

## **Chuitna Coal Project Status Update for January 2008**

### **Status of the Chuitna Coal Project**

January was a very quiet month for the Chuitna Coal Project. During the month of January, no additional project items were received from PacRim.

At this time a complete permit application package for the Chuitna Coal Project has not been received by the Division and no formal review under AS 27.21 and 11 AAC 90 has been initiated. Once a complete permit application package has been submitted an evaluation of the cumulative impacts of the project can be made.

### **Upcoming events**

#### **Spring Chuitna Project Informational Meeting**

During the December informational meeting we indicated that the next meeting would be held sometime in March or April. The next informational meeting will be held the evening of Thursday April 10<sup>th</sup> at the Atwood building in Anchorage.

This informal meeting is an information exchange between the agencies and the affected communities regarding the status of the Chuitna Coal Project. We will gladly listen to you comments and concerns but this meeting is outside the public process. Only issues that are raised during the agencies' formal public comment periods are eligible to be used in an appeal.

### **Other State and Federal Permit**

In addition to ASCMCRA permitting requirements, the Chuitna Coal Project must address the concerns of other state and federal agencies. As part of the Department of Natural Resources statutory roll as lead agency in matters relating to exploration, development and managements of mining activities, the states office of Project Management and Permitting developed a document describing some of the permits and approvals to help the public understand the permitting of mines in Alaska. This document and other useful information is available on the web at:

<http://www.dnr.state.ak.us/mlw/mining/largemine/index.htm>

### **Petition to Designate the Chuitna River Watershed Unsuitable for Surface Coal Mining Operations**

1. Reclamation in accordance with ASCMCRA is not technically feasible.
2. Mining operations will affect fragile land and could result in significant damage to important cultural, scientific, and aesthetic values and natural systems.

3. Mining operations will affect aquifer renewable resource land in which the operations could result in a substantial loss or reduction of long-range productivity of water supply or food or fiber products.
4. Mining operations will affect areas subject to frequent flooding and areas of unstable geology, or other natural hazard land in which the operations could substantially endanger life and property
5. The identified lands are not exempt from designation as unsuitable for coal mining operations.

On July 16, the Commissioner of DNR made a completeness determination, and found the following points.

1. LMU-1 lands are ineligible from the petition process, on the grounds that they had previously been reviewed, underwent a comment period, and a decision to issue the permit was made.
2. The petition regarding the remainder of the “Chuitna River watershed” is incomplete, because the petitioner’s do not adequately describe how their interests are adversely impacted within the Chuitna Watershed.
3. The petition is frivolous because it covers too sweeping and arbitrary an area unsupported by evidence that reclamation of wetlands cannot be accomplished.
4. The petition is frivolous because, it assumes that applicable standards and regulations for surface coal mining operations cannot prevent the harms claimed in the allegations.

On August 6, Trustees for Alaska, on behalf of the Petitioners requested that the Commissioner reconsider his decision. On August 13 the request for reconsideration was granted. This review is currently ongoing.