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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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File

August 5, 1988

Mr. Peter Rutledge, Chief
Division of Federal Programs
Office of Surface Mining
Reclamation and Enforcement
Brooks Towers 1020 15th Street
Denver, Colorado 80202

Dear Mr. Rutledge:

Re: Finalization of Mid-Term Review, Beaver Creek Coal Company,
Gordon Creek #2 & #7 Mine ACT/007/016, Folder, #2, Carbon
County, Utah.

The Division has completed the Mid-Term Review for the Gordon Creek #2 & #7 mine. Prior to issuance of our findings and notification of completion to the operator, the dissolution of the federal permit and issuance of the state permit is appropriate at this time. To assist you in the dissolution of the federal permit for this mine, following is a recap of the resolution of issues raised in correspondence to the Division from your office dated March 10, 1987 and April 2, 1987. In addition, a recompiled Mine Plan with updated pages will be forwarded to your office and to the Albuquerque Field Office under separate cover in the next few weeks.

Status of Stipulations and Issues Identified in OSM
Correspondence

Stipulation #3 The Division has verified that the operator is in compliance with the requirements of this stipulation. The Gordon Creek #2 & #7 mine is a particularly dry mine especially in the area of operations in the last two years.

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Stipulation #5 Mitigation of wildlife habitat loss due construction of the southwest lease pad area was addressed by the company as indicated on page 10-79 of the PAP (revised October of 1987) as follows: 3.5 acres of wildlife enhancement was undertaken and completed to the satisfaction of the state Division of Wildlife Resources at the Desert Lake (Shoemaker Wash Project). Secondly, beaver habitat enhancement on the north fork of Gordon Creek was undertaken to assist in establishment of that species there. Lastly, 0.5 acres of riparian vegetation was included during the final reclamation of Gordon Creek #3 & 6 mines. These three actions adequately address the stipulation requirements.

Stipulation #7 The OSM correspondence from the Albuquerque field office dated March 23, 1987 indicated that recent inspections noted some mass movement. This situation was assessed by Division Reclamation Engineer, Pamela Grubaugh-Littig, in May 1987. She indicated that there have been in fact no slumps in the area of concern, but in fact one area was simply a fault gouge with some material that was sluffing. This is not mass movement in the traditional sense of a circular mass failure. To completely clarify this issue the operator has revised Plate 3-9 as well as section 3.4.8.3 of the approved permit application package such that there are two sets of monitoring points to identify true slump areas.

Stipulation #10 Concerns were raised in regard to the power pole configuration at the Gordon Creek #2 & #7 mine. This situation has been a source of confusion for the past several years. Reclamation biologist, Brent Stettler, has been assigned to assess this situation on the ground and obtain the Fish and Wildlife Service clearance for the property in question. This action should be completed sometime in the month of August 1988.

Stipulation #11 required the verification that Canyon Sweetvetch (*Hydesarem Occidentale*) not be disturbed on the Gordon Creek #2 & #7 mine site. The Division feels that a survey is not required unless additional site disturbance is planned. The operator is committed on Page 9-39 revised October of 1987 to notify the Division if species of interest are found in the permit area. The Division will require Beaver Creek Coal Company to survey the newest proposed disturbance area, the #8 mine portals, for the *Hydesarem Occidentale*.

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One issue that was identified in the Albuquerque field office concerns was the continuous monitoring stations on the Beaver Creek drainage above the Gordon Creek #2 mine. These stations are only operable for a three to four month period when continuous flow records are kept. It is impossible and impracticable to consider monitoring during the winter months as the stream is frozen and access is not possible. The Division concludes that it is acceptable to perform continuous monitoring of this creek during the period of access from approximately May through September.

This tabulation of the status of the concerns raised by OSM should satisfy the Federal Programs Division and allow you to dissolve the Gordon Creek #2 & #7 federal permit. The Division awaits your concurrence before finalizing our action.

Sincerely,



Lowell P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

WPP46/2-4

JJW/cl

cc: J. Whitehead
B. Stettler
R. Hagen