Appendix 2-4

Rational and Justification for Redistribution of 6" Top Soil (Growth Media) For Final Reclamation

The existing Genwal Coal Mine occupies the site of the old (Sunshine) mine abandoned in the late 1940's. Accurate records of the total area that was pre-law disturbed are not available. However estimates from reliable individuals range from a minimum of 1.5 to 3 acres: The inaccurate survey estimates to total volume of salvageable top soil (8,410 cu. yards) completed in 1983 apparently failed to allow for the pre-law disturbance associated with previous mining activity.

This in combination with the excessively steep and rocky terrain resulted in the actual top soil salvaged at 3,701 cu. yards. This amount of soil is adequate to place approximately 6" over all areas scheduled for final reclamation.

In order to supplement the present top soil that is in storage Genwal Coal considered, (a) To disturbed islands of established vegetation within the disturbed area, (b) Locate an alternative site off permit where additional soil could be removed leaving an adequate base of soil to reestablish the vegetation which would have to have been removed prior to soil removal.

Genwal Coal Representatives discussed both of these options with the "Land Use Principals", representatives from Manti LaSal National Forest, Arco Coal, and the Utah Division of Wild Life Resources.

The unanimous consensus was that either of these options were not acceptable and would result in a negative end result. Each of the above management agencies involved concurs with Genwal Coal Company that the plan proposed to utilize all available stored topsoil in excess of 3,700 cubic yards and disturbed said soil, at a depth of 6", will give satisfactory reclamation success. This is not solely speculation, but based on the following evidence:

1. In 1985, Beaver Creek Coal Company's #4 Mine was reclaimed in Mill Fork Canyon, the next adjacent drainage down Huntington Canyon (see attached map). The aspect, slope, elevation, and vegetative cover are almost identical. Beaver Creek, presently Mt. Coal co., is in a position after 6 years, to request Phase 2 Bond Release with excellent success on the revegetation effort. The principle difference between these two sites is that #4 Mine had virtually <u>no</u> topsoil. In fact, I believe the commitment was made by BCCC that material that was less than 50% coal, and coal refuse, would be utilized as a substitute growth media. That material in excess of 50% would be hauled off-site or buried in place.

2. A soil inventory was conducted by Genwal Coal Company in association with E.I.S. in June, 1992. The findings of that inventory indicated a number of areas within the undisturbed islands of vegetation within the disturbed area, to average 2" to 4" of "topsoil". These areas are presently supporting a

vigorous stand of native vegetation.

3. Finally, it is necessary to look at the interim vegetation established on virtually no top soil to conclude that the native sub-material is adequate to support final reclamation. The Division's own staff has estimated vegetative cover on interim reclaimed sites at over 80% with good establishment of both conifer as well as deciduous tree species.

To disturb additional area to glean the additional topsoil seems counterproductive and environmentally detrimental. It further implies that true intent of the law is not being adhered to in as much that Genwal has made a sincere effort to minimize disturbance, thus decreasing the impact on the watershed, wildlife and vegetation; then to disturb additional land at the commencement of reclamation would appear totally counterproductive.

Genwal Coal Company would be receptive to conduct an on-site tour of the areas described, in order to allow division Personnel to form their own opinion based on site specific evidence.

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