



# United States Department of the Interior

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OFFICE OF SURFACE MINING  
Reclamation and Enforcement  
P. O. Box 46667  
Denver, Colorado 80201-6667

IN REPLY REFER TO:

28 MAY 2009

John R. Baza, P.E., Director  
Department of Natural Resources  
Division of Oil, Gas, and Mining  
1594 West North Temple  
Suite 1210, PO Box 145801  
Salt Lake City, UT 84114-5801

RE: Des Bee Dove, Utah Permit No. C/015/0017, Phase I Bond Release Application

Dear Mr. Baza:

This letter acknowledges the Office of Surface Mining's (OSM) receipt and review of the above Phase I Bond Release application. OSM received the Division of Oil, Gas and Mining's (DOGM) request for concurrence dated April 29, 2009, and its May 28, 2009 Draft Decision Document (decision). OSM's Denver Field Division (DFD) agrees with the findings in the decision and hereby provides OSM concurrence for this bond release action in accordance with 30 CFR 740.15 (d) (3), and 30 CFR 944.30, Article IX, of the State-Federal Cooperative Agreement.

PacifiCorp submitted an application for Phase I Bond Release on August 28<sup>th</sup>, 2008. The areas covered by this bond release include the reclaimed Des Bee Dove sedimentation pond, and pond access road, and two remote portals (Beehive and Deseret) in Maple Gulch Canyon. The application requested bond release for approximately 13.9 acres of land; however, no reduction in the amount of bond being held is requested (the bond is to remain at \$1,169,718.00).

Public and landowner notification of the bond release application were provided to OSM by DOGM. The bond release inspection notification, DOGM's inspection findings for the bond release inspection and related correspondence are documented in the decision document. DOGM sent an invitation letter informing interested parties of the bond release inspection on November 19, 2008. Inadvertently, OSM was not notified of or invited to the inspection and therefore did not participate. Three attendees from the BLM and two representatives of the permittee accompanied six DOGM staff conducting the bond release inspection. DOGM received concurrence letters from the BLM on February 2, 2009 and from the USFS on March 5, 2009.

OSM has reviewed DOGM's draft Decision Document and bond release inspection report, as well as other pertinent documentation including the public notice, the applicant's August 28, 2008 request and application for bond release, the list of administrative and bond release requirements, and aerial photographs of the site.

The DOGM inspection report documents the approved post mining land use, topsoil placement, the reclaimed access road corridor, vegetation beginning to take hold, diversions appearing

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DIV. OF OIL, GAS &amp; MINING

functional, and sedimentation pond reclamation. The DOGM finds, in its Decision Document, that PacifiCorp has completed Phase I reclamation for these areas as required by the Utah Coal Mining Rules. OSM concurs with the findings in DOGM's Phase I bond release decision.

Thank you and your staff for coordinating this Federal lands bond release through the DFD. Please direct any questions concerning this action to Christine Belka, Environmental Protection Specialist, at [cbelka@osmre.gov](mailto:cbelka@osmre.gov) or (303) 293-5020.

Sincerely,

A handwritten signature in black ink that reads "James F. Fulton". The signature is written in a cursive style with a large initial "J".

James F. Fulton, Chief  
Denver Field Division