

0001



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangertter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

December 24, 1985

CERTIFIED RETURN RECEIPT REQUESTED
(P402 457 270)

Mr. C. E. Shingleton, Director
Permitting, Compliance & Services
Utah Power & Light Company
P. O. Box 899
Salt Lake City, Utah 84110

Dear Mr. Shingleton:

RE: MRP Amendment to Include a Surface Storage Water Tank for
Fire Protection, Wilberg/Cottonwood Mines, ACT/015/019,
#3, Emery County, Utah

The application and plan for a Mining and Reclamation Plan (MRP) permit amendment submitted by Utah Power & Light Company (UP&L) on November 8, 1985 has been reviewed by the Division.

The plans have been found to be deficient and UP&L must address the following concerns before the review can continue.

UMC 783.15 Ground Water Information - DH

Although the company indicates in the plan that "minor" quantities of water are expected to be encountered in the various formations, UP&L must document (to the extent possible) all ground water flows greater than 20 gpm and the formation and depth where such flows were encountered. Geophysical and lithologic logs of the boreholes drilled as part of this program will facilitate the Division's review of this regulation.

UMC 783.19 Vegetation Information - KM

The amendment indicates "forbs and grasses" as "primarily the only type of vegetational cover in this area." The map referenced in the plan indicates a sagebrush vegetation type. The applicant should clarify this discrepancy and provide a description of the plant community. Since this vegetation type has not been disturbed to date in the permit area, no reference area or community description has been provided in the MRP.

Page 2
Mr. C. E. Shingleton, Director
ACT/015/019
December 24, 1985

UMC 784.13 Reclamation Plan - KM

If the U. S. Forest Service (USFS) approved species seed mix planned for use in interim or permanent revegetation differs from the mix approved by the Division, the applicant should submit it.

UMC 784.15 Reclamation Plan: Postmining Land Use - KM

The applicant proposes wildlife and grazing as the postmining land use but should describe and justify reclamation planned to achieve that land use, i.e., maintaining or removing the water tank.

The description must be accompanied by comments/approval of the landowner.

UMC 800.11(b) Requirements to File a Bond - DWH

The application fails to describe how the proposed area of disturbance will be bonded by the operator. A summary of the reclamation cost calculations and any necessary bond revision must be addressed by the operator.

UMC 817.22 Topsoil Removal - EH

The applicant must provide the depth of topsoil and subsoil which will be removed and replaced. The soil survey quoted in the MRP does not describe the soils which will be disturbed at the proposed site.

UMC 817.97 Protection of Fish, Wildlife and Related Environmental Values - KM

UMC 817.116 Revegetation Standards for Success - KM

The applicant must address how the plan will minimize disturbance to and protection or enhancement of the cliff nesting raptors of the area.

If the water tank is to be left as a postmining wildlife and livestock water source, the applicant must address modification of the tank to provide safe access to animals.

A success standard must be established for revegetating the tank area and road. Because of the small size of the disturbance, the applicant may wish to propose a seed mix which

Page 3
Mr. C. E. Shingleton, Director
ACT/015/019
December 24, 1985

will enhance the wildlife/range habitat by adding landscape diversity, i.e., a herbaceous island in the sagebrush community. The applicant should propose and justify a success standard if use of a reference area or predisturbance sampling is not intended.

UMC 817.133 Postmining Land Use - KM

Specific plans must be submitted to show feasibility of water tank use by livestock and wildlife without posing a public health or safety problem.

Maintenance of the water tank after bond release should be discussed.

Enclosed please find a copy of technical comments received from the Office of Surface Mining regarding this proposal. Please address any additional concerns not identified above in your next response.

The U. S. Forest Service as of December 19, 1985 indicated they have completed a scoping document on this proposal and that presently an Environmental Assessment is being prepared. Comments will be forthcoming upon its completion.

If possible, please address the above deficiencies before January 17, 1986. Thank you for your patience and cooperation in this matter. Should you have any questions or concerns, please feel free to call me or Kathy Mutz of the Division technical staff.

Sincerely,

L. D. Braxton for

D. Wayne Hedberg
Permit Supervisor/
Reclamation Hydrologist

DW/btb

cc: Rick Holbrook
Reed Christensen
Larry Dalton
Lowell Braxton
Dave Hooper

Ev Hooper
Bart Kale
Kathy Mutz
John Whitehead

0505R-8-10