



Public Service Commission

State of North Dakota

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December 23, 2011

Mr. Mike Murray
Property and Rights-of-Way Supervisor
Basin Cooperative Services
1717 East Interstate Avenue
Bismarck, ND 58501

Dear Mr. Murray:

The Reclamation Division has reviewed Basin Cooperative Services November 28, 2011 responses to our technical review on Bond Release No. 7 to Permit BCGH-8204. The following items need to be addressed prior to this office recommending Commission action.

Attachment VI – Tract History, Bonding and Vegetation Data

1. Please revise Tables 1 & 2 to clarify that the redisturbed orphan spoil in Section 33 is included with Tract 5, BCS-Section 5 Spoil Redisturbed or Old Spoil Reseeded. In addition, Attachment IXC_102810.pdf shows that a number of ground cover transects in Sections 4 and 5 were taken on orphan spoil that was not redisturbed. These transects should not be shown if they were not used or needed. Please revise or clarify as necessary. (GAW)

Attachment XI – Pond Information & Design and Water Quality Information

2. Follow-up to deficiency No. 51: Information regarding the Stephens pond is still included on the CD in the List of Ponds in Bond Release 7 (PermPond-list-BR7_111910.doc). Please delete the reference to this pond on the CD, assuming that is still your intention. (BEB/RLK)
3. The water quality analyses for the permanent impoundments provided in the hard copy of the bond release application still differs from the information on the CD. The same information should be provided in both sets of materials. (RLK)

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4. Follow-up to deficiency No. 54: Water quality analyses are provided on the CD for Ponds 31-3H, 143-84-9-3H, WD2 Pond, Rec-SP68, Wetland 31-A and Wetland 31-B which do not appear on the List of Ponds in Bond Release 7 provided in Attachment XI. Your initial response to this item was that a list of ponds is provided as the first page in Attachment XI which provides the NDPDES number as well as the pond number, which was obvious; however, a handful of the pond numbers do not match the ponds/wetlands that are identified in the original deficiency with the sample description identifier provided on the MVTL analyses sheet. We acknowledge the updated (July 2010) water quality data of developed water resources in support of this application but those data are useless if we are unable to match the MVTL sample description (pond number) with the pond from where the water sample was obtained. We ask that you either pencil in a new descriptor on the MVTL sheets or change the Permanent Pond Listing (under the Pond No. column) to match the water quality analyses sheets (MVTL) for those half-dozen DWR's that were identified in the original deficiency. (BEB/RLK)

If you have any questions, please contact this office.

Sincerely,



for James R. Deutsch
Director
Reclamation Division