

**CO-OP MINING COMPANY**

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Coal Program  
Utah Division of Oil, Gas & Mining  
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August 9, 2006

*Incoming*  
*8/15/2006*

*NEW TASK # 2597*

To Whom It May Concern,

**Re: Application to Change existing Mining Plan, Lease Addition (Task ID # 2526), Bear Canyon Mine, ACT/015/025**

Enclosed is 1 hard copy and 4 digital copies of our response to the Technical Analysis for Task ID # 2292

If you have any questions, please call me at (435) 687-5238.

Thank You,

Mark Reynolds

Enclosure(s)

Refer to Expandable 08092006  
file in CO150025, 2006. INCOMING  
for additional information

**CONFIDENTIAL**

**RECEIVED**  
AUG 10 2006

**DIV. OF OIL, GAS & MINING**

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change  New Permit  Renewal  Exploration  Bond Release  Transfer

**Permittee:** CO-OP MINING COMPANY

**Mine:** BEAR CANYON MINE

**Permit Number:** ACT/015/025

**Title:** Lease Addition

**Description,** Include reason for application and timing required to implement:

To add federal leases U-46484, U-61048 & U-61049 to the permit area.

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes  No 1. Change in the size of the Permit Area? Acres: 7,504.36 Disturbed Area: 0.0  increase  decrease.
- Yes  No 2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
- Yes  No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes  No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes  No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes  No 6. Does the application require or include public notice publication?
- Yes  No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes  No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes  No 9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
- Yes  No 10. Is the application submitted as a result of other laws or regulations or policies?  
*Explain:* \_\_\_\_\_
- Yes  No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes  No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes  No 13. Does the application require or include collection and reporting of any baseline information?
- Yes  No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes  No 15. Does the application require or include soil removal, storage or placement?
- Yes  No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes  No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes  No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes  No 19. Does the application require or include certified designs, maps or calculation?
- Yes  No 20. Does the application require or include subsidence control or monitoring?
- Yes  No 21. Have reclamation costs for bonding been provided?
- Yes  No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes  No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

**Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you.** (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Charles Reynolds  
Print Name

Charles Reynolds, President, 8/9/06  
Sign Name, Position, Date

Subscribed and sworn to before me this 9 day of September, 2006

Mark Reynolds  
Notary Public

My commission Expires: July 4, 2010  
Attest: State of Utah } } ss:  
County of Emery



<b>For Office Use Only:</b>   	<b>Assigned Tracking Number:</b>  	<b>Received by Oil, Gas &amp; Mining</b>  <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">RECEIVED</div> <div style="font-size: 18px; font-weight: bold; margin: 5px 0;">AUG 10 2006</div> <div style="font-weight: bold; margin-top: 10px;">DIV. OF OIL, GAS &amp; MINING</div>
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## **Response to Technical Analysis For Task No. 2526**

**R645-300-133.100, 301-121.200, 522,** Table 5-4 on page 5-15 was updated to match the tonnages in the current R2P2.

**R645-301-320,** The text on pages 3-2 and 3-3 is information in the old format that some-how was left in. All of this information can still be found in the chapter in various locations. A majority of it is found on page 3-1. On page 3-3 it the formatting was changed to remove an confusion as to what text was being added and what text was being removed.

On Plate 3-1 the vegetation references areas and the permit boundary where added. The legend was also made bigger as well as the hatches on the map. No riparian areas were added.

**R645-301-322,** The permit boundary was added to all maps showing wildlife habitat.

Plates were added identifying Black Bear and Bobcat Habitat.

Text was added to page 3-32 addressing Bobcats, Black Bears, and Mountain Lions. Changes were made to Page 3-vi and plate 3-4 and 3-5 were added.

There are no true riparian areas located in the permit boundary.

**R645-301-322, -301-333, -301-342, -301-358,** On page 3-38 the text was changed to say a mitigation plan would be developed with input from the owner and the Division.

Added discussion about the existence of T&E species in the permit area. This is found on page 3-28, 29, and 30.

Appendix 3L and Plate 5-3A have been updated with the new information.

