



Public Service Commission

State of North Dakota

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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

March 22, 2011

Mr. Donn Steffen
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523-9475

Dear Mr. Steffen:

The Reclamation Division is delaying recommending Commission action on Coteau's February 21, 2011, request for variance from the 10-year revegetation responsibility period on approximately 2.5 acres of reclaimed hayland located in the SE $\frac{1}{4}$ of Section 16, T145N, R86W, within Permit NACT-9101 (PSC Case No. RC-11-68). This acreage was re-disturbed in the fall of 2010 to repair a settling feature that is approximately 0.4 acres in size.

The Reclamation Division has determined that a variance from the 10-year revegetation responsibility period cannot be granted until the seeded vegetation has been established on the disturbed area and it has been documented that the area drains appropriately. The Reclamation Division staff will inspect the repair area this spring to determine if water is ponding on the site and vegetation establishment will be evaluated.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

m/Freedom/9101/variances/2011/Sec16_3-22_delay