



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

October 19, 2015

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

**Re: New Horizon Mine (Permit No. C-1981-008)
Technical Revision No. 69 (TR-69)
Proposed Pond 018.**

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 October 19, 2015 an application to revise coal mining operations at the New Horizon Mine was considered complete for the purposes of filing. The revision was submitted by Western Fuels-Colorado, LLC. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

TR-69 is proposing a new sediment Pond 18 which will handle surface water runoff from the facilities area, topsoil stockpiles south of the facilities and reclamation areas where Mount Nucla material was once temporarily stored. The applicant is not proposing additional surface disturbance outside of the area currently approved for disturbance.

The surface coal mining operation is on land located approximately 1.7 miles Northwest of Nucla, Colorado. The permit area is further described as follows:

1.7 miles northwest of the Town of Nucla

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



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 *San Miguel Basin Forum* 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 Montrose County Courthouse, 300 Main Street, Nucla, CO 81424, 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,



Zach T. Trujillo
Environmental Protection Specialist
Zach.trujillo@state.co.us