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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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September 29, 1999

Janette S. Kaiser, Forest Supervisor
U.S. Forest Service
Manti-LaSal National Forest
599 West Price River Drive
Price, Utah 84501

Re: Stock Ponds Above the SUFCO Mine, Canyon Fuel Company, LLC, SUFCO Mine, ACT/041/002, File #3, Sevier County, Utah

Dear Ms. Kaiser:

This letter is in response to your June 11, 1999 request for action by the Utah Division of Oil, Gas, and Mining (OGM) regarding the issue of stock ponds above the SUFCO Mine. We appreciate your concern on this matter and believe we can come to a mutually acceptable solution. We are working with the mine to develop a comprehensive response. We have visited the site twice, reviewed all correspondence in our files, and developed an action plan.

The Mining and Reclamation Plan (MRP pages 5-11, 5-21, and 5-33), the BLM lease stipulations (paragraphs 17 and 21), and the Utah Coal Rules (R731.224.1, R752.240 & .250) appear adequate to require the mine to repair and/or mitigate damages resulting from mining. Numerous factors bear on this issue. Subsidence-induced cracks have appeared in some of the ponds and their associated drainages. In response the mine has made substantial efforts at repair and mitigation. Many of the cracks and even entire ponds have been sealed with bentonite. The success of those treatments has not been fully determined. Additionally, since 1995 the mine has hauled significant quantities of water and installed water troughs for the cattle. To date, we are not aware of any cattle that have been lost due to lack of water, or of any actual damages suffered by the ranchers.

We have searched our records, including your correspondence and submittals from the mine. The strongest impression emerging is that there has not been any systematic monitoring or evaluation of the stock ponds. The records contain numerous anecdotes and many subjective observations. While these are valid, they are not solid data from which to draw conclusions and make decisions. Without much in the way of actual data, it has been very difficult to quantify the situation, much less resolve it. Still, there are some obvious actions that can be taken to comprehensively look at the issue.

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We believe there are factors affecting the presence or absence of water in the ponds that have not been considered, such as drought, the size of the drainage area, the presence of sag ponds, and others listed on the enclosed table. As you requested in your letter, there needs to be a long-term plan to deal with the ponds situation. Yet, long-term solutions need to be based on complete understanding. The Pines Tract stock ponds that are not yet under mined would also need to be included in such a plan.

After considering your request, and discussing the matter with the mine operator, OGM proposes the following:

- Take action now to repair and mitigate known and quantifiable problems.
- Institute a meaningful, long-range monitoring program exclusively for the stock ponds.
- Use the information developed to define future actions.
- Include all parties in data gathering and development of solutions.

We feel strongly that this plan needs to be developed by all parties involved: the affected ranchers, the Forest Service, UDOGM, and SUFCO Mine. This participation is essential to be sure everyone's interests are represented, to develop a meaningful plan, and to enhance trust and cooperation.

In order to move to the first step of this plan, OGM needs some information and clarification from Manti-LaSal National Forest. The attached pages contain a table and explanation of the detail needed. As soon as we receive the information we can proceed to the next step of the plan. The table is indicative of OGM's full plan.

We hope you will join us in working cooperatively on this project. If you have any questions or comments, please contact me at (801) 538-5306 or Mike Sufliita at (801) 538-5259.

Sincerely,



Mary Ann Wright
Associate Director, Mining
Utah Division of Oil, Gas, and Mining

Information Needed From the Forest Service
to
Develop SUFCO Stock Ponds Monitoring Plan

1. Please fill in columns 3,10,11, and 12 of the following chart. Column 10 may be better answered by the next item.
2. To better understand the cattle usage on the ponds, please provide:
 - A. A map of the grazing units with the charted ponds located on the map.
 - B. Definition of which ponds service which grazing units.
 - C. How many cows are in each grazing unit and the time periods they are there.
3. To help quantify snowmelt contributions to each pond, please provide a map of relevant Snowtel stations and a complete record of information for each of the stations.
4. Any other chart information which you may have, for example, water right number or drainage area.

SUFCO Stock Ponds Monitoring Program

From (date) _____ To (date) _____

1 Pond Name	2 Water Right Number	3 Maximum Pond Volume (1) Acre-Feet	4 Drainage Area Acres	5 Total Crack Length (2) Feet	6 Sag Ponds Yes/No Number	7 Native Soil Thickness (3) Feet - inches	8 Pond Bentonite Treatment Tons/Date	9 Native Soil Percolation (4) Min./Inch	10 Cattle Loading Cow X Days	11 Fenced Yes/No	12 Spring Fed Yes/No Rate
Johnson	94-589										
Rock	94-585										
Box	94-431										
Hansons	unknwn										
East Draw Big Ridge	94-435										
Verdus	94-432										
Slab	94-433										
Joe's Mill North	unknwn										
Joe's Mill South	unknwn										

Notes:

1. Maximum pond volume determined by lowest embankment or spillway height.
2. Total length of visible subsidence-induced, only, cracks in the pond and it's drainage area.
3. Soil thickness measured at the deepest water point of each pond.
4. Use standardized R317-511-1, Percolation Test Requirements and standard reporting form.