



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

November 30, 2015

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

**Re: McClane Canyon Mine (Permit No. C-1980-004)
Technical Revision No. 17 (TR-17)
Sediment Control Plan.**

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 November 23, 2015 an application to revise coal mining operations at the McClane Canyon Mine was considered complete for the purposes of filing. The revision was submitted by McClane Canyon Mining, LLC. All review and comment periods as provided in the Act and the Regulations initiate from this date of filing.

Technical Revision No. 17 proposes an update to the sedimentation control plan for outfall 003, the silt fence located below the construction materials stockpile in order to be in compliance with 40 CFR Part 434 Subpart H, CDPHE discharge permit C00038342. 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 19 miles North of Loma, Colorado. The permit area is further described as follows:

Portions of Sections 3, 14, 15, 16, 21, 22, 23, 26, 27, 28, and 34, T7S, R102W, 6th PM, all in Garfield County

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



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 *The Daily Sentinel* 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 Mesa County Clerk and Recorder, 200 S. Spruce Street, Grand Junction, CO 81501, 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 black ink, appearing to read 'ZT Trujillo', with a stylized flourish at the end.

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