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December 6, 1994

TO: File

TO: Daron Haddock, Permit Supervisor

FROM: Susan M. White, Senior Reclamation Biologist SMW

RE: Finalization of Reclamation Plan, J. B. King Mine, Western States Minerals, ACT/015/002, File #2, Emery County, Utah

SYNOPSIS

The revised reclamation plan (stamped recieved November 29,1994) has been finalized and formatted for insertion into the permitted Reclamation Plan. The reclamation plan is generally as proposed in the previous submittals made by the operator, just reformatted.

ANALYSIS

The reformatted plan should not be inserted into the approved reclamation plan until after the field work is finalized. At that time the reformatted plan should be updated to reflect the actual field work done. It is important for conducting future assessment of the site for the plan to include exact field implementation. For example, the proposal states that 15 tons per acre biosolids will be used, now the operator is suggesting application rates of 10 tons per acre. The operator should correct the reformatted plan to specify actual field conditions when completed.

Dr. Sam Bamberg has site collected seed from several plant species (phone conversation 12/6/94) to mix with the approved seed mixture. The species, relative quantities, and exact place of application should be stated in the finalized reclamation plan.

The reformatted plan in section UMC 817.45- HYDROLOGIC BALANCE: SEDIMENT CONTROL MEASURES states that the operator will fill excessively rilled areas with straw and rock. This may be approved, however, the operator should be aware that all rill and gully repair is considered an augmentive practice (Court

Litigation of the September 7, 1988 regulations, National Wildlife Federation v. Interior Department U.S. District Court in the District of Columbia, 31 ERC 1617 June 8, 1990) which will restart the liability period until the proposed husbandry rules are approved are part of the Utah Coal Program.

The reformatted plan fails to discuss the erosion monitoring program as agreed upon at the November 1, 1994 meeting attended by E. M. Gerick, Dr. Sam Bamberg and Division staff. At that time we agreeded that the components of the plan would include a surveyed map of all erosional features designating which features were considered drainages or classified as other. These other features would be monitored on a spring and fall schedule and either be determined stable, require repair work, or classified as drainages. The operator must expand upon the erosion monitoring program and commit to its implementation as part of reclamation plan.

RECOMMENDATION

The reformatted plan may be approved after it has been modified to reflect the actual field conditions and methodology used. The plan must also include a description of the site collected seed including species, quantities, and describe where the seed was applied. The plan must also describe the erosion monitoring program as agreed upon at the November 1, 1994 meeting.

The operator should be made aware of the fact that rill and gully repair, at this time, is considered an augmentative practice. The operators proposed practice of straw and rock rill repair will restart the liability period. The operator should be encouraged to rock mulch any such susceptible rill areas now.

cc: Henry Sauer