

FINAL FINDINGS of FACTS and DECISION (REVISED)
Jonesville Underground Mine Permit Renewal U-0201

The Alaska Department of Natural Resources (DNR), Division of Mining, Land and Water (DMLW) has completed its review of the Jonesville Mine permit renewal application, submitted by Ranger Alaska, LLC, 110 N. Rubey Dr; Suite 201, Golden Colorado, 80403. The DMLW found the renewal application to be complete, consistent with AS 27.21 and 11 AAC 90 and makes the following Final Findings of Fact and Decision.

1. A request for a permit renewal of Underground Coal Mining Permit U-0201 was filed with the Division of Mining, Land and Water on December 9, 2009. Renewal of the permit has been requested in accordance with AS 27.21.080(d) and 11 AAC 90.129(b).
2. The renewal request contains all the information required by 11 AAC 90 and is sufficient for this office to make a decision.
3. This renewal request is for an additional five-year term and includes the permit areas previously approved in the existing permits. No changes or modifications to the operation or reclamation plan are being proposed. No changes or modifications to the reclamation plan are being proposed.
4. The application has met the technical requirements of the Alaska Surface Coal Mining Program (AS 27.21, 11 AAC 90) subject to the stipulations of the permit, which can be revised to ensure that the surface coal mining and reclamation operations will comply with these requirements.
5. Public notice of this permit renewal application was given for the period starting on July 21, July 28, August 4, and August 11, 2010. On these dates legal advertisements were placed in the Anchorage Daily news, on the DNR Public Notice website and in the Sutton, Palmer, and Wasilla, Alaska post offices. The Public Notice was also circulated to all applicable federal, state, borough, and local agencies and circulated to all interested parties on the current mailing list for comment. Deadline for comments regarding this permit renewal was September 10, 2010.
6. At the request of the local community, the Department of Natural Resources extended the public comment period to 5:00 pm, October 12, 2010. This was further extended to 5:00 pm, October 19. Legal notices regarding the extensions were published in the Anchorage Daily News.
7. During the public notice period, the department received 55 individual comments concerning the proposed renewal.
8. At the request of the local community, an informational meeting was held October 11 on site from 5:00 pm to 6:00 pm. About thirty members of the public attended the meeting.
9. An Informal Conference under 11 AAC 90.115(b) was held January 24, 2011 at the Sutton Elementary School. Seventy five members of the public attended the informal conference and 34 individuals gave public testimony.

10. A separate response summary to the comments received during the comment period and during the informal conference has been created and is located in an attached document titled "Appendix A: DNR Responses to Public Comments concerning the Jonesville Mine Permit Renewal".
11. On June 15th, Geoffery Stauffer on behalf of the Chickaloon Village Traditional Council and on June 16th, Trustees for Alaska on behalf of the Friends of Mat-Su, the Castle Mountain Coalition, the Aalska Center for the Environment and the Alaska Chapter of the Sierra Club, requested a hearing on the renewal of the permit under 11 AAC 90.131. After review of the hearing request and the decision documents DNR agreed that its review of the renewal of the permit did not provide adequate response to the concerns raised by commenter's that the operators of the Jonesville Underground Mine (Permit Number U-0201) had met all the requirements of AS 27.21.070(b).
12. The decision to renew the permit was withdrawn on July 7, 2011, to address a procedural error in the review process.
13. To address the concerns that the permit did not meet the requirement of AS 27.21.070(b) DNR reviewed the administrative record including inspection documents from August 1996 to June 1998. After review of the inspection documents DNR finds that the Jonesville Underground Mine met the requirements of AS 27.21.070(b) during the first permit term and was not terminated.
14. Public notice of the Revised Final Findings of Facts and Decision will be given for the period starting September 16, 2011. On this date legal advertisements were placed in the Anchorage Daily news, on the DNR Public Notice website and in the Sutton, Palmer, and Wasilla, Alaska post offices. The Public Notice was also circulated to all applicable federal, state, borough, and local agencies and circulated to all interested parties who provided comments during the first review. .
15. Pursuant to 11 AAC 90.205(d) the DNR has determined that a currently held reclamation bond in the amount of \$251,615.00 will be sufficient to guarantee the present obligations under this permit. The bond is conditioned upon the completion of the required reclamation work and with compliance of all terms, stipulations, and conditions of the original permit and this renewal.
16. The approved permit area is not within an area designated unsuitable for mining under AS 27.21.260.
17. The proposed coal mining activities will not affect threatened or endangered species or their critical habitat.

The Permit and Final Findings of Facts 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 Daniel S. Sullivan, Commissioner, Department of Natural Resources, 550 West 7th Avenue, Suite 1400, Anchorage, AK 99501;

faxed to 907.269.8918; or sent by electronic mail to dnr.appeals@alaska.gov. The request for a hearing must be received within 30 days after the applicant is notified of this decision; the request must be received by 5:00 p.m. of the 30th day.



Russell Kirkham Manager, Coal Regulatory Program
Division of Mining, Land & Water

September 16, 2011

Date