

U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT (OSMRE)
Approval of Application for Significant Permit Revision
Permit WA-0007E
Pacific Coast Coal Company
John Henry No. 1. Mine

Pacific Coast Coal Company submitted an application for a significant revision of the John Henry No. 1 Mine on April 28, 2011. This permit revision will allow the continuation of surface coal mining operations under authority of the Surface Mining Control and Reclamation Act (SMCRA), Public Law 95-87. Specifically, PCCC will continue mining and remove an estimated 462,000 processed short tons over a 6-year period and disturb an additional 29.7 acres of surface.

Based on its review, OSMRE has determined that:

1. The application is accurate and complete, and the applicant has complied with all requirements of Surface Mining Control and Reclamation Act of 1977, as amended, (SMCRA) and the Washington Federal Program at 30 CFR Chapter VII, Subchapter T, Part 947.
2. Reclamation as required by SMCRA and the Washington Federal Program can be accomplished under the reclamation plan proposed by PCCC's permit revision application.
3. The applicant has not proposed to reclaim any disturbed area to a long-term, intensive agricultural post-mining land use in accordance with 30 CFR 947.816 and 816.111(d).
4. The operations proposed in the revision application will not use any existing structures that have not already been approved as existing structures in PCCC's permit WA-0007E.
5. The applicant has paid all reclamation fees from previous and existing operations as required by 30 CFR Chapter VII, Subchapter R.
6. OSMRE has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places.
7. Based on the reviews of compliance history and ownership and control information required under 30 CFR 947.773 and 773.8 through 773.14, the applicant is eligible to receive a permit.
8. The proposed surface coal mining operations, as required in 30 CFR 750.14 and Part 761, are:
 - a) Not on lands within the boundaries of the National Park System; National Wildlife Refuge System; National System of Trails; National Wilderness Preservation System;

Wild and Scenic Rivers System, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act, 16 U.S.C. 1276(a), or study rivers or study river corridors established in any guidelines issued under the Act; and National Recreation Areas.

- b) Not on lands within a national forest.
 - c) Not on any lands where the operation would adversely affect any publicly owned park or any place in the National Register of Historic Places.
 - d) Not within 100 horizontal feet of the outside right-of-way line of any public road, except where mine access or haul roads join the road and except as provided in "APPROVED LIMITED PERFORMANCE STANDARD VARIANCES" (refer to Attachment A of permit).
 - e) Not within 300 horizontal feet of any occupied dwelling except as provided in "APPROVED LIMITED PERFORMANCE STANDARD VARIANCES" (refer to Attachment A of permit).
 - f) Not within 300 horizontal feet of any public building, school, church, community or institutional building, or public park.
 - g) Not within 100 horizontal feet of a cemetery.
9. The application does not indicate that the applicant has added a new partner, officer, principal, principal shareholder, director, or person with a similar ownership or control function required to be listed in the application pursuant to 30 CFR 778.13©.
10. Mining operations by surface mining methods are proposed to be conducted on lands where the private mineral estate to be mined has been severed from the private surface estate; however, the applicant has provided in the permit revision application the documentation required under 30 CFR 778.15(b) to allow such mining operations.
11. OSMRE has made an assessment of the probable cumulative impacts of all anticipated coal mining on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.
12. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).
13. In compliance with the National Environmental Policy Act of 1969, OSMRE has prepared an environmental assessment for the significant permit revision and has made a Finding of No Significant Impact for the revised mining and reclamation plan.
14. The applicant has satisfied the applicable requirements for permits for special categories of mining in 30 CFR Part 785. OSMRE has determined that no alluvial valley floors exist within the permit area and adjacent area.

On the basis of the above determinations, I approve Pacific Coast Coal Company's proposed significant permit revision application for John Henry No. 1 permit WA-0007E.



Mychal Yellowman, Manager
Indian and Washington Programs Branch
Western Region
OSMRE

April 18, 2018
Date