

THE NAVAJO NATION DIVISION OF NATURAL RESOURCES



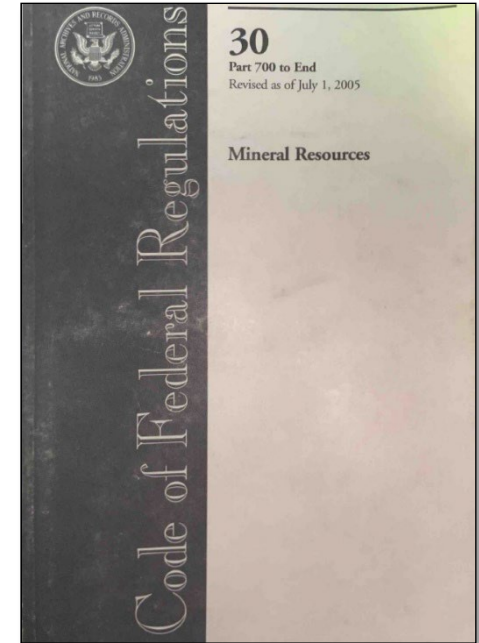
MINERALS DEPARTMENT SURFACE MINING PROGRAM

Land • Water • Power • Quality of Life

FEDERALLY FUNDED PROGRAM – SURFACE MINING PROGRAM (SMP)



- Surface Mining Control and Reclamation Act of 1977 (SMCRA)
- OSMRE is a branch of the U.S. Department of the Interior (DOI)
- SMCRA created 2 programs:
 - Title IV – Abandoned Mine Lands
 - Title V – Active Mining
- OSMRE is the primary regulator of surface coal mining operations within the Navajo Nation.
- SMP under Minerals Department is an Active Mining Program (Title V) of SMCRA and has operated under a grant from OSMRE since the early 1980's.
- SMP is staffed with permitting & office personnel and field inspectors.



SMP – ROLES AND FUNCTIONS



- **SMP does not have Enforcement or Permitting Authority.**
- **Participates in monthly joint mandatory inspections of surface coal mines with OSMRE to ensure coal mining operations are conducted in an environmentally responsible manner and that Navajo Nation land is adequately reclaimed during and following the mining process.**
- **Participates in Bond Release inspections of the mines with Federal Agencies (OSMRE, BIA & BLM)**
- **Reviews Mine Operator permit revisions and submits reports to OSMRE.**
- **Participates in public outreach process with the Federal Agencies during the preparation of Environmental Impact Statement (EIS) or Environmental Assessment (EA) and submits comments.**



SMP - INSPECTION RESPONSIBILITIES (1/2)

COMPLETE INSPECTION

- 1 per quarter per mine
- 2-3 days in length
- Overall Mine Inspection
- Documents and Records Review

PARTIAL INSPECTION

- 2 per quarter per mine
- 1-2 days in length
- Site-specific locations and follow-ups



SMP-INSPECTION RESPONSIBILITIES (2/2)



BOND RELEASE INSPECTIONS

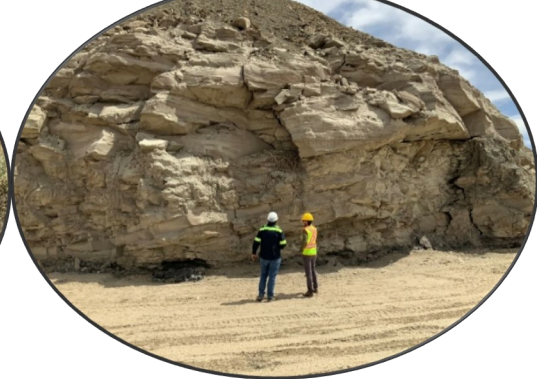
- **Phase One, Two, Three/(TOJ)**
 - **Phase 1 = Pit backfilling, regrading, and drainage control provisions.**
 - **Phase 2 = Establishment of Perennial Vegetation in accordance with the mine's approved reclamation plan.**
 - **Phase 3 / TOJ = successful completion of all reclamation activities as required in the approved permit.**
- **Field inspections are conducted with representatives from OSMRE, Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), mine operator, and other interested parties.**



CITIZENS' COMPLAINTS



- A private citizen may file a formal request to OSMRE regarding issues at a mine.
- OSMRE will follow up with the citizen and collect information.
- OSMRE, along with SMP, will schedule a mine site visit with the citizen(s).
- Additional field visits may be requested.
- After information has been collected and site visits conducted, OSMRE will send an official response letter back to the citizen(s) with its findings and recommendations to the mine operator.



