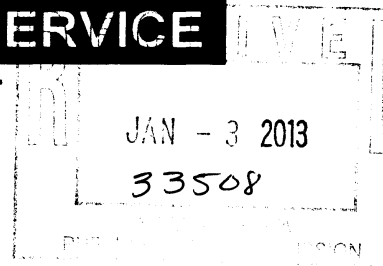




NORTH DAKOTA FOREST SERVICE

"Enhancing the Quality of Life Through Forestry"



January 2, 2013

James Deutsch, Director
PSC, Reclamation Division
600 East Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480

Re: BNI Coal, Ltd., Surface Coal Mining Permit BNCR-1101

Dear Mr. Deutsch,

The North Dakota Forest Service has reviewed the information concerning the above-referenced project pursuant our role as a member of the Advisory Committee. North Dakota's forests provide wildlife habitat, recreational opportunities, stabilize river banks, filter water runoff from adjacent agricultural lands, provide wood products, serve as seed sources for conservation tree production, increase the botanical diversity of the state, and provide important wildlife habitat.

While we own no land in or adjacent to the proposed project, we understand that both shelterbelt plantings and native riparian areas will be disturbed in the project area. We understand that BNI intends to replace these on an acre for acre basis, and we encourage BNI to work closely with the Oliver County Soil Conservation District throughout the reclamation process.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,

Liz Smith, ND Forest Service

Cc: Larry Kotchman, State Forester

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Comments received from the North Dakota Forest Service
North Dakota Forest Service
Liz Smith