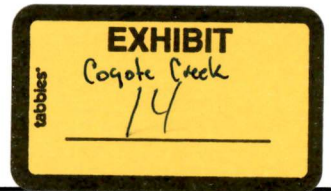




Public Service Commission

State of North Dakota



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August 26, 2013

Ms. Sarah Flath
Senior Environmental Specialist
Coyote Creek Mining Company, L.L.C.
2000 Schafer Street, Suite D
Bismarck, ND 58501-1204

Dear Ms. Flath:

The Reclamation Division has completed its review of the Alluvial Valley Floor Evaluation Report for drainage systems located within and adjacent to North American Coal Corporation's proposed Coyote Creek Mine in Mercer County, North Dakota. The Coyote Creek Mining Company's Alluvial Valley Floor Evaluation Report provides geologic, hydrologic, soils, vegetation and landuse data and information covering an area of approximately 33,000 acres and includes the 84 acres in Permit Application No. NACC-1301 which is currently under review by the Reclamation Division. Additionally, the AVF evaluation report area incorporates lands proposed for a future larger mining permit (NACC-1302) that is expected to contain approximately 10,000 acres.

Based upon review of the information required by NDAC 69-05.2-08-13 in your March 20, 2013 submittal and subsequent updates to the report with your August 20, 2013 submittal, in addition to other information obtained during a field investigation conducted by members of the Reclamation Division on April 30, 2013, we have determined that those areas of the AVF evaluation report study area do not constitute alluvial valley floors as defined by NDCC 38-14.1-02 and as described in the 1983 OSM Alluvial Valley Floor Identification and Study Guidelines. The study area includes lands located adjacent to Brush Creek, Beaver Creek, Mud Creek, Coyote Creek and Knife River as well as their contributing drainages included within the AVF Study Area Boundary of the report that is provided as Exhibit A.

Coyote Creek Mining Company's August 20, 2013 version of the Alluvial Valley Floor Evaluation Report is approved as submitted. Since track changes of new and updated information were not incorporated into the August 20th version of the report, no additional or cleaned-up CD's of the evaluation report will need to be submitted to us.

As required by the Reclamation law and rules, please incorporate a copy of this determination letter into the applications for Permit NACC-1301 and NACC-1302.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation D

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RC-13-850
Exhibit CC-14

Filed: 1/23/2015 Pages: 1