

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

## **Spring Chuitna Project Informational Meeting**

On April 10, the Department of Natural Resources hosted a community information meeting in Anchorage to update the residents on the current status of the Chuitna Coal Project and listen to concerns raised by the public. The meeting was attended by members of the public from Beluga, Tyonek, Homer and Anchorage along with representatives from the Division of Mining, Land and Water, Office of Habitat and Permitting, Department of Fish and Game, Office of Project Management and Permitting, and Trust Land Office.

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

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

During the month of April, PacRim submitted 2007 Freshwater Biology Study report, Wetlands Functional Assessment report, additional information for the Wildlife Baseline Studies Report, and a supplement to the Soil Resources Report.

## **Other State and Federal Permits**

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 DNR Office of Project Management and Permitting has 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 are 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**

On February 14, 2008 the Commissioner for the Department of Natural Resources issued his decision on the request from Trustees for Alaska, on behalf of the Petitioners to reconsider his decision. In his letter, the commissioner decided to affirm his July 16, 2007 decision. In the original decision the commissioner found that, 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, and 4. assumes that applicable standards and regulations for surface coal mining operations cannot prevent the harms claimed in the allegations.

On March 17<sup>th</sup>, Trustees for Alaska appealed Commissioner for the Department of Natural Resources final decision to the Superior Court of the State of Alaska.

## **Chuitna Project SEIS**

As part of the federal NEPA process the U. S. Environmental Protection Agency (EPA) determined that a Supplemental Environmental Impact Statement (SEIS) would be prepared for the Chuitna Coal Project. Scoping for the SEIS was completed in August of 2006. Currently agencies are reviewing the available baseline data in preparation to write the Draft SEIS. During March, EPA, the U.S. Army Corp of Engineers, AK Dept of Natural Resources met with the company to discuss the status and timeline for the SEIS. Included in these discussions were updates to the companies proposed action and alternative to be considered in the SEIS.

Information concerning the SEIS process can be found at:

<http://www.chuitnaseis.com/>