

PACIFIC POWER • UTAH POWER

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Salt Lake City, Utah 84126-0128



File ACT/015/017
#2

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February 7, 1991

DIVISION OF
OIL, GAS & MINING

Ms. Pamela Grubaugh-Littig
Permit Supervisor
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: RESPONSE TO TECHNICAL DEFICIENCY DOCUMENT, UTAH POWER AND LIGHT (PACIFICORP ELECTRIC OPERATIONS) DES BEE DOVE MINE, ACT/015/017

Dear Ms. Grubaugh-Littig:

Transmitted herewith please find twelve (12) copies of our response to your technical deficiencies related to the Des Bee Dove Mine Permit Renewal.

The submittal includes the following replacement text pages:

Introduction, Pages 1 through 7.

Table of Contents, Pages 1 through 6.

Part 1, Legal and Financial, Pages 1-1 through 1-42.

Part 2, Environmental Resources, Pages 2-146 through 2-169, 2-173 and 2-174; 2-191 through 2-202 and 2-220.

Part 3, Mining Operation Plan, Pages 3-1 through 3-72.

Part 4, Reclamation Plan, Pages 4-1 through 4-215.

Each section of replacement text contains instructions for inserting the revised information into the PAP.

The following maps and drawings are included:

<u>MAP PACKET</u>	<u>TITLE</u>	<u>DRAWING NUMBER</u>
1-3	Mine Permit Area with Mine Development as of August 3, 1977. Blind Canyon Coal Seam.	CM-10368-BH
1-4	Mine Permit Area with Mine Development as of August 3, 1977. Hiawatha Coal Seam.	CM-10371-DS
1-5	Disturbed Area Boundary Map	CM-10864-DS
2-16	Haul Road and Sediment Pond Soil Map	CM-10865-DS (3 sheets)
2-18	Elk Habitat	Figure 1
3-1	Deseret Mine Life of Mine Plan	CE-10855-DS
3-2	Beehive & Little Dove Life of Mine Plan	CE-10854-BH
3-5	Location of Wilberg to Little Dove Water Line	CM-10314-WB
3-7	Surface Facilities Location Map "B"	CM-10388-DS (3 sheets)
3-9	Road Plan Road Cross- sections Road Profile	CH-R-001 CH-R-002 CH-R-003
3-10	Existing Earth and Structures	CM-10392-DS
4-1	Final Reclamation Map	CM-10393-DS (Sheets 1,3,4&5)

4-3	Disturbed Mine Plan Area Cross- sections	CM-10482-DS
4-4	Existing Structures Fill Modification Stability Compliance Map	CM-10553-DS
5-1	Deseret Coal Road to Wilberg Coal Road	CM-10584-DS (Sheets 3,4,8,9, 10,11,12,13,14, 15,16,17,18,20, 21,22,23,29,36,37, 38.)
5-3A	Des Bee Dove Haul Road Reclamation- Ditch Design	CS1129C
5-3B	Haul Road Drainage Areas	KS1190C
5-4	Des Bee Dove/Wilberg Road Topography Drainage Location Map	CM-10607-DS
5-7	Detailed Permit Boundary Map Along the Junction Road and Sediment Pond Area	CM-10658-DS
5-8	Des Bee Dove Sediment Pond Access Road	CS806D (3 Sheets)
5-9	Des Bee Dove Sediment Pond Access Road Cross- Sections	CS805E (2 Sheets)
No Packet # (Volume 8)	Blind Canyon and Cottonwood Structure Contour Map	CE-10693-EM

No Packet # (Volume 8)	Joint Mapping Castle Gate Sandstone Cliff Stability South Lease Area	CE-10769-EM
No Packet # (Volume 8)	Joint Mapping Castle Gate Sandstone Cliff Stability Rilda Canyon Area	CE-10790-EM
HM-2 (Volume 9)	Blind Canyon and Cottonwood In-Mine Water Monitoring Locations	CE-10533-DR

These maps replace existing ones except for 1-5 which is an addition and 2-16 wherein one drawing is replaced with three.

Drawing CM-10487-DS, Packet 2-13, has been deleted and Drawing CM-10393-DS, Sheets 3 of 5, 4 of 5, and 5 of 5, Packet 4-2 has been consolidated into Packet 4-1 with Sheets 1 and 2 of the same drawing number.

The specific deficiencies are addressed as indicated in the attached material.

It was determined that the PAP would be better organized if all appendix-type materials were consolidated. Therefore, the following organizational changes have been made:

Appendices are now contained in Volumes 5, 6 and 7.

The materials from Volume 3 are now found in Volume 5.

Volume 6 contains the text and plans associated with the construction of the Junction (Haul) Road.

Volume 7 contains the reclamation drawings for the Haul Road, the text and drawings for the Sediment Pond Access Road and the Haul Road Reclamation Study.

Volumes 1 and 2 still contain the major text with the related maps and drawings being found in Volumes 3 and 4.

The Table of Contents reflects the changes.

Two copies of the maps, requested at 521.100, Page 7 of the Technical Deficiencies letter, are also submitted with this transmittal.

Please direct any questions regarding this material to me at 220-4584 or to the Huntington Field Office staff at 653-2312.

Sincerely,

Guy DAVIS (FOR)

J. Blake Webster
Permitting Administrator

VP/do

Enclosure

DES BEE DOVE MINE PERMIT RENEWAL

DEFICIENCY RESPONSES

DEFICIENCY: APPARENTLY, THE REVISED FORMAT COMBINED TEXTS FROM THE PREVIOUS PERMIT. THIS REVISION LEFT FRAGMENTED PORTIONS WHICH ARE EITHER NOT APPLICABLE OR ARE INCOMPLETE. PLEASE EDIT THE PERMIT APPLICATION FOR A READABLE, COMPREHENSIVE DOCUMENT.

RESPONSE: The entire PAP has been reviewed and rearranged as appropriate.

DEFICIENCY: THE LEGAL AND FINANCIAL SECTION MUST BE UPDATED FOR THE PERMIT AS IS BEING DONE FOR THE PERMIT TRANSFER.

RESPONSE: The current information is included in the revised Part 1.

DEFICIENCY: ALL HAUL ROAD RECLAMATION INFORMATION MUST BE INCLUDED IN THE PERMIT APPLICATION.

RESPONSE: Haul Road reclamation is included in Part 4 and the Reclamation Study is included as Appendix XVI, Volume 7.

