



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

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August 17, 1998

TO: File

THRU: Daron Haddock, Permit Supervisor *1007H*

FROM: Paul Baker, Reclamation Biologist *PB*

RE: Haul Road Bond Release, PacifiCorp, Des Bee Dove Mine, ACT/015/017-
 BR98, Folder #2, Emery County, Utah

SUMMARY:

PacifiCorp has submitted a proposal to delete the Des Bee Dove haul road from the permit area. Numerous maps have been revised to accommodate this deletion, and much of the text has also been changed. Some of the text changes are not directly associated with the haul road; many simply update the plan to show current conditions at the site. A few are substantive, however.

This review does not consider every change made to the plan, and some problems may be found when the Division and operator begin to insert this proposal into the mining and reclamation plan.

The original submittal was received April 29, 1998, and the permittee made some revisions in a proposal received August 7, 1998.

TECHNICAL ANALYSIS:

ADMINISTRATIVE INFORMATION

RIGHT OF ENTRY

Regulatory Reference: R645-301-114

Analysis:

Right of entry information has been updated and now includes metes and bounds descriptions for the sediment pond access road area. Portions of the road right of way would

still be in the permit area near the sediment pond.

It appears the applicant has taken the necessary steps to transfer and modify rights of way, and the application contains letters to this effect from the Bureau of Land Management, the School and Institutional Trust Lands Administration, and the Forest Service. Plate 1-5 has been revised to clearly show an area where the road right of way overlaps with the permit area that will exist after bond release. The text of the plan refers to Plate 1-6 instead of 1-5. This appears to be a typographical error that should be corrected.

Findings:

Information provided in the proposal is considered adequate to meet the requirements of this section of the regulations. There appears to be a typographical error on page 1-20; the text refers to Plate 1-6, but it appears the correct reference is 1-5.

RECLAMATION PLAN

REVEGETATION

Regulatory Reference: R645-301-341

Analysis:

Revegetation test plots were established near the haul road in 1992. The existing plan contains information about methods used, and the application has an executive summary with some methods and results. While this summary report is useful, it does not give a lot of detail. Specifically, information on cover by species is very useful when comparing to the seed mixes used. This information is in some of the annual reports, but it should also be included in the mining and reclamation plan. Also, the summary indicates it is not known by the author the exact seed mixes planted. The summary should refer to the appropriate appendix containing this information.

The application includes changes to the reclamation plan. Primarily, tree and shrub seedlings are being deleted from both interim and final revegetation planting mixes, and shrubs would be established from seed. No methods for establishing trees are included in the plan, but they are not needed. The proposed changes are acceptable.

The regulations do not specifically address revegetation of road cut and fill slopes. While the postmining land uses for the road are considered the same as for adjacent areas, revegetation requirements should not necessarily be the same. For example, wildlife management agencies intentionally seed less palatable species near roads to help reduce wildlife collisions with vehicles, and it is best not to have wildlife cover next to a road.

Therefore, the traditional standards for density of woody species, cover, production, and diversity are not applicable.

The areas near the road are, for the most part, adequately vegetated or otherwise protected that there are no serious erosion problems. However, a few areas in the cuts and fills east of the sediment pond are not well vegetated and have had some erosion problems. In an attempt to control erosion, the applicant has diverted water away from the longer slopes adjacent to the road. The applicant has had an ongoing erosion monitoring program in this area. Recent results indicate rills and gullies are tending to become wider but that the depths are either stable or becoming shallower. This is a typical pattern for healing erosional features and indicates increasing stability.

Findings:

Information provided in the proposal is not considered adequate to meet the requirements of this section of the regulations. Prior to approval, the applicant must provide the following in accordance with:

R645-301-341, The summary report for the revegetation test plots needs to include cover by species results and a reference to the appropriate appendix where the seed mixes are shown.

POSTMINING LAND USE

Regulatory Reference: R645-301-412

Analysis:

Together with the bond release, the applicant is proposing a change in the postmining land use from wildlife and grazing to wildlife, grazing, recreation, and industrial.

The application includes comment letters from the involved government agencies supporting retention of the road, but it does not give justification for changing the postmining land use in accordance with the requirements of R645-301-413.300. The applicant needs to show the uses proposed are higher or better uses as defined in R645-100. While the Division is aware of coalbed methane development in the area and the application briefly mentions it, it does not indicate why the road would be needed for this purpose. It also does not discuss use of the road by recreationists.

Findings:

Information provided in the application is not considered adequate to meet the

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requirements of this section of the regulations. Prior to approval, the applicant must provide the following in accordance with:

R645-301-413.300, The application needs to justify the proposed postmining land use change. Specifically, it needs to show that the proposed uses would be higher or better uses and that the road would actually be used for industrial and recreational purposes.

RECOMMENDATIONS:

The postmining land use change and bond release should not be approved until the applicant provides greater justification for the change. The applicant also needs to provide additional information for the test plot summary or possibly include a copy of one of the annual reports in the mining and reclamation plan.