



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

December 4, 2014

Assistant State Supervisor
U.S. Fish and Wildlife Service
Ecological Services
445 W. Gunnison Ave, Suite 240
Grand Junction, CO 81501-5711

**Re: Peabody Sage Creek Mine (Permit No. C-2009-087)
Technical Revision No. 8 (TR-8)
Vegetation Success Criteria for Solid Waste Disposal Area.**

Dear Sir or Madam:

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 December 4, 2014 an application to revise coal mining operations at the Peabody Sage Creek Mine was considered complete for the purposes of filing. The revision was submitted by Peabody Sage Creek Mining, LLC. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

Technical Revision No. 8 requests a modification to the vegetation success criteria for the reclaimed solid waste disposal area. The disposal area was the final reclaimed and seeded area associated with the surface mining activities, having been seeded in 2008. PSCM proposes the vegetation success criteria be changed to that of the more recently disturbed areas associated with the underground mining disturbances. 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 9 miles Southeast of Hayden. The permit area is further described as follows:

Township 5 North, Range 87 West, all or portions of Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21 and 22; Township 6 North, Range 87 West, all or portions of Sections 27, 28, 29, 32, 33, 34, 35 and 36



Approximately 9 miles south and east of the town of Hayden, CO to the East of Routt County Road 27 at an approximate elevation of 6800 feet AMSL Mount Harris/Milner Quadrangle Map

The above-mentioned tracts of land are shown on the following USGS 7.5 minute Quadrangle map(s): Mount Harris.

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, the Division is coordinating with the Office of Surface Mining on evaluation of the potential for impacts to threatened or endangered species of plants or animals, or wildlife species otherwise protected by federal law. A copy of the permit section addressing potential effects of the operation to threatened and endangered (T&E) species has been forwarded to the Office of Surface Mining. The OSM will prepare any biological assessment necessary for approval based on the information provided in the application, and OSM will coordinate with your office as necessary. This coordination is required to ensure mitigation of potential impacts to federally protected wildlife species.

The applicant is required to publish notice in the *Steamboat Pilot* 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 Routt County Clerk and Recorder, P.O. Box 773598, Steamboat Springs, CO 80477, 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 ten (10) days of this letter.

Please contact me at the number above if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason D. Musick", written in a cursive style.

Jason D. Musick
Environmental Protection Specialist
Jason.musick@state.co.us