R614-301-100 GENERAL CONTENTS (SW)

DEFICIENCY: 112.600 IDENTIFICATION OF INTERESTS - THE PERMITTEE SHOWS THE LDS CHURCH AS A SURFACE OWNER CONTIGUOUS TO THE PERMIT BOUNDARY; HOWEVER, NO ADDRESS IS GIVEN. IS COOPERATIVE SECURITY THE SAME AS THE LDS CHURCH? IF SO, PLEASE CORRECT.

RESPONSE: Pages 1-11 and 1-12.

DEFICIENCY: 113.300 VIOLATION INFORMATION - THE PERMITTEE MUST INCLUDE A LIST OF ALL VIOLATIONS RECEIVED BY APPLICANT OR ANY SUBSIDIARY, AFFILIATED, OR PERSONS CONTROLLED BY OR UNDER COMMON CONTROL.

RESPONSE: Pages 1-14 through 1-28.

DEFICIENCY: 121.200 PERMIT APPLICATION - PAGES 4-57 THRU 4-92 ARE NOT CLEAR AND CONCISE. PLEASE REVISE THIS AND OTHER SECTIONS OF THE PERMIT WHICH ARE CONFUSING AND CONTAIN CONFLICTING STATEMENTS.

RESPONSE: This section of Part 4, Pages 4-58 through 4-102, has been reorganized.

DEFICIENCY: 123. APPLICATIONS FOR PERMITS - PROVIDE A NOTARIZED SIGNATURE THAT THE INFORMATION IN THE PERMIT IS TRUE AND CORRECT.

RESPONSE: Introduction, Page 7.

DEFICIENCY: 142. MAPS AND PLANS - ALL MAPS AND PLANS MUST SHOW THOSE PORTIONS OF THE OPERATIONS WHICH OCCURRED PRIOR TO AUGUST 3, 1977 AND AFTER THE DATE OF ISSUANCE OF A PERMIT BY THE DIVISION. A DISTURBED AREA BOUNDARY MAP MUST ALSO BE SUBMITTED WITH THESE DESIGNATIONS.

RESPONSE: Maps 1-3, 1-4 and 1-5.

R614-301-200 SOILS (HS)

DEFICIENCY: 222.100 SOILS SURVEY - SOIL IDENTIFICATIONS AND MAP UNIT BOUNDARIES MUST BE DEPICTED FOR THE ENTIRE DES BEE DOVE HAUL ROAD AND SEDIMENTATION POND AREA. THE PHOTOGRAPHIC METHOD EMPLOYED IN MAP 2-15 (FACILITY AREA) WOULD BE SUFFICIENT FOR THE HAUL ROAD SOILS MAP.

RESPONSE: Map 2-16 (3 Sheets).

DEFICIENCY: 233. TOPSOIL SUBSTITUTES AND SUPPLEMENTS - THE DISCUSSION (PAGE 4-63) REGARDING THE RECLAMATION OF THE SEDIMENT POND AREA INDICATES THE USE OF SEDIMENTATION POND EMBANKMENT MATERIAL AS BACKFILL, BUT DOES NOT INDICATE THE SOURCE OF THE TOPSOIL MATERIAL. SPECIFIC TOPSOIL REDISTRIBUTION PLANS MUST BE MADE AT THIS TIME. IDENTIFICATION OF SUFFICIENT QUANTITIES OF SUITABLE TOPSOIL MUST ALSO BE DESCRIBED. ADDITIONALLY, THE TOPSOIL STOCKPILE MUST BE SURVEYED AND AS-BUILT DRAWINGS SUBMITTED.

RESPONSE: Page 4-88, Map 2-16.

DEFICIENCY: ALL SOIL SAMPLE LOCATIONS MUST BE DEPICTED ON A MAP. IT IS ASSUMED THAT THE SOILS SAMPLED IN 1985 (PAGE 2-177 THRU 2-178) WERE SAMPLED TO CHARACTERIZE THE SOIL OF THE HAUL ROAD FILL. ADDITIONALLY, SAMPLES SS1A THRU SS4A WERE SAMPLED TO IDENTIFY POTENTIAL TOPSOIL BORROW SITES FOR THE HAUL ROAD. IT IS UNCLEAR AS TO THE SOURCE AND LOCATIONS OF SAMPLES SS5A AND SS10A. HOWEVER, IT IS ASSUMED THAT THESE SAMPLES WERE DERIVED FROM UNDISTURBED AREAS ADJACENT TO THE FACILITIES AREA AS A COMPARISON TO POTENTIAL SUBSTITUTE TOPSOIL WITHIN THE DISTURBED FACILITIES AREA.

RESPONSE: This information has already been submitted; see

Map 2-15 and 5-6.

DEFICIENCY: AS INDICATED IN THE MRP, THE MAJORITY OF THE SOIL MATERIAL FROM THE FACILITIES AREA IS PROPOSED TO BE DERIVED FROM THE TOP 12-18 INCHES OF PAD MATERIAL AND THE "FIVE MAJOR FILLS". THEREFORE, TO CONFIRM THE PERMITTEE'S STATEMENT THAT THE MATERIAL WITHIN THE FACILITIES AREA IS COMPARABLE TO ADJACENT UNDISTURBED AREAS, THE PERMITTEE MUST ANALYZE THE MATERIAL WITHIN THE DISTURBED FACILITIES AREA IMMEDIATELY. ADDITIONALLY, THE PROPOSED LOCATIONS OF THE SAMPLE SITES WITHIN THE FACILITIES AREA (PAGE 4-75) MUST BE REVISED TO REPRESENT THE GREATER MAJORITY OF MATERIAL WHICH WILL BE USED AS PLANT GROWTH MEDIUM (I.E. FIVE MAJOR FILLS, TIPPLE PAD MATERIAL, ETC.).

AT THIS TIME, THE DIVISION FINDS (BASED ON SOIL ANALYSIS CONDUCTED IN 1985 AND 1989) THAT THE MATERIAL ADJACENT TO THE HAUL ROAD (WITH THE EXCEPTION OF SAMPLE SS4A) IS MORE SUITABLE AS A PLANT GROWTH MEDIUM THAN THE MATERIAL WITHIN THE HAUL ROAD FILL (SAMPLED IN 1985). THEREFORE, THE PERMITTEE MUST IDENTIFY A BORROW SITE AND PROVIDE THE NECESSARY INFORMATION FOR THE DEVELOPMENT AND RECLAMATION OF THE SITE OR CONDUCT FIELD SITE TRIAL TO DEMONSTRATE THE SUITABILITY OF THE DES BEE DOVE HAUL ROAD FILL MATERIAL AS A PLANT GROWTH MATERIAL FOR FINAL RECLAMATION.

RESPONSE: Additional soil sampling will be conducted in 1991 to more completely characterize the materials within the disturbed facilities area and the haul road.

