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

September 23rd, 2019

Jaren Jorgensen
Castle Valley Mining, LLC
P.O. Box 475
Huntington, Utah 84528

Subject: Conditional Approval of #2 Belt Conveyor Disturbed Area Expansion, Castle Valley Mining, LLC, Bear Canyon Mine, C/015/0025, Task #5982

Dear Mr. Jorgensen:

The above-referenced amendment is approved with the following conditions:

1) Per R645-301-512.120, please provide P.E. certified maps.
2) Receipt of 2 clean copies prepared for incorporation.

Please submit these copies by October 18, 2019. Once we receive these copies, final approval will be granted. A stamped incorporated copy of the approved plans will also be returned to you at that time, for insertion into your copy of the Mining and Reclamation Plan.

If you have any questions, please call me at (801) 538-5350.

Sincerely,

Steve Christensen
Coal Program Manager

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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0150025
TaskID: 5982
Mine Name: BEAR CANYON MINE
Title: #2 BELT CONVEYOR DISTURBED AREA EXPANSION

Environmental Resource Information

Historic and Archeological Resource Information

Analysis:

The amendment meets the State of Utah R645-301-411 requirements for Historic and Archeological Resource Information.

This area has been surveyed multiple times in the past for cultural resources. Surveys in the area have revealed that site 42Em1572 is the only NRHP-eligible site in the vicinity of the proposal. During original permitting for the conveyor belt, proximity of the belt to site 42Em1572 was considered, however no effect was anticipated due to the conveyor being constructed on the other side of a ridge and over 200 ft. away from the site. In a letter to SHPO dated December 3, 1999 (Outgoing 0008), DOGM requests concurrence that no historic properties would be affected by the construction of the belt. In a reply dated December 20, 1999 (Incoming 0024), SHPO concurs with this finding based on the avoidance of the site. The current proposal expands the disturbed area boundary directly underneath the conveyor belt by 0.06 acres and does not encroach upon the site boundaries or the buffer zone protecting the site.

tmiller

Operation Plan

Mining Operations and Facilities

Analysis:

The amendment meets the State of Utah R645 requirements for Mining Operations and Facilities.

The application satisfies the requirements for R645-301-521 because maps and a narrative describe proposed amendments to the disturbed area surrounding a brief section of beltline currently in operation. Plates 2-3F and 5-2F illustrate a frequently used section of beltline and roads within the permit area. A section of beltline approximately 200' long just west of the topsoil stockpile periodically spills coal when overloaded. This amendment proposes to widen the disturbed area beneath this length of conveyor to accommodate surface modifications intended to address the capture and cleanup of the spillage when it occurs. Table 1-4 on page 1-14 clarifies that the amount of disturbance that will be added as a result of the proposed modifications amounts to 0.06 acres. Once approved, submitted clean copies must be certified as per R645-301-512.120.

jeatchel

Fish and Wildlife Endangered and Threatened

Analysis:

The amendment meets the State of Utah R645-301-358 requirements for Fish and Wildlife Endangered and Threatened species.

The proposed project expands the disturbance boundary underneath a conveyor belt by a total of 0.06 acres in order to facilitate the containing and cleaning up of any incidental coal fine spills. No permanent facilities, water depletion, or other disturbance is associated with this project. On 9/19/2019 DOGM staff consulted the U.S. Fish & Wildlife Service's IPaC website to obtain a list of threatened or endangered species which may be present in the project area. The search returned a list of 7 threatened or endangered species: California condor, Mexican spotted owl, southwestern willow flycatcher, bonytail, Colorado pikeminnow, humpback chub, and razorback sucker. The search also returned a list of 3 migratory birds of particular concern: the olive-sided flycatcher, the pinyon jay, and Virginia's warbler. Due to the size, location, and scope of the proposal, DOGM has determined that there will be no effect from this proposal to any of the 7 endangered or threatened species or any of the 3 migratory birds named by the FWS as potentially occupying the project area.

tmiller

Topsoil and Subsoil

Analysis:

The application meets the R645 State of Utah requirements for Soils Operation plan, because. this application adds 0.06 acres to the disturbed area under conveyor #1 in location TS13 (p. 1-14 as shown on Plate 2-3F) to ensure that coal fines do not leave the disturbed area boundray. Soils under the conveyor are Pathead Soils and Doney soils as shown on Map A in Appendix 2-F (1999 Wild Horse Ridge Soil Survey). Soils were not removed from this location due to shallow depth and steepness of slope. Chapter 2, pages 2- 41 and 2-42 describe the protection of these soils during operations.

pburton

Maps Facilities

Analysis:

The amendment meets the State of Utah R645 requirements for Facilities Maps.

The application satisfies the requirements for R645-301-521.170 because the maps included in this submittal illustrate proposed amendments to the disturbed area surrounding a brief section of beltline currently in operation. Plates 2-3F and 5-2F illustrate a frequently used section of beltline and roads within the permit area. Once approved, submitted clean copy maps must be certified as per R645-301-512.120.

jeatchel

Reclamation Plan

Topsoil and Subsoil

Analysis:

The application meets the R645 State of Utah requirements for Soils Reclamation plan, because page 2-38 of the plan describes the clean up of coal fines from the slope adjacent to the tipple at final reclamation. This slope is within the disturbed area and was affected "pre-law." The slope is within reclamation area TS-5 (shown on Plate 2-3C) and is designated as "not to be recontoured" on Plate 2-3C. Coal fine removal will improve the slope at final reclamation.

pburton

Bonding and Insurance General

Analysis:

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

R645-301-820: This application proposes to formally address the cleanup and disposal of coal and coal fines that collects beneath a short section of beltine from time to time. A section of beltline approximately 200' long just west of the

topsoil stockpile periodically spills coal when overloaded. This amendment proposes to widen the disturbed area beneath this length of conveyor to accommodate surface modifications intended to address the capture and cleanup of the spillage when it occurs. Page 2-41 states that straw bales will be placed in this area to contain the spillage which will be cleaned up once it reaches a depth of 4" or more. Straw wattles will be placed where needed on the slopes to prevent erosion. The extent of reclamation work in the proposed 0.06 acres of additional disturbance would consist of the removal of the straw bales and wattles, clean up of any residual coal fines, and revegetating the existing topsoil. Since this area is so small, the additional disturbance does not necessitate a revision to the currently approved bond calculations.

jeatchel