

SCANNED
Date 5-27-08 (30871)
File NR-Trust-5-20-08-comments

RECEIVED

MAY 22 2008
30871
PUBLIC SERVICE COMMISSION

Keith Trego
Executive Director

FROM DIRECTOR - RECLAMATION DIV. 605 East Capitol Avenue, Ste. 101

Date: 5-27-08

Bismarck, ND 58501-2102

(701) 223-8501

Action: _____

FAX: (701) 223-6937

Info. Only: Guy

Info & File: Permit NAFK-8705-Bond
Release No. 2

May 20, 2008

James R. Deutsch
Public Service Commission
600 E. Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

The North Dakota Natural Resources Trust (Trust) participated as a wetland advisory committee member on the site inspection for the final Bond Release Application No. 2 to Surface Mining Permit NAFK-8705 at the Falkirk Mine. The Trust has appreciated the opportunity provided by Guy Welch to participate and learn about the wetland reclamation activity on the Falkirk Mine and other mine reclamation activity. The focus of my activity is to provide comments on the two wetlands (R-W31-04 and R-W31-01) in Section 31, T146N, R82W for this release.

The North Dakota Natural Resources Trust is satisfied that Falkirk Mining has met the requirements for the reclamation of these wetlands. The reclamation process was successful based on the following criteria.

- 1) The soils reclamation was an important step in retaining the characteristics of the original wetlands. Replacing existing wetland soil has provided a seed source for the quicker establishment of wetland vegetation. The Falkirk Mine Inspection Report and the on-site visit showed representative vegetation in each of the wetland zones (shallow marsh and wet meadow). The wetland vegetation will continue to establish as the wetland functions through continual wet and dry weather cycles.
- 2) The watershed for these wetland basins has the ability to provide adequate moisture to replenish the wetlands without the risk of excessive nutrient runoff. The successful establishment of the adjacent upland cover will ensure a proper filter process.
- 3) Use of wetland associated wildlife was present and abundant during the September 2007 site visit.

12 RC-06-532 Filed: 5/22/2008 Pages: 2
Comments on the Bond Release Submitted

North Dakota Natural Resources Trust

Terry Allbee

"Dedicated to the preservation, enhancement, restoration and management of wetland habitat, grasslands, and riparian areas in the state of North Dakota."

As a member of the wetland advisory committee, the Trust is completely satisfied with the reclamation of the wetlands and has no objections to the Bond Release Application No. 2 to Surface Mining Permit NAFK-8705 at the Falkirk Mine. The U.S. Fish and Wildlife Service surface ownership will provide additional wetland and upland management to further enhance wetlands on the property. In addition to the management, these properties will be available for the public to enjoy and utilize.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terry Allbee".

Terry Allbee
Business Manger/ Biologist