LAND JURISDICTIONS TYPES UNDER SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (SMCRA)



1) Pre-Law Lands

- Lands disturbed by mining prior to 1977 when SMCRA was passed.
- Office of Surface Mining Reclamation and Enforcement (OSMRE) does not have any jurisdiction on pre-law lands.
- BIA has jurisdiction through the lease.

2) Initial Program Lands/Interim Program Lands

- Lands disturbed by mining between 1977 (when SMCRA was passed by congress) and when the mine was issued permit by OSMRE.

3) Permanent Program Lands

- Lands disturbed by mining after the permanent program permit under SMCRA was issued by OSMRE.



LAND RELEASES UNDER SMCRA

- Kayenta / Black Mesa Mines, Navajo Mine and McKinley Mine have three different land jurisdictions throughout the permit area.
- Pre-Law Lands-
 - No Phase Bond Releases and Termination of Jurisdiction (TOJ). BIA is the Regulatory Authority (RA) for Pre-law lands and have to approve lease relinquishment before it is turned over to the Navajo Nation. United States Geological Survey (USGS) standards followed.
- Initial or Interim Program Lands-
 - No Phase Bond Releases but goes through TOJ application. OSMRE approves the application and BIA approves the lease relinquishment. Part 710 of SMCRA standards are followed .
- Permanent Program Lands-
 - Three (3) Phase Bond Release processes (Phase I, Phase II, and Phase III). OSMRE approves the bond applications and BIA approves the lease relinquishment. Part 816 of SMCRA standards are followed. In the areas of 26 inches or less average annual precipitation, there is 10 full years of vegetation responsibility period before the final bond is released by the regulatory authority.

NAVAJO NATION SURFACE COAL MINES



Peabody Western Coal Company (PWCC)

Reclamation Closure

Black Mesa Mine (AZ-0001)

Kayenta Mine (AZ-0001F)

ONEOK, Inc.

Reclamation Closure

Black Mesa Pipeline Facilities (AZ-0002)



Navajo Transitional Energy Company (NTEC)

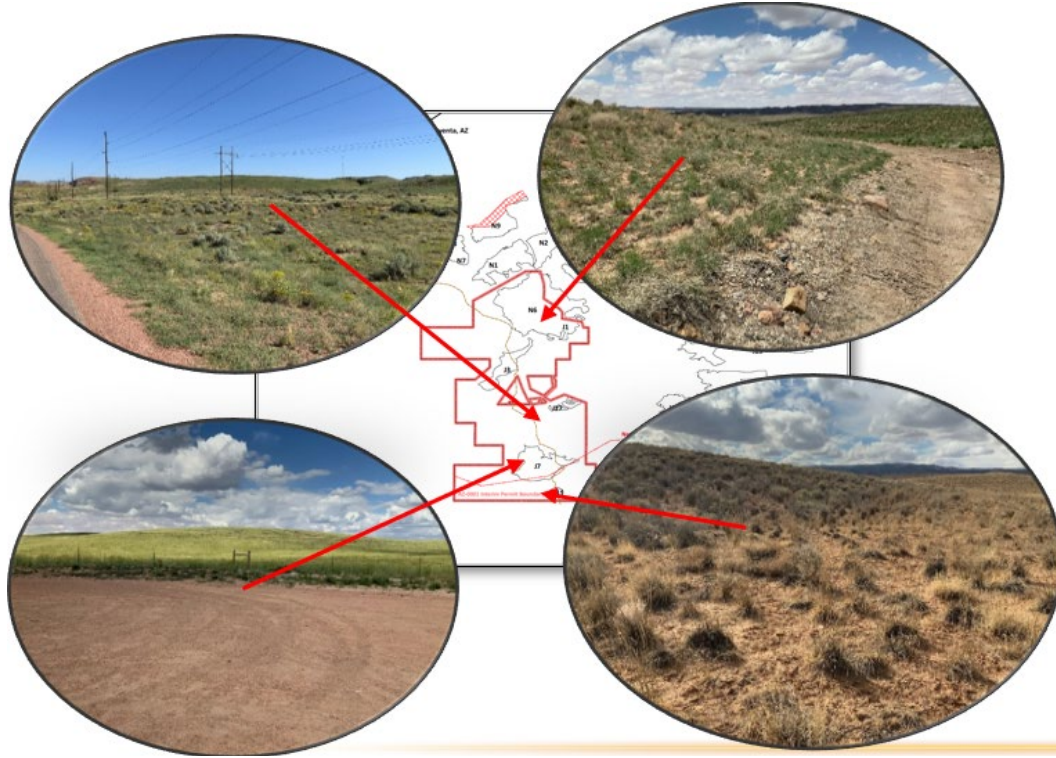
- Navajo Mine (NM-0003I)
- Pinabete Mine (NM-0042B)