DEFICIENCY: 242. SOIL REDISTRIBUTION - THE PERMITTEE STATES (PAGE 4-89) THAT "FOLLOWING REDISTRIBUTION, THE TOPSOIL WILL BE SAMPLED AND ANALYZED FOR FERTILITY AND OTHER PARAMETERS LISTED WITHIN THE REVEGETATION SECTION (R614-301-353)." THE PERMITTEE MUST CLARIFY THIS STATEMENT TO DESCRIBE THE FIELD AND LABORATORY TECHNIQUES EMPLOYED (I.E. SAMPLE DENSITY, DEPTH INTERVALS, LABORATORY PARAMETERS AND METHODOLOGIES).

RESPONSE: Page 4-70.

R614-301-300 BIOLOGY (SW)

DEFICIENCY: 321.100 VEGETATION - THE PERMITTEE LISTS SIX VEGETATIVE COMMUNITIES WITHIN AND ADJACENT TO THE PERMIT AREA. SEVEN COMMUNITIES ARE IDENTIFIED ON THE MAP. NO DESCRIPTION OF THE ASPEN COMMUNITY IS PROVIDED IN THE PERMIT.

RESPONSE: Page 2-168.

DEFICIENCY: 321.200 VEGETATION - OMIT ALL INFORMATION BASED ON THE 1982 PRODUCTIVITY DATA FROM THE TEXT. THE INFORMATION IS FOR SECTIONS 34 AND 35 AND IS NOT BASED ON THE REFERENCE AREAS. PLEASE USE THE 1989 PRODUCTIVITY DATA AS A BASIS FOR THE DISCUSSION.

RESPONSE: Deleted Page 2-154 and updated Page 2-153.

DEFICIENCY: 322. FISH AND WILDLIFE - THE TEXT REFERENCES VOLUME 4 FIGURE 1 AS THE ELK HABITAT MAP. NO MAP WAS FOUND.

RESPONSE: Copies of Figure 1, Packet 2-18 are provided. References are clarified in the Table of Contents and on Page 2-192.

DEFICIENCY: 322.210 FISH AND WILDLIFE - NO THREATENED OR ENDANGERED PLANT OR ANIMALS ARE EXPECTED TO OCCUR WITHIN THE PERMIT AREA; HOWEVER, THE INFORMATION IN THE TEXT SHOULD BE UPDATED AND REFERENCE CURRENT SOURCES.

RESPONSE: Page 2-196.

DEFICIENCY: 323. MAPS AND AERIAL PHOTOGRAPHS - VEGETATION MAP 2-13 IS UNNECESSARY AND CONTRADICTORY TO MAP 2-12. PLEASE DELETE THE MAP FROM THE PERMIT.

RESPONSE: Deleted Map 2-13.

DEFICIENCY: UPDATE TABLE 2 TO INCLUDE THE ASPEN AND SALT-DESERT SHRUB COMMUNITIES. DELETE FOOTNOTE FROM TABLE.

RESPONSE: Page 2-159.

DEFICIENCY: TABLE 3 IS NOT UNDERSTANDABLE. WHAT IS THE PERCENT GIVEN AND ARE THE ACREAGE OF PINYON-JUNIPER AND SALT-DENSITY SHRUB CORRECT?

RESPONSE: Page 2-160.

DEFICIENCY: TABLE 6 IS BASED ON SPECULATION. DELETE THIS TABLE AND ALL REFERENCE IN THE TEXT TO THIS.

RESPONSE: Modified Page 2-162.

DEFICIENCY: TABLE 7 LISTS ONLY TWO FORB SPECIES IN THE REFERENCE AREA. PLEASE COMMIT TO RECHECKING THE AREA IN 1991 AND DEVELOPING A SPECIES LIST FOR INSERTION IN THE PERMIT.

RESPONSE: Applicant will inventory the reference area in 1991 and submit an updated species list to the Division.

DEFICIENCY: 331. OPERATION PLAN - THE PERMITTEE MUST DEMONSTRATE PRIOR TO USE THAT CRESTED WHEATGRASS, INTERMEDIATE WHEATGRASS, AND SMOOTH BROME WILL NOT CONTAMINATE THE FUTURE "TOPSOIL" WITH RESIDUE SEED OF THESE INTRODUCED AND COMPETITIVE SPECIES. OR THE PERMITTEE COULD PROPOSE AN INTERIM SEED MIXTURE WITHOUT THE INTRODUCED SPECIES. ADDITIONALLY, SOME EFFORT SHOULD BE MADE TO ESTABLISH SHRUB FROM SEED IN LIEU OF TRANSPLANTS FOR INTERIM REVEGETATION.

RESPONSE: Page 4-73.

DEFICIENCY: THE PERMITTEE MUST PROVIDE A MONITORING AND MAINTENANCE PLAN FOR INTERIM REVEGETATION. PAGE 4-87 REFERENCES SUCH A PLAN; HOWEVER, NO PLAN WAS FOUND.

RESPONSE: Page 4-68.

DEFICIENCY: INTERIM HYDROMULCHING MUST INCLUDE 2000 TO 3000 LBS. WOOD FIBER MULCH PER ACRE.

RESPONSE: Pages 4-68 and 4-84.

DEFICIENCY: 340. RECLAMATION PLAN - PAGE 4-88 AND PAGE 4-94 DESCRIBE TWO DIFFERENT FINAL RECLAMATION PLANS. PLEASE CLARIFY.

RESPONSE: Page 4-68 (previously 4-88) contains the Plan for Final Revegetation. Page 4-76 (previously 4-94) describes the methods for completing the plan.

DEFICIENCY: THE PERMITTEE MUST SPECIFY THE CRITERIA FOR USING HYDROMULCH VERSUS HAY MULCH.

RESPONSE: This request is not supported by the regulations.

DEFICIENCY: FINAL OR INTERIM REVEGETATION WILL NOT TAKE PLACE IN THE SPRING. ALL FINAL OR INTERIM SEEDING MUST OCCUR IN THE FALL.

RESPONSE: Page 4-82.

DEFICIENCY: EACH SEED MIXTURE IN THE PERMIT MUST BE IDENTIFIED ACCORDING TO THE VEGETATION TYPE IS WHICH IT WILL BE USED.

RESPONSE: Pages 4-76, 4-82 and 4-83.

DEFICIENCY: INTERMEDIATE WHEATGRASS IS AN INTRODUCED SPECIES AND WILL NOT BE ALLOWED IN THE FINAL RECLAMATION SEED MIXTURE. THIS SPECIES MUST BE SUBSTITUTED WITH A SPECIES WHICH IS NATIVE TO THE AREA.

