

## **PRELIMINARY FINDINGS OF FACT AND DECISION**

### **Renewal of Surface Coal Mining Permit S-0605**

The Alaska Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW-mining) has reviewed the Jumbo Dome Mine Road Corridor (JDRC) 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 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. The JDRC 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.
3. The application for a surface coal mine permit is found to be complete. The application contains all the information required and is administratively sufficient for this office to make a decision. The application is currently being evaluated to determine if it meets the technical requirements of the Alaska Surface Coal Mining Program.
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 as part of this permit renewal. The originally approved permits meet the requirement 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 January 10, 2018 and ending on March 2, 2018. Legal ads will be placed in the Fairbanks Daily News-Miner starting on January 10, 2018 and will be noticed for four consecutive weeks. Notice will be mailed directly to the Division's mailing list of 31 affected 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 Department has determined that reclamation bond in the amount of \$ 195,323.0 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 proposed reclamation bond.
9. The approved permit area is not within an area designed 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 existing Permit, Renewal Request, and Preliminary Findings of Fact and Decision are available for review at the Alaska Department of Natural Resources, Division of Mining, Land and Water, 550 West 7th Avenue, Suite 920, Anchorage, AK 99501-3577, and at the Department's Fairbanks office at 3700 Airport Way, Fairbanks, Alaska 99709.

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](mailto:coalprogram@alaska.gov) with the subject, "Jumbo Dome Road Corridor Renewal". The deadline for written comments is 5:00 PM on **March 11, 2018**.