



# Public Service Commission

## State of North Dakota

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April 24, 2013

Mary E. Podoll  
State Conservationist  
Natural Resources Conservation Service  
PO Box 1458  
Bismarck, North Dakota 58502-1458

Dear Ms. Podoll:

This letter is in reference to the prime farmland reclamation plans for Dakota Westmoreland Corporation's (DWC) application for Revision No. 27 to Permit KRSB-8603 at the Beulah Mine. DWC recently submitted a revised application in response to our March 25, 2014 technical review letter that included your agency's February 19, 2014 comments regarding Section 2.4 and Section 3.4 narratives and DWC's proposal to mix prime and non-prime farmland subsoil in the S $\frac{1}{2}$  of Section 22.

The prime farmland investigation narrative in Section 2.4 and the prime farmland reclamation plan narrative in Section 3.4 of the permit application have been revised to limit the comparison of prime and nonprime subsoil characteristics in the S $\frac{1}{2}$  of Section 22 to the dominant Flaxton (57B-C) and Williams (36B-C) nonprime soil map units in the mining disturbance area that are proposed to be salvaged with the 2.1 acres of prime farmland subsoil. As measured from Exhibit 3.5.3 (Postmine Topography), the mining disturbance area for the S $\frac{1}{2}$  of Section 22 includes about 107 acres as depicted on Figure 1. Please note that soil salvaged from the Gold Pits in the adjoining NE $\frac{1}{4}$  of Section 22 and W $\frac{1}{2}$  of Section 23 will be handled separately because DWC does not have a soil mixing agreement with the landowner. As indicated on Figure 1, pedon samples 22-5, 22-6, 23-14, 100, and 101 are used to compare subsoil of the dominant nonprime soil map units with subsoil of the prime farmland soil map unit, but please note that pedon sample 23-14 is incorrectly labeled as 23-4 in Exhibit 2.4.11.

Enclosed is a DVD of the revised application for your agency's review. This revised application is not reliably formatted with hyperlinks to open sections of the permit from the Table of Contents or from related sections within the permit. Please open the permit's Table of Contents to guide you to sections of interest and navigate through the permit in Windows Explorer to open

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the Adobe Reader files of interest. Please review Section 2.4 and Section 3.4 narratives particularly DWC's proposal to mix prime and non-prime farmland subsoil in the S½ of Section 22. We would appreciate receiving your agency's written comments to the prime farmland reclamation plans, or your concurrence with the plans, within 20 days.

Please contact this office if you have any questions.

Sincerely,



James R. Deutsch  
Director  
Reclamation Division

Enclosure

cc: Jeff Frohlich

Minedata/Beulah/Permits/KRSB-8603/Revisions/No.27/NRCS\_rvsd\_rvw\_rqst\_ltr\_4-24-14

