

# Bill Bensel

Deputy Director  
Department of Environmental Quality  
Land Quality Division  
200 West 17th Street  
Cheyenne, WY 82002

32 River Road  
Ranchester, WY 82839

April 23, 2020

Re: Ramaco Brook Mine

Dear Sir,

The new development and permitting of the Brook mine is wholly unnecessary. Thermal coal or unproven carbon manufacture process coal supply requirements can be readily and sufficiently met through many other Powder River mine sources in our area. Development of this proposed mine will have a significant impact on landowners and resources of importance to the people of Sheridan County and Wyoming. The time and labor invested by DEQ staff alone in permitting and review has greatly exceeded any logical return on input deserving of the proposal for Brook Mine. The absurdity of permitting the Brook Mine is more evident today than ever before due to the ongoing economic situation and further lowering of coal demand created by the current health crisis.

Allowing permitting of a large industrial facility/coal mine without even identifying sources or accessing water rights required for this heavy mining operation invites trouble into this process. The volume of industrial water required for mine operation is a major component of mine development. The permitting process has failed to identify the source of water required for mining or related processing.

Tongue River is a direct flow source for municipal, irrigation and stock water. The Yellowstone Compact, as identified in the CHIA, limits new storage. Only junior/limited water rights are available without the transfer and change of use of existing established rights. That complex transfer process can have a negative ripple effect upon current users and water management entities, especially those companies and towns who are currently administering historic rights.

Recent area water development projects which have not appropriated water prior to accessing permits, funding and contracts for those developments have risked violation of law. This permit should not be allowed to further deconstruct Wyoming water law by proceeding without confirming supply sources. Water rights must be established prior to permitting.

There were 52 surface water rights identified in the evaluation area in the CHIA. Have these water right holders included all adjacent and downstream water right holders to the Montana State line who will be potentially impacted by upstream alterations in availability? Providing a full process for water right holder input is necessary.

Subsidence is common in the area from significant widespread mining operations over the last 130 years. New mine development has not sufficiently explored subsidence extent or impacts in the over 4,000 acres within the permit boundary from pre-mining operations. The expanse of historic underground mines paired with new overlain mining operations can influence ground water and the domestic and stock wells throughout the area, in both quantity and quality. The draft permit identifies potential damage to select ground water wells. Have these 44 ground water rights been considered in this context of subsidence and historic mine interactions?

The Draft permit goes contrary to Sheridan County Comprehensive Plan land use document. No heavy industrial zones have been created to change agricultural uses to heavy mining or heavy industrial uses.

Recreational public uses have also been designated under the Comprehensive Plan and these will be negatively impacted by mining operation. Public and State Trust Lands within and adjacent to the proposed mine area include heavily used Walk-In and public hunting access areas that are important to recreational users, myself included. The proposed mining area will have direct impact on these valued public uses. These uses include fishing access on Tongue River and in the adjacent Kleenburn Ponds public recreation and fishing area administered by Sheridan County. Support and management from the Wyoming Game & Fish Department continues to be critical in assuring high quality recreational experiences for the public here. Mine operation will certainly cause degradation and potential abandonment of these uses. Why have these resource trade-offs not been explored?

Adjacent to the north, west and south are popular public Walk-in hunting areas that have been utilized for many years by hunters and outdoor recreationists seeking limited public access. The Wyoming Game & Fish Department releases pheasants purchased with hunter dollars here. Ramaco/Brook Mine proponents have previously sited the mine staging area directly on one of these public hunting areas. Have impacts on public use, fish and wildlife values been explored in the draft permit documents? What will be the effect of roads and heavy mine traffic on these public use areas?

Many significant questions remain on the wide-ranging impacts and even the common logic of locating a coal mining operation in this area of the Tongue River drainage. I would urge Wyoming DEQ to hold a local open meeting in Sheridan to provide information and take input on a variety of issues of concern held by the public and private landowners in the area before any further permit action occurs.

Sincerely,

Bill Bensel