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11/10/80

## United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement

BROOKS TOWERS

1020 15TH STREET

DENVER, COLORADO 80202

OFFICE OF THE REGIONAL DIRECTOR

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OIL, GAS, AND MINING

Mr. D. Wayne Hedberg  
Reclamation Hydrologist  
Division of Oil, Gas, and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

Dear Wayne:

The OSM staff has reviewed the alluvial valley floor (AVF) package submitted by Eureka Energy Company that you transmitted to John Nadolski of my staff on September 15, 1980. It appears based on preliminary analysis that there is an AVF on Soldier Creek; however, we cannot determine the extent of that AVF. The most expedient route would be to determine that the entire area is not significant to farming (per SMCRA 510(b)(5)(A)) and to demonstrate that the reclamation of the essential hydrologic functions can be accomplished.

If the company wishes, boundaries identifying the extent of the AVF can be determined. However, we need more information to do this (i.e., core holes, soil test pits, vegetation productivity measures, cross-sections showing any terraces, flow records, aerial photographs, etc.) I have enclosed a copy of OSM's AVF Identification Guidelines.

In regard to Fish Creek and Dugout Creek, there are areas that appear to meet the geomorphic criteria of an AVF. Again, as stated in the first paragraph, the easiest approach would be to show that surface mining activities will be in compliance with the performance standards and that reclamation of the essential hydrologic functions will be accomplished.

Because Pace Creek has only limited surface mining activities within its watershed boundaries (i.e. ventilation fan portal), we agree that it is strictly an academic exercise to make an alluvial valley floor determination; however, for the purposes of further action we should consider it to be an alluvial valley floor and then limit activities to those proposed, at least until additional study is made.

Once an alluvial valley floor and its approximate boundaries are determined, then the emphasis switches to the effects of mining and reclamation. Surface mining activities in an alluvial valley floor are allowable provided that the area can be reclaimed to its premining productivity and potential and the essential hydrologic functions preserved. It must be emphasized that mining activities can only be allowed when the farming that will be interrupted is of such small acreage as to be of negligible impact on the farms agricultural production (510(b)(5)(A)). This demonstration must be made prior to permit approval.

The last paragraph in Paul Anderson's letter talks about the scope of the permit area. The boundaries agreed to in Don Crane's March 13, 1980 letter were set based upon available information. As stated in Mr. Crane's letter,

if more information becomes available, the adjacent area boundaries should be adjusted to incorporate the new information (i.e., area which may be affected). Therefore studies outside the boundaries set in the March 13th letter may be necessary at a future date.

I assume from your question of OSM's jurisdiction that this area is fee land. As my staff has discussed with you, when Federal coal is involved Federal jurisdiction is expanded to take into account all surface mining activities necessary to mine that Federal coal.

If we can be of any further assistance, please contact us.

Sincerely,



DONALD A. CRANE

Enclosure

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DIVISION OF  
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