

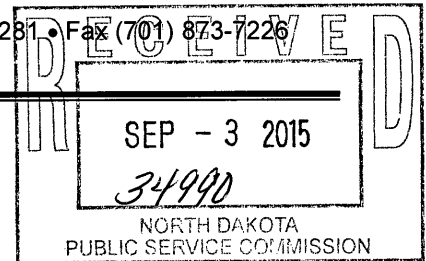
# THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

204 County Road 15  
Beulah, North Dakota 58523-9475

(701) 873-2281 • Fax (701) 873-7226



September 2, 2015

Mr. James R. Deutsch  
Director Reclamation Division  
Public Service Commission  
600 East Boulevard Avenue  
Department 408  
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

Enclosed are three DVD's containing revised Revision 18 to Permit NACT-0201. Responses below refer to deficiencies in your August 7, 2015 letter:

1. See the revised Ephemeral Drainage Profiles Map of Section 2.2.8.4.
2. See revised page 66 of Section 2.4.2 and the revised Pre-Mining Land Use and Vegetation Map of Section 2.4.3. During a field inspection with Guy Welch, it was determined that this tract of land should be returned to the "Tame Pasture" classification.
3. See revised pages 1-3 of Section 2.4.4.
4. See revised pages 68-69 of Section 2.4.2.
5. See revised pages 1-3 of Section 2.4.4 and revised page 1 of Section 4.4.3.
6. See revised page 2 of Section 2.4.10.
7. See revised pages 1-3 of Section 2.4.8.
8. See revised pages 1-2 of Section 2.4.10 and revised pages 1-2 of Section 4.1.3.
9. See the revised Projected Soil Respread Depth Map of Section 2.5.12.
10. See revised pages 5-6 of Section 2.7.3 and the new Potential Northern Long-Eared Bat Habitat Map of Section 2.7.3.2.
11. See revised pages 5-6 of Section 2.7.3.
12. See revised pages 9-10 of Section 2.7.3.
13. See revised pages 11-13 of Section 2.7.3.
14. See revised pages 1-3 of Section 3.1.1.2.
15. See revised page 7 of Section 3.1.1.3.
16. See revised page 10 of Section 3.1.1.3 and the revised Post-Mining Area Slope Map of Section 3.1.5.
17. See revised page 2 of Section 4.1.1 and the revised Post-Mining Topography and Land Use Map of Section 4.1.2. Due to terrain and other landscape features in the NE $\frac{1}{4}$ , a 64 acre area in the SW $\frac{1}{4}$  Section 10 has been identified as more suitable for potential cropland. The Coteau Properties Company owns both of these tracts.

18. See revised page 6 of Section 4.1.5. These changes were made to reflect Coteau's commitment to meet with the North Dakota State Land Department to get an updated preference statement from them. The post-mining land use was left as is in the permit. Changes requested by the Land Department will be implemented upon agreement of the final updated preference statement in an upcoming revision.
19.
  - a. The potential prime farmland discussed in this item lies on a tract that may be mined in the future for federal coal. This potential prime farmland designation is necessary even though it lies outside the disturbance boundary.
  - b. The area described was revised to show potential prime farmland in drainages and concave run-on areas. The amount shown on the map exceeds the acres pre-mining, providing flexibility upon respread.
  - c. See the revised Post-Mining Land Use Map of Section 4.1.2.
  - d. See the revised Post-Mining Land Use Map of Section 4.1.2.
  - e. See the revised Post-Mining Land Use Map of Section 4.1.2.
20. See the revised Post-Mining Land Use Map of Section 4.1.2.
21. See the revised Post-Mining Land Use Map of Section 4.1.2.
22. See the revised Post-Mining Land Use Map of Section 4.1.2.
23. See the revised Post-Mining Land Use Map of Section 4.1.2 and revised pages 1-2 of Section 4.4.2.1.
24. See the revised Post-Mining Land Use Map of Section 4.1.2 and revised pages 1-2 of Section 4.4.2.1.
25. See the revised Post-Mining Topography Development Map of Section 3.1.9, the revised Post-Mining Area Slope Map of Section 3.1.5, and the revised Post-Mining Land Use Map of Section 4.1.2. Instead of using diversions or terraces in this area, Coteau wishes to change the land use in the areas from cropland to native grassland. Coteau wishes to take 38.3 acres of native grassland in the NE $\frac{1}{4}$  Section 10 in Tract 46 and replace it with cropland. This native grassland will then be placed in the NW $\frac{1}{4}$  Section 11 in Tract 59 to replace cropland. This area looks to be the most unsuitable area out of Tracts 58, 59, and 60 for cropland. Adding a diversion or terrace would only increase the slopes in this area and take away acreage from the cropland.
26. See revised pages 1-2 of Section 4.1.3.
27. See revised pages 1-2 of Section 4.1.3.
28. See the revised Post-Mining Land Use Map of Section 4.1.2.
29. Section 4.4.2.1 shows only those wetlands that have been disturbed prior to this revision, not all of the wetlands that will be disturbed within the permit boundaries. No changes have been made, as this is still the most current information.
30. See the revised Post-Mining Topography and Land Use Map of Section 4.1.2 and revised page 1 of Section 4.2.3.1.

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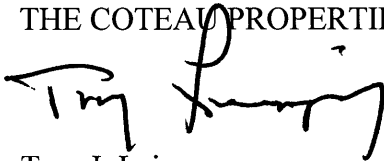
In addition, the following change was made:

1. Pages 19-22 of Section 1.1.2 were updated.
2. Information was added to page 4 of Section 2.7.3 to create a species specific protection and enhancement plan for the whooping crane. A map has also been added showing potential roosting and feeding sites for the whooping crane within the permit area (Potential Whooping Crane Roosting and Feeding Wetlands Map of Section 2.7.3.1.)
3. Additional information regarding the piping plover was added to page 7 of Section 2.7.3.
4. A new reference was added to page 3 of Section 2.7.4.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY



Troy J. Leingang  
Environmental Manager

AJH/LDR  
Enc.

cc: Shana Brost, Mercer County Auditor (w/enc.)