



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 17, 1991

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Susan M. White, Reclamation Biologist *SMW*
Jesse Kelley, Reclamation Engineer *JK*

RE: Permittee's Response to Division Order Dated January 17, 1991, Hidden Valley Coal Company, Hidden Valley Mine, ACT/015/007, Folder #3, Emery County, Utah

Synopsis

A Division Order was issued to the Hidden Valley Mine because the road which remains after reclamation has not been adequately discussed in the permit as being compatible with the postmining land use. The permittee responded to the Order as outlined below.

Analysis

The postmining land use for the reclaimed area, declared in accordance with R614-301-412, is wildlife and livestock grazing. Cal Mat Company, which is the mine operator, also owns the reclaimed area. Currently, unregulated grazing occurs within the permit area adjacent to Bureau of Land Management (BLM) allotments. The postmining grazing plan for the reclaimed area is similar to that for the adjacent BLM grazing allotments and includes provisions for protection of erodible soils and increasing of vegetation. Wildlife and cattle are the preferred user of the vegetation. November 16 through March 15, 1991, will be the period of livestock use of the site just as on the adjacent federal lands.

The access road through the reclaimed area is an important element in realizing the postmining land use. The access road is the principle route for livestock to gain entry to the revegetated area and to Ivie Creek, Ivie Creek being the only close perennial water source. The roadway has been ripped, seeded and waterbarred. The road will serve to enhance vegetation and reduce sedimentation by conserving soil moisture and by slowing water runoff through reduction of slope length.

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The surface owner has requested that the road remain for the postmining land use. Additionally, local Emery County authorities prefer that existing roads remain open. The road is currently blocked to all vehicle traffic and eventually will remain as four wheel drive access only.

The Division Order and Findings of Permit Deficiency required responses to alleged violations of R614-301-413.300, 'Criteria for Alternative Postmining Land Use', and R614-302-270, 'Variances from Approximate Original Contour Restoration Requirements'. These responses are not necessary because the reclaimed site meets the approximate original contour requirement of R614-302-270. Hence, the variance for alternative postmining land use is not required.

Recommendation

The permittee has responded to the order and the response is in compliance with the order. The permit revision can be approved as suitable for inclusion in the permit.

jbe
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