

0050

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

West Price River Dr.
Price, Utah 84501

Pam 20

File ACT1007/006 #2

Reply to: 2820

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Date: May 24, 1993

Please fax to Ben.

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To Ben Grimes	From Janean	
Co. Plateau	Co. DOGM	
Dept.	Phone # 538-5340	
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Mr. Lowell Braxton
State of Utah Department of Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Permit Renewal and Addition of Federal Coal Lease UTU-64263, Cyprus-Plateau Mining Corporation, Star Point Mine, ACT/007/006, Folder #3, Carbon County, Utah

Dear Mr. Braxton:

We have reviewed the Mining and Reclamation Plan (MRP) and have identified revisions, corrections and concerns that need to be resolved before we can consent. Our comments are as follows:

GENERAL COMMENTS

1. The Little Park Canyon Breakout is discussed in the MRP in several locations as a planned facility. It must be made clear in the MRP that it has not been approved by the regulatory agencies. The only activity that has been approved in the new lease to date is driving of the mains to the north. According to our communications with Cyprus-Plateau and as discussed on page 500-9, the location is only conceptual. Before the Forest Service can conduct an environmental analysis for the breakout, detailed designs showing the actual proposed location and specific designs must be submitted.

Issues to be evaluated in the environmental analysis would include the impacts to recreation (visibility and fan noise), from Nuck-Woodward Canyon and the Little Park Trail.

Considering the time necessary for project scoping with public participation, the analysis, and public review and appeal periods, approved facilities could not be constructed until at least 5 months of submittal of a complete proposal.

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DIVISION OF
OIL GAS & MINING

As part of the analysis, surveys by qualified individuals approved by the Forest Service will be required to determine if there are any cultural/historical resources or Threatened, Endangered, and Sensitive plants in the area of proposed disturbance.

The MRP should be revised to make it clear that the Little Park Canyon Breakout information is conceptual and has not been approved.

2. Mining in the northern portion of the tract where overburden is shallow has higher potential for causing surface cracks and diverting surface water into the mine workings. Measures for mitigating impacts to the recreation trail, vegetation, and surface water from mining and assuring public safety must be evaluated and included in the MRP.
3. The administrative boundary of the Manti-La Sal National Forest is shown incorrectly on Maps 112.500a, 112.500b, and other maps in the MRP. The line should be changed to turn west along the line between Sections 5 and 8, turn north along the line between Sections 5 and 6, turn west along the line between Sections 31/32 and 6, then turn north again along the line between Sections 31 and 36.

BIOLOGY

1. Vegetation Monitoring

Stipulations attached to the coal leases within the permit area require monitoring of subsidence, hydrology, and vegetation of the lease area to determine the progressive and final effects of mining and subsidence on surface resources. There is no discussion of vegetation monitoring except within the area disturbed by surface facilities. The operator must commit to and include a plan for monitoring the distribution of vegetation communities over subsided areas and reporting results on at least five-year intervals. The objective is to determine if mining and subsidence cause changes to the pre-mining distribution of plant communities, as already mapped in the permit area vegetation map. We have found that color infrared aerial photography is the most efficient method of monitoring plant communities over a large area by freezing the information in time for comparison with previous and future data.

2. Page 300-5, Table 321.100c

The list of species in each vegetation type needs to be refined. It contains species that are not known to occur on the Wasatch Plateau (*Calystegia longipes*, *Calamagrostis stricta*, *Circaea alpina*) and does not list other species that occur in the vegetation types (noxious weed *Convolvulus arvensis*). Please contact Bob Thompson at the Manti-La Sal National Forest Office in Price, Utah.

3. Page 300-59, 1st Paragraph

The discussion indicates that *Hedysarium occidentale* var. *canone* and *Hymenoxys heleneides cockerell* are listed as threatened or endangered. They are sensitive or candidate species, but have not been listed.

4. Page 300-86, last Paragraph

It is stated that 25 species of mammals inhabit the area that are/would be impacted by the Corner Canyon and Little Park Fan sites and that seven species are protected by State code. This is incorrect. There are only 2 or three that are not protected by the State.

5. Page 300-92, last Paragraph

It is stated that the Spotted owl is known to inhabit canyon areas and to occur in this part of Utah. This is incorrect. The Spotted owl does not occur on the Wasatch Plateau. It is only known to occur in canyon areas in the southern part of Utah.

6. The list of wildlife species and their occurrence appears to be outdated and needs to be updated based on more current information.

LAND USE

1. Page 400-3, Paragraph 4

This section needs revision to be consistent with the Forest Plan completed in 1986. It is stated in this paragraph that the permit area lies within "Coal Lands Management Area A". This designation is obsolete under the Forest Plan, 1986. The portal facilities and Corner Canyon breakout are included in the MMA (Leasable Minerals) Management Unit. The remainder of the permit area that lies on National Forest System lands is designated as an RNG (Range) Management Unit. MMA Management Units emphasize management for surface facilities needed for the production of leasable minerals such as coal. The RNG Management Units emphasize forage production for livestock and wildlife.

The recreation trails in Little Park and on Castle Valley Ridge (Castle Valley Ridge Trail System) need to be identified and discussed.

