

0069

Incoming 00150025

From: Mark Reynolds <mreynolds@etv.net>
To: <kboyer@fs.fed.us>
Date: 10/5/2006 5:16:58 PM
Subject: Bear Canyon Lease Addtion

Karl,
Attached is a response to additional comments from the Forest Service regarding the PHC.
If you have any questions please call me.

Mark Reynolds (PE)
Environmental Engineer
C. W. Mining Company
P. O. Box 300
Huntington, Ut 84528
435-687-5777

CC: Dale Harber <dharber@fs.fed.us>, Joe Helfrich <joe Helfrich@utah.gov>, Wayne Hedberg <waynehedberg@utah.gov>, Steve Christensen <stevechristensen@utah.gov>, Jim Smith <jimsmith@utah.gov>

Response to Additional Comments from the Forest Service

Chapter 4 discusses springs throughout the area (including stratigraphic location, lithologic characteristics, flow rates, source areas and recharge paths), drill hole data from holes drilled in the Star Point sandstone (including lithology, flow rates, potentiometric surface) but Chapter 9 (PHC) does not analyze the effects to these resources as a result of mining in the new permit revision areas. As the first paragraph in the Chapter 9 points out, the PHC only covers the Bear Canyon Mine permit area already in existence and the proposed Wild Horse Ridge permit area that was being addressed at that time.

The conclusions reached from reading this paragraph are wrong. In the second to the last sentence of this paragraph it states **“This PHC determination is based on the data and information presented in Sections 1-8 of this document.”** In the second paragraph it states **“The hydrologic evaluation presented in Section 1-8 of this report also includes the Mohrland area; however, C. W. Mining is not permitting the Mohrland area at this time.”** When Mayo was hired he was asked to evaluate all areas of future mining. He was told that the WHR expansion was being worked on at that time (2001), and that a Mohrland expansion was planned in the future. He added these statements at the beginning of the PHC to make it clear that although Mohrland was not being permitted at that time, it was included in the PHC. Additionally on page 1 in the first paragraph Mayo states **“C. W. Mining Company intends to expand their current operations at the Bear Canyon Mine into Federal coal leases in the Wild Horse Ridge area (U-020668 and U-38727) and into Federal coal leases (U-46484, U-61048, U-61049, and U-024316) and fee lands in the Morhland area (Figure 1).”** This statement and Figure 1 clearly show that the study included the areas of the current permit expansion. In reading the text as he talks about study areas and permit expansion it is very clear that he understood that there was two different permit expansions and addresses the entire area.

Page 132, 1st paragraph, 2nd sentence.

This sentence discusses SBC-14 “near the location of the proposed portals for the Wild Horse Ridge expansion”. SBC-14 is outside the forest boundary, in the right fork of Bear Canyon. In the next paragraph SBC-14 is described as being in the “permit expansion area”. These two sentences indicate that the “permit expansion area” referred to is not the area under present consideration.”

This statement is correct, the permit expansion area he is talking about here is the Wild Horse Ridge expansion and not the Mohrland expansion.

Page 133, 1st paragraph, 2nd sentence

This sentence points out that the analysis does not include the new permit revision area; however, it does bring up an important point, i.e., the potentiometric surface of the Star Point sandstone relative to the coal seam.

The conclusions reached from reading this sentence are also wrong. The sentence talks about mining in the Hiawatha Seam workings and the potential for water upwelling from the Spring Canyon Sandstone. Since the only future mining area where the Hiawatha Seam would be mined is the Mohrland area, he is clearly talking about hydrologic consequences of mining the Mohrland area.

Plate 7J-2 shows that the potentiometric surface of the Star Point sandstone is above the coal seams throughout much of the proposed permit revision area. This is an important issue that has not been addressed in the PHC. The volume of water intercepted while mining, how the loss of intercepted water will affect surface resources, how it will be disposed of, and how this will affect the hydrologic balance are concerns that must be addressed in the PHC.

Plate 7J-2 does in fact show this, however it is addressed on pages 127-137 where he talks about the impacts to both surface and ground water systems.

Suggestion to aid the analysis: Construct a cross-section from MW-116 through MW-114 to SBC-3 showing stratigraphy (including coal seam) and the potentiometric surface of the Star Point Sandstone.

This would be impossible to do. SBC-3 is a shallow well approximately 5 feet from Bear Creek. It is located below the Star Point Sandstone so can't show the potentiometric surface of it. The water being sampled from this well is being recharged by Bear Creek.

Chapter 10

It is evident from a quick look at Chapter 10 (Review of Proposed Monitoring Plan) that it was not prepared with the expectation that mining was being proposed in the project area under present consideration. In fact, when discussing McCadden Hollow and Fish Creek, monitoring is proposed for these drainages to gather data outside of the (supposed) affected area, not for an environmental impact analysis related to proposed mining.

A more in depth look at Chapter 10 and the current Plate 7-4 would show that the proposed sites are still outside of the current proposed permit boundary. These sites were selected to be monitored in order to catch any off site impacts as required by DOGM regulations. The Fish Creek site is located in the left fork of Fish Creek below the Wild Horse Ridge permit expansion area. The McCadden Hollow site is located in the right fork of Trail Creek below the current Mohrland/Lease Expansion area. This should confirm the fact that Mayo was looking at two separate permit expansions and addressed them both.