RESPONSE: Page 4-73.

DEFICIENCY: A TWO-STEP BROADCASTING OR HYDROSEEDING METHOD SHOULD BE USED ON ALL SLOPES 2:1 OR STEEPER. IN THIS METHOD, HALF THE SEED IS APPLIED AND RAKED, THEN THE REMAINING SEED IS APPLIED. PAGE 4-65 STATES THAT FINAL SLOPE RECLAMATION WILL BE BUILT AT 2H:1V OR LESS. THE FINAL RECLAMATION X-SECTIONS INDICATE OTHER WISE. PLEASE CLARIFY.

RESPONSE: The two-step method is not required by the regulations. Slopes greater than 2:1 are natural or are left for East Mountain access trail.

DEFICIENCY: AN ATTEMPT TO ESTABLISH SHRUBS FROM SEED SHOULD BE MADE IN THE FINAL RECLAMATION.

RESPONSE: Page 4-69.

DEFICIENCY: THE PROPOSED TREES TO BE PLANTED REQUIRE GREATER MOISTURE FOR SURVIVAL THAN THAT WHICH OCCURS ON MOST OF THE SITE. THESE TREES SHOULD BE DESIGNATED TO BE PLANTED ONLY ON THE NORTHERN EXPOSURES AND/OR DEEP WITHIN THE CANYON.

RESPONSE: Page 4-78.

DEFICIENCY: PLEASE STATE ON PAGE 4-98 THAT MONITORING WILL OCCUR IN YEARS 2,3,5,9 AND 10 AND PROVIDE A SCHEDULE SUCH AS ON PAGE 4-62.

RESPONSE: Pages 4-79, 4-80, 4-84 and 4-85.

DEFICIENCY: THE PERMITTEE STATES THAT ALL AREAS OF THE HAUL ROAD WILL BE HYDROSEEDED. A LARGE PORTION OF THE ROAD IN THE PINYON-JUNIPER TYPE CAN BE DRILL SEEDED. THE PERMIT MUST STATE THAT AREAS WITH SLOPES FLATTER THAN 3:1 WILL BE DRILL SEEDED.

RESPONSE: Request is not supported by the regulations.

DEFICIENCY: 342.100 FISH AND WILDLIFE - THE PERMIT WILL INCLUDE A DESCRIPTION OF THE WILDLIFE ENHANCEMENT MEASURES TO BE USED IN FINAL RECLAMATION. RESTORING THE VEGETATION IS MERELY REPLACING WHAT WAS THERE. THE PERMITTEE MUST COMMIT TO ENHANCEMENT MEASURES (I.E. ROCK PILES FOR SMALL MAMMALS, PLACING BRUSH OR SNAGS ON SITE, ETC.).

RESPONSE: Page 4-165.

DEFICIENCY: **353.110 REVEGETATION** - PLEASE PROVIDE A DIVERSITY STANDARD FOR FINAL RECLAMATION.

RESPONSE: The species diversity of the proposed seed mixtures meets this requirements.

DEFICIENCY: **356.110 REVEGETATION** - THE PERMIT MUST SPECIFY THE METHOD TO BE USED FOR MEASURING VEGETATIVE COVER. THE LINE INTERCEPT OR OCULAR METHOD IS NOT SPECIFIC.

RESPONSE: Both line intercept and ocular estimation are specific methods for measuring cover (see OSM Publication A Survey of Techniques for Measurement of Herbaceous and Shrub Production, Cover and Diversity on Coal Lands in the West.

DEFICIENCY: THE PERMITTEE MUST SUBMIT A DETAILED SAMPLING PLAN FOR EVALUATING SUCCESS OF PERMANENT REVEGETATION. THE PLAN (AND ACCOMPANYING MAP) MUST PARTITION THE REVEGETATED AREAS INTO A MINIMUM OF FIVE MANAGEABLE UNITS THAT ARE SIMILAR IN RESPECT TO VEGETATION, SLOPE, ASPECT AND SOILS. EACH OF THESE AREAS MUST MEET THE SUCCESS CRITERIA.

RESPONSE: Page 4-85 and 4-86 meet the requirements of the regulations.

R614-301-500 ENGINEERING (JK)

DEFICIENCY: **512. CERTIFICATION** - THE FOLLOWING MAPS AND DRAWINGS MUST BE CERTIFIED BY A QUALIFIED, REGISTERED PROFESSIONAL ENGINEER OR LAND SURVEYOR.

RESPONSE:

Map 1-1 Coal Ownership Map/with Permit Boundary
Map 1-2 Surface Ownership/with Permit Boundary

Certification is not required for Maps 1-1 and 1-2.

Map 1-3 Mine Development as of 8/3/77 (Blind Canyon Seam)
Map 1-4 Mine Development as of 8/3/77 (Hiawatha Seam)
Map 3-1 Mine Plan (Deseret Mine)
Map 3-2 Mine Plan (Beehive and Little Dove)
Map 3-5 Wilberg Mine to Little Dove Mine Water Line
Map 3-7 Surface Facilities Location Map "B" (3 sheets)
Map 3-10 Existing Earth and Structures

Certified maps are submitted.

Map 3-11 Storm Water Conveyance Plans

Maps 3-11 were certified previously.

- Map 4-1 Final Reclamation Map (sheet 1 of 5)
- Map 4-2 Final Reclamation Map (sheets 3 of 5, 4 of 5, & 5 of 5)
- Map 4-3 Disturbed Mine Plan Area Cross-Sections
- Map 4-4 Existing Structure Fill Modification Stability Compliance Map
- Map 5-3A Haul Road Reclamation-Ditch Design
- Map 5-3B Haul Road Drainage Areas
- Map 5-4 Topography Drainage Location Map
- Map 5-7 Detailed Permit Boundary Map Along the Junction Road and Sediment Pond Area

Certified maps are submitted.

CE-10424-EM Surface Exploration Drill Holes

Map CE-10424-EM doesn't require certification.

- CE-10693-EM Blind Canyon and Cottonwood Structure Contour Map
- CE-10769-EM Joint Mapping/Castle Gate Sandstone/Cliff Stability/South Lease Area
- CE-10790-EM Joint Mapping/Castle Gate Sandstone/Cliff Stability/Rilda Canyon Area
- HM-2 Blind Canyon and Cottonwood In-Mine Water Monitoring Locations

Certified maps are submitted.

- Map 3-9 Road Plans, Road Cross-Sections, and Road Profile (3 sheets)
- Map 5-1 Des Bee Dove/Wilberg Junction Road Plans (sheets 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 29, 36, 37 and 38)
- Map 5-8 Sediment Pond Access Road/Plan and Profile (3 sheets)
- Map 5-9 Sediment Pond Access Road Cross-Sections (2 sheets)

Certified maps are submitted.

