



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

July 20, 2010

Mr. Jeff Towner, Field Supervisor
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

Dear Mr. Towner:

The Public Service Commission is planning coal outcrop fire suppression activities in the fall of 2010 on hazardous coal outcrop fires located in Slope County approximately 30 miles southeast of Beach. The objective of this project is to extinguish or suppress several coal outcrop fires that could potentially ignite hazardous wildfires. Coal outcrop fires are located both on private and U.S. Forest Service Properties. However, USFS is responsible for NEPA compliance on those located on its properties.

As part of the process to obtain authorization to proceed from the Office of Surface Mining, we request concurrence that the proposed project will not adversely affect any threatened, endangered or rare animal species. Please reply regarding this proposed project as soon as possible.

Project Background

The proposed Weinreis Coal Fire Project includes several coal outcrop fires located in the N½ of Section 10, T135N, R105W and the N½ of Section 30, T136N, R104W in Slope County, North Dakota. (See attached map.) It is possible that additional coal outcrop fires may be discovered during this project and these will be suppressed or extinguished as deemed necessary.

These coal outcrop fires were principally ignited as a result of the 2008 Brown Ranch Wildfire. The U.S. Forest Service and local firefighting crews worked for weeks extinguishing this fire, but thousands of acres burned. One of the coal fires was ignited by an earlier (2004) prairie fire.

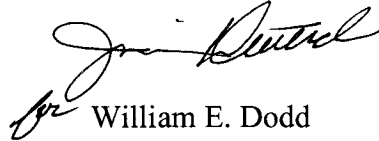
The proposed project site is privately owned and the property owner, George Weinreis, has requested assistance to have the outcrop fires suppressed. These coal outcrop fires were brought to the attention of the Public Service Commission by the U.S. Forest Service in late 2009 and

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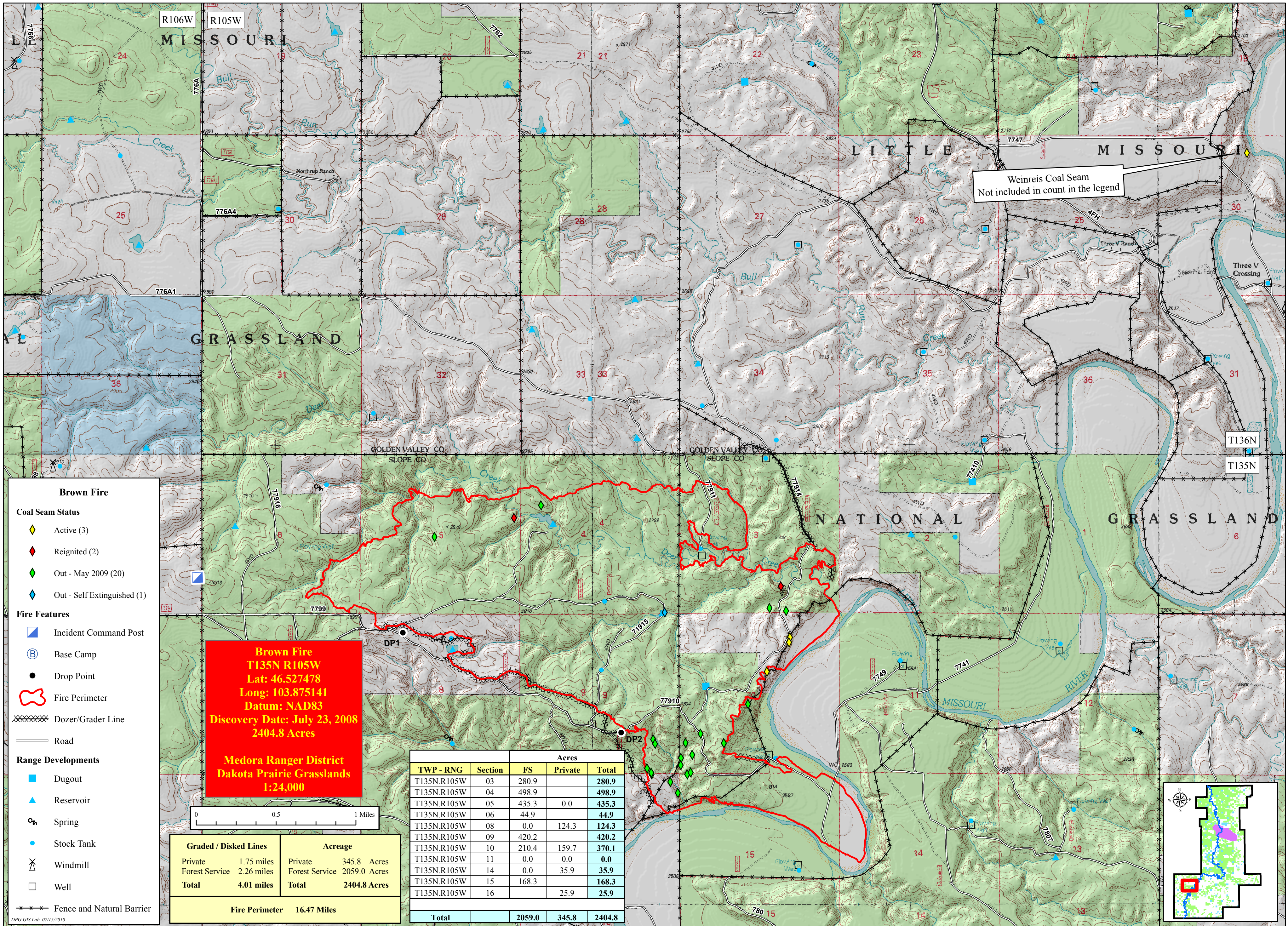
early 2010. The areas of individual outcrop fires vary but the combined total area affected by coal suppression activities is expected to be less than two acres and is all located on native pastureland used for livestock grazing.

