



United States Department of the Interior

FISH AND WILDLIFE SERVICE

AREA OFFICE COLORADO-UTAH
1426 FEDERAL BUILDING
125 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84138

*Let's get on this
& check out compliance
of Salt Lake*

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In Reply Refer To

July 21, 1978

MEMORANDUM

TO: State Director, Bureau of Land Management
Salt Lake City, Utah

FROM: Area Manager, Fish and Wildlife Service
Salt Lake City, Utah

SUBJECT: Lease Modification, Lease No. 08-2996 - John Bell Coal Company



We understand that this proposed lease modification was presented at a public hearing in Price, Utah on July 6, 1978.

The Fish and Wildlife Service is very disturbed about the degradation of aquatic habitat in Cottonwood Creek occurring from the present operations at John Bell Coal Company. Mine operations encroaching on Cottonwood Creek have caused significant siltation in the creek. Run-off from the mine yard carries coal into the creek. Mine drainage water is allowed to drain directly to the creek. These conditions are detrimentally effecting a substantial fishery in Cottonwood Creek.

This situation has existed and has been documented for more than a year. During the course of this time, the mine operator has been contacted by State and Federal biologists and also representatives from the State Office of Oil, Gas, and Mining concerning the rectification of this problem. The discharge of silt and coal into Cottonwood Creek is in violation of the Surface Mine Reclamation and Control Act. Mr. John Bell has been unresponsive to the efforts to correct this situation.

Considering the continuing nature of this problem and the attitude of the mine operator, the Fish and Wildlife Service believes it is inappropriate to lease or to modify existing leases for Federal coal for a mine operation presently in violation of the law. The Fish and Wildlife Service, therefore, recommends that this lease modification be denied unless corrective action is initiated and performance bonded by the mine operator.

Lease stipulation should provide for lease revocation if problems of environmental degradation re-occur at this mining operation in the future.

Robert H. Shultz

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