

**UTAH DIVISION OF OIL, GAS AND MINING  
STATE DECISION DOCUMENT**

**For  
Cottonwood Fan Portal**

**PacifiCorp  
Cottowood/Wilberg Mine  
C/015/0019  
Emery County, Utah**

**September 5, 2003**

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## **ADMINISTRATIVE OVERVIEW**

PacifiCorp  
Cottonwood Wilberg Mine  
C/015/0019  
Emery County, Utah

September 5, 2003

### **ACTION**

Phase I bond release is requested for the Cottonwood Fan Portal, located directly across Cottonwood Canyon from the Trail Mountain Mine in Emery County. The site was initially disturbed (i.e. cleared of vegetation and topsoil in 1980) under an exploration permit in anticipation of construction of a fan portal for the Cottonwood/Wilberg Mine, but poor quality coal in this area led to changes in the coal recovery and mine layout plans and construction of the fan portal was abandoned. The phase I bond release request area is 6.1 acres, and the request for reduction in the bond amount is \$45,883, i.e. the current bond would be reduced to \$3,036,704.

### **BACKGROUND**

The Cottonwood Fan Portal (CFP) site is located directly across Cottonwood Canyon from the Trail Mountain Mine in Emery County. The site was initially disturbed under an exploration permit in anticipation of construction of a fan portal for the Cottonwood/Wilberg Mine. The area was cleared of vegetation and topsoil in 1980, but poor quality coal in this area led to changes in the coal recovery and mine layout plans and construction of the fan portal was abandoned. The area disturbed was 6.1 acres.

A historically significant abandoned mine, the Johnson Mine, is located within the CFP reclamation area. The Old Johnson Mine Site is not part of the CFP disturbed area and is not covered by the CFP bond. Historic remnants included a wagon road and two sealed portals. (The Division's AML program built new cement-block walls across the portals in November 2002). The old wagon road was used in the original CFP work and was upgraded and utilized for hauling topsoil during reclamation in 1998. The road has been reclaimed up to the Old Johnson Mine Site boundary and is included in the bond release application, but a rough trail to the portals was left at the request of Utah State Historic Preservation Office (SHPO). The section of the road within the Old Johnson Mine Site is not part of the disturbed area and has not been backfilled or graded, although it was seeded along with the reclaimed areas in 1998.

The CFP site has not been returned to a contour similar to adjacent areas because of slope-stability concerns. Cast-off material below the site was seeded in 1981, and these reclaimed, side-cast soils remain on the slope above the Cottonwood Canyon Road as the final

configuration of the site. (Dr. Patrick Collins measured cover and productivity in 1994 and 1995. The methods used did not meet the 90% confidence statistical confidence required for final bond release, but the results indicated revegetation has been successful.) Backfilling, grading and seeding of the remaining CFP area was initiated in November of 1998. The reclaimed cast-off material below the site was not re-disturbed in 1998. Based on appearance, vegetation provides good cover in spite of the dryness of the past several years. Post mining land use of the site is wildlife and grazing.

One particular location in the vicinity of the Old Johnson Mine Site requires monitoring by the Permittee and Division to protect the soil from further erosion. It is a straight drop chute that carries water into the reclaimed area with great force. This is in the vicinity of the disturbed area perimeter as it comes west and then north above the Old Johnson Mine Site. This also happens to be the location of the Old Johnson Mine Site coal chute. During a site visit on January 4, 2001, the Permittee agreed to monitor this location frequently and take steps to ensure that a large gully does not form. The Permittee is expecting that as plants take root, the erosion will cease.

## **EXECUTIVE SUMMARY**

A Phase I bond-release inspection, as per R645-301-880.210, was conducted on April 2, 2002 (field visit report dated April 9, 2002). Representatives from DOGM, Energy West, the Real Estate Division of The Church of Jesus Christ of Latter-day Saints (LDS Church), and the BLM participated in the inspection. The USFS and OSM were invited to participate in the inspection but no one from either organization attended.

Drainage control was found not to be in accordance with the approved reclamation plan (R645-301-880.310 and R645-301-761). The Permittee was asked to modify the Reclamation Plan to describe reclamation of undisturbed drainage collection ditch UD-3, so that UD-3 would not remain above the site. Damage from erosion at the south end of UD-3 was to be repaired (R645-301-742.311): the filling and grading portion of this repair was done on August 5, 2002, using hand labor and a helicopter to transport materials from a staging area in Cottonwood Canyon. Amendments to the MRP submitted by the Permittee on August 28, 2002 and January 23, 2003 have addressed the concerns from the bond release inspection.

Notice of the application for Phase I bond release was published in the Emery County Progress on April 15, 22, and 29 and May 4, 2003. The Division received no public comments about the bond release. At the time of the bond release inspection, the landowner gave verbal concurrence. The Division is awaiting BLM concurrence.

