

0009

Mine file
*cc Pam Greubler letter **
OB

United States
Department of
Agriculture

Forest
Service

Manti-LaSal
National Forest

599 West Price River Dr.
Price, Utah 84501

RECEIVED
AUG 16 1990

Reply to: 2820

Date: August 14, 1990

DIVISION OF
OIL, GAS & MINING

** Pam: this is a long list!*

*are any of OSFS's concerns mooted by
virtue of successive renewal??*

Lowell

Lowell Braxton
State of Utah Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Five-Year Renewal, Utah Power and Light Company, Des-Bee-Dove Mine,
ACT/015/017, Folder #2, Emery County, Utah

Dear Lowell:

We received a copy of the April 16, 1990, updated text and maps on June 25, 1990. This was the first notification we received to indicate that the 5-year renewal review was in progress. Upon our request, we also received a copy of the Division's Initial Completeness Review, dated June 25, 1990. We have reviewed these materials and have the following comments:

1. The Des-Bee-Dove Mine has been idle since 1987. The MRP should discuss Utah Power and Light Company's plans and schedule for reopening or reclaiming the mine.
2. The mine plan maps have not been updated to show the present status of the mine area. The maps need to be updated to show the extent and status of existing workings and future plans for mining.
3. The MRP does not contain adequate maps to show surface geology. The maps referenced in the hydrology and geology section in chapter 2 and the new geology and hydrology volumes show detailed structural geology of the coal beds, but the surface geology is incomplete. A geologic map needs to be completed and/or the spring maps (2-10a, 2-10b and HM-5) need to be completed and referenced in the text. The maps do not show the Castlegate Sandstone and Blackhawk Formations. This information is needed to evaluate impacts to hydrology and land stability.
4. Page 2-106, Permit Area Vegetation

Stipulations included in the Federal coal leases within the permit area require resource monitoring to locate, measure and quantify the progressive and final effects of underground mining activities on the

topographic surface, underground and surface hydrology, and vegetation. The operator has established monitoring systems for measuring subsidence and the effects to area hydrology but has not established a monitoring system to determine the effects of mining and subsidence on vegetation.

The vegetative types which occur within the permit area are discussed on page 2-106 and are shown on Map 2-12. The vegetation survey was based on aerial photography taken in 1962. The operator must commit to a vegetation monitoring plan which will meet the objectives of the lease stipulations, provide up-to-date information and determine if the vegetative community areas have been altered by mining or subsidence. We feel that color infrared (CIR) aerial photography at a scale of 1:6000 at five-year intervals would provide the necessary data for mapping vegetation types and determining what impacts have occurred. Ground surveys would be acceptable as long as the necessary area of coverage could be achieved.

The vegetation monitoring data should be included in the annual report for subsidence monitoring at 5 year intervals corresponding to 5-year renewals. The baseline vegetation maps should be retained in the MRP with references to the monitoring reports.

5. Page 2-146, Land Use Information

The land use section should discuss management emphasis on National Forest System lands, as discussed in the Manti-La Sal National Forest Land and Resource Management Plan, 1986.

6. Page 3-40, Sedimentation Pond

It is discussed that the sediment pond will be cleaned at 60% of the design volume and will be buried in an area located 150 feet northwest of the pond. We realize that this is on State land and recommend that the sludge be tested for any potentially hazardous or toxic materials prior to disposal. If any hazardous or toxic materials are encountered, they should be hauled to an approved disposal facility.

7. Page 4-6, Toxic or Acid Forming Materials

The second paragraph in this section states that toxic or acid forming materials will be disposed of in the same manner as asphalt and concrete. Disposal calls for burial with four feet of non-toxic materials. Special Condition No. 1 (Exhibit B) of Federal Permit

Is this a new requirement?

UT-0015 requires that the permittee obtain permission from the Forest Service prior to disposal of toxic waste on National Forest System lands, or submit for approval an alternate site. This condition was retained as Condition No. 2 in OSM's approval for termination of the Federal permit under the approved State coal regulatory program.

The Forest Service has determined that disposal of potentially toxic or hazardous materials on National Forest System lands is not consistent with the Organic Act and the Multiple-Use Sustained Yield Act which mandates how National Forests are managed. Disposal of such materials is not permitted on National Forest System lands. The operator will be required to dispose of all toxic and hazardous materials at an approved disposal facility. The text and permit conditions must be revised accordingly.

8. Chapter 4

Item 6 on page 4-14 states that an annual interim vegetation monitoring report that summarizes the year's work will be placed in the Company's files and forwarded to DOGM. Monitoring of the success of the interim revegetation attempts will be used to revise the final reclamation revegetation plan. In order for the Forest Service and DOGM to successfully cooperate on approval of the final seed mix, the annual reports need to be concurrently reviewed. We have not typically received copies of the revegetation reports from the mine operators or DOGM. DOGM should require an extra copy of the annual report be forwarded to the Forest Service.

The final reclamation seed mix contains several plant species not included in the test plot seed mix shown on page 4-21. The test plot seed mix contains plant species not included in the final seed mix. There should be closer correlation to show how the test plots are being used to determine the final seed mix.

is this new?

We recommend revision of the final seed mix for the haul road shown on page 4-4.49. Thickspike wheatgrass is not well suited to this dry area. Intermediate wheat and Crested wheat would be better suited to site. Mat saltbush could be replaced by Wyoming sage and Sphaeralcea grossularifolia could be replaced by Sphaeralcea coccinea. Item 4 on page 4-4.50 shows a sulfur application rate of 1000 lbs/acre. An application rate of 100 lbs/acre would be more proportionate to other soil amendments. This is probably a typo. Please contact Bob Thompson at our office in Price to discuss the seed mix.

