

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

Mine file
599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Date: January 10, 1991

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

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DIVISION OF
OIL, GAS & MINING

RE: Rewritten Permit Application Package for the Five-Year Renewal, Utah Power and Light Company, Deer Creek Mine ACT/015/018, Folder #2, Emery County, Utah

Dear Lowell:

We have reviewed the rewritten permit application package and have the following comments.

1. Area Designated Unsuitable for Mining, Page 1-25

The reference to the Land Management Plan, Ferron-Price Planning Unit should be changed to reference the Manti-La Sal National Forest Land and Resource Management Plan and Final Environmental Impact Statement, November 1986. The Ferron-Price Plan was superseded by the Manti-La Sal National Forest Land and Resource Management Plan and is no longer an up-to-date reference considering current management on National Forest System lands.

2. Licenses, Permits and Approvals Obtained by Applicant to Conduct Mining Activities, Page 1-30

The Forest Service special-use permit listed on this page was issued in 1979 before this area was under a lease controlled by the operator. This area is now encompassed by Federal Coal Lease SL-064621/064607 which is included in the permit area. The permit was terminated about 3 years ago. It should be omitted from the chart on this page and on Maps 3-17 and 5-1.

3. Wildlife and Livestock, Page 2-146

In the first paragraph of this section it is stated that wildlife and livestock grazing is limited to the higher elevations. It is accurate to state that very little livestock grazing occurs on the steep slopes where the mine is located, however, wildlife use includes the entire permit area.

4. Vegetation Monitoring Plan, Page 2-174

The operator has made a commitment to conduct vegetation monitoring over the lease area to determine the effects of mining and subsidence as required in lease stipulations. The monitoring plan is acceptable but a commitment must be made as to when the baseline information will be submitted for comparison with the data to be collected at five-year intervals.

On the bottom of page 2-178 the reference to usthorthent soils should be changed to lithic soils.

5. Endangered or Threatened Plants, Page 2-146

This section states that during vegetative sampling, no endangered or threatened plant species were identified. The Federal Coal regulations and Utah Coal Rules require identification of proposed (sensitive) plant species as well as listed endangered and threatened species. The results of a survey for proposed species in consultation with the Fish and Wildlife Service and Forest Service must be presented. If any such species are found in the permit area, it must be shown that they will not be impacted by mining or that measures will be taken to protect them. Bob Thompson is the Forest Service contact in regard to range and vegetation issues on the Manti-La Sal National Forest.

✓6. Deer Creek Mine Operation, General

Before the Forest Service can consent to the 5-year renewal, we must receive the results of a BLM evaluation as to whether or not the mine plan would result in escarpment failures and other subsidence which could cause significant disturbance to surface resources.

✓7. Deer Creek Mine Operation, Page 3-7

In the second paragraph on this page it is stated that six to seven breakout portals are planned in Rilda Canyon beginning in 1993. This would be a major mine plan amendment/modification that should be deleted from the mine plan text at this time for consideration in the 5-year renewal. A mine plan amendment/modification such as this must be submitted as a separate application. Before such an amendment/modification can be approved in its complete form or in concept, a detailed plan and environmental analysis will be necessary.

8. Experimental Practices, Page 3-45

There is a discussion on reclamation of the Deer Creek channel and constructing a diversion ditch on fill material. Reference is made to more detailed information on this practice in Chapter 4. When tracking this reference and reviewing Chapter 4, a description of this practice can not be found.

9. Offsite Support Facilities, Page 3-46

The breakouts in Meetinghouse Canyon should be discussed in this section. They are considered offsite facilities.

10. Underground Development Waste - Elk Canyon Storage Upgrade - Area 2, Page 3-78

Maps 17A, 17B and 17C are referenced in the fourth paragraph. The maps are contained in Volume 10, Waste Rock Area. They should be included in Volume 5 as Maps 3-17A, 3-17B, and 3-17C.

11. Portal Sealing, Page 4-1

This section shows that there are two breakouts in the North Fork of Meetinghouse Canyon. The mine plan maps show two additional entries that are very close to the coal outcrop but have apparently not actually broken out to the surface. If a 200 foot barrier of solid coal material (BLM lease requirement) does not remain in these areas, portal sealing will be required.

The second paragraph on 4-2 discusses that the North Fork Meetinghouse portals are the lowest portals in the mine and that for this reason water discharge must be provided after reclamation. This has not been approved as part of the mine permit and would constitute a mine plan amendment. It must be removed from the 5-year review permit application and proposed as a mine plan amendment. A detailed environmental analysis will be required to evaluate this proposal. Information on the amount and quality of water that would potentially flow out of the breakouts will be required for evaluation. It will also be necessary to determine what impacts the discharge could have to Meetinghouse Canyon and if diversion of water to the North Fork of Meetinghouse Canyon would cause a decrease in flow to other drainages and springs.

Information that water discharge would be necessary at this location after reclamation of the mine should have been divulged to the regulatory agencies at the time that the breakouts were proposed, evaluated and approved. The North Fork of Meetinghouse breakouts were originally evaluated and approved with the understanding that water discharge would not be necessary.

12. Acid or Toxic Forming Material, Page 4-9

The plan states that acid and toxic forming materials will be buried in the ROM bin and covered with four feet of material excavated from channel construction.