## CHRONOLOGY FOR PHASE I BOND RELEASE

PacifiCorp  
Cottonwood Wilberg Mine  
C/015/0019  
Emery County, Utah

September 5, 2003

June 30, 2000	Division receives application for Phase I bond release.
September 26, 2000	Division's first technical analysis.
December 8, 2000	PacifiCorp responds to first technical analysis.
March 13, 2001	Division's second technical analysis.
August 3, 2001	PacifiCorp responds to second technical analysis.
October 12, 2001	Division's third technical analysis.
January 9, 2002	PacifiCorp responds to third technical analysis.
January 23, 2002	Division's fourth technical analysis: Phase 1 bond release approved pending bond release inspection.
March 20, 2002	Division sends letters of invitation for the Phase I bond release inspection to Energy West (PacifiCorp), BLM, OSM, USFS, and Corporation of the Presiding Bishopric of the LDS Church.
April 2, 2002	Phase I Bond Release Inspection. In attendance: - Chuck Semborski Energy West - Dennis Oakley Energy West - Pamela Grubaugh-Littig DOGM - Wayne Western DOGM - James Smith DOGM - Priscilla Burton DOGM - Stan Perks BLM - Jeff McKenzie BLM - Hal Gardner Real Estate Division, LDS Church

May 30, 2002	Division's fourth technical analysis revised based on Bond Release Inspection.
August 28, 2002	PacifiCorp responds to fourth technical analysis.
October 21, 2002	Division's fifth technical analysis.
January 20, 2003	PacifiCorp responds to fifth technical analysis.
April 1, 2003	Division's sixth technical analysis – no deficiencies identified.
April 7, 2003	PacifiCorp sends letters to interested parties.
April 15, 22, and 29 and May 4, 2003	Phase I bond release application advertised in the <u>Emery County Progress</u> .
June 5, 2003	End of public comment period with no comments received.

## PHASE I BOND RELEASE FINDINGS

PacifiCorp  
Cottonwood Wilberg Mine  
C/015/0019  
Emery County, Utah

September 5, 2003

### ADMINISTRATIVE ANALYSIS

The application for Phase I bond release for the Cottonwood Fan Portal area of the Cottonwood Wilberg Mine was made on June 30, 2000. Invitations to the bond release inspection on April 2, 2002 were sent by the Division on March 20, 2002 to Energy West (PacifiCorp), BLM, OSM, USFS, and Corporation of the Presiding Bishopric of the LDS Church.

In attendance at the September 6, 2001 bond release inspection were:

DOGM	Wayne Western, James Smith, Pamela Grubaugh-Littig, and Priscilla Burton
Energy West	Dennis Oakley and Chuck Semborski
BLM	Stan Perks and Jeff McKenzie
Real Estate Division, LDS Church	Hal Gardner

A copy of the inspection report, dated April 9, 2002, is in Appendix A. At the time of the inspection, Hal Gardner gave verbal approval to this bond release action. The inspection found two problems that needed to be corrected before proceeding with Phase I bond release. Drainage control was found not to be in accordance with the approved reclamation plan (R645-301-880.310 and R645-301-761). The Permittee was asked to modify the Reclamation Plan to describe reclamation of undisturbed drainage collection ditch UD-3, so that UD-3 would not remain above the site. Damage from erosion at the south end of UD-3 was to be repaired (R645-301-742.311): the filling and grading portion of this repair was done on August 5, 2002, using hand labor and a helicopter to transport materials from a staging area in Cottonwood Canyon, but vegetation has not yet become established. Amendments to the MRP, received on August 28, 2002 and January 23, 2003, have addressed the concerns from the bond release inspection.

Notification of Phase I bond release was published in the Emery County Progress on April 15, 22, and 29 and May 4, 2003. The comment period ended June 5, 2003, and no comments were received.

PacifiCorp sent letters to the following entities notifying them of the bond release proposal:

Natural Resources Section, LDS Church  
Utah Division of Wildlife Resources  
Emery County Planning Commission  
Emery County Commissioners

## **ADMINISTRATIVE FINDINGS**

PacifiCorp has met the minimum requirements for Phase I bond release for the Cottonwood Fan portals of the Cottonwood Wilberg Mine. The Phase I bond release findings for the Cottonwood Fan Portal are in the attached Technical Analysis dated August 22, 2003. The Phase I bond release was advertised for four consecutive weeks in the Emery County Progress. Proper notification was sent to land owners, local governmental bodies, and planning agencies concerning the bond release. Appropriate agencies were notified of the bond release inspection. No comments were received during the public comment period.

A bond release inspection was conducted on April 2, 2003. Problems were identified and have been corrected.

## **PHASE I BOND RELEASE RECOMMENDATION**

Phase I bond release for the Cottonwood Fan Portal should be granted for 6.1 acres with a reduction in bond amount by \$45,882. The current bond amount is \$3,082,582. This reduction would reduce it to \$3,036,704.