

February 1, 2005
Emery County Progress
Internal
4/007/0005

that moment on, ice fishing has become one of my favorite types of

should be accompanied by adults

Continued on PAGE 2A.

Electric Lake and water quality

By PATSY STODDARD, Editor

The Division of Oil, Gas and Mining met in Emery County in their quarterly meeting with coal operators and water users. Bill Moellmer from the Department of Environmental Quality, division of water quality and the standards that apply. The present standards and changes became effective on Jan. 6, 2004. Moellmer presented a power point presentation detailing the present water quality standards. Moellmer said there are four areas of regulation; beneficial/designated uses, agriculture, fishing, etc., narrative criteria, numeric standards, and antidegradation policy and implementation. An antidegradation review policy/procedure for all waters statewide has been added.

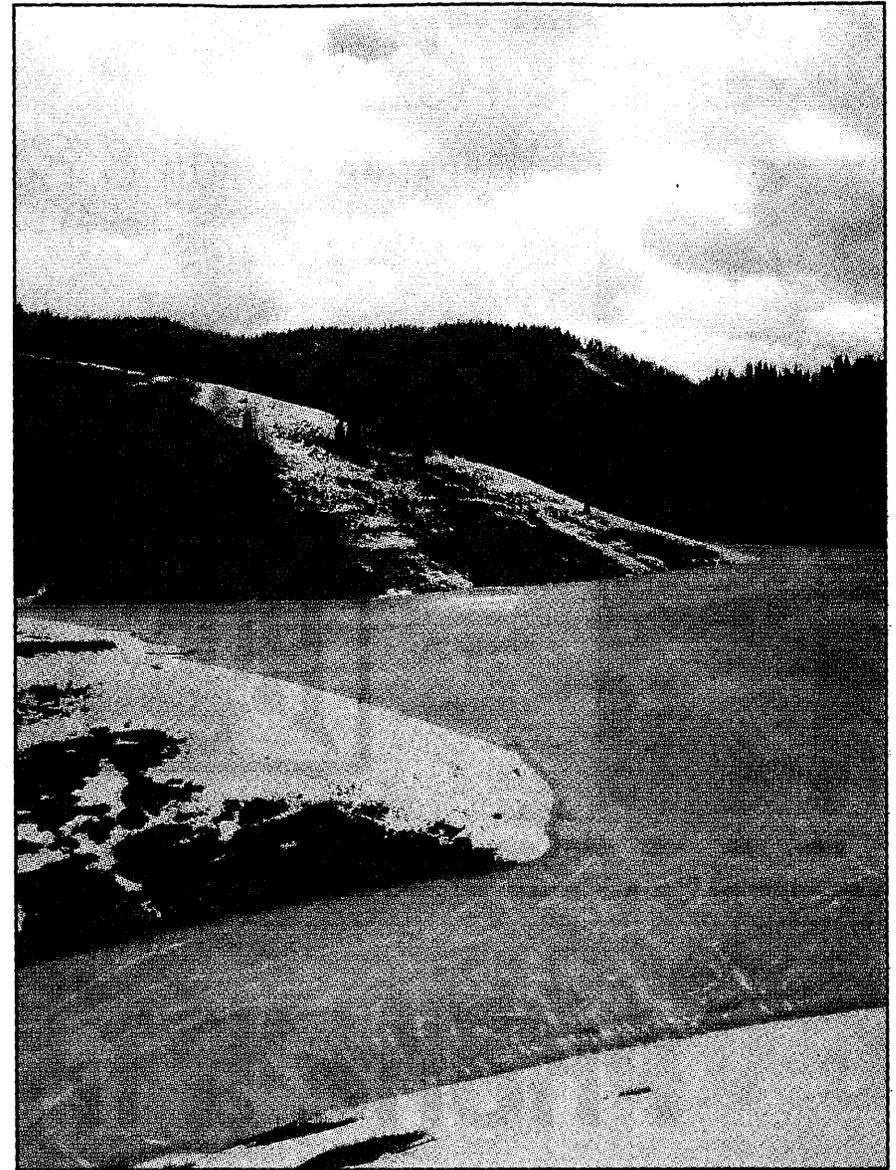
This will address the remaining "assimilative capacity" of a receiving water. The DEQ is moving away from polluting up to the standard. Moellmer said, "What percent of a river should we allow to be polluted?" A Level I antidegradation review is required on all permitting actions. All activities requiring a Level II review are those that failed the Level I review. Also, Level II

reviews can be requested by the executive secretary, 1C waters, Blue Ribbon Fisheries, Special Wetland Areas, etc., threatened and endangered species. Activities with adequate environmental impact studies may be exempt. Anyone can make a request for a review and it is at the discretion of the executive secretary if he/she deems a review necessary.

When a project needs a Level II review the applicant will meet with the DEQ and develop information jointly; a public notice will be issued in the newspaper and public agencies are invited to have input. Actions will be discussed which will result in less degrading. Alternatives are considered and alternative actions for treatment could include: higher levels of treatment, connection to other facilities, reduce the size of the project, pollutant trading, total/partial containment and other options. Costs to the project are also evaluated, a maximum cost increase of 1.2 times the cheapest alternative may be required.

Moellmer cited hypothetical ex-

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Electric Lake, near the top of Huntington Canyon, is the target of discussions.

Photo by Patsy Stoddard

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Electric Lake

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Also, Bott Lane has a pedestrian walking lane and if OHVs are added to that mix, there is just not enough room." The consensus was that with Castle Dale's location, surrounded by state highways, there was no way to allow ingress and egress for Castle Dale to state lands.