The operator should also make a commitment to haul any actual toxic materials from the site to be disposed of at an approved facility.

13. Interim Revegetation, Pages 4-35 through 4-37

The interim seed mix should include Intermediate Wheatgrass (*Agropyron intermedium*) at a rate of 2 lbs/acre. There is a detailed discussion on page 4-50 which shows justification and need for this species, yet it is not included in the seed mix. Blueleaf Aster (*Aster glaucodes*) should also be added at a rate of 0.5 lb/acre.

Rocky Mountain Juniper (*Juniperus scopulorum*) and True Mountain Mahogany (*Cercocarpus montanus*) should be added to the shrubs. Delete Cliffrose since it is not adaptable to this environment.

14. Final Revegetation Plan, Pages 4-38 through 4-40

Blueleaf aster (*Aster glaucodes*) should be added to the forbs in the Pinyon-Juniper type at a rate of 0.5 lb/acre. In the forbs specified for the Pinyon-Juniper type, either *Artemisia ludoviciana* var. *ludoviciana* or *Artemisia dracunculus* should be used.

In the Riparian type Rocky Mountain Juniper (*Juniperus scopulorum*) should be added to the trees and True Mountain Mahogany (*Cercocarpus montanus*) should be added to the shrubs.

In the shrubs for the Mixed Conifer type, Blue Elderberry is incorrectly identified as Blue Blackberry.

15. Reclamation Plan: Postmining Land Uses, Page 4-62

The operator must reference the Manti-La Sal National Forest Land and Resource Management Plan and Final Environmental Impact Statement, November 1986 in this section.

16. Special Monitoring, Page 4-72

The operator states that survey prisms will be used to monitor the subsidence in areas of the Castlegate Cliff and that monitoring shall continue until it is shown that the cliff is stable and no further movement is anticipated.

This section needs to be revised. The only area where mining which could potentially cause subsidence/escarpment failures was approved is on that portion of the Cottonwood/Wilberg Mine permit area which does not overlap with the Deer Creek Mine permit area. No such approvals have been made for the Deer Creek Mine.

If mining under the escarpment areas is being proposed in the new 5-year term, the areas should be specifically identified for consideration of approval. In addition, adequate information must be presented in regard to the amount and duration of subsidence or failures which is likely to occur to enable evaluation of the impacts. A Forest Service decision to consent or not consent to mining which could cause escarpment failures must be based on an environmental analysis which considers impacts and the effectiveness of mitigation measures.

17. Volume 9, Hydrology, Section III. A., Page 31

Table HT-9 does not contain precipitation data as stated in the last paragraph in this section. The referenced table contains temperature data.

18. Volume 9, Probable Hydrologic Consequences, Page PHC-1

It is stated in the second paragraph on this page that the hydrologic consequences will be small because this is an underground mining operation. Underground mining operations could have significant impacts on groundwater. The fact that this is an underground mining operation is not adequate justification for this conclusion.

19. Volume 9, Probable Hydrologic Consequences, Page PHC-6

At the top of this page it is stated that the USGS identified the sediment yield in Deer Creek Canyon to be 3.1 tons/day. The report and author must be referenced so that this statement and the information leading to this determination can be reviewed for adequacy.

20. Volume 9, Probable Hydrologic Consequences, Page PHC-10

In the second paragraph it is stated that fractures in the mudstone which overlie the coal seam would be sealed by swelling clays. It is stated that this determination is based on past experience in the mine property. This needs further justification by referencing specific observations and monitoring data.

The Deer Creek Mine has encountered significant water discharges (as much as 23 cfs). The operator has obtained approval to discharge some of this water into Deer Creek. This is a significant continuous inflow of water into the mine which is resulting in diversion from some other area, potentially Cottonwood Creek. The water monitoring data for the area needs to be reviewed and a study needs to be completed to determine what effects are occurring and will likely occur in the future.

The Roan Canyon spring (79-25) which is located in Roan Canyon is of particular concern because it is one of the main springs which supply water to Cottonwood Creek. This spring needs to be addressed as to how its flow is related to the geology and groundwater system on East Mountain. The potential impacts to this spring and the flow of Cottonwood Creek need to be determined and discussed.

21. Volume 9, Probable Hydrologic Consequences, Page PHC-13

At the bottom of this page, it is stated that the cumulative effect of discharge waters is thought to be insignificant because the volume of water to be discharged is negligible in comparison to the volume which flows in Cottonwood and Huntington Creeks. The water monitoring data for the drainages, water quality, and the calculated discharge flows should be quantified as justification for this statement and references to the appropriate tables should be included.

22. Volume 9, Tables

Tables HT-2 through HT-7 present water quality information. The units of measure for the different parameters presented must be shown for the data to have any meaning. The tables need to be revised.

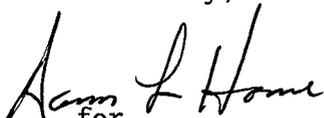
The location where temperature measurements were taken need to be shown on Table HT-9.

23. General Comment

There are several references in the Mining and Reclamation Plan to Utah Power and Light Company which need to be changed to PacifiCorp.

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

Sincerely,


for
GEORGE A. MORRIS
Forest Supervisor