

The Lee Ranch Mine's Use Attainability Analysis for the San Isidro Arroyo and Its Tributaries

Peabody Natural Resources Company's Petition for Regulatory Change

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Water Quality Control Commission Hearing
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Qualifications: Education & Experience

- Bachelors of Science in Hydrology from University of Arizona
- 30+ years of experience with environmental compliance
- 2015-Present: Employed by Peabody Investment Corporation (“Peabody”) as a Consultant
- 2007-2015: Manager of Environmental Hydrology for Peabody
- 2005-2007: Environmental Specialist for Peabody
- 1998-2004: Supervisor of Environmental Compliance for Peabody Western Coal
- 1990-1998: Senior Hydrologist for Peabody Western Coal

Lee Ranch Mine

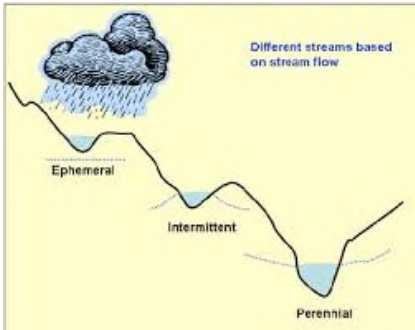
- Surface Coal Mine
- 20 Miles North of Grants, NM
- NPDES Permit No. NM0029581
- MMD Permit No. 19-2P



New Mexico Surface Water Quality Standards

- Identify designated uses of surface water
- Clean Water Act informs NMED standards
- Designated uses are based on a classification of stream flow
- CWA's default presumption is surface waters are fishable and swimmable
- Surface waters with specific designated uses: 20.1.4.101-899 NMAC
- Unclassified water, subject to default presumption: 20.6.4.98 NMAC

Stream Designations



- Perennial: water body typically contains water throughout the year and rarely experiences dry periods. 20.6.4.7.P(2) NMAC.
- Intermittent: water body contains water for extended periods only at certain times of the year, such as when it receives seasonal flow from springs or melting snow. 20.6.4.7.I(2) NMAC.
- Ephemeral: water body contains water briefly only in direct response to precipitation; its bed is always above the water table of the adjacent region. 20.6.4.7.E(2)NMAC.

Lee Ranch Mine Area Stream Designations

- Streams in the Lee Ranch Mine area are unclassified waters of the state and are assumed to be intermittent or perennial and support fishable/swimmable designation
- NMED's 2012 UAA concluded portions of Mulatto Canyon and San Isidro arroyo were ephemeral
- Peabody developed UAA to assess all unclassified streams within the mine permit area

Lee Ranch Mine UAA

- 2015: Peabody initiated development of a work plan based on Surface Water Quality Bureau's Hydrology Protocol
- 2017: Peabody implements work plan
- 2018: Peabody completes UAA
- UAA provides the foundation for the proposed regulatory changes

Peabody's Witnesses

- Pleasant Chad Gaines
- Jeffrey Olyphant
- James Boswell

Thank you!