Another aspect of OHV use on county roads that the safety committee discussed was the hours that OHVs would be able to use the roads. Some committee members felt that OHV use should be restricted to daytime use only. Others felt that the OHVs are equipped with lights and their use should be allowed during nighttime hours.

Distances to recreation areas was then discussed. It was stated that the prime riding areas are a number of miles from the towns. One comment was that it would be more efficient to trailer OHVs to riding areas than to ride them from the towns. Another question raised concerned enforcement of an ordinance, if one is accepted. Why designate roads when people are using them now, and will that change if roads are designated? What about enforcement?

Sheriff Guymon said, "These are a few of the things that we will have to look at through this process. If the users do not take responsibility to obey the rules, they are going to lose the use. People need to use the resource responsibly and comply with the rules or the entire system will be closed."

Each member of the safety committee agreed to study the list and maps and visit the roads. At their next meeting, which will be held on Feb. 1, they will discuss and come to decisions on each road. Following their decisions on the OHV travel plan for the county roads, a public hearing will be held.

amples of how they will work with projects to minimize impacts. In some instances the size of projects can be reduced, water can be stored and not immediately released, water can be put on fields, etc. DEQ will work with the discharger to give flexibility, but they can't allow violation of water quality standards.

Moellmer explained a new test for E.coli which can be done in the field with results in 24 hours. He said that E.coli standards have become more stringent than before. For approximately \$3,200 you can receive 200 tests and all needed testing materials.

Moellmer discussed total dissolved solids. He gave a hypothetical example of discharge from Huntington Creek below the forest boundary at 500 TDS, and you have a project which you are discharging 1,000 TDS. "Why would we let you discharge a level that high above? We'd hear from the neighbors," said Moellmer.

Statewide standard for TDS is 1,200 for agricultural use. The DEQ considers how long a discharge would take place and other variables in making discharge decisions. The discussion made its way around to the discharge from Skyline Mine. The James Canyon wells were drilled to intercept the water entering the mine. JC-3 was drilled into the mine workings and JC-1 is drilled outside the mine workings into a fault fracture. The well outside the mine workings didn't need a permit. The DEQ took the TDS in Electric Lake and took it to the 80th percentile and said that's your discharge permit level of TDS.

The question was raised why can you dump the same water into Scofield and not into Elec-

tric Lake. Moellmer said they based it on what needs to be protected. They determined that an agricultural need exists for a farmer in that area raising alfalfa. They looked at the discharge and the dilution and concentration and the water the farmer is receiving out of Pleasant Valley Creek matched for an agricultural need. The permit issued to Skyline Mine is 1,310 TDS for discharge.

The TDS in Electric Lake is 250-275.

Craig Johansen from the Emery Water Conservancy District said, "The actions with Electric Lake have resulted in water being transferred from one watershed to another. The government is taking something that doesn't belong to them. This is a water rights issue."

Johansen wondered who they needed to sue and Moellmer suggested they sue the water rights people. Moellmer said the water cannot be pumped into Electric Lake because of the TDS and they are not responsible for the actions at Electric Lake.

Johansen said he disagreed and holds the DEQ responsible for the loss of water in the Huntington drainage. Moellmer suggested they go to the water quality board with a request for a higher level of TDS for discharge into Electric Lake. He said these strict guidelines are a result of watershed protection guidelines. PacifiCorp currently holds the permit for the discharge into Electric Lake and their permit discharge of TDS into Electric Lake cannot exceed 255. This stringent guideline has resulted in the discontinuation of the pumping of water from JC-3 because the occurring TDS exceeded the 255 figure. With the statewide TDS number being at 1,200 for agricultural

use a wide gap exists in what will be allowed as a discharge into Electric Lake, which is a significant water supplier to the Huntington Power Plant. JC-1 which pumps outside of the mine workings doesn't require a permit because it is not mine discharge water. This well is pumping 4,028 gallons per minute into Electric Lake. Out of the portal of the mine, 3,602 gpm are still being discharged down Eccles Creek. It would be closer and more cost effective for the mining company if they could discharge into Electric Lake as well. It is here the controversy rages on about Huntington drainage water being released down Eccles Creek.

Cody Allred from PacifiCorp, Huntington Plant asked if they went through the review process if there was a chance they could be successful. Moellmer seemed to think they would have a good chance. One possible action could include raising the TDS for the discharge permit into Electric Lake to 500 TDS which would allow PacifiCorp a little more leeway with discharge water.

Moellmer said it is a bureaucratic issue which stems back to when the water quality standards were put together and they were working on how to classify lakes and they determined no discharge in the mountains within the forest service boundaries to protect watersheds and this level of protection has continued over time. That is the policy they need to go after in this Electric Lake discharge issue, advised Moellmer.

Moellmer suggested they ask the water quality board to have the antidegradation regulation on Electric Lake be removed because it is too stringent. "Ask to have it changed," suggested Moellmer.

<i>Emery County</i> Progress	
VOICE OF EMERY COUNTY SINCE 1900	
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hadn't shod any horses in a month.

Attorney Langston said Hous-ton was allegedly purchasing the crystal iodine for \$65 a pound and selling it for \$250 a pound. Attorney Langston said

records from Emery Animal Health regarding his purchases, saying they were not all made by him, and others purchased in his name and anyone could have typed his name in the com-puter.

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