Chevron Mining Inc. (CMI)

Reclamation Closure

McKinley Mine (NM-0001K)

PWCC – BLACK MESA MINE



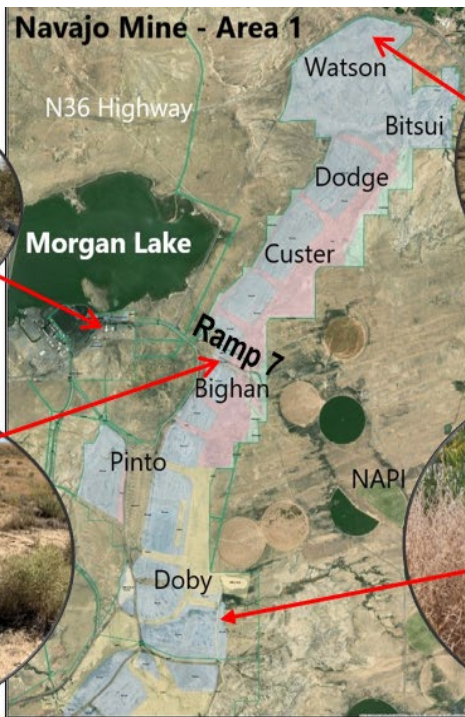
- The mine supplied coal slurry to the Mohave Generating Station near Laughlin, NV.
- The mining operations ended in December 2005.
- 40 acres within the lease area belonged to the Black Mesa Pipeline Facilities, Inc. The facilities were sold to ONEOK, Inc. The facilities were demolished by ONEOK and Entrada between 2021 – 2022.

PWCC – KAYENTA MINE



- The mine supplied coal to the Navajo Generating Station (NGS) near Page, AZ.
- The mine ceased coal operations in August 2019.
- J-19 Pit backfill is underway.
- N-9 Pit has been backfilled and graded.
- J-21 Pit backfill and grade work has been completed.
- Most of the coal handling facilities have been demolished.

