



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

August 14, 2013

Mr. Edward Pettit
Environmental Manager
Knife River Corporation
1150 West Century Ave.
Bismarck, ND 58503

Dear Mr. Pettit:

The Reclamation Division has completed an initial review of Final Bond Release Application No. 7 for Permit KRGC-8101. Knife River Corporation may begin publishing the public notice and mail the notification letters after addressing the following:

Application Form

1. Please correct the first page of the application to reflect that Tract 2 of the proposed bond release area is in Section 33 rather than Section 34 as submitted. (ZAT/RLK)

Attachment 3 – Public Notice Narrative and Bond Release Tract Map

2. Please revise the first paragraph of the public advertisement to state that the current bond amount for Permit KRGC-8101 is \$849,785.84 not \$716,696.11 as listed. Although the Commission has approved Final Bond Release No. 6, 30 days has not passed since that decision and the bond reduction and bond area paperwork has not been filed to actually reduce the existing bond amounts and the approval of the bond release is still appealable. (GAW)
3. The first paragraph of the bond release letters should be updated to indicate a final bond release filing date of July 25, 2013. Also, please remember to update the closing date for comments in the last paragraph to a date 30 days after the last publication date of the notice. (RLK)
4. The second paragraph of the Public Notice states that the tracts are depicted on the map accompanying the advertisement but the tracts are not depicted on this map. Please label the tracts on this map. (GAW)
5. Please revise the advertisement to clarify the acreage amounts of each stage(s) of release being sought. All four stages of release is being requested for the acreage not included in Bond Release Application No. 3 (16.9 acres) and revegetation and final bond release is being requested on the balance of the disturbed acreage. (GAW)

6. The year(s) of initial disturbance should be included in the third paragraph to identify the reclamation law period/reclamation standards that will apply to the proposed bond release tract. (RLK)
7. Please clarify the last sentence in the third paragraph pertaining to the parcel in Section 26. The statement identifies both the initial reclamation seeding in 1999 as well as additional treatment in 2008. Perhaps for the purposes of the public notice, provide the initial reclamation seeding to cropland/hayland similar to what was provided in the narrative for the other parcels. (ZAT/RLK)

Attachment 4 – Letters of Notification

8. Please update the contact person for the state agency review letters as follows: State Historical Society, Mr. Merlan Paaverud; State Water Commission, Mr. Todd Sando; and North Dakota Department of Health, Environmental Health Section, Mr. Dave Glatt, Environmental Health Section. (RLK)
9. The Surface and Adjacent owners of record in Attachment 4 identifies a Robert Perkins as surface owner but Attachment 7 states that Bud Perkins is the surface owner of the tract in Section 33 and Bud Perkins is not listed in Attachment 4. Attachment 6, Ownership Map, does not provide first names so it is not clear who owns Tract 2. Please review and revise as necessary to clarify if Robert Perkins and Bud Perkins are the same person. (GAW)
10. The letters to adjacent surface owners need only include the adjoining property owners. You may consider limiting the letters to the surface owners whose land adjoins and is contiguous with the specific area proposed for release from bond. (ZAT/RLK)

The Reclamation Division plans to schedule the official final bond release inspection for the week of August 19th if the public notice and notification letters have been published and mailed, and field conditions allow for an evaluation of the reclamation work.

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch
Director
Reclamation Division