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SEP 02 1986DIVISION OF  
OIL, GAS & MINING

August 29, 1986

Mr. John Whitehead  
Utah Division of Oil, Gas, and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, UT 84180

RE: Meeting of August 20, 1986

Dear Mr. Whitehead:

This letter is to confirm my understanding of the conversations and conclusions reached at your meeting with Mr. Conrad Parrish of ACZ INC. on August 20, 1986. The meeting was held in the Utah Division of Oil, Gas, and Mining (UDOGM) offices at the College of Eastern Utah Campus in Price, Utah, and was attended by the following people:

Mr. John Whitehead	UDOGM
Ms. Kathy Mutz	UDOGM
Mr. Phil Ralphs	UDOGM
Mr. Conrad Parrish	ACZ, INC.

The purpose of the meeting was to discuss and resolve the issue of canyon bottom vegetation in A Canyon and C Canyon. This issue surfaced some weeks ago as a result of ACZ INC.'s request to Lowell Braxton that Kathy Mutz review the Sunnyside No. 5 Mine Vegetation Information Section for field data completeness and adequacy. The request to Lowell was contained in a letter dated July 25, 1986. Kathy's reply, in her letter dated August 1, 1986 expressed a desire to provide better characterization of the canyon bottom vegetation community. Subsequent field visits with various personnel were held on August 11th and August 18th. During those field visits, it was not possible to come to a resolution, therefore, a meeting was requested. It is imperative that this issue be resolved as quickly as possible. Kaiser is committed to meeting UDOGM's needs for information, however, any additional vegetation sampling for the No. 5 Mine permit application and the coal transportation conveyor must be

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completed prior to the end of the vegetation sampling season. It is anticipated that only two (2) or three (3) weeks of field season remain in 1986.

I would note at this point Kaiser's frustration with the consultation process to date. Based on information available to me, Susan Hasenjager and Lynn Kunzler had previously come to an agreement with respect to the canyon bottom vegetation. The agreement, as understood by Ms. Hasenjager, unfortunately, was never documented. There has since been a change of UDOGM personnel on the project, and we are now in the position of having to settle an issue which we believed to be resolved some time ago. I sincerely hope that the agreements reached at the August 20, 1986 meeting will constitute a working agreement which both Kaiser and UDOGM can adhere to.

It is our understanding that UDOGM personnel consider the vegetation found in the bottoms of A and C Canyons to be a separate vegetation type from the vegetation found on the canyon walls. This understanding was confirmed at the meeting.

Based on this belief, Kaiser has adopted a position as follows:

- Kaiser will map and sample this vegetation type, but must have immediate guidance from UDOGM as to an acceptable methodology.
- The approved methodologies for A and C Canyons should be similar, if not identical.
- Kaiser is committed to sampling this vegetation as the ultimate goal of predisturbance sampling is to establish postmining reclamation types and reclamation success standards. Acceptable reclamation success standards must be based on objective, measurable, quantifiable, and replicated sampling.

It is further my understanding that the following constitutes a sampling and mapping methodology agreed to in the August 20, 1986 meeting and acceptable to the UDOGM staff.

- The area length will be defined along the canyon bottom starting at the mouth of the canyon and ending above the uppermost proposed disturbance in the canyon. A decision as to what constitutes the canyon mouth will be made by Kaiser.

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- The area width will be defined by the major change in slope that represents the actual canyon wall and not an intermediate bench slope.
- Canyon bottom vegetation type sampling will be confined to the areas defined above.
- Vegetation types to be sampled will be one or more in the bottom of each canyon. The number of vegetation types delineated in each canyon bottom will be at the discretion of Kaiser personnel.
- Samples will be located by random methods along the length of the area to be sampled.
- The canyon wash bottom will be used as an artificial center of the vegetation type for purposes of locating the beginning points of transects.
- From the center line of the wash the starting point of the transect will be chosen based on random numbers which will delineate:
  - \* right or left side of wash to begin transect
  - \* distance to beginning of transect from center of wash
  - \* transect orientation (compass direction).
- In the event that a transect intersects the edge of the defined area, the transect will "reflect" back from the area boundary. The transect will be continued along the new orientation within the area limits defined.
- Sample adequacy will be determined per the UDOGM Vegetation Sampling Guidelines.
- Transect length will be 50 feet.
- 50 points will be sampled per transect.
- The canyon road will be included in the sample transects to the extent that it falls within the defined area limits. Where the road occurs outside the area limits it will not be sampled.

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In addition to these points, it is my understanding that the following items unrelated to the canyon bottom sampling were resolved.

- The canyon bottom vegetation sampling is the only vegetation field data which remains to be collected for the No. 5 Mine permit application. All other vegetation field data is sufficient.
- The current three (3) vegetation types delineated for the conveyor alignment are acceptable to UDOGM personnel. There is no need to differentiate the North Slope Pinyon-Juniper vegetation type found in A Canyon from the remainder of the undisturbed Pinyon-Juniper vegetation type.
- A decision on hydrologic monitoring of ephemeral drainages crossed by the conveyor will be handled by Mr. Jim Frickie. He will be contacted in the near future concerning his comments.
- UDOGM has not reached a decision as to whether the Sunnyside Mines Coarse Refuse Expansion can be processed as an incidental boundary change, however, this decision is pending.
- Due to the fact that Kaiser will propose an alternate underdrain configuration for the coarse refuse, it will require approximately four to six weeks for UDOGM to review the coarse refuse permit revision. This schedule is dependent on other submittals made to UDOGM prior to submittal of the coarse refuse permit revision.
- Kaiser should submit the coarse refuse permit revision with water monitoring data that includes a baseline parameters sample for the coarse refuse toe spring and also the major spring adjacent to the coarse refuse area.
- A response from UDOGM is pending regarding the regulations to be covered by the coarse refuse expansion submittal document.

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- UDOGM will rule soon on the configuration of the coarse refuse with respect to its designation as a head of hollow fill, valley fill, or other type of structure.

This letter constitutes my understanding of the agreements reached at the meeting on August 20, 1986. Please review this information carefully as Kaiser will be proceeding with work on a number of permitting projects based on this understanding. I welcome any comments you may have regarding my understanding as outlined in this letter. If you have any comments, please contact me within one (1) week so that we may make any appropriate adjustments in our program.

Finally, the offer to Kathy Mutz that she may accompany our field crews and observe field methods is still open. We would be happy to have a UDOGM representative observe our field crews during the course of their sampling routine, particularly as we will soon be sampling the canyon bottom vegetation.

Sincerely,



Martin P. Holmes  
Manager Permits and  
Regulatory Compliance

MPH/klk

Certified Mail

cc: Doug Pearce  
Conrad Parrish