If you have any questions or need more information, please contact me by email at wdodd@nd.gov or 701.328.4101.

Sincerely,

A handwritten signature in black ink, appearing to read "William E. Dodd". The signature is fluid and cursive, with a large initial "W" and "D".

William E. Dodd
Assistant Director
Abandoned Mine Lands Division

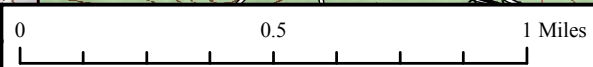


Weinreis Coal Seam
Not included in count in the legend

Brown Fire
T135N R105W
 Lat: 46.527478
 Long: 103.875141
 Datum: NAD83
 Discovery Date: July 23, 2008
 2404.8 Acres

Medora Ranger District
Dakota Prairie Grasslands
 1:24,000

- Brown Fire**
- Coal Seam Status**
- ◆ Active (3)
 - ◆ Reignited (2)
 - ◆ Out - May 2009 (20)
 - ◆ Out - Self Extinguished (1)
- Fire Features**
- Incident Command Post
 - Ⓟ Base Camp
 - Drop Point
 - 🔴 Fire Perimeter
 - ⚡ Dozer/Grader Line
 - Road
- Range Developments**
- Dugout
 - ▲ Reservoir
 - ⊙ Spring
 - Stock Tank
 - ⊗ Windmill
 - Well
 - ⋈ Fence and Natural Barrier



Graded / Disked Lines		Acreage	
Private	1.75 miles	Private	345.8 Acres
Forest Service	2.26 miles	Forest Service	2059.0 Acres
Total	4.01 miles	Total	2404.8 Acres

TWP - RNG	Section	Acres		
		FS	Private	Total
T135N.R105W	03	280.9		280.9
T135N.R105W	04	498.9		498.9
T135N.R105W	05	435.3	0.0	435.3
T135N.R105W	06	44.9		44.9
T135N.R105W	08	0.0	124.3	124.3
T135N.R105W	09	420.2		420.2
T135N.R105W	10	210.4	159.7	370.1
T135N.R105W	11	0.0	0.0	0.0
T135N.R105W	14	0.0	35.9	35.9
T135N.R105W	15	168.3		168.3
T135N.R105W	16		25.9	25.9
Total		2059.0	345.8	2404.8