A discussion was added on page 3-32

The amount of water consumed from mining activities is already included in Chapter 7 Section R645-301-731.100 (pg 7-46)

**R645-301-330, -301-331, -301-332,** Discussed impacts to vegetation, vegetation impacts will be monitored by monitoring streams. This is already discussed on pages 3-38 and 3-32

**R645-301-411,** An cultural resource survey was added as Appendix 4-H

**R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.** An cultural resource survey was added as Appendix 4-H

**R645-301-512.110,** All plates are stamped by a Utah registered professional engineer.

**R645-301-512.130,** All plates are stamped by a Utah registered professional engineer.

**R645-301-512.140**, All plates are stamped by a Utah registered professional engineer.

**R645-301-512.250**, The as-built's were submitted with the snow storage amendment.

**R645-301-521.142**, Plate 5-1B was updated.

**R645-301-522**,

- 1) Table 5-1 will be updated.
- 2) BLM should be submitting a letter confirming the R2P2 is adequate
- 3) The agreement between C.O.P. and C. W. is included with the R2P2.

**R645-301-525.110, 525.120, 525.130, R645-301-525.200 et al., R645-301-525.300, R645-301-525.400 et al, R645-301-525.500, et al.**

Appendix 5-C and page 5-17, 5-18, and 5-19 was changed to address this.

**R645-301-525.450, 525.452, 525.453**

The subsidence map was updated based on the Malecki report.

A discussion of protection for areas where coal burn exists was included on page 5-18

**R645-301-525.700**

This was in the last submittal

Development dates for the long-wall panels were added to Plate 5-1C. A note was added to Plates 5-1A and 5-1C that room and pillar dates show from the start of development to the end of retreat for the panel.

**R645-301-526**

This was in the last submittal.

Pictures of the new structures have been added to Appendix 5A.

**R645-301-724.310, 728**, The entire permit areas is already evaluated in Appendix 7-J. A discussion addressing the concerns about Fish Creek was added on page 7-44. A commitment to monitor Fish Creek as it is being undermined was added on page 7-60.

**R645-301-724.100 and -724.200**, Need to review and have Monique finish the water rights map.

**R645-301-724.100** Add commitment to start monitoring 3 years prior, page 7-49 and 7-51

**R645-301-724.200** Add commitment to start monitoring 3 years prior, page 7-57 and 7-58

**R645-301-722, -731**, Mark update monitoring points,

The different coals seams are different colors on 7-4.

Water rights symbol will be removed.

Plate 7N-2 was changed to match the report in Appendix 7N and will only be used in conjunction with that report.

**R645-301-724.100, 724.200**, Monique will add water rights

**R645-301-724.310, -728** The entire permit areas is already evaluated in Appendix 7-J. A discussion addressing the concerns about Fish Creek was added on page 7-44. A commitment to monitor Fish Creek as it is being undermined was added on page 7-60.

**R645-301-731.210**, Need to update Plate 7-4 first why are some water rights being monitored.

A commitment to begin monitoring three years prior was added on pages 7-49, 7-51, 7-57, and 7-58.

All state appropriated water rights in the permit area will be monitored as shown on Plate 7-4.

**R645-301-731.210**,

Updated Page 7M-13 to start monitoring three years prior.

Updated table 7-14 and plate 7-4 to show all sites that will be monitored.

MW-116 was removed from the text.

SBC-12 and SBC-18 were fixed on plate 7-4 and are no longer shown as historical sites, but as active sites.

The location of 16-7-13-1 was clarified.

**R645-301-731.220**

Monitoring points were established at the head of fish creek in the subsidence zone. This are shown on Plate 7-4 and table 7-14.

On page 7-60 a commitment was added to monitor the flow and vertical displacement of Fish Creek as it is being undermined if accessible.

List of surface sites on page 7-57 was updated.

The list of streams to be monitored was updated.

**R645-301-731.50**, On page 7-48 a statement was added saying if any water rights are impacted C. W. Mining will meet with the water right holder and the division and develop a replacement plan.

