



# Public Service Commission

## State of North Dakota

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May 10, 2012

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

Dear Mr. Steffen:

The Reclamation Division has reviewed Coteau's April 13, 2012 response to our review letter dated March 8, 2012 for Bond Release Application No. 5 to Permit NACT-9101. The following items must be resolved prior to the Reclamation Division recommending Commission action.

### **Attachment VI – Contour and Revegetation Maps**

1. Follow-up to deficiency No. 3: The original deficiency requested a small editing change to the Contour and Revegetation Map – Tract 1 that is located in Attachment VIa not Attachment Va, as you've pointed out in your April 13 response. Attachment VIa still contains the same labeling for the constructed wetland that it had before (look closely). Please address original deficiency No. 3. (BEB)
2. Follow-up to deficiency No. 4: The original deficiency asked for depiction and labeling of the surface water features in Attachment VI, not Attachment V, as you've pointed out in your April 13 response. Attachment V already contained the correct location and labeling of those features in earlier versions of the bond release application. To summarize, all of the features in Attachment V have previously been labeled correctly, and the Tract 1 Map of Attachment VIa has the appropriate surface water features correctly depicted and labeled, but Attachments VIb and VIc still do not show or label the wetland and stockponds. Please address original deficiency No. 4. (BEB)
3. Follow-up to Item No. 5: Please depict the entire watershed for created wetland CW-D17-01 (including the portion of the watershed outside of the permit and bond release area), and include the topography of the whole area on the Contour and Revegetation Map, Attachment VIb, as required by our Revegetation Success Standards Document, Item 5 of Page II-H-9. (GAW)

**Attachment VII – General Information**

4. Follow-up to Item No. 8: Please include a copy of a public right-of-way easement from Mercer County showing that the reclaimed road in the southwest corner of Section 17, Tract 2, is available to the public to access adjacent statutory section line right-of-ways. (MDB/GAW)

**Attachment VIII – Site History, Management and Vegetation**

**Tract 1**

5. Follow-up to Item No. 15 and 16: Please review the climatic correction factor listed for 2008 in Attachment VIIIb, Cropland Productivity Standard. A value of 0.3 is listed but it appears that 2.55 was actually used to develop the weighted standard. Please review and correct as necessary. (GAW)
6. Follow-up to Item No. 18: The scale ticket in Attachment VIIIc shows that Kevin Weis had a loaded weight of 8360 pounds not 8860 pounds as previously indicated. Therefore, it does not appear to us that the landfill operator made an error as Coteau has indicated. Please either provide a clear copy of the scale ticket to support the claim that the landfill operator made a mistake or update the hayland yield calculations as necessary. (GAW)

**Tract 2**

7. Follow-up to Item No. 22: Please revise the conclusion narrative at the end of page 8 of Attachment VIIIe, to list all of the postmine land uses in Tract 2. Tract 2 contains reclaimed orphan spoil but this landuse was removed from the conclusion statement. Please review and revise to make the conclusion statement complete and correct. (GAW)

**Tract 3**

8. Follow-up to Item No. 28: Attachment VIIIi, Cropland Productivity Standards, lists the reclaimed yield as 20.9 bu/ac and the standard being 19.0 bu/ac in 2008 but the table in Attachment VIIIh indicates that the reclaimed yield was 20.6 bu/ac and the standards as 19.2 bu/ac. Please review and correct as necessary. (GAW)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch  
Director  
Reclamation Division