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DEPARTMENT OF NATURAL RESOURCES

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Technical Analysis and Findings Utah Coal Regulatory Program

August 3, 2016

PID: C0410002
TaskID: 5251
Mine Name: SUFCO MINE
Title: ADD RAPTOR SURVEY INFO

Operation Plan

Fish and Wildlife Bald and Golden Eagles

Analysis:

The amendment meets the State of Utah R645 requirements for protection of migratory birds, including those protected under the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act.

The amendment consists of incorporation of the 2016 raptor survey to Appendix 3-4 of the MRP. Tetra Tech monitored previously known raptor nests within the survey areas, including 36 nests in the 2016 Mine Survey Area and four in the Waste Rock Disposal Survey Area. In addition, the biologists inspected all suitable nesting habitat in the three survey areas, including stands of conifer, aspen (*Populus tremuloides*) or other trees, and cliff areas, to identify any new nests. The permittee provided a map that shows the location of nests relative to underground mining and the subsidence boundary.

Six Nests were identified during the survey as being active, Three Golden Eagles, two Redtailed Hawks and a Common Raven. TT2_GOEA (Golden Eagle) is the only nest near mining planned for 2016/2017. The nest is well outside the subsidence angle of draw and therefore should not be affected by underground mining. No mining related surface disturbance is planned or anticipated for the nesting area. Nests TT12 GOEA and 305GOEA are located outside the effect of subsidence as are nests TT 4-R THA, TT9 R THA and the 301 Raven nest.

Therefore, the Division has determined that based on the raptor survey and the location of subsidence, mining operations should not have an impact to protected avian species.

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