

FINAL FINDINGS OF FACTS AND DECISION
Renewal of Surface Coal Mining Permit S-0605

The Alaska Department of Natural Resources, Division of Mining, Land and Water, Mining Section (DMLW-Mining) has reviewed the permit renewal request for the Jumbo Dome Mine Road Corridor Permit, S-0605, submitted by Usibelli Coal Mine, Inc. (UCM), PO Box 1000, Healy, AK 99743. DMLW-Mining has reviewed the request, all written comments and other relevant information received regarding the renewal, and makes the following Final Findings of Fact and Decision in accordance with the Alaska Surface Coal Mining Control and Reclamation Act (ASCMCRA), found at AS 27.21, and the implementing regulations found at 11 AAC 90.

1. A request to renew the Surface Coal Mining Permit Number S-0605 was filed with the Division of Mining, Land and Water on August 9, 2017. Renewal of the permits has been requested in accordance with AS 27.21.080(d) and 11 AAC 90.129(b).
2. DNR found the renewal application to be consistent with AS 27.21 and 11 AAC 90 and makes the following Final Findings of Fact and Decision.
3. The Jumbo Dome Mine Road Corridor area includes 906 acres, located approximately nine miles northeast of Healy, Alaska. The mine is located within: Sections 4, 8, 9, 17, 18, 19, 20, 25, 29 and 30, Township 11 South, Range 6 West, and Sections 25 and 36, Township 11 South, Range 7 West, within the Fairbanks Meridian.
4. This renewal request is for an additional five-year term and includes the permit areas previously approved in the existing permits. No additional mining areas or revisions to the existing boundaries were proposed by UCM as part of the renewal. During the permit term, parts of the permit application have been revised to provide current information as required by 11 AAC 90.021 through 11 AAC 90.065.
5. 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.
6. Public notice of this Permit Renewal Application was given in accordance with 11 AAC 90.907 to parties known or likely to be affected by this decision. Public notice of the complete renewal application was given for the period starting on January 10, 2018 and ending March 11, 2018. Legal ads were placed in the Fairbanks Daily News Miner on January 10, 2018. Also, on January 10, 2018, notice was mailed directly to the Division's mailing list of affected persons and agencies posted on the DNR Public Notice website and in the Healy, Alaska Post Office.
7. During the public notice of the Preliminary Findings of Fact, no comments were received regarding the proposed renewal.
8. Pursuant to 11 AAC 90.129(4) and 11 AAC 90.201(a) the Department has determined that reclamation bond in the amount of \$433, 210.00 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.

9. 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 permit 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.
10. The permit areas have not changed and are not within an area designated unsuitable for mining under AS 27.21.260.
11. The proposed surface coal mining reclamation and operation plan will not affect known threatened or endangered species or their critical habitat.
12. The applicant meets the criteria of AS 27.21.180 and the renewal of the surface coal mining permit S-0605 can be approved. The conditions and stipulations of this renewal include those for the original permit.
13. Public notice of this final decision for renewal of the Jumbo Dome Mine Road Corridor will be given for the period starting on April 26, 2018, and ending on May 28, 2018. A Legal ad will be placed in the Fairbanks Daily News Miner on April 26, 2018. On April 26, 2018, the notice of the decision will be distributed to DMLW-'s list of affected persons, state and federal agencies, local government agencies and placed on the State of Alaska Public Notice Website and in the Healy, Alaska Post Office.

Copies of the Preliminary Findings of Fact, the Final Findings of Fact and Decision, are available for review at the Alaska Department of Natural Resources, Division of Mining, Land and Water, 550 W. 7th Ave., Suite 920, Anchorage, AK 99501-3577, or on our website (www.dnr.state.ak.us/mlw/mining/index.htm).

The applicant or a person with an interest which is or may be adversely affected by this decision may request in writing a hearing under AS 27.21.150 to review the reasons for this decision. The request for a hearing may be mailed or delivered to Andrew Mack, Commissioner, Department of Natural Resources, 550 West 7th Avenue, Suite 1400, Anchorage, AK 99501; or faxed to (907) 269-8918; or sent by electronic mail to: dnr.appeals@alaska.gov. The request for a hearing must be received by 5:00 p.m., May 28, 2018.



Russell Kirkham, CPG
Coal Program Manager

4/23/18

Date