



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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March 22, 1991

CERTIFIED RETURN RECEIPT REQUESTED  
NO. 540 714 135

Mr. Allen Childs  
Genwal Coal Company, Inc.  
P. O. Box 1201  
Huntington, Utah 84528

Dear Mr. Childs:

Re: Crandall Canyon Mine, ACT/015/032, Emery County, Utah

Effective February 25, 1991, the Board of Oil, Gas and Mining adopted emergency rules dealing with the definition of "Public Road" and "Road." These terms as defined in the emergency rulemaking are:

"Public Road" means a road, (a) which has been designated as a public road pursuant to the laws of the jurisdiction in which it is located, (b) which is maintained with public funds in a manner similar to other public roads of the same classification within the jurisdiction, and (c) which meets road construction standards for other public roads of the same classification in the local jurisdiction.

"Road" means a surface right-of-way for purposes of travel by land vehicles used in coal exploration or coal mining and reclamation operations. A road consists of the entire area within the right-of-way including the roadbed, shoulders, parking and side areas, approaches, structures, ditches and surface. The term includes access and haul roads constructed, used, reconstructed, improved or maintained for use in coal exploration, or within the affected areas of coal mining and reclamation operations, including use by coal hauling vehicles leading to processing or storage areas. The term does not include roads within the immediate mining-pit area and may not include public roads as determined on a site specific basis.

In order to make a finding that a road is a "public road" and not permissible under the Utah Coal Regulatory Program, DOGM must conduct a site-specific analysis of roads leading to permitted sites.

Specifically, I am asking for information on the Forest Development Road in Crandall Canyon, crossing portions of Sections 4,5,6, Township 17S, Range 7E, SLBM.

Page 2  
Mr. Allen Childs  
March 22, 1991

In order to facilitate this analysis, you will need to secure a letter from the U. S. Forest Service discussing the following topics:

1. The above-referenced road is/is not a public road pursuant to the laws of that agency.
2. If designated a public road, when was the designation first established?
3. How do construction standards for the Crandall Canyon Road compare with similarly classified roads with in the Manti La Sal National Forest?
4. What agency establishes construction and maintenance standards for this road?
5. Are there legal instruments that guarantee Genwal's following performance standards established by Manti La Sal National Forest?
6. Does Genwal Coal Company have the authority to deny public access to the Crandall Canyon Road?
7. Will the designation of this road (as a Forest Development Road) change after reclamation of the Crandall Canyon Mine?
8. Will the physical character of this road change after the cessation of mining.
9. Who will be responsible for making the changes, and what entity will ensure the adequacy of the post mining changes?

Please feel free to call Lowell Braxton or Ron Daniels, if you have questions about this process.

Sincerely,



Lowell P. Braxton  
Associate Director, Mining

vb  
cc: D. Nielson  
R. Daniels  
MI78/80&81