



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 11, 2020

Howard Strand, Field Office Director
Office of Surface Mining
1999 Broadway, Suite 3320
Denver, Colorado 80202-3050

Subject: Phase II & III Bond Release, PacifiCorp, Cottonwood/Wilberg Mine, Leach Field Area, C/015/0019, Task #6083

Dear Mr. Strand:

Enclosed is the Division's Decision Document for the Phase II & III bond release of the 3.70 acres for the Leach Field Area at the Cottonwood/Wilberg Mine. PacifiCorp is not requesting a bond reduction at this time. The Division finds PacifiCorp has met the regulatory requirements for Phase II and III bond release and recommends approval. We request the Office of Surface Mining's concurrence with this determination. A copy of the Phase II and III bond release inspection report is included in this package along with the documentation of events. Please provide your determination at your earliest convenience.

If you have any questions or need further information, please feel free to call me at (801) 538-5350.

Sincerely,

Steve Christensen
Coal Program Manager

Enclosure

cc: Alexis Long, OSM
Dennis Oakley, Interwest Mining

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Phase II & III Bond Release
PacifiCorp
Cottonwood/Wilberg Mine
Leach Field Area
C/015/0019
Emery County, Utah

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DECISION DOCUMENT

Phase II & III Bond Release
PacifiCorp
Cottonwood/Wilberg Mine
Leach Field Area
C/015/0019
Emery County, Utah

ACTION

Phase II and III bond release is requested for 3.70 acres for the Leach Field Area at the Cottonwood/Wilberg Mine. PacifiCorp is not requesting a bond reduction at this time.

BACKGROUND

PacifiCorp has submitted an application for the Phase II and Phase III bond release of the Cottonwood/Wilberg Leach Field Area. The said area covered by the bond is approximately 3.7 acres and is located in the NW1/4 of the NE1/4 of Section 34, Township 17 South, Range 7 East, SLB&M. In 1992, The Trail Mountain Mine was purchased by PacifiCorp. Because of the limited space at the Trail Mountain mine facilities, plans were developed to pump sewage from the mine site, across the enclosed and elevated belt line crossing to the other side of the canyon, through the Cottonwood Mine following the route of the underground beltline, and connecting into the existing sewage pipeline at the tipple in Grimes Wash. From the tipple area, the sewage line was buried on the west side adjacent to the mine access road and continues down SR 57 to the leach field area.

The facility was backfilled and seeded for reclamation in early to mid-1990s. Vegetation has remained undisturbed since this time and has become capable of plant regeneration and succession. Phase I Bond Release for the Cottonwood/Wilberg Mine and all its satellite facilities, including the leach field, was approved on May 7, 2019.

CHRONOLOGY FOR PHASE II & III BOND RELEASE

March 6, 2020	PacifiCorp submits the Phase II and III bond release application for the Cottonwood/Wilberg Leach Field area.
March 11, 2020	The Division finds the bond release application administratively complete and approves the newspaper notice for publication.
March 11, 2020	PacifiCorp sends letters to local governments, planning agencies, surface owners, and subsurface owners, notifying them of the proposed bond release: Ryan Nehl, USFS Emery County Board of Commissioners Ray Peterson, Emery County Public Lands Mark Stilson, Utah Division of Water Rights

Chris Wood, Utah Division of Wildlife Resources
Chris Conrad, Bureau of Land Management

March 12, 2020 The Division sends letters of invitation for the bond release inspection to be held March 25, 2020 and sends letter to:
Dr. Merritt, Utah Division of State History
Emery Board of Commissioners
Chris Conrad, Stan Perks, Bureau of Land Management
Tom Faddies, Trust Lands Administration
Emery County Planning and Zoning
Emery Water Conservancy District
Cottonwood Creek Consolidated Irrigation Company
Ryan Nehl, Jeff Salow, US Forest Service
Emery County Road Department
Ray Peterson, Emery County Public Lands Council
Mark Stilson, Utah Division of Water Rights
Howard Strand, Alexis Long, Office of Surface Mining
Chris Wood, Utah Division of Wildlife Resources
Huntington-Cleveland Irrigation Company

March 18, 25 & April 1, 8, 2020 Phase II and III Bond Release Published in the ETV 10 News.

