

Powder River Basin Resource Council

Materials to go along with oral comments at informal conference -- part 1

From: [Thomas Sansonetti](#)
To: [andrew.kuhlmann](#)
Cc: [Jeffrey S. Pope](#)
Subject: FW: Brook Mining/Big Horn Coal Co. - Order Denying Motion for Summary Judgment
Date: Friday, October 16, 2015 5:59:33 PM
Attachments: [2015-09-21 Order Denying Motion for Summary Judgment.pdf](#)
[image001.gif](#)

Exhibit 28

Hi Andrew!

As always, I enjoyed the time we spent together yesterday.

As promised, please find attached Judge Edleman's perplexing order. I will let you know what happens at the November 23 scheduling conference.

Jeff Pope and I are going to work on a memo to you on the legal question you posed involving Padlock Ranch being a qualified agricultural entity and will try and have it to you by the end of October.

Some good news, I discovered that the proposed Sheridan Industrial Park will not be built on Big Horn Coal surface. So that takes care of one more potential problem with BHC.

The proposed industrial park is supposed to be privately held information until the governor's office announces it in conjunction with RAMACO when the permit is issued. So mum's the word.

Let me know if you need anything else. Tom

From: [Mark Rogaczewski](#)
To: [Jim Ruby](#)
Cc: [BJ Kristiansen](#); [Alan Edwards](#)
Subject: Re: Ahh
Date: Tuesday, January 31, 2017 8:54:23 AM

Exhibit 31

Jim,

The reference provided from Coal R&R Chapter 12 refers to proposed mining operations within 100 feet of a public road. It is my understanding proposed mining under the Brook Mine permit will come within 100 feet of Sheridan County Slater Creek Road. It appears this rules citation and proposed mining within 100 feet of Sheridan County Slater Creek Road may qualify for the EQC hearing to be held in a locality close to the proposed operation.

Thanks for the clarification on the citation.

Mark

On Tue, Jan 31, 2017 at 8:38 AM, Jim Ruby <jim.ruby@wyo.gov> wrote:
It is in the Coal Rules Chapter 12. Here is the language.

(D) Within 100 feet, measured horizontally, of the outside right-of-way line of any public road, except where mine primary roads join such right-of-way line. Provided, however, the Administrator may specifically authorize operations where the road is to be relocated, closed, or where the area affected lies within 100 feet of a public road. Such specific authorization shall provide a public comment period and an opportunity to request a public **hearing** in the locality of the proposed operation together with a written finding on whether the interests of the public and the affected landowners will be protected from the proposed operation. If a **hearing** is requested, a public notice shall be published at least two weeks prior to the **hearing** in a local newspaper of general circulation. If a **hearing** is held, the Administrator shall make this finding within 30 days after the **hearing** or if a **hearing** is not held the Administrator must make this finding within 30 days after the end of the public comment period. The Administrator may rely upon findings of the public road authority with jurisdiction over the road in specifically authorizing road relocations or closures;

On Tue, Jan 31, 2017 at 8:33 AM, BJ Kristiansen <bj.kristiansen@wyo.gov> wrote:

Jim,

From: Justin Douthat <Justin.Douthat@cardno.com>
Sent: Monday, May 19, 2014 10:05 AM
To: jbarron
Subject: RE: County Road relocate
Attachments: County Road Impact - cutoff line.dwg

Exhibit 32

Jeff,

Can you please drop the attached line into your phase 1 mapping? If I understand correctly, surface mining beneath the county road is the issue we're trying to quantify in terms of estimating financial impact. I offset the county road by roughly 25 feet and was planning to estimate the surface and highwall miner tons to the south and east from the attached line within this trench area. Please let me know if you think this captures the area impacted and I'll have the tonnages broken out. I can then look at the average cash margins during that part of the forecast and gauge the economic impact.

Thanks

Justin

Justin Douthat, P.E.

DIRECTOR OF ENGINEERING SERVICES
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From: jbarron [mailto:jbarron@wwcengineering.com]
Sent: Thursday, May 15, 2014 6:20 PM
To: Justin Douthat
Cc: Randall W. Atkins; "Kenneth "Ken" G. Woodring"
Subject: County Road relocate

Justin,

I have attached .kmz files which can be opened in google earth. These show the permit boundary, state lands, Phase I year 2 HWM panels and pit, and the location of the affected county road. Due to design constraints, (sight distance, curve radius, etc. and nearest reclaimed portion of pit year 2) it is anticipated that at least 1 mile of road relocation may be required. County road is much like rail in that it usually pencils out to \$1 million per mile to construct. What financial impact would occur if this block of coal were left? For your information county roads usually require at minimum a 10 ft clear zone on either side of the road and 4:1 side slopes.



Jeff Barron, P.E. | Project Manager

1849 Terra Avenue | Sheridan, WY 82801

Tel 307-672-0761 | Cell 307-751-1427

www.wwcengineering.com

From: Jeff Barron, P.E. <jbarron@wwcengineering.com>
Sent: Thursday, May 15, 2014 4:20 PM
To: Justin Douthat
Cc: Randall W. Atkins; "Kenneth "Ken" G. Woodring"
Subject: County Road relocate
Attachments: county_road.kmz; permit_boundary.kmz; state_lands.kmz; yr_2_pit_and_panels.kmz

Exhibit 33

Justin,

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Exhibit 34

