck or Bill Bates at (801) 637-3310.

Sincerely,

Bill Bates, for

Miles Moretti
UDWR Southeastern Region
Regional Supervisor