March 25, 2020 Phase II and III bond release inspection. In attendance:
Steve Demczak, Utah Division of Oil, Gas and Mining
Mike Glasson, Bureau of Land Management
Dennis Oakley, PacifiCorp

March 26, 2020 The Utah Division of Oil, Gas & Mining receives concurrence from the Bureau of Land Management

May 8, 2020 Public comment period closes: The Division receives no comments.

SUMMARY OF FINDINGS

The Phase II and III bond release was advertised for four consecutive weeks. No comments were received during the public comment period. A bond release inspection was conducted on March 25, 2020. No problems were identified. The technical analysis for Phase II and III bond release for the 3.70 acres of the Cottonwood/Wilberg mine Leach Field area is attached.

PHASE II & III BOND RELEASE RECOMMENDATION

The recommendation is that the Division approves Phase II and III bond release for the 3.70 acre leach field area.

Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0150019
TaskID: 6083
Mine Name: COTTONWOOD/ WILBERG
Title: PHASE II & III BOND RELEASE LEACHFIELD AREA

Reclamation Plan

Hydrological Information Reclamation Plan

Analysis:

The application meets the State of Utah R645 requirements for Hydrological Information: Reclamation.

The Cottonwood leach field application for Phase II and Phase III bond release of 3.7 acres meets the minimum hydrologic requirements for reclamation. The leach field area is adequately stabilized with vegetation, with no signs of water erosion. The site is not contributing additional suspended solids off the disturbed area or causing material damage.

khinton

Revegetation Standards for Success

Analysis:

The application meets the State of Utah R645-301-356 requirements for Revegetation Standards of Success. The final two years' worth of quantitative vegetation sampling was submitted as part of the application. In the first year (2017), total living cover, annual production, and diversity were all higher in the reclaimed area than in the reference area. Only woody species density was measured less than the reference area, however, the difference was not found to be statistically significant. In the second year (2018), all categories: total living cover, woody species density, annual production, and diversity were found to be higher in the reclaimed area than in the reference area. There is one note to be made regarding species composition: In early 2018, mine representatives reached out the Division staff regarding the number of weedy species encountered at the reclaimed site. After discussing the matter with several staff members, as well as the mine's consultant, Division biologist Joe Helfrich responded (email dated 03/02/2018) that because the weedy species did not pose a threat to the overall success of the other species present, that no further action would be needed and the Phase III bond release should still be sought following the final year of surveying (2018). Based upon the results of the 2018 survey, the Division finds that the reclaimed leach field has met the revegetation success standards for Phase III bond release.

tmiller

Stabilization of Surface Areas

Analysis:

This application for Phase II and Phase III bond release of 3.7 acres for the Cottonwood leach field meets the State of Utah R645 requirements for Bonding and Insurance: Requirement to Release Performance Bonds.

The leach field bonded area is located in the NW/4 of the NE/4 Section 34, T17S, R7E. The location and topography of

the 3.7 acre leach field site are shown on the map in Attachment 4 of the Phase III application. The leach field has a very gentle slope.

Recent vegetation analysis is provided in Attachment 8. Productivity was approximately 1,400 lbs/ac. Total living cover was 65%. Both productivity and living cover were significantly greater than the reference area (Attachment 8, p. 8 and Data Summary Tables).

The Division conducted a bond release inspection at the site on March 24, 2020.

pburton

Bonding and Insurance General

Analysis:

The application meets the State of Utah R645 requirements for General Bonding.

The application satisfies the requirements of R645-301-880 for Phase II and III Bond Release. The application contains a narrative describing the acreage, usage, and brief history of the Leach Field Area since its construction in 1978. The narrative also states that the Permittee maintains a current surety bond of \$977,232 made payable to the Utah Division of Oil, Gas, and Mining. Maps A and Phase 1-Map 2 contain a plan view of the approximately 3.71-acre plot that is the focus of this bond release. The submittal includes a copy of the bond release application which the Permittee will send to property owners, local governmental bodies, and Water Rights as per R645-301-880.120. A public notice was purchased in the Emery County Progress and will be published for four consecutive weeks.

