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Alpine file
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DIVISION OF OIL
GAS & MINING

December 30, 1985

Mr. Lowell P. Braxton
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 94180

ACT/007/007
#3

RE: Windy Gap Analysis
Sunnyside Mines Permit Revision Application

Dear Mr. Braxton:

This letter is in response to your letter to me dated December 13, 1985. In that letter, a question was raised concerning the impacts of the permit revision application on the surface water regime. Specifically, the question is raised in regard to three endangered species of fish found in the Upper Colorado River Basin. The three endangered species are the Colorado squawfish, the humpback chub, and the bonytail chub. The U.S. Fish and Wildlife Service is concerned that mining operations mitigate activities which could cause a diminution of flow in the Colorado River Basin which could thereby affect the habitat of these endangered species.

Kaiser Coal Corporation has determined that mining in the permit revision area of the Sunnyside Mines will have no effect on the surface water regime in the Colorado River Basin. This determination is based on our knowledge of the Sunnyside Mines operation and the proposed operations in the permit revision area. Specifically, the following items have been considered:

- ° Sunnyside Mines coal production before and after issuance of the permit revision will remain unchanged.
- ° The groundwater regime in the permit revision area (150 acres) is the same as the groundwater regime in the current Sunnyside Mines permit area (14,000 acres).

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- No new mining equipment or mining techniques will be employed in the permit revision area.
- Coal handling systems will not be affected by the permit revision in any way that would impact water usage.
- Coal processing will not be affected by the permit revision in any way which will affect water consumption.
- Coal transportation systems will not be affected by the permit revision in any way which will affect water consumption.
- No new surface disturbances are planned in the permit revision area.

The above factors when taken together, lead to three general conclusions. First, no increase or decrease in groundwater flows in the mine are expected as a result of the permit revision. Secondly, water consumption at the mine will not be affected by the permit revision. Thirdly, the surface water regime will not be affected by the permit revision. Given a determination of zero impacts on groundwater flow, surface water, and water consumption, Kaiser Coal Corporation feels that the overall conclusion can be drawn that the permit revision will result in zero net impact to water quantities in the Colorado River drainage.

Kaiser Coal Corporation is committed to maintaining the hydrologic monitoring outlined in Section 3.4.3, Protection of Hydrologic Balance, of the Sunnyside Mines Permit Application. This monitoring system as currently designed will serve to identify any changes in mine water discharge in the future at the Sunnyside Mines. Kaiser Coal Corporation remains committed to minimizing the impacts of Sunnyside Mines operation on the hydrologic regime and mitigating those impacts to the extent required by law. In the event that the water monitoring procedures outlined in Section 3.4.3 of the Sunnyside Mines Permit Application indicate a measurable decrease in surface water flows, Kaiser Coal Corporation will work with the Division and any other cognizant agencies to determine the appropriate mitigation action.

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I hope this letter adequately addresses the Windy Gap issues with respect to the permit revision area. If you have any questions or comments, please do not hesitate to contact either Mr. Conrad Parrish at (303) 879-6260, or me at the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Martin P. Holmes". The signature is written in dark ink and has a long, sweeping horizontal stroke at the end.

Martin P. Holmes
Manager of Permits and
Regulatory Compliance

MPH/klk

cc: Rick Lawton, OSMRE
Conrad Parrish, ACZ