

PUBLIC SERVICE COMMISSION

Reclamation Division

Memorandum

TO: Commissioners Kroshus, Fedorchak and Christmann
Steve Kahl, Executive Secretary
John Schuh, General Counsel

FROM: *DKM* *ZAB* *BB*
Dean Moos, Zanna Brinkman and Bruce Beechie

DATE: October 18, 2019

SUBJECT: Informal Conference Findings and Recommended Order for Revision No. 9 to Permit No. NACC-1302 (Case No. RC-19-190) and Renewal No. 1 to Permit NACC-1302 (Case No. RC-19-189) held by the Coyote Creek Mining Company

The Coyote Creek Mining Company (CCMC) filed the applications for Revision No. 9 and Renewal No. 1 to Surface Coal Mining Permit No. NACC-1302 on May 20 and 22, 2019, respectively. Revision No. 9 identifies the next five year coal removal areas and addresses items that were identified as requiring updating or modification by the Reclamation Division during a pre-renewal review of the permit. Renewal No. 1 extends the permit term for a 5-year term until October 21, 2024.

The revision and renewal applications were deemed complete on June 28, 2019. On July 10, 2019 the Commission issued a Notice of Receipt of Renewal and Revision Applications informing the public that written comments, objections, or requests for an informal conference must be filed with the Commission by August 26, 2019.

On August 26, 2019, Casey and Julie Voigt filed written comments on the revision and renewal applications and requested an informal conference. The Voigts expressed concerns about access, dust, alluvial valley floors, omission of cultural resource sites, sediment buildup in Coyote Creek, CCMC's ability to reclaim the mine, and Coyote Partner's control over CCMC. They subsequently withdrew the request to discuss the cultural resource issues and Coyote Partners control over CCMC but indicated that they intended to discuss the remaining five issues at the informal conference.

The informal conference was held on October 8, 2019. The Hearing Officer issued the Informal Conference Findings and Recommended Order on October 18, 2019 recommending that the renewal and revision be approved.

Attached is a motion to adopt the Hearing Officers Recommended Order.

Minedata/CoyoteCreek/Permits/NACC-1302/Revisions/No.9No.1/Rev9_Ren1_Order_memo_10-18-19

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