A bond release inspection was conducted by the Division on March 24, 2020. The permittee is not requesting a bond reduction at this time, therefore the current reclamation bond amount on file with the Division will remain unchanged at \$977,232.

jeatchel

PROOF OF PUBLICATION AFFIDAVIT

I, Traci Bishop, being first duly sworn, state that I am the Associate Editor of ETV News, a weekly newspaper of general circulation published at Price, County of Carbon, State of Utah; and that the advertisement or notice, a printed copy of which is attached hereto, was printed and published in said newspaper for four issues and on www.utahlegals.com website as follows:

March 18, 2020

March 25, 2020

April 1, 2020

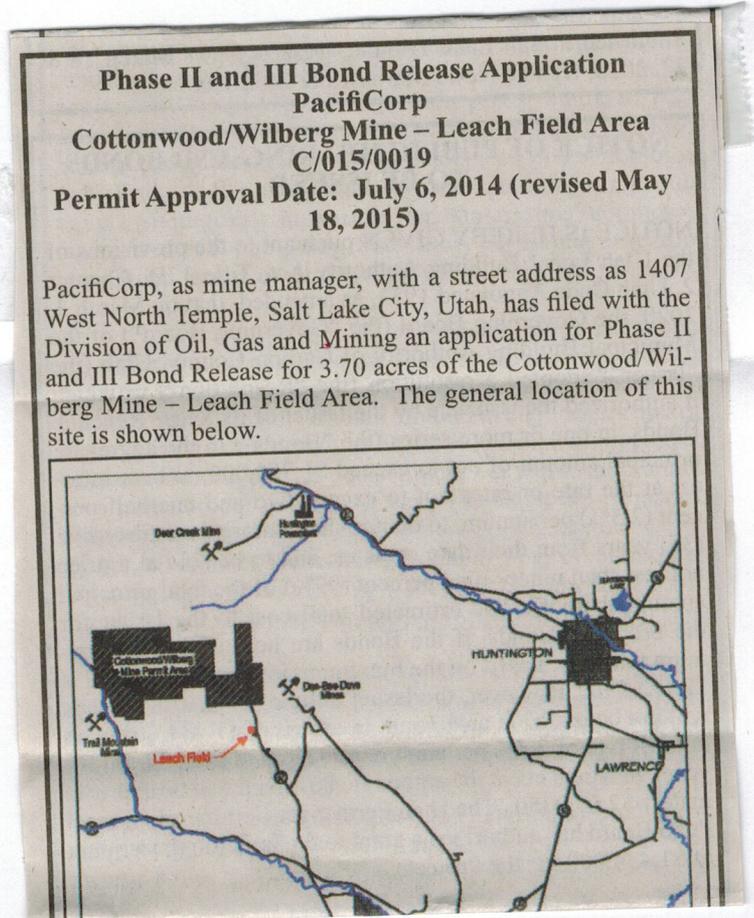
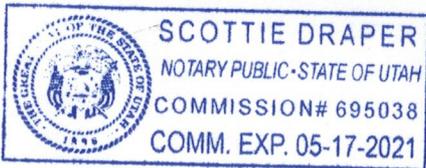
April 8, 2020

Traci Bishop

Traci Bishop, Associate Editor

Subscribed to and sworn before me this 15th day of April, 2020.