DEFICIENCY: 521. GENERAL OPERATION PLAN - THE FIRST SENTENCE OF PAGE 3-37 SHOULD, FOR CLARITY, READ "... THE NEEDS OF THE ENTIRE MINING COMPLEX (SEE ROUTE DIAGRAM, PAGE 3-38)."

RESPONSE: Page 3-38.

DEFICIENCY: THE LAST SENTENCE OF PAGE 3-39 SHOULD FOR CLARITY, READ: "... IS FOUND IN TABLE 7, PAGE 3-40."

RESPONSE: Page 3-39

DEFICIENCY: SEVERAL ADDITIONAL ITEMS MUST BE INCLUDED IN TABLE 7 (PAGE 3-40) AND ELSEWHERE IN THE APPLICATION PACKAGE IN ORDER TO COMPLETE THE ASCA (ALTERNATIVE SEDIMENT CONTROL AREA) DESIGNATIONS. THESE ITEMS WERE DISCUSSED IN AN OCTOBER 4, 1990 MEMORANDUM FROM THE REVIEWER TO PAMELA GRUBAUGH-LITTIG. A COPY OF THIS MEMORANDUM WAS GIVEN TO VAL PAYNE.

RESPONSE: Pages 3-40, 3-41 and 3-42.

DEFICIENCY: THE 3RD SENTENCE OF PAGE 3-46 SHOULD, FOR CLARITY, READ: "TABLE 8 (PAGE 3-47) IS A COPY..."

RESPONSE: Page 3-48.

DEFICIENCY: 521.100 CROSS-SECTIONS AND MAPS - MAP 3-7, SHEET 2 OF 3 (SURFACE FACILITIES MAP "B") IS MISSING FROM THE APPLICATION. THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 3-7, SHEET 2 OF 3.

DRAWING CM-10555-DS, SHEET 2 OF 2 (SEDIMENTATION POND CROSS-SECTIONS) IS MISSING FROM APPENDIX VIII. THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF DRAWING CM-10555-DS, SHEET 2 OF 2.

MAP 3-11, SHEETS 1,3,4,5,6 AND 7 (RUNOFF CONVEYANCE PLAN) ARE MISSING FROM THE APPLICATION. THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 3-11, SHEETS 1,3,4,5,6 AND 7.

RESPONSE: Copies of the requested maps are provided.

DEFICIENCY: FOR THE SAKE OF CLARITY, MAPS 4-1 AND 4-2 (FINAL RECLAMATION MAP) SHOULD BE COMBINED INTO ONE MAP 4-1. AT PRESENT MAP 4-1 INCLUDES SHEETS 1 OF 5 AND 2 OF 5 WHILE MAP 4-2 INCLUDES SHEETS 3 OF 5, 4 OF 5, AND 5 OF 5. THIS IS CONFUSING TO ANYONE NOT FAMILIAR WITH THESE MAPS. THE TABLE OF CONTENTS OF MAPS AND DRAWINGS SHOULD ALSO BE CHANGED TO REFLECT THE CHANGE OF MAP DESIGNATION NUMBERS.

RESPONSE: Maps 4-1 and 4-2 have been consolidated into 4-1. The Table of Contents has been revised accordingly.

DEFICIENCY: MAP 5-5 (HYDROLOGIC AREA DRAINAGE MAP) IS MISSING FROM THE APPLICATION. THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 5-5.

MAP 5-7 (DETAILED PERMIT BOUNDARY MAP ALONG JUNCTION ROAD AND SEDIMENT POND AREA) MUST, FOR CLARITY, BE LABELED AS "5-7". THE OPERATOR MUST

PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 5-7, CORRECTLY LABELED.

MAP 5-8 (SEDIMENT POND ACCESS ROAD, 3 SHEETS) MUST, FOR CLARITY, BE LABELED "5-8". THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 5-8, CORRECTLY LABELED.

MAP 5-9 (SEDIMENT POND ACCESS ROAD CROSS-SECTIONS, 2 SHEETS) MUST, FOR CLARITY, BE LABELED "5-9". THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF MAP 5-9, CORRECTLY LABELED.

RESPONSE: The preceding maps are provided.

DEFICIENCY: 534.130 ROAD EMBANKMENT STATIC SAFETY FACTOR - THE 5TH PARAGRAPH OF PAGE 3-61, WHICH BEGINS "STABILITY ANALYSES WERE NOT CONDUCTED...", SHOULD BE ELIMINATED FROM THE APPLICATION PACKAGE. THE PARAGRAPH SHOULD BE REPLACED WITH A PARAGRAPH WHICH EXPLAINS THAT STABILITY ANALYSES HAVE BEEN CONDUCTED ON ROAD EMBANKMENTS AND THAT THESE ANALYSES ARE FOUND IN APPENDIX III.

RESPONSE: Page 3-65.

DEFICIENCY: 541. GENERAL RECLAMATION PLAN - LINE 4 OF THE 1ST PARAGRAPH OF PAGE 4-1 SHOULD, FOR CLARITY, READ "ALL FOUNDATIONS AND STRUCTURES BUILT OF CONCRETE ARE TO BE BROKEN UP AND BURIED ON THE BATHHOUSE/WAREHOUSE PAD AS SHOWN ON THE FINAL RECLAMATION PROFILES (MAP 4-2, DRAWING 4 OF 5)." .

RESPONSE: Page 4-1.

DEFICIENCY: FOR CLARITY, THE 3RD LINE OF PAGE 4-4 SHOULD READ: "... (SEE QUALITY SUMMARY SHEET, PAGE 4-6) " .

FOR CLARITY, THE 2ND LINE OF THE 1ST PARAGRAPH OF PAGE 4-4 SHOULD READ: "... AS SHOWN ON THE FINAL RECLAMATION PROFILES (MAP 4-2, DRAWING 4 OF 5) " .

FOR CLARITY, THE 4TH LINE OF THE 2ND PARAGRAPH OF PAGE 4-4 SHOULD READ: "... AS SHOWN ON THE FINAL RECLAMATION PROFILES (MAP 4-2, DRAWING 4 OF 5) " .

FOR CLARITY, THE 2ND LINE OF THE 3RD PARAGRAPH OF PAGE 4-4 SHOULD READ: "... AS SHOWN ON THE FINAL RECLAMATION PROFILES (MAP 4-2, DRAWING 4 OF 5) " .