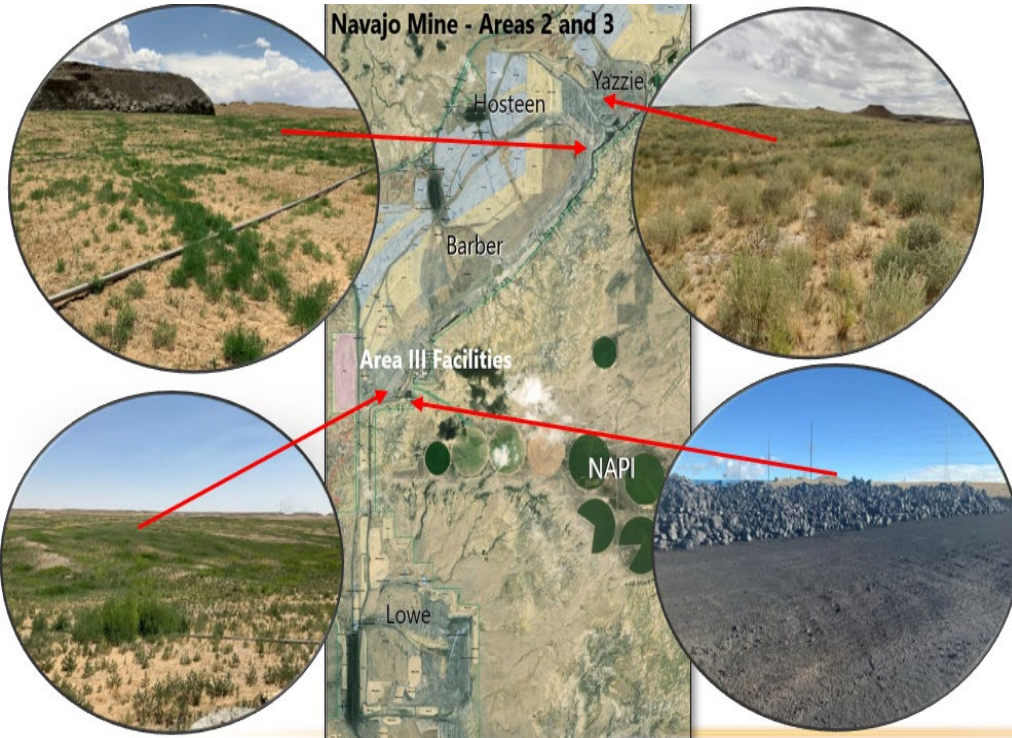
NAVAJO MINE & PINABETE LEASE AREA (1/3)



- The Total Lease Area for the Navajo Mine is approximately 33,600 Acres. Mining began in 1963.
- Coal is transported to the Power Plant from Area 3 by train.
- Previously mined pits (Watson, Bitsui, Dodge, Custer, and Bighan) had undergone a Termination of Jurisdiction in 2004 from OSMRE.
- A lease relinquishment application for 2,208 acres north of Ramp 7 is with BIA for review.



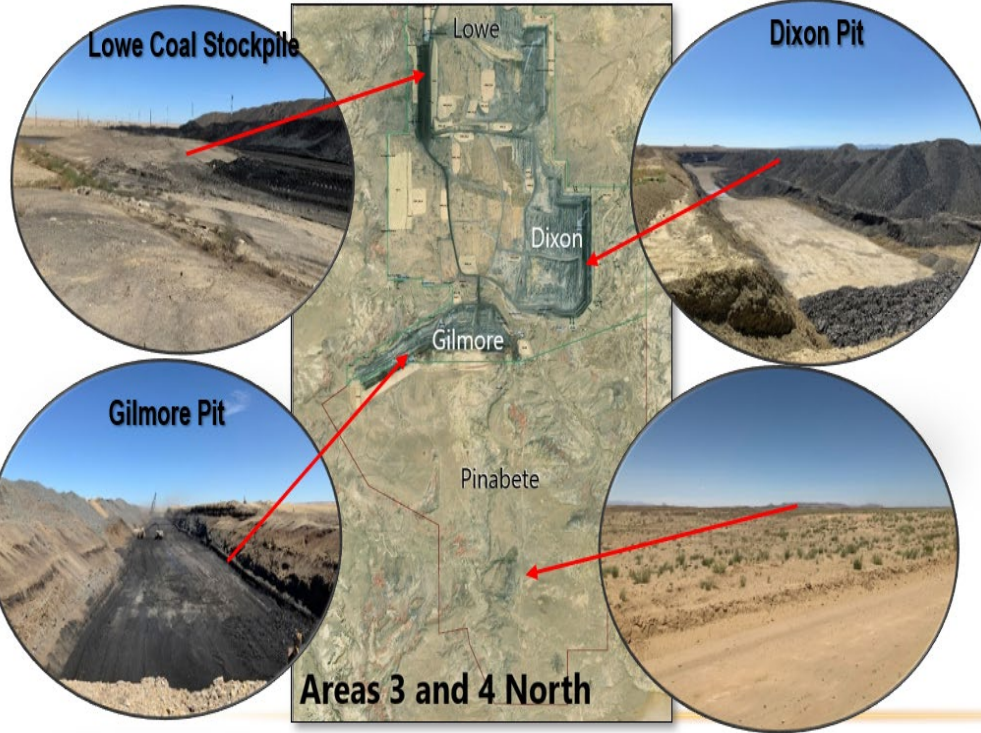
NAVAJO MINE & PINABETE LEASE AREA (2/3)