**R645-301-729**, This has been addressed.

## **Response to Forest Service comments**

**Dale Harber**

### **General comments**

1. All maps are now at the same scale and the same size.
2. This is addressed in Appendix 5C.
3. NEPA documents should include the entire area

### **Specific comments**

#### Page 3-3 , Vegetation

The text on pages 3-2 and 3-3 is information in the old format that some-how was left in. All of this information can still be found in the chapter in various locations. A majority of it is found on page 3-1. On page 3-3 it the formatting was changed to remove an confusion as to what text was being added and what text was being removed.

#### Page 3-28, Lease 61048 & 61049 Addition

This is already included in Appendix 3I

#### Page 3-28, T&E Species list

The species were put into list format and were specified as either threatened or endangered. Figure 3-1 was updated. An explanation as to why the Appendix 3M study was done has been included.

#### Page 3-32, Habitats of high value

A Discussion on habitats at high value was added to this page

#### Page 3-38, Protection of Vegetative Resources

This page now says areas will be reseeded with a FS approved seed mix.

#### Page 3-43, Amphibians

Page 3-27 references the amphibians.

#### Page 3-68, Reptiles

Page 3-27 references the reptiles.

#### Page 3-68, Raptor Prey Base

Explanation to why the prey base study was done is now included

#### Page 3-70, Raptor Surveys

The commitment to due raptor surveys every 5 years or when required due to permit expansion or mining in an area of concern is adequate.

#### Page 3-70, last paragraph

this paragraph was changed to say cracks would be mitigated by a method acceptable to the Surface owner/ Management Agency.

Page 5-16, Subsidence Control Plan

This is shown on Plate 5-1 and 5-3

Page 7-44, PHC

This is explained in Appendix 5Q. A 100 ft barrier was used as the worst case scenario and based on computer model it was adequate and no tension fractures were expected. In actuality the barriers will be bigger due to safety issues.

## **Karl Boyer**

### **General Comments**

1. All geology maps were changed to more clearly convey the information.
2. Maps symbols are not consistent on all maps.
3. All maps are now on the same scale
4. The Forest Service property boundary is shown on Plates 1-1, 1-2, 5-1, 7-4, and 7-12.
5. All maps are on the Township Range coordinate system.
6. A copy of this response will be sent directly to the Forest Service reviewers.
7. The entire area will be mined, the FS can do an EA on any part of it they want.
8. All geology maps were changed to more clearly convey the information.
9. All geology maps were changed to more clearly convey the information.
10. The Forest Service property boundary is shown on Plate 1-1
11. T16 S, R8 E, S1/2SE1/4, Section 21 now shows the Forest Service as the surface owner.
12. Plate 5-1A, Blind Canyon Seam
  - a.) The potential subsidence zone was removed subsidence contours based on the seams were added and all three subsidence zones are now shown on Plate 5-3.
  - b) The thin black line was removed
  - c) The words "LOW COAL AREA" means the coal is the low to mine.
  - d) Subsidence contours based on the Malecki report were added.
  - e) The subsidence zone boundary was removed
13. Plate 5-1B Hiawatha Seam
  - a) This map is on the same scale as all the other maps now
  - b) All future mine workings are shown.
  - c) The map name has the seam name in it.
14. Plate 5-1C Tank Seam, subsidence contours were added based on the Malecki report.
15. Plate 5-3, Subsidence Map:
  - a) The subsidence shown is for all seams.
  - b) The map was updated to better reflect the expected impacts of subsidence.
  - c) The map was updated to better reflect the expected impacts of subsidence.
16. Plate 6-6, Overburden Map Bear Canyon Seam
  - a) This map was removed from the MRP.
  - b) This map was removed from the MRP.
17. Plate 6-9, Interburden Isopach Map:
  - a) This map was removed from the MRP.

- b) This map was removed from the MRP.
- c) This map was removed from the MRP.
- 18. Plate 7-4, Water Monitoring
  - a) The mine workings for each seam is shown in a different color.
  - b) The mine workings for each seam is shown in a different color.

**Betsy Hamann**

**Comments**

Page 3-23 Aquatic Wildlife Habitat

All perennial streams were added to the list

Page 3-25 and 3-30 Birds

The Peregrine Falcon was changed from being endangered to sensitive

Page 3-27 Amphibians

A reference to 3I was made

Page 3-28 Reptiles

A reference to 3I was made. This text was moved to 3-27.