The 1989 test plots involve a seed rate of 50.5 lbs/acre. This is an excessively heavy seed rate which could result in competition between plants in excess of what the area can sustain. We feel that the seed rate needs to be evaluated in the test plot monitoring to determine what seed rate is the most successful. This should be addressed in the annual reports.

9. Page 4-33.3, Mitigation of Subsidence Damage Effects

Escarpment failures and subsidence of perennial streams should be discussed. If the mine plan has been designed to prevent such effects as required by lease stipulations, or if no perennial streams will be undermined, this should be stated in this section.

We have requested that the BLM review the mine plan and advise us as to whether or not the mine plan could result in unstable conditions or escarpment failures (see the attached letter). If the BLM or DOGM determine that unstable conditions or escarpment failures could be induced by mining, an environmental analysis will be needed to assess impacts. Federal Lease Stipulations require specific Forest Service approval to permit these conditions.

Replacement of water is discussed in the second paragraph. The operator states: "In the event that surface waters above the Des-Bee-Dove Mines are diminished as a result of operations..., applicant will, at its sole option, either (1) replace the surface water so diminished, or (2) compensate the affected surface owner by purchasing such owner's land and water rights for the pre-subsidence fair market value." On National Forest System lands option 2 is not acceptable. Option 1 must be implemented and the method of water replacement is subject to approval by the Forest Service, and not at the company's sole option. This needs to be revised to provide a commitment for replacement of water, in accordance with lease stipulations.

10. Page 4-35 Raptor Nests Mitigation Plan

In the second paragraph, it is stated that only nest site number 56 will be potentially impacted by planned mining. It is also stated that if the nest is impacted, the USFWS will be contacted and the operator will repair or replace the nest.

Why and how the nest is likely to be impacted must be discussed. The plan and lease stipulations do not allow for mining which will induce escarpment failures. If the nest is likely to be impacted by escarpment failure, the mine plan needs to be altered to prevent this

from happening. If subsidence or some other activity are likely to cause the impact, without escarpment failure, measures to protect the nest or prevent the eagles from occupying the nest need to be proposed. The necessary protection or mitigation measures must be approved by the Fish and Wildlife Service, Forest Service, and Division of Wildlife Resources before the activity which is likely to cause the impact can take place.

Map 2-17, Raptor Nesting Location and Habitat Map, was submitted with the revised materials. The Land Use Map already included in the MRP is also labeled as Map 2-17. Either the two maps should be combined or the new map should be relabeled.

11. Page 4-4, Cottonwood/Wilberg/Des-Bee-Dove Haul Road

A review of the road reclamation drawings and calculations shows that there may be some problems with the balance of earthwork volumes. The method used to calculate the volume of material to be excavated at the culverts has resulted in an error of approximately one-third. The calculated volumes are one-third larger than the actual volumes which will result in less material actually available for burying road surface materials in the fill slopes and achieving approximate original contour. This needs to be re-evaluated and the reclamation plan revised to provide for the necessary 4 foot of cover and available material to return the disturbed area to approximate original contour.

The riprap sizing method used provides maximum size and gradation which is greater than the normal depth of flow. What this means is that the riprap will be disproportionately large for the size of the drainages, will allow erosion to occur under the large boulders, and result in an abnormal looking landscape. Other proven methods which would provide more proportionate riprap size and adequate erosion protection should be used.

If you have any questions in regard to the above comments, please contact the Forest Supervisor's Office in Price, Utah. We would like to receive confirmation that our comments were conveyed to the operator. If you feel that any of the comments have already been adequately addressed, please respond so we can cooperate in their resolution.

Early notification that the Division is initiating the 5-year renewal completeness review and receipt of the Division's formal notices and review comments, on a routine basis, would greatly enhance our ability to provide timely comments. Please keep us informed as to the status of this review.

Sincerely,

A handwritten signature in cursive script that reads "Alan L. Home". The signature is written in dark ink and is positioned above the typed name.

for
GEORGE A. MORRIS
Forest Supervisor

Enclosure

United States
Department of
Agriculture

Forest
Service

Manti-LaSal
National Forest

599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Date: August 9, 1990

11-04-10-0000

Gene Nodine
Bureau of Land Management
Moab District
P.O. Box 970
Moab, Utah 84532

RE: Five-Year Permit Renewal, Utah Power and Light Company, Des-Bee-Dove Mine

Dear Gene:

We are presently reviewing the Des-Bee-Dove Mining and Reclamation Plan (MRP) in conjunction with our participation in the Five-year Permit Renewal.

In order to accomplish a complete review, we need to determine if the MRP and subsidence control plan provide for adequate mitigation of impacts to surface resources in accordance with the lease stipulations. We feel that consultation with your office is essential.

The mine plan shows planned pillar recovery beyond the Castlegate Sandstone outcrop in steep escarpment areas. Please advise us as to the potential for mining to result in surface subsidence which would cause hazardous conditions, such as escarpment failures and landslides, or damage or alter the flow of perennial streams.

If you have any questions, please contact the Forest Supervisor's Office in Price, Utah.

Sincerely,

/s/ Aaron L. Howe

for
GEORGE A. MORRIS
Forest Supervisor

cc:
L. Braxton, Div. of Oil, Gas and Mining
D-2
C. Reed