



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

September 8, 2014

Patt Dorsey
Colorado Parks and Wildlife
Southwest Region Manager
SW Region Administrative Office
415 Turner Drive
Durango, CO 81303

**Re: King Coal Mine (Permit No. C-1981-035)
Technical Revision No. 23 (TR-23)
Increase Rate of Production**

Dear Ms. Dorsey:

The Division of Reclamation, Mining and Safety hereby issues notice, in accordance with Title 34, Article 33, Section 116, Paragraph 4, of the Colorado Revised Statutes, that on September 5, 2014 an application to revise coal mining operations at the King Coal Mine was considered complete for the purposes of filing. The revision was submitted by GCC Energy, LLC. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

With this revision, GCC Energy, LLC seeks to increase the maximum rate of coal production for the King Coal Mine from 0.8 to 1.3 million tons per year. The applicant is not proposing additional surface disturbance outside of the area currently approved for disturbance.

The underground coal mining operation is on land located approximately 6 miles Southwest of Hesperus, Colorado. The permit area is further described as follows:

Portions of Sections 5, 6, 7 and 8, Township 34 North, Range 11 West; portions of Sections 28, 29, 31 and 32, Township 35 North, Range 11 West; and portions of Sections 35 and 36, Township 35 North, Range 12 West; New Mexico Principal Meridian.

The above-mentioned tracts of land are shown on the following USGS 7.5 minute Quadrangle map(s): Thompson Park, Hesperus, Mormon Reservoir, and Kline.



Because the above referenced technical revision application may incorporate additional lands into the permit area or might otherwise alter previously approved permit conditions or mitigation measures, we are requesting your agency's evaluation of the proposal. Your comments and concerns relating to the adequacy of fish and wildlife resources information, the fish and wildlife plan, and the reclamation plan as it relates to fish and wildlife considerations, including potential impacts to threatened or endangered species, are requested. If wildlife habitat is the proposed postmining land use, we request your evaluation of any changes to proposed woody plant stocking levels, planting arrangements, and methods for mitigation of potential adverse impacts.

Pertinent portions of the permit application are available electronically on our web site: <http://mining.state.co.us/Reports/MiningData/Pages/ImagedDocumentData.aspx> Documents can be sorted by name or by Section/Exhibit number. A user's guide for our imaging system is also available in pdf format at the same web address. Please advise us if you require additional information.

The applicant is required to publish notice in a local newspaper that this application has been deemed complete. At the time of publication of this notice, the applicant is additionally required to place a copy of this application at the La Plata County Clerk and Recorder, 98 Everett Street, Suite C, Durango, CO 81303, and at the Division office. For additional information or to provide written comments, contact the Division of Reclamation, Mining and Safety, Room 215, 1313 Sherman Street, Denver, Colorado 80203, (303) 866-3567. In order for us to comply with regulatory time frames, we request that comments be submitted within fifteen (15) days of this letter. If no comments are received by then, we will proceed on the assumption that you have no concerns with, or objections to, the applicant's proposal.

Sincerely,



Marcia L. Talvitie, P.E.
Environmental Protection Specialist
Marcia.talvitie@state.co.us