



## MEMORANDUM

Date: October 20, 2023  
To: Amber Gibson, DRMS  
From: Brock Bowles, DRMS  
RE: New Elk Mine (C-1981-012)  
RN8 Adequacy Review for Assigned Permit Sections

### 2.04.12 Prime Farmland Investigation

NECC concluded in 2013 that no prime farmland exists in the permit area. A review of the current NRCS GIS data confirms that prime farmlands do not exist in the current permit area. No adequacy issues were noted.

### 2.05.6(6) Subsidence Survey, Subsidence Monitoring, and Subsidence Control Plan

Map 3 of the permit shows the mine workings and projected mining units for the Blue Seam. This map is outdated and does not reflect the current mine workings as shown on the mine workings map displayed in the miner's ready room. Map 3 needs to be updated.

### 4.03 Roads

The construction and maintenance of roads is discussed in Section 2.05.2(c) and was reviewed. No adequacy issues were noted.

### 4.09 Disposal of Excess Spoil

Two excess spoil piles are located between the Purgatoire River and Hwy 12. Both piles are inspected quarterly, and reports submitted to DRMS. The reports are up to date and no issues were noted. No adequacy issues.

### 4.10 Coal Mine Waste Banks

The coal waste bank is located north of Hwy 12. The fill pile is inspected quarterly by a certified engineer, compaction tested quarterly and a report is submitted to DRMS. The reports are up to date and no issues were noted. No adequacy issues.

### 4.11 Coal Mine Waste

No adequacy issues.

### 4.15.7 Determining Revegetation Success: General Requirements and Standards

The success standard is based on a rangeland reference area. The reference area is managed by the CPW who grants NECC authorization to enter for vegetation sampling. No adequacy issues.



#### 4.15.8 Revegetation Success Criteria

The sampling methods and success criteria are outlined in Section 2.05 of the permit. The criteria is consistent with the requirements of the Rules. No adequacy issues.

#### 4.20 Subsidence Control

The subsidence control plan is outlined in Section 2.05 and Exhibit 24. No adequacy issues.

#### 4.25 Operations on Prime Farmlands

No prime farmlands are located within the permit boundary. No adequacy issues.