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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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March 12, 1992

TO: Daron Haddock, Permit Supervisor

FROM:  Priscilla Burton, Reclamation Specialist/Inspector

RE: Forest Service Use Permit Areas. Crandall Canyon Mine.  
Genwal Coal Co. ACT/015/032. Emery County. UT.  
Folder #4.

## SUMMARY:

Genwal Coal Co. representatives insist that Forest Service Special Use Permit areas are off limits to Division inspection. On the contrary, I believe that the existence of these permits is an invitation to inspect for compliance with the requirements of these permits. All violations of the FS Special Use Permits are violations of R645-300-142 (terms and conditions of the permit) as well as the regulation which fits the particular circumstances of the violation.

## ANALYSIS:

On the last complete inspection (3/11/92), I discussed with concern compliance with R645-301-742 at two F.S. Special Use Permit Areas. Mr. Marshall and Mr. Ralphs were vehement that the Division did not have jurisdiction on these areas. At the time of the inspection, my decision was to research the topic and contact the Forest Service to relay my concerns. (I spoke with Walt Novak of the Price District Office on 3/12/92.)

Having read the Forest Service Special Use Permits, I will not hesitate to enforce the R645 regulations in the future for the following reasons.

Genwal Coal Co. has the following FS Special Use Permits:

1.5 acres adjacent to the eastern boundary of Federal Coal Lease SL-062648

0.1 acres for snow storage and summer parking at west end of the mine facilities pad (F.S. trailhead)

0.9 acres for storage of topsoil stockpiles along the length of the haulroad

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All conditions of the Special Use Permits are itemized in the permits and have been incorporated into Chapter 2 of the MRP.

The permits are not identical, but all include the protection of the aesthetic environment within and adjacent to the permitted area, protecting the land from damage with diligence, slope stabilization and the control of erosion, and the revegetation of disturbances.

Additionally, the permits all state that any construction designs and plans must be approved in advance and in writing prior to their implementation.

#### CONCLUSION:

Do not hesitate to inspect the F.S. Special Use Permit Areas for compliance with the permit. Any violations found should be dealt with as with the rest of the disturbed area.

xc: Bteam