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Ms. Victoria Schmitt, PE  
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***By email and United States Mail***

January 25, 2016

**GCC - King II Coal Mine Class II permit #2012- 0089  
Sharing Information**

Dear Daniel and Victoria:

I continue to be fairly heavily occupied today; I simply prepared this letter to reiterate the message I sent you Friday.

We want to keep all channels open and be as responsive as possible to your inquiries. And I thank you for your efforts to promote that. And for the information you shared.

Let me respond more specifically as follows.

- 1. Communications from/to GCC.** I have been asked by GCC's lawyers not to communicate directly with their client. This is a perfectly appropriate request, and I feel I have to honor it. So I cannot, much as I would like, be sending things to Mr. Peterson, or asking him to send me things. I can only deal with the attorneys.

**2. Propriety of Requests.** It is the duty of the Applicant to supply the information necessary to support its application, and give it to your Department and through you to the public. I think that the information that has been requested of GCC regarding right of way surveys for the proposed road improvements, and related evidence of the engineering (if any) is something GCC in fairness should be supplying to you (and the public), and that you should be asking them to supply without delay. I know that if someone were proposing to acquire part of my property as part of this land use application, I would surely want to know the details.

I am disturbed that Mr. Peterson would try to dicker over this, and say that he will only supply this important information if we give him things he wants. If he has a duty to supply it – and I think he does – he should supply it, rather than try to get something in return for fulfilling his duty.

I am also concerned that he seems to be complaining that somehow we have not shared information as we should be doing. As explained below, we are not sure what he is talking about, and it makes it harder when he is talking to others about us rather than getting a message directly to us.

**3. Issue for SW CO Advocates.** All that aside, the request to GCC for the survey and engineering data did not come from me. It came from SW CO Advocates. So I have copied Cynthia Roebuck, their Executive Director, and Jeff Robbins, their lawyer, and will let them follow up with you about this. These are not my decisions to make.

**4. Requests from you.** We will always do our best to respond promptly and fully to any requests for information from you or people in your office. I do not understand that the County is asking us for anything at this point. If you are, tell me and I will answer you promptly to the best of my ability.

**5. Requests from GCC.** We will always do our best to respond promptly and fully to any requests for information from GCC's attorneys. While we have been told that they will soon be sending us a request, to this date we have so far as I am aware no request to respond to. If we get one, we will respond. We think it only fair that they also respond to our requests.

**6. Air Quality Modeling and Data.** The message you passed to us leads me to understand that this is part of Mr. Peterson's concern. Part of the issue may be that we really do not know what is being or might be requested. Pretty much all the data used in this report are from publicly available sources. These sources are all identified in the report. We have discussed your messages with our air quality expert, who is at a loss to know exactly what it is that Mr. Peterson (or anyone else) might want. That is why we hope that Mr. Peterson will quit trying to use intermediaries and have his lawyers contact me and tell me more specifically what they might want. From the report, the following (and more) are pretty clear:

- The model used is the AERMOD program, (current version 15181). (Report, 2).

- The data used for the AERMAP component, basically the terrain characterization, are from the publicly available U.S. Geological Survey National Elevation Data set. (Report, 3).
- The data used for the AERMET component, which characterizes meteorological conditions in the study area, have three elements, National Weather Service meteorological surface data, NWS upper air data, and land surface characteristics. (Report, 3). The data used are then identified.
  - A five year (2010-14) data set from the Durango- La Plata County Airport were used for the surface data requirement. (Report, 3 and Figure 2). I believe this to be publicly available.
  - A five year (2010-14) data set from the NWS upper air network station nearest the site (Grand Junction) was used for the upper air element. (Report, 3). Similarly, I think anyone has access to this.
  - Land surface characteristics were obtained from the USGS National Land Cover Database. (Report, 4). These are also available.
- Traffic data (vehicle classification and number of daily trips) are from the Roadrunner Engineering study on the County website (Report, 5).
- Receptor residences or structures were identified (and indicated in the tables attached to the report) using the Google Earth program. Report, 4).

So I hope this has not gone on too long. And I hope you understand how we are a little hesitant how we can respond to an information request that (a) we have not received and (b) which is to say the least not very specific.

I would surely be happy to talk with you and Adam about any aspect of this if you feel it would be useful.

Sincerely,

A handwritten signature in black ink, appearing to read "Luke J. Danielson". The signature is fluid and cursive, with a large initial "L" and "D".

Luke J. Danielson

cc: Crosscreek Ranch  
SW CO Advocates  
Jeff Robbins, Esq.  
D. Adam Smith, Esq.  
Mark Mathews, Esq.