

**EMERY COUNTY PUBLIC LANDS COUNCIL
PO Box 1298
Castle Dale, Utah 84513**

March 13, 2013

Daron Haddock
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

Dear Mr. Haddock,

Thank you for your presentation at the Emery County Public Lands meeting last week. The following discussion is appreciated as well.

In response to your Public Outreach for the Evaluation of the Utah Coal Regulatory Program, the Public Lands Council offers the following:

- Impacts to surface water resources by underground mining activity continues to be an issue of high priority for Emery County.
- Northwater Spring and Southern Utah Fuel Company's efforts to mitigate impacts are a specific example of surface water/underground mining issue.
- Water monitoring requirements should be evaluated:
 - Data collected should be sufficient to determine normal flows, including seasonal variation and high/low water year variation, if possible.
 - Data should be gathered over a time period sufficient to establish a realistic baseline.
 - Currently, it is the responsibility of the mine operator (or applicant) to do the monitoring. The Forest Service (or other land owner) and other stakeholders should be encouraged to participate as well.
 - Remote sensors and data systems similar to those in use by Emery Water Conservancy District should be considered.

- Trigger points need to be identified. If the trigger points are reached then specific action should follow. The action needs to be determined prior to or during the monitoring to ensure that all parties are aware of the follow-up actions in advance.
- With proper monitoring, specific trigger points and actions early, mitigation should be instigated quickly without the need of further discussions (finger pointing/arguing).
- Base flow rates of creeks should be determined as well.

Thank you for your consideration of these issues. We look forward to further dialogue on this matter.

Ray Petersen
Public Lands Administrator