

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

### **Permit Renewal Coal Exploration Permit 02-83-795**

The Alaska Department of Natural Resources, Division of Mining, Land and Water (DMLW) has reviewed the permit renewal request submitted by Pac-Rim Coal, LP for the Chuitna Coal Exploration Permit (02-83-795) and makes the following preliminary Findings of Fact in accordance with 11 AAC 90.165.

1. On June 24, 2010, a request for renewal of coal exploration permit number 02-83-795 was filed with DMLW.
2. The exploration area for this site is approximately 11 miles north west of Tyonek, Alaska within, T13N, R12W, Sections 14, 15, 19-36, T12N, R12W, Sections 2-10, 15-17, 20-22; T12N, R13W, Section 1 of the Seward Meridian.
3. This renewal authorizes the continued monitoring of the 82 monitoring wells, and the maintenance of a METS tower within the permit area.
4. There are 6 more proposed monitoring wells that would be drilled in the exploration area as approved under a previous revision. There are no new exploration activities proposed during this renewal.
5. On August 04, 2010, the public notice will be placed in the Anchorage Daily News, mailed directly to the Division's mailing list of affected persons and agencies, and on the Department of Natural Resources Public Notice Website.
6. The activities proposed in the permit revision meet the requirements of AS 27.21.200 and 11 AAC 90.163, and 11 AAC 90.167, subject to the stipulations of the permit, which ensure that the exploration and reclamation will comply with these requirements.
7. The approved permit area is not within an area designated unsuitable for mining under AS 27.21.260.
8. The proposed coal exploration activities will not affect threatened or endangered species or their critical habitat.

9. Pursuant to 11 AAC 90.167(b) the Division has determined that the reclamation bond in the amount of \$159,900 is sufficient to cover the associated reclamation costs.
10. Copies of application and Preliminary Findings of Facts and Decisions 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. Comments should be sent to Russell Kirkham, at the address above or by fax: (907) 269-8930; e-mail to russell.kirkham@alaska.gov. The deadline for comments is 5:00 p.m., September 24, 2010.