FOR CLARITY, THE 1ST LINE OF THE 4TH PARAGRAPH OF PAGE 4-4 SHOULD READ: "TWO SMALL DIVERSIONS, A AND B (SEE MAP 4-1, DRAWING 2 OF 5) " .

RESPONSE: Page 4-4.

DEFICIENCY: FOR CLARITY, THE 2ND LINE OF THE 1ST PARAGRAPH OF PAGE 4-5 SHOULD READ: "... WILL BE BUILT AS SHOWN ON THE FINAL RECLAMATION MAP (MAP 4-1, DRAWING 2 OF 5)".

RESPONSE: Page 4-5.

DEFICIENCY: HOW WERE THE QUANTITIES ON PAGE 4-6 ESTIMATED? THE REVIEWER IS AWARE THAT THESE AREAS ARE OLD, PRELAW CUTS AND FILLS AND THAT THERE ARE, THEREFORE, NO DETAILED MASS BALANCE DRAWINGS AND CALCULATIONS. HOWEVER, THE OPERATOR MUST PROVIDE AT LEAST SOME SIMPLE DRAWINGS AND CALCULATIONS TO SHOW HOW THESE VOLUMES WERE ESTIMATED AND THE ASSUMPTIONS BEHIND THEM.

RESPONSE: Page 4-6.

DEFICIENCY: THE DISTRIBUTION EQUATION IN THE MIDDLE OF PAGE 4-8 SHOULD READ: $(10,284 + 16,103)/1750 = 15.08$ CYDS/FT.

RESPONSE: Page 4-8.

DEFICIENCY: THE FIGURES ON PAGE 4-41 (TABLE GW-E) ARE ILLEGIBLE BECAUSE OF A PRINTER MALFUNCTION. THE OPERATOR MUST PROVIDE THE DIVISION WITH TWO (2) COPIES OF PAGE 4-41.

RESPONSE: Page 4-42.

DEFICIENCY: FOR CLARITY, THE 5TH LINE OF PAGE 4-100 SHOULD READ: "THE FOLLOWING ARE THE ESTIMATED COSTS FOR RECLAMATION (SEE PAGES 4-106 THROUGH 4-112)."

RESPONSE: Page 4-102.

DEFICIENCY: 542.800 NARRATIVES, MAPS AND PLANS - THE OPERATOR MUST PROVIDE THE SOURCE OF THE COSTS OF SUPERVISORS, OPERATORS, LABORERS, AND HELPERS.

(ITEM 3-E) ONLY ONE (1) OPERATOR WAS USED IN THE CALCULATIONS INSTEAD OF THE LISTED SIX (6). ALSO, THE COST OF A 621B SCRAPER WHICH WAS USED IN THE CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-128.

(ITEM 3-F) SOMETHING IS WRONG WITH THESE NUMBERS OR CALCULATIONS OR BOTH. THE REVIEWER IS UNABLE

TO COME UP WITH THE STATED TOTAL OF \$184,242.

RESPONSE: Page 4-3.

DEFICIENCY: (ITEM 5-A) THE COST OF LABORERS WHICH WAS USED IN CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-131.

RESPONSE: Page 4-134.

DEFICIENCY: (ITEM 5-B) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS IS NOT INCLUDED IN THE TEXT.

RESPONSE: Page 4-3.

DEFICIENCY: (ITEM 5-C) SOMETHING IS WRONG WITH THESE NUMBERS OR CALCULATIONS OR BOTH. THE REVIEWER IS UNABLE TO COME UP WITH THE STATED TOTAL OF \$9,090.

(ITEM 6) SOMETHING IS WRONG WITH THESE NUMBERS OR CALCULATIONS OR BOTH. THE REVIEWER IS UNABLE TO COME UP WITH THE STATED TOTAL OF \$44,903.

RESPONSE: Page 4-112.

DEFICIENCY: (ITEM 7-A) THE COST OF HELPERS WHICH WAS USED IN CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-136.

RESPONSE: Page 4-3.

DEFICIENCY: (ITEM 7-C) SOMETHING IS WRONG WITH THESE NUMBERS OR CALCULATIONS OR BOTH. THE REVIEWER IS UNABLE TO COME UP WITH THE STATED TOTAL OF \$3,685.

RESPONSE: Page 4-113.

DEFICIENCY: (ITEM 7-D) THE COST OF A TRACTOR AND LABORERS WHICH WERE USED IN THESE CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-136.

(ITEM 8-A) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS IS NOT INCLUDED IN THE TEXT.

(ITEM 8-B) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

(ITEM 9-A) THE COSTS OF A TRACTOR AND LABORERS WHICH WERE USED IN THESE CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-139.

(ITEM 9-B) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

RESPONSE: Page 4-3.

DEFICIENCY: (ITEM 9-C) THE MEANING OF THIS IS NOT CLEAR; THEREFORE, THE STATED TOTAL OF \$115,024 CANNOT BE CHECKED. HOW WAS THIS TOTAL CALCULATED?

RESPONSE: Calculated for cost of materials only.

DEFICIENCY: (ITEM 10-A) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

(ITEM 10-B) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

RESPONSE: Page 4-3.

DEFICIENCY: (ITEM 10-C) SOMETHING IS WRONG WITH THESE NUMBERS OR CALCULATIONS OR BOTH. THE REVIEWER IS UNABLE TO COME UP WITH THE STATED TOTAL OF \$1,440. WAS THE PREVIOUS COST OF \$36.70 PER HOUR FOR A SUPERVISOR USED HERE? IF NOT THEN THE COST USED MUST BE INCLUDED IN THE TEXT ON PAGE 4-140.

RESPONSE: Page 4-114.

DEFICIENCY: (ITEM 11-A) THE COSTS OF A 510 BACKHOE AND LABORERS WHICH WERE USED IN THESE CALCULATIONS MUST BE INCLUDED IN THE TEXT ON PAGE 4-141.

(ITEM 12-A) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

(ITEM 13-A) THESE FIGURES CANNOT BE CHECKED BECAUSE THE COST OF LABORERS HAS NOT BEEN INCLUDED IN THE TEXT.

RESPONSE: Page 4-3.

DEFICIENCY: 553. BACKFILLING AND GRADING (HS) - THE POSTMINING TOPOGRAPHY MAP (PLATE 4-1/2 OF 5) PARALLELS THE VERBAGE ON PAGE 4-3 WHICH DESCRIBES THE OVERALL RECLAMATION PLAN "TO REMOVE ALL FILLS FROM THE CANYON, INVERT TO ORIGINAL BEDROCK". HOWEVER, CROSS-SECTIONS ON PLATE 4-2/5 OF 5, DON'T SHOW BACKFILLING AGAINST THE HIGHWALL NOR DO THEY DEPICT THE POSTMINING TOPOGRAPHY AS DEPICTED ON PLATE 4-1/2 OF 5. PLEASE MAKE NECESSARY CHANGES.