ENGINEERING

1. Page 500-9, Paragraph 3

See General Comment No. 1

2. Page 500-9, Paragraph 3

Protection of Little Park Creek from subsidence is discussed in this paragraph with a reference to the J.F.T. Agapito & Associates, Inc. report in Exhibit 523a. It is not clear what angle-of-draw was used to offset longwall panels to protect the creek. The Agapito report talks to 35 degrees but it is not clear whether or not this is the angle-of-draw used. In addition, the report suggests backfilling of areas with shallow overburden to prevent the potential for subsidence, especially pit or chimney subsidence.

The MRP needs to identify the maximum or expected angle-of-draw based on subsidence monitoring in the area. This angle-of-draw with some buffer distance (either as angle-of-draw or distance from the stream channel) must be used to locate panels to ensure that the stream is not subsided. In addition, the operator must commit to taking appropriate measures (based on available technology at the time of abandonment of the mains) to prevent subsidence (trough and chimney) under the creek in the future beyond the mine life. Measures could potentially include backfilling or grouting.

3. Page 500-18, Paragraph 3

It is stated that proposed subsidence monitoring points are shown on Maps 521.121e and 521.121f.

None of the maps show subsidence monitoring points for Federal Coal Lease UTU-64263. The maps must include monitoring points for review and approval under the MRP.

Additional monitoring points on Gentry Ridge are needed at the center of the longwall panels to detect maximum subsidence. Additional points are needed along the west and east ends of the panels to determine the angle-of-draw and to what extent faults influence the amount and extent of subsidence that occurs. Points should be monitored in the next panel to be mined to determine the angle-of-draw and adjust the west extent of sequential panels to ensure protection of Wild Cattle Hollow.

4. Page 500-19, Paragraph 2

It is stated that monitoring in specific areas will be discontinued when subsidence reaches 80% of the projected maximum or when measured annual subsidence is less than 10% of the total measured subsidence. In addition, subsidence would be measured 5 years later.

Stipulations in the coal leases require monitoring of subsidence, hydrology and vegetation to determine the progressive and final effects of mining. After the mine is abandoned, these stipulations

must be met before the leases can be relinquished. This means that subsidence, and related impacts must be shown to be substantially complete. Based on the subsidence vs. time curve for the first mined seam presented by Robert Dyni (Bureau of Mines Information Circular 9297, Subsidence Resulting From Multiple-Seam Longwall Mining in the Western United States - A Characterization Study), subsidence could be considered substantially complete at about 90-95% of the predicted subsidence (0.7 times extracted height of 8ft.).

There is no discussion to substantiate that subsidence would be substantially complete at 80% of the predicted maximum subsidence or when annual subsidence is 10% of total measured subsidence.

5. Page 500-29, Paragraph 5

It is stated that a block of coal calculated based on the angle-of-draw will be left to protect Little Park Creek from subsidence. The mine maps for the Wattis seam also show protection of Wild Cattle Hollow, Nuck Woodward, and the unnamed tributary to Nuck Woodward (north of Little Park) from subsidence. There is no discussion of what angle-of-draw is expected based on subsidence monitoring in the permit area and what angle-of-draw was used to protect the drainages from subsidence.

HYDROLOGY

1. Page 700-90, Paragraph 3

It is stated that longwall mining will take place beneath Miller and Little Park canyons. It must be made clear in this paragraph that no mining will be done under Little Park Creek that will cause subsidence.

2. Page 700-93, Paragraph 2

Monitoring stations are illustrated on Map 722.200a. The following additional springs and stream monitoring stations need to be added in order to detect impacts to springs and stream reaches that have been identified for protection:

Springs 438 and 486

Stream monitoring point in Nuck Woodward north of the permit area to use for flow comparisons with 87-10-1CV, 2CV, and 3CV to detect changes due to precipitation cycles.

It appears that surface water monitoring station 87-10-3CV is incorrectly plotted on Map 722.200a. It is located high on the slope well above the stream channel. The other two stations CV1 and CV2 are located to monitor flow in Nuck Woodward above and below the confluence with Little Park. There is no logical rationale for a stream monitoring station on the slope.

Monitoring reports submitted to UDOGM should specifically display the flow in Little Park Creek as well as the flow in stations CV1 and CV2 based on the difference between these stations. An alternative would be to add a separate and distinct monitoring station in Little Park.

3. Page 700-111, Paragraph 2

This section is entitled "Water Rights and Replacement". Water rights are identified but there is no discussion of replacement of water if water sources are lost due to mining.

This section should disclose plans for mitigation in case impacts occur. This information must be disclosed so that the regulatory agencies have an opportunity to review proposed measures to make sure that they would be acceptable under the mining regulations and Forest Plan direction for management of surface resources in the area. It must be clear that surface disturbing activities or supplemental water developments require approval and permits from the responsible agencies.

If you have any questions on our comments or feel that the concerns raised have been resolved, please call.

Sincerely,



for
GEORGE A. MORRIS
Forest Supervisor

cc:
D-3
Richard Holbrook
Office of Surface Mining Reclamation and Enforcement

** TRANSMIT CONFIRMATION REPORT **

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