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February 5, 1980

Mr. Donald A. Crane
Regional Director
Office of Surface Mining
Brooks Towers
1020 15th Street
Denver, Colorado 80202

RE: Swisher Coal Company
Proposed Lease Application
Swisher No. 2 Mine
ACT/007/016

Dear Don:

The Division staff has completed the review of Swisher's application for the Number 2 Mine lease modification and your letter of January 28, 1980 concerning the same. Enclosed is a Memorandum describing the results of the staff's review of the two items.

The Division proposes that Swisher Coal Company be allowed to immediately enter the lease with the following stipulations:

1. Quarterly reporting and annual summaries be submitted for the groundwater and surface water monitoring programs.
2. A spring survey be conducted no later than August 1, 1980 over the entire mine plan area. The results to be submitted to the Office of Surface Mining and the Division of Oil, Gas and Mining for review and possible modification of the monitoring programs.
3. Submit for approval and initiate a study designed to delineate the source of water within the mine workings, recharge area(s), zone(s) of transmission, and quality and quantity of the water. Results are to be submitted by January 1, 1981.

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4. Include the Gunnison Homestead Spring in the groundwater monitoring plan.
5. Detailed information must be submitted within 60 days as to the location of all culverts and ditches related to access and haul roads. The plan should demonstrate that all ditches and culverts are capable of passing the peak runoff resulting from a 10-year, 24-hour precipitation event. Cross-section and gradient profiles should be submitted for all access and haul roads. Gradient profiles for haul roads should include road segments to the point where the haul roads reach public roads.
6. More information must be submitted within 60 days as to the owner, use, location and description of water rights in the mine area. Swisher Coal Company should commit to a plan for replacement of water supplies should it become necessary.
7. Plans for determining if the available on-site "soil" is suitable for reclamation must be submitted within 60 days. Soil and revegetation tests are to be for a 5 year period. If the tests show that reclamation cannot be achieved, plans for obtaining topsoil or a substitute growing medium giving volume required, depth of soil replacement, probable borrow source, conceptual borrow area reclamation plans and chemical analysis will be required.
8. The proposed seed mixture is to be used for temporary revegetation only. The final reclamation seed mixture will be determined later based on the afore-mentioned revegetation tests.
9. Design hydrology is to be finalized within 60 days. In question is the peakflow determination for the emergency spillway, the diversion ditch, and the required pond volume.
10. A manual decant system is to be designed and approved. Plans are to be submitted within 60 days.

If the preceding 10 stipulations incorporate satisfactorily the six stipulations in your letter of January 28, 1980, then consider these 10 points to be our State/Office of Surface Mining combined position and forward the final draft to us for transmittal to the operator.

I await your reply in this matter.

Sincerely,


RONALD W. DANIELS
COORDINATOR OF MINED LAND DEVELOPMENT

RWD/te

cc: Dan Guy, Swisher Coal Company
with enclosure