

**PUBLIC SERVICE COMMISSION**  
**Reclamation Division**

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**Memorandum**

**TO:** Commissioners Kalk, Christmann and Fedorchak  
Darrell Nitschke, Executive Secretary  
Illona Jeffcoat-Sacco, Ryan Norrell

**FROM:** Jim Deutsch, Dean Moos and Guy Welch

**DATE:** April 2, 2014

**SUBJECT:** Application for Revision No. 16 to Permit No. NACT-0201 held by the Coteau Properties Company, Case No. RC-13-895

On December 11, 2013, The Coteau Properties Company filed the application for Revision No. 16 to Surface Coal Mining Permit No. NACT-0201. This revision identifies the next five year coal removal areas and addresses items that were identified as requiring updating or modification by the Reclamation Division during a pre-renewal review of the permit. This revision includes updates of legal, ownership, right-of-entry and business entity/compliance information, surface water management plans, revegetation establishment and management procedures, and postmining land use plans. The Reclamation Division has completed its review of this revision application and respectfully recommends it be approved.

Coteau applied for this revision and Renewal No. 2 to this permit since mining is scheduled to continue in the existing permit area until 2035 as shown on the extended mine plan. The surface and coal ownership information for the permit and adjacent area, and related lease information was updated as necessary. The Pit Layout and Facilities Map was revised to show coal removal subareas through the next permit term and the coal production schedule was updated accordingly. The soil handling plan was updated to address reducing the potential of soil blowing on disturbed areas and the reclamation plan was revised to clarify reclamation plans of several large overburden stockpiles that exist in the permit area. The updated mine plan minimizes disturbance to woodlands and plans to replace trees and shrub communities were revised. The native grassland seed mixture was changed to include an additional species and the seeding rate was revised accordingly. Minor changes were made to the postmine land use section for lands that will not be disturbed by mining activities. The fen wetland mitigation plan was also updated.

This revision was considered a significant revision application and was subject to the public notice requirements. Coteau has submitted affidavits of publication of the newspaper notices. We notified the appropriate agencies, affected landowners and the advisory committee members. We received no comments or objections to this revision application. Adequate performance bond is currently in effect for the mine-wide Consolidated Bonding Plan which was updated last fall. This and other permits at the Freedom Mine are covered by self and collateral bonds totaling \$119,000,000.

Attached for your consideration are the proposed motion, revision approval form, and revision approval notice that we will publish in the appropriate newspapers.

Minedata/Freedom/Permits/NACT-0201/Revisions/No.16/Rev16\_memo\_4-2-14