



Public Service Commission

State of North Dakota

DKM

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

INSPECTION REPORT

DATE OF INSPECTION: June 30, 2015

TYPE OF INSPECTION: Partial

PERMITTEE - MINE: Coyote Creek Mining Company, L.L.C. - Coyote Creek Mine

PERMITS INSPECTED: NACC-1302

PERSONS ACCOMPANYING INSPECTORS: Steve Dub, initially
Donn Steffen, remainder of the inspection

INSPECTION CONDITIONS: The inspection was conducted between 1:00 p.m. and 3:00 p.m. CDT. Skies were partly cloudy with a few rain sprinkles during the inspection. The temperature was near 75° F. Access was good.

GENERAL

This inspection was a follow-up to the fly-over and on-the-ground partial inspections made at the Coyote Creek Mine on June 25, 2015. The purpose was to review the condition around the culvert installation site following flooding the previous week and the extent of possible damage to the Coyote Creek stream bank at the outlet of a 60-inch culvert installed in April of this year. The aerial photographs and video from the June 25, 2015 flyover inspection show a substantial cut or erosion feature into the Coyote Creek stream bank opposite the low flow culvert outlet discharge. This erosion feature does not appear on photos taken prior to and immediately after the culvert installation.

This inspection confirmed that the stream bank across from the 60-inch culvert is eroded apparently due to high volume discharge flows from the culvert. The culvert is positioned in a manner that it outlets in the stream channel at nearly a right angle to the stream channel. The stream flow from the culvert outlet now flows through an excavated channel cut through a meander point, approximately 100 feet north of the 60-inch culvert, at which point it re-enters the natural stream channel. It appears that flows from the culvert hit the opposite bank of Coyote Creek thus creating the erosion feature. The erosion feature was estimated to be 15 to 20 feet wide and deep into the bank and about 10 feet deep from the natural ground surface. No stabilization or erosion protection or remnants of erosion control measures were observed on the opposite bank. See attached Figures 3 and 4.

The access road crossing bisects Coyote Creek in an area of numerous stream meanders (see Figure 1). The erosion took place on a floodplain "island" surrounded by active stream and oxbow channels. This island is less than an acre in size and is dominated by shrub and natural floodplain vegetation. The permit soil survey indicates that the island is mapped as Straw loam channeled, 1 to 6% slopes with 18" of topsoil and 42" of subsoil. Mine personnel have indicated that this "island" will be removed and the area will be stabilized with concrete matting; however, they indicated that they did not plan to remove the island until the box culvert installation was complete. Since the start of the box culvert installation, the natural channel just downstream of the 60-inch culvert and upstream and downstream of the box culverts has been blocked to allow construction.

As a result of this inspection, Notice of Violation (NOV) 1502 will be issued to Coyote Creek Mining Company, L.L.C. for failure to control erosion at the low flow culvert outlet.

A portable pump for dewatering the sump in the box culvert excavation area did not have adequate energy dissipation at the discharge outlet. The discharge from the pump was discharging to a small eroded area next to a culvert and the discharge was visibly more turbid than the water in Coyote Creek. The pump outlet was moved during the inspection to discharge on large riprap placed along the channel plug.

SUITABLE PLANT GROWTH MATERIAL REMOVAL/RESPREAD

A scraper was removing topsoil from the haul road corridor in the SW1/4 of Section 30 and hauling the material to stockpile also in the SW1/4 of Section 30. Mr. Steffen noted that the removal of subsoil on the north side of the drainage was expected to be completed the next day and a lift approval request would be made with photographs of the completed area. It appeared that the appropriate thicknesses of SPGM had been salvaged from the completed portions of the request area.

MISCELLANEOUS

A GPS point track log of the inspection route and additional photographs taken during the inspection are on file with the Reclamation Division.



Dean K. Moos
Assistant Director



Randy Kowalski
Environmental Scientist

cc: Sarah Flath
OSM Casper Field Office
Mercer County Auditor



Figure 1- Coyote Creek at access road crossing site taken during June 25, 2015 flyover inspection



Figure 2 – Low flow culvert installation in progress on Coyote Creek on April 13, 2015



Figure 3- Erosion to stream bank, center. Channel plug and box culvert site to the left.



Figure 4- Closer view of bank erosion feature located across from the 60-inch culvert