RESPONSE: Map 4-1, sheet 5 of 5.

DEFICIENCY: R614-301-700 HYDROLOGY (TM) - THE INFORMATION SUBMITTED ON PAGES 4-151 AND 4-152 CONTAINS LANGUAGE WHICH DOES NOT MEET THE REQUIREMENTS OF THE LAW. THE APPLICANT WILL BE FOREVER RESPONSIBLE FOR LOSS OR ADVERSE IMPACT OF WATER RIGHTS DUE TO MINING AND THIS LIABILITY IS NOT TIED TO BOND RELEASE. PLEASE STRIKE THE LANGUAGE "PRIOR TO BOND RELEASE" FOUND ON PAGE 4-152.

RESPONSE: The language regarding water replacement was negotiated between the Division, OSM and UP&L and appears in OSM special condition in the current permits.

DEFICIENCY: RULE 727 ASKS FOR WATER AVAILABILITY AND ALTERNATIVE WATER SOURCES, INCLUDING THE SUITABILITY OF ALTERNATIVE WATER SOURCES FOR EXISTING PREMINING USES. THE APPLICANT HAS NOT PROVIDED THIS INFORMATION.

THE APPLICANT ALSO STATES "AT ITS SOLE OPTION", ON PAGE 4-151, IT WILL REPLACE OR BUY LAND AND WATER RIGHTS. THIS LANGUAGE MUST BE STRICKEN FROM THE PERMIT AND LANGUAGE SUCH AS "AS DETERMINED" BE IMPLEMENTED.

RESPONSE: Page 4-155 and 4-156.

DEFICIENCY: THE PERMITTEE DISCUSSES (PAGE 2-171) THE POTENTIAL FOR TOXIC SUBSTANCE EXPOSURE AND CONCENTRATION. THE PERMITTEE MUST DESCRIBE FIELD AND LABORATORY METHODOLOGIES EMPLOYED TO ASCERTAIN THE QUANTITY AND QUALITY OF ACID-AND/OR TOXIC FORMING MATERIAL WITHIN THE FACILITY AREAS. THIS WOULD INCLUDE THE ANALYSIS OF MATERIAL IN THE VICINITY OF SAMPLE #1117. DISPOSAL PLANS FOR ACID-AND/OR TOXIC-FORMING MATERIALS MUST BE ACCOMPANIED BY THE FOLLOWING; DISPOSAL LOCATION AND TECHNIQUES; MINING AND POSTMINING MASS BALANCE CALCULATIONS; AND CROSS-SECTIONS WHICH CONFIRM VOLUME ESTIMATES. THE PERMITTEE MUST ALSO CONFIRM THE AMOUNT OF COVER OVER THE COAL WASTE WITHIN THE TIPPLE PAD FILL.

RESPONSE: Field and laboratory methodologies are found on Page 4-100 through 4-102; concerns in area of sample #1117 are covered by sampling revisions on Page 4-100 and text on Page 4-101 (additional sampling in toxic/acid identified areas). Locations found on Map 2-15; mass balance calculations on Page 4-6; cover of tipple pad will be determined by samples at SS5, Page 4-100 and

lack of cover will be handled as described on 4-102.

DEFICIENCY: THE OPERATOR MUST DESCRIBE THE DISPOSAL TECHNIQUE FOR SEDIMENT POND WASTE. ADDITIONALLY, THE PERMITTEE MUST COMMIT TO ANALYZING SEDIMENT POND WASTE FOR ITS ACID-AND/OR TOXIC-FORMING POTENTIAL.

RESPONSE: Page 3-55.

DEFICIENCY: ALL COAL WASTE, WHETHER ACID OR TOXIC-FORMING, MUST BE DISPOSED OF WITHIN APPROVED PORTIONS OF THE PERMIT AREA (R614-301-536 COAL MINE WASTE). THE PERMITTEE MUST REMOVE STATEMENTS WHICH REFER TO REMOVAL OF COAL WASTE FROM THE PERMITTED AREA (PAGE 4-76, ETC.).

RESPONSE: Page 4-69, 4-90 and 4-101.

DEFICIENCY: 742.110 SEDIMENT CONTROL MEASURES (TM) - THE APPLICANT HAS NOT MADE AN ATTEMPT TO MEET THE REQUIREMENTS OF R614-301-742 FOR THE HAUL ROAD RECLAMATION PLAN. THIS EROSION CONTROL PLAN MUST BE GENERATED AND INCLUDED AS PART OF THE PERMIT APPLICATION. THE SEDIMENT POND AREA HAS BEEN ADDRESSED (I.E. CONTOUR FURROWS). THE REMAINDER OF THE RECLAIMED AREA NEEDS TO HAVE SEDIMENT CONTROL MEASURE IDENTIFIED.

RESPONSE: Map 4-1, Sheet 3 of 5 and Page 4-7.

FOREST SERVICE DEFICIENCIES

DEFICIENCY: TOXIC OR ACID-FORMING MATERIALS - ON PAGE 4-65, THE OPERATOR REVISED THE MRP TO ADEQUATELY ADDRESS THIS CONCERN BY STATING THAT TOXIC OR ACID-FORMING MATERIALS WOULD BE DISPOSED OF AT AN APPROVED DISPOSAL FACILITY. ON PAGES 4-76 AND 4-88, IT IS STATED THAT TOXIC AND ACID-FORMING MATERIALS WILL BE BURIED. THIS STATEMENT CAN BE INTERPRETED TO MEAN THAT THEY WILL BE BURIED POTENTIALLY ON NATIONAL FOREST SYSTEM LANDS. REVISION OF PAGES 4-76 AND 4-88 IS NEEDED TO PROVIDE CONSISTENCY.

RESPONSE: Pages 4-69 and 4-102.

