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January 27, 2011

Public Service Commission  
State Capitol  
Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION DIV.  
Date: \_\_\_\_\_  
Action: \_\_\_\_\_  
Info. Only: \_\_\_\_\_  
Info & File: \_\_\_\_\_

RE: Coteau Properties Co. Renewal No. 4 Permit NACT-9001

Dear Sir or Madam:

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposal from the Coteau Properties Company to renew Surface Coal Mining Permit covering lands in Sections 1,2,3, and 11, T145N, R88W, Sections 5,6,9, and 10, T145N, R87W, Mercer County.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage or Land and Water Conservation Fund recreation projects that we coordinate.

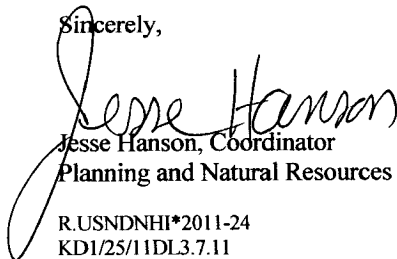
The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, there are no documented occurrences in our database within or adjacent to project area.

Because this information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The lack of data for any project area cannot be construed to mean that no significant features are present. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact Kathy Duttonhefner (701-328-5370 or [kgduttonhefner@nd.gov](mailto:kgduttonhefner@nd.gov)) of our staff. Thank you for the opportunity to comment on this proposed project.

Sincerely,

  
Jesse Hanson, Coordinator  
Planning and Natural Resources Division  
R.USNDNHI\*2011-24  
KD1/25/11DL3.7.11

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*Play in our backyard!*