Page 3-39 Mitigation measures

Fish Creek is the only perennial stream being undermined. Based on computer modeling found in Appendix 5Q the depth of overburden is great enough that the stream will not be impacted. Because of this BLM is requiring the stream to be undermined to meet the maximum economic recovery required for the R2P2 plan. Also there is was no Canyon sweetvetch or Link's columbine found in the area to be undermined. The largest populations have been found just below the head of Bear Creek on private property. This area will not be undermined.

Page 3-43 Birds

The sentence about peregrine falcons was removed and a sentence about golden eagles nesting on escarpments was added.

Page 3-44 Aquatic wildlife

All perennial streams were added. No impacts are expected to streams downslope of the mine site so there is no need to discuss them.

Page 3-44 Mitigation measures to protect fish and wildlife.

Fish Creek is the only perennial stream being undermined. Based on computer modeling found in Appendix 5Q the depth of overburden is great enough that the stream will not be impacted. Because of this BLM is requiring the stream to be undermined to meet the maximum economic recovery required for the R2P2 plan. This is no on page 3-43.

Page 3-64 last paragraph

The statement saying "no impact to perennial waters of the permit area....no special mitigation plan is presented." is correct. We have however added a statement to page 7-60 to monitor Fish Creek as it is being undermined. A commitment was also made to meet with all interested parties and develop a site specific mitigation plan in the unlikely event that a stream is

impacted.

Page 3-69 Fish and Wildlife monitoring

All perennial streams have been added. And the first paragraph was added.  
No discussion specifically about golden eagle nest monitoring is needed since they are monitored during the raptor survey which is already discussed.

## **Response to Technical Memo dated July 12, 2006 from Peter Hess**

### **R645-301-528**

Photo 8 and photo 11 were removed from Appendix 5-A and the structures were marked as reclaimed.

### **R645-301-525.110**

1. A confirmation from the BLM as to the adequacy of the R2P2 plan should be obtained from the BLM
2. A copy of the lease agreement between CO-OP Mining Company and C.O.P the federal lease holder and the owner of the private coal is included in the R2P2. A copy of the agreement was shown to Peter Hess of the Division of Oil Gas and Mining. CO-OP doesn't feel that this agreement needs to be added to the MRP. A letter from the president of C.O.P granting CO-OP the right to mine all private coal and federal leases held by C.O.P is already included in the MRP.

### **R645-301-525.100**

525.100, Plate 7-12 shows the location of all state appropriated water rights

525.120, A narrative relative to the potential subsidence of renewable resources lands is included in appendix 5C and pages 5-17, 5-18, and 5-19.

525.130, A statement was added to 5C stating the no dwellings exist within the affected area.

525.200, All items requiring protection are listed.

### **R645-301-525.300, Subsidence Control**

Subsidence control is addressed in appendix 5C

### **R645-301-525.400, Subsidence Control Plan Contents**

A commitment was added to develop a plan with interested parties for any subsidence related damages.

### **R645-301-252.500, Repair of Damage**

A commitment was added to develop a plan with interested parties for any subsidence related damages.

### **R645-301-525.450, 525.452, 525.453,**

A discussion was added about coal burn areas.

### **R645-301-525.700, Public Notice of Proposed Mining**

Plates 5-1 now correlate with Plates 1-1, 1-2, and 1-3. Development dates were added to Plates 5-1.

### **R645-301-512.250, Primary Roads**

As built maps for the #4 Mine access road and portal pad were submitted with the snow storage amendment. All designs requiring certification pertaining to the as built will be included with that amendment.

**R645-301-526, Facilities**

Photo 8 and photo 11 were removed from Appendix 5-A and the structures were marked as reclaimed.

**R645-301-525.700, Public Notice**

Development dates for the main entries are shown on Plates 5-1.

**R645-301-512.130**

Appendix 5K is being changed with the snow storage amendment and deficiencies pertaining to it should be addressed in that amendment.