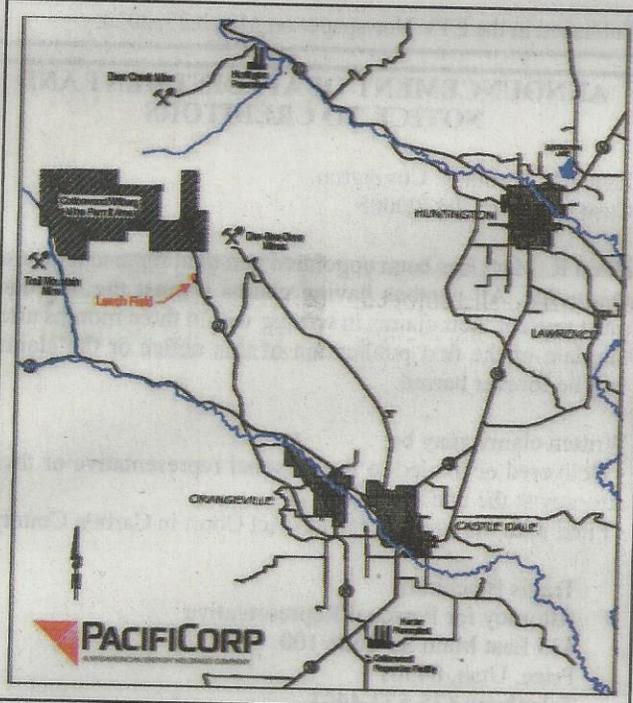
Scottie Draper
Notary Public



**Phase II and III Bond Release Application
PacifiCorp
Cottonwood/Wilberg Mine – Leach Field Area
C/015/0019**

Permit Approval Date: July 6, 2014 (revised May 18, 2015)

PacifiCorp, as mine manager, with a street address as 1407 West North Temple, Salt Lake City, Utah, has filed with the Division of Oil, Gas and Mining an application for Phase II and III Bond Release for 3.70 acres of the Cottonwood/Wilberg Mine – Leach Field Area. The general location of this site is shown below.



Final reclamation of the Cottonwood/Wilberg mine was completed in the left and right forks of Grimes Wash and the rock and soil storage area in March of 2018. Phase I Bond Release for all disturbed areas was approved by the Division of Oil Gas and Mining on May 7, 2019.

The Cottonwood/Wilberg Mine Leach Field Area is located adjacent to SR 57. The said area, located in NW1/4 of the NE1/4 of Section 34, Township 17 South, Range 7 East, SLB&M. The site was developed in 1978 to support the Wilberg Mine facilities. The Trail Mountain Mine facilities also used this leach field during its operations while owned by PacifiCorp.

Reclamation of the site was conducted in early to mid-1990's. Vegetation on this site has remained undisturbed since that time and has become capable of plant regeneration and succession. A two year vegetation survey for cover, density, production, and diversity was performed by a third party contractor during the fall of 2017 and 2018. The results of these surveys shows that vegetation standards have exceeded the approved success standards during the two growing seasons of the survey. The period of extended responsibility requirement has also been achieved.

PacifiCorp currently maintains a \$977,232.00 surety bond payable to the Division of Oil, Gas, and Mining and the Office of Surface Mining Reclamation and Enforcement (OSM). No reduction of this bond is being requested for the release of the site.

A copy of the Phase II and III Bond Release application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Division of Oil, Gas, and Mining address above. Said comments must be submitted thirty (30) days from the date of the last publication of this notice.

This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County ETV News Progress for four consecutive weeks beginning March 18, 2020.



State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Inspection Report

Permit Number:	C0150019
Inspection Type:	BOND RELEASE
Inspection Date:	Tuesday, March 24, 2020
Start Date/Time:	3/24/2020 10:00:00 AM
End Date/Time:	3/24/2020 2:00:00 PM
Last Inspection:	Monday, February 24, 2020

Representatives Present During the Inspection:	
Company	Dennis Oakley
OGM	Steve Demczak

Inspector: Steve Demczak

Weather: Cloudy, 30's, Semi Dry Conditions

InspectionID Report Number: 6658

Accepted by: SCHRISTE

3/31/2020

Permitee: **PACIFICORP**
 Operator: **INTERWEST MINING CO**
 Site: **COTTONWOOD/ WILBERG**
 Address: **PO BOX 310, HUNTINGTON UT 84528**
 County: **EMERY**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

Current Acreages

4,092.00	Total Permitted
29.37	Total Disturbed
21.30	Phase I
21.30	Phase II
21.30	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The permittee is requesting Phase II & III bond release for 3.7 acres. This area was used as a leach field. The location is the NW1/4 of the NE1/4 of the NE1/4 of Section 34, Township 17 South, Range 7 East SLB&M. In general terms the leach field is below the Cottonwood/Wilberg Mine on the Westside of the highway 57.

