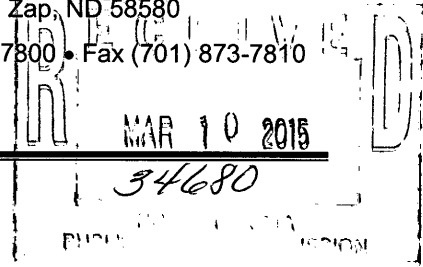


COYOTE CREEK MINING COMPANY, L.L.C.

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

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March 10, 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 Revision 1 to Surface Coal Mining Permit Application NACC-1302. Responses below refer to deficiencies in your March 9, 2015 letter regarding completeness review:

Section 1.1.2 – Revision Summary Pages

1. Please include a statement in the revision summary indicating that the revision application also updates the design information for the Coyote Creek crossings in the existing permit area.
(RLK/GAW)

Section 1.1.2 was revised as requested.

Section 1.5.1 – Permit Area Surface and Coal Interests

2. Follow-up to item No. 8: Although recorded plats for Tract 0070 (Section 9) and Tract 0071 (Section 10) were added as pages 7 and 8 to Easement Agreement No. CY010 in Section 1.5.1 as requested, it appears that the metes and bounds descriptions for these tracts were revised after the plats for Tracts 0070 and 0071 were certified in mid to late 2013. The metes and bounds descriptions, acreages, and resulting permit boundaries for Tracts 0070 and 0071 are consistent throughout Sections 1.2.4, 1.5.1, 1.5.3, and Exhibit A - Subject Lands Description (page 5) of Easement Agreement No. CY010, but the descriptions and depictions on recorded plats for Tracts 0070 and 0071 added to Easement Agreement No. CY010 differ considerably. Tract 0070 (Section 9) is the south 840 feet of the section measuring 101.6 acres but the recorded plat describes and depicts the south 480 feet of the section measuring 58 acres. Tract 0071 (Section 10) measures 114.8 acres in the south half of the section but the recorded plat describes and depicts 182.4 acres encompassing portions of every quarter section. Please provide revised certified plats for Tract 0070 (Section 9) and Tract 0071 (Section 10) for Easement Agreement No. CY010 that are consistent with the metes and bounds descriptions, acreages, and resulting permit boundaries for Tracts 0070 and 0071 in Sections 1.2.4, 1.5.1, 1.5.3, and Exhibit A - Subject Lands Description (page 5) of Easement Agreement No. CY010. Please also verify that the revised plats have been filed with the Mercer County Recorder as part of Easement Agreement No. CY010. (WTG)

The plats for Tracts 0070 and 0071, which were added to Easement Agreement No. CY010 in Section 1.5.1, were updated. To verify that the revised plats were filed with the Mercer County Recorder, she confirmed on 3/9/15 that the plat for Section 9, measuring 101.557 acres, was recorded on 9/19/14 as document number 205342; and the plat for Section 10, measuring 114.754 acres, was recorded on 9/19/14 as document number 205343.

Section 2.8 – Cultural Resources

3. Follow-up to item No. 25: None of the hyperlinks provided in the Cultural Resource Summary, Section 2.8.1, are operable. It was noted that the hyperlinks in the Revision No. 1 application version do work. Please restore the hyperlink functions in Section 2.8.1. (BEB)

The hyperlinks in Section 2.8.1 were restored.

Section 3.1 – Operations – General

4. Follow-up to item No. 27: Regarding design of the coal processing facility, please add KBR Engineering to the listing of Permit Application Authors and Consultants in Section 1.3.6, under the heading of Operations Plans. (BEB)

Section 1.3.6 was revised as requested.

5. Follow-up to item No. 29: Surface topographic elevations are nearly impossible to discern on the maps in Section 3.1.2, 3.1.3, and 3.1.5. In most instances, the index contour lines are covering up the elevation labels. Please either position the elevation numbers on top of the index contours and/or provide a different or darker color for the contour elevation numbers so that they're legible and the information is usable. (BEB)

Section 3.1.2, Section 3.1.3, and Section 3.1.5 were revised as requested. Labels were also revised in Section 3.3.2.

6. Follow-up to item No. 32: Please update the narrative for the County Road 12 paragraph on page 1 of Section 3.1.1.6 to reflect the Mercer County Commission's decision to require a bridge for County Road 12 or haulroad underpass as opposed to an existing grade haulroad crossing. Please provide a description and schedule for the temporary existing grade haulroad crossing and constructing the bridge or underpass. (WTG/RLK)

Section 3.1.1.6 was revised as requested.

Section 3.2 – Transportation Facilities

7. Follow-up to item No. 32: Please update the narrative for the North-South Haulroad and County Road 12 in the first paragraph of page 1 of Section 3.2.4 and the first and second paragraphs of page 1 of Section 3.2.8 to reflect the Mercer County Commission's decision to require a bridge for County Road 12 or haulroad underpass. Please provide a description and schedule for installing the temporary existing grade haulroad crossing and the life of mine structure. (WTG)

Sections 3.2.4 and 3.2.8 were revised as requested.

8. Follow-up to item No. 32: Please update Section 3.2.4.1 (Sheet 1 of North-South Haulroad) to reflect the Mercer County Commission's decision to require a bridge for County Road 12 or haulroad underpass by depicting and labeling a temporary existing grade haulroad crossing and make appropriate changes for the life of mine bridge or underpass. Please also revise note number 2 for County Road 12 as necessary. (WTG)

Section 3.2.4.1 was revised. Note number 2 explains Coyote Creek Mine's current plans for the crossing, although they are not yet approved by the county. Because of this, an additional large

note was added in red font across the top of the sheet explaining that details of the crossing will be determined at an April, 2015, public hearing. When the details are known, the final design of the crossing and resulting changes to the haulroad and the temporary public detour route will be added to Section 3.2.4.1.

9. Follow-up to item No. 32: Please update Section 3.2.8.1 (Sheet 1 of Haulroad North of County Road 12) to reflect the Mercer County Commission's decision to require a bridge for County Road 12 or haulroad underpass by depicting and labeling a temporary existing grade haulroad crossing and make appropriate changes for the life of mine structure. Please revise the current haulroad crossing labeling for County Road 12 as necessary. (WTG)

Section 3.2.8.1 was revised. Note number 2 explains Coyote Creek Mine's current plans for the crossing, although they are not yet approved by the county. Because of this, an additional large note was added in red font across the top of the sheet explaining that details of the crossing will be determined at an April, 2015, public hearing. When the details are known, the final design of the crossing and resulting changes to the haulroad will be added to Section 3.2.8.1.

Sincerely,

COYOTE CREEK MINING COMPANY, L.L.C.



Sarah Flath
Senior Environmental Specialist

SJF
Enc.