- Hosteen and Yazzie Pits are currently under full reclamation. The pits have been backfilled. Most of the slopes have been graded.
- Drainage channels have been constructed, and perennial vegetation has appeared over the completed slopes.
- NTEC's mine office is located within the Area III Facilities.
- Community Heating Resource Program (CHRP) provides free coal to residents of the Navajo Nation.
- This program runs between October and March each year.



NAVAJO MINE & PINABETE LEASE AREA (3/3)



- Coal seams are currently being mined out of the Dixon and Gilmore Pits.
- Kress trucks haul the coal to the Lowe Coal Stockpile, where it is transported to the Four Corners Power Plant by train.
- The Gilmore Pit is currently south of the Pinabete permit boundary.
- The mining operations within Navajo Mine and Pinabete shall continue through 2031.

CMI – MCKINLEY MINE LEASE AREA



- The mine is regulated by two agencies: OSMRE and New Mexico Mines & Minerals Division (MMD).
- Total Lease Area for OSMRE Jurisdiction/Navajo Nation Side is 12,422.46 Acres.
- South of Hwy 264 is regulated by NM MMD.
- Mining operations ceased in 2009 in OSMRE-regulated areas.
- All of the former pits have been backfilled and reclaimed.
- Perennial vegetation has been re-established over the reclaimed areas.

SUMMARY: CURRENT OPERATION & RECLAMATION



Mine	Permitted/ Disturbed (Acres)	Active Mining Areas	Reclamation Status
Navajo Mine (NTEC)	18,522/13,164	Area 3; Dixon & Area 4 N; Gilmore	Active coal mining is ongoing. Reclamation is proceeding in areas where mining has been completed. 4,997 acres is backfilled and graded. TOJ -1324 Acres, Phase III- 228 Acres
Pinabete Mine (NTEC)	5.567/1,081	Area 4 North: Gilmore	Active coal mining started in July 2016 and is ongoing. Reclamation occurs as area becomes available. Phase III-0 Acres
McKinley North Mine	12,263/6,336	None, Mining Ceased in December 2009	97% of Land is reclaimed & eligible for Phase 3 bond release pending vegetation performance demonstration; leaving about 164 acres of facilities un-reclaimed. Phase III- 1,759.5 Acres, TOJ- 309.5 Acres
Kayenta Mine	44,073/17,150	None, Mining Ceased on August 21, 2019	Overall percentage reclaimed, including facilities-79% Overall percentage reclaimed of the mined areas-86%. TOJ - 8,371 Acres, Phase III-6030 Acres
Black Mesa Mine	18,857/6,160	None, Mining Ceased on December 31, 2005	Overall percentage reclaimed, including facilities-82% Overall percentage reclaimed of the mined areas -100%
Black Mesa Preparation Plant	40/40	Facility Only, No Mining	Demolition & Reclamation Completed in 2022. Vegetation Monitoring Initiated. TOJ application submitted by ONEOK.

*Updated on 4/16/2026

RECLAMATION ACTIVITIES



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NAVAJO MINE: YAZZIE PIT RECLAMATION



March 6, 2018



September 7, 2023

NAVAJO MINE: YAZZIE PIT BACKFILL, REGRADE & REVEGETATION



July 25, 2019



April 3, 2025

NAVAJO MINE: DIXON PIT BACKFILL, REGRADE & REVEGETATION



October 24, 2019



January 22, 2026

NAVAJO MINE: MASON AREA RECLAMATION



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