

PRELIMINARY FINDINGS OF FACT
Renewal of Surface Coal Mining Permit S-0603

The Alaska Department of Natural Resources, Division of Mining, Land and Water (DMLW) has reviewed the Two Bull Ridge Mine renewal application, submitted by Usibelli Coal Mine, Inc., PO Box 1000, Healy, AK 99743. The DMLW found the renewal application to be consistent with AS 27.21 and 11 AAC 90 and makes the following Preliminary Findings of Fact and Decision.

1. A request to renew Surface Coal Mining Permits S-0603 was filed with the Division of Mining, Land and Water on November 11, 2015. Renewal of the permits has been requested in accordance with AS 27.21.080(d) and 11 AAC 90.129(b).
2. The Two Bull Ridge Mine permit consists of a 2,522-acre mine site, and is located approximately five (5) miles northeast of Healy, Alaska. The mine is located within: Sections 26-28 and 32-35, Township 11 South, Range 7 West, and Sections 3-5, Township 12 South, Range 7 West, Fairbanks Meridian. Land affected by this proposed revision is owned by the State of Alaska.
3. The renewal request contains all the information required and is sufficient for this office to make a decision.
4. This renewal request is for an additional five-year term and includes the permit areas previously approved in the existing permits. No revisions have been requested during this permit renewal. The originally approved permits meet the requirements of AS 27.21 and 11 AAC 90 subject to the stipulations of the original permits, which are revised to ensure that the surface coal mining and reclamation operations will comply with these requirements.
5. Public notice of this permit renewal application will be for the period starting on March 11, 2016, and ending on May 2, 2016. Legal ads will be placed in the Fairbanks Daily News Miner starting on March 11, 2016 and will be noticed for four consecutive weeks. Notice was mailed directly to the Division's mailing list of 36 affected and interested persons and agencies.
6. This renewal does not change the scope or the environmental impacts of the project. The activities proposed in the renewal do not differ from the originally approved permits and meet the requirements of AS 27.21 and 11 AAC 90 subject to the stipulations of the original permits, which ensure that the surface coal mining reclamation and operation plan comply with these requirements.
7. Pursuant to 11 AAC 90.205(d) the Division has determined that reclamation bond in the amount of \$5,842,902.00 is sufficient to guarantee the present obligations under these permits. The bond is conditioned upon the completion of the required reclamation and compliance with all terms, stipulations, and conditions of the original permits and this renewal.
8. Any changes to the approved activities will require approval and modification of the posted reclamation bond.
9. The permit areas have not changed and are not within an area designated unsuitable for mining under AS 27.21.260.

10. The proposed surface coal mining reclamation and operation plan will not affect known threatened or endangered species or their critical habitat.
11. Copies of the renewal application and Preliminary Findings of Fact documents are available for review at the Department of Natural Resources, Division of Mining, Land and Water offices at 550 W. 7th Ave., Suite 920, Anchorage, AK 99501-3577 or on our website at <http://dnr.alaska.gov/mlw/mining/index.cfm>.

A person who is or may be adversely affected by the issuance of this permit may file written comments or objections and may include with an objection a request for an informal conference (AS 27.21.140). Written comments should be addressed to Russell Kirkham, Division of Mining, Land and Water, 550 West 7th Avenue, Suite 920, Anchorage, AK 99501-3577, or by e-mail to coalprogram@alaska.gov with the subject, "Two Bull Ridge Renewal". The deadline for written comments is 5:00 PM on May 2, 2016.