DEFICIENCY: MITIGATION OF SUBSIDENCE DAMAGE EFFECTS - THE OPERATOR HAS ADDRESSED OUR COMMENTS, BUT ADDITIONAL CLARIFICATION IS NEEDED AS FOLLOWS:

THE OPERATOR STATES ON PAGES 4-151 AND 4-152 THAT MATERIAL DAMAGES TO SURFACE RESOURCES WILL BE REPAIRED TO THE EXTENT TECHNOLOGICALLY AND

ECONOMICALLY FEASIBLE. THE FOREST SERVICE HAS NOT CONSENTED TO MINING BENEATH PERENNIAL STREAMS OR TO ALLOWING MINING WHICH COULD INDUCE ESCARPMENT FAILURES. LEASE STIPULATIONS PROHIBIT SUCH ACTIVITIES UNLESS SPECIFICALLY PROPOSED AND APPROVED BY THE RESPONSIBLE REGULATORY AGENCIES. ESCARPMENT FAILURES SHOULD BE SPECIFICALLY DISCUSSED. IF THE MINE PLAN HAS BEEN DESIGNED TO PREVENT ESCARPMENT FAILURES, AS REQUIRED BY LEASE STIPULATIONS, THIS SHOULD BE SPECIFICALLY STATED IN THIS SECTION. IF MINING WHICH COULD CAUSE ESCARPMENT FAILURES IS PROPOSED, THIS MUST BE SPECIFICALLY ADDRESSED SO AN EVALUATION CAN BE CONDUCTED.

ON PAGE 4-152, THE OPERATOR COMMITS TO REPLACEMENT OF WATER IDENTIFIED FOR PROTECTION IN ACCORDANCE WITH A PLAN TO BE APPROVED BY THE DIVISION. THIS DISCUSSION ADEQUATELY ADDRESSES OUR CONCERN, HOWEVER, A CORRECTION IS NEEDED ON PAGE 4-157 FOR CONSISTENCY. IT IS STATED ON THIS PAGE THAT WATER REPLACEMENT, IF NEEDED, WOULD BE ACCOMPLISHED BY CONSTRUCTION OF GUZZLERS. GUZZLERS MAY BE SUFFICIENT IN SOME CASES, BUT AS STATED ON PAGE 4-152 THE METHOD OF REPLACEMENT IS SUBJECT TO APPROVAL OF THE DIVISION IN CONSULTATION OF THE SURFACE MANAGEMENT AGENCY.

RESPONSE: Page 4-164.

DEFICIENCY: RAPTOR NESTS MITIGATION PLAN - THE OPERATOR RESPONDED TO OUR CONCERN FOR PROTECTION OF GOLDEN EAGLE NESTS BY DELETING THE DISCUSSION ON POSSIBLE IMPACTS TO NEST SITE NUMBER 56. THE MRP SHOWS THAT GOLDEN EAGLE NESTS ARE PRESENT IN THE PERMIT AREA. SINCE GOLDEN EAGLES ARE A PROTECTED SPECIES, THE OPERATOR MUST DETERMINE IF IMPACTS COULD OCCUR. IF THE DETERMINATION SHOWS THAT THERE IS POTENTIAL FOR IMPACTS, ADEQUATE MEASURES MUST BE TAKEN TO PREVENT THEM AS APPROVED BY THE RESPONSIBLE AGENCIES. IF THE DETERMINATION IS THAT IMPACTS WILL NOT OCCUR, DOCUMENTATION IS NEEDED TO SUBSTANTIATE THIS DETERMINATION.

RESPONSE: Page 4-161 and 4-162.

DEFICIENCY: COTTONWOOD/WILBERG/DES BEE DOVE HAUL ROAD - THE RECLAMATION PLAN DOES NOT PROVIDE FOR ASPHALT REMOVAL AND RECLAMATION OF THE MINE ACCESS ROAD FROM THE TIPPLE YARD SOUTH TO THE MANTI-LASAL NATIONAL FOREST BOUNDARY. THE MINE ACCESS ROAD WHICH PRESENTLY EXISTS ON NATIONAL FOREST SYSTEM LANDS HAS BEEN AUTHORIZED BY A FOREST SERVICE SPECIAL-USE PERMIT. THE OPERATOR STATES THAT THIS

ROAD WILL BE LEFT AFTER RECLAMATION TO ALLOW ACCESS TO THE PRIVATE LAND. EMERY COUNTY CLAIMS THE DANISH BENCH ROAD TO ITS JUNCTION WITH THE DES BEE DOVE HAUL ROAD (JUNCTION ROAD) AND HAVE INDICATED THAT THEY DO NOT INTEND TO OBTAIN A RIGHT-OF-WAY TO EXTEND IT INTO THE NATIONAL FOREST. THE OPERATOR MUST COMMIT TO ONE OF THE TWO FOLLOWING SCENARIOS IN REGARD TO THE ROAD WHEN THE MINE IS RECLAIMED:

- A: THE ROAD SHOULD BE RECLAIMED LEAVING ONLY A LIVESTOCK TRAIL TO PROVIDE FOR LIVESTOCK TRAILING TO THE TOP OF EAST MOUNTAIN. THE FOREST SERVICE DETERMINED THAT THE ONLY NEED FOR ACCESS FOR MANAGEMENT OF NATIONAL FOREST SYSTEM LANDS IS FOR LIVESTOCK TRAILING.
- B. THE ROAD CAN BE LEFT TO A STANDARD NEEDED TO PROVIDE ACCESS TO UP&L COMPANY'S PRIVATE LANDS. UNDER THIS SCENARIO, UP&L CO. WOULD BE REQUIRED TO RENEW THEIR FOREST SERVICE SPECIAL-USE AUTHORIZATION AND COMMIT TO MAINTENANCE OF THE ROAD NEEDED TO PROVIDE FOR PRIVATE LAND ACCESS, PUBLIC SAFETY, AND RESOURCE PROTECTION. UNDER THE PERMIT, THEY WOULD BE REQUIRED TO SUBMIT A PLAN FOR RECLAMATION OF THE ROAD WHEN IT IS NO LONGER NEEDED. IN ADDITION, A BOND WOULD BE REQUIRED TO ENSURE MAINTENANCE AND RECLAMATION.

RESPONSE: The Haul Road reclamation plan has been rewritten to include reclamation of the access road leaving only a cattle trail for access to East Mountain.

DEFICIENCY: RECLAMATION SEED MIXES - AS STATED IN OUR AUGUST 14, 1990 LETTER, WE FEEL THAT THE SEED MIXES NEED SOME REVISIONS, HOWEVER, OUR CONCERNS HAVE GENERALLY BEEN ADDRESSED BECAUSE THE MRP STATES THAT REVISIONS WILL BE MADE BASED ON MONITORING OF THE TEST PLOTS. OUR REMAINING CONCERN IS THAT THE FINAL RECLAMATION SEED MIX CONTAINS SEVERAL PLANT SPECIES WHICH ARE NOT INCLUDED IN THE TEST PLOT SEED MIX SHOWN ON PAGE 4-90.

RESPONSE: The test plot in question is designed to test the salt-desert shrub seed mixture. The pinyon-juniper seed mixture will be evaluated at the Cottonwood test plot as discussed on Page 4-70.