This site was developed in 1978 to support the Wilberg Mine facility and was used for the Trail Mountain Mine until the mid-1990's. The leach field was seeded in the early to late 1990's. This area received Phase I Bond release on May 7, 2019.

Mike Glasson from the BLM was accompanied by Dennis Oakley on March 25, 2020 to conduct an inspection of the leach field area for bond release. It is anticipated that a letter from BLM to the Division will give consent for bond release. BLM is the landowner of this area.

Stephen J. Demczak

Inspector's Signature:

Steve Demczak,
Inspector ID Number: 39

Date Thursday, March 26, 2020



REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS check	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The permittee has submitted application for Phase II & III Bond release for the Cottonwood leach field on March 6, 2020. This leach field has an area of 3.7 acres. Upon Phase III Bond release from Division (DOGM) and Office of surface Mining (OSM) the Permit area will reduce by 3.7 acres.

2. Signs and Markers

An identification sign is within the leach field and near highway 57. It gives permittee information as required in the R645 Coal Rules. See Photo No. 2

3. Topsoil

The topsoil in the leach field is growing grasses, forbs, and shrubs. Substitute topsoil was used in reclamation. See Photos

4.a Hydrologic Balance: Diversions

There are no diversions in the leach field area.

4.c Hydrologic Balance: Other Sediment Control Measures

Vegetation is the sediment control measure for this area/ leach field. There are no signs of water erosion such as rills. The site appears to be stable. See photo

8. Noncoal Waste

The site was clean of non-coal waste materials such as trash, oil cans, wood and scrap materials.

10. Slides and Other Damage

No slides or other damage was notice during the inspection. The terrain is basically level dipping slightly to the east.

12. Backfilling And Grading

The leach field was reclaimed to "Approximate Original Contour".

13. Revegetation

The permittee did vegetation surveys in 2017 and 2018. In the pictures taken you can see grasses, forbs, and shrubs. The mid-1990's the leach field was reclaimed.

21. Bonding and Insurance

Upon Phase III Bond release by DOGM and OSM, the permittee can request and receive any extra bond money from this area.

ATTACHMENT A – Photos Cottonwood Leach Field site visit



PHOTO 1
ID Sign and vegetation



PHOTO 2
Wide Angle of Leach Field



PHOTO 3
Grasses



PHOTO 4
Back of Leach Field

ATTACHMENT A – Cottonwood Leach field



PHOTO 5
Vegetation



PHOTO 6
Vegetation



PHOTO 7
Grasses, Vegetation



PHOTO 8
Back of Leach field



Comparison P





United States Department of the Interior
BUREAU OF LAND MANAGEMENT



Green River District
Price Field Office
125 South 600 West
Price, UT 84501
www.blm.gov

MAR 26 2020

In Reply Refer To:
3425 (LLUTG02000)
UDOGM C0150019 Carbon

7019 0160 0000 8115 7394 - RETURN RECEIPT REQUESTED

State of Utah
Department of natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

Attn: Steve Christensen, Coal Program Manager

Re: Phase III Bond Release, Cottonwood/Wilberg Leach Field

Dear Mr. Christensen:

On March 25, 2020, the Bureau of Land Management, Price Field Office (BLM, PFO) conducted a field inspection of the PacifiCorp Cottonwood/Wilberg Mine (C015/0019) Leach Field in order to determine whether or not the Division's proposed Decision to release PacifiCorp from its reclamation bond could be confirmed. PacifiCorp has requested a Phase III reclamation bond release, since it has been demonstrated and supported by Mt. Nebo Scientific that the revegetation has been fully successful. The BLM is in agreement with Mt. Nebo.

By way of this letter, the BLM confirms the Division's plans to release the bond entirely, and in fact wishes to compliment PacifiCorp on its excellent success in reclamation of the Leach Field site.

If you have any questions, please contact Michael Glasson of this office at (435) 636-3651.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Conrad".

Chris Conrad
Field Manager

cc: Opolonia Abeyta, UTSO