

**Public Service Commission
Reclamation Division**

Memorandum

To: Commissioners Fedorchak, Christmann and Kalk
Darrell Nitschke, Executive Secretary

From: *JJD DKM FE*
Jim Deutsch, Dean Moos and Francisco Echeverria

Date: September 10, 2015

Subject: Application for Revision 29 to Permit No. NACT-0401 held by The Coteau Properties Company, Case No. RC-15-230

On May 28, 2015, The Coteau Properties Company filed the application for Revision No. 29 to Surface Coal Mining Permit No. NACT-0401. This revision identifies the next five-year coal removal areas and addresses items identified by the Reclamation Division as requiring updating or modification during our pre-renewal review of the permit. This revision updates introductory information, business entity/compliance information, identification of interests and rights of entry, surface water hydrology, operation plans, transportation facilities, surface water management, and vegetation assessment and success standards. In addition, the 2012-2013 Wildlife Monitoring Report was added to the Consolidated Wildlife and Habitat Monitoring Plan. The Reclamation Division has completed its review of this revision application and respectfully recommends it be approved.

Coteau has applied for Revision No. 29 and Renewal No. 2 to this permit because coal removal operations will continue in this permit area for many years. Coal removal began in 2006 and is planned to continue through 2030 within the current permitted area. Mining and reclamation plans and other information were updated for the next permit term as part of Revision No. 29. The location of this permit is shown on Figure 1.

This revision application was considered a significant revision application and was subject to the public notice requirements. Coteau submitted the affidavits of publication for the newspaper notice. We notified the appropriate agencies, affected landowners and the advisory committee members of this application. No objections to this renewal application were received. Evidence of adequate performance bond and liability insurance are currently on file. The current amount of bonds that cover this and other permits at the Freedom Mine were determined to be adequate. No bond adjustment was required for this revision.

Also attached for your consideration are the proposed motion and revision approval form.

Minedata/Freedom/Permits/NACT-0401/Revisions/No.29/Rev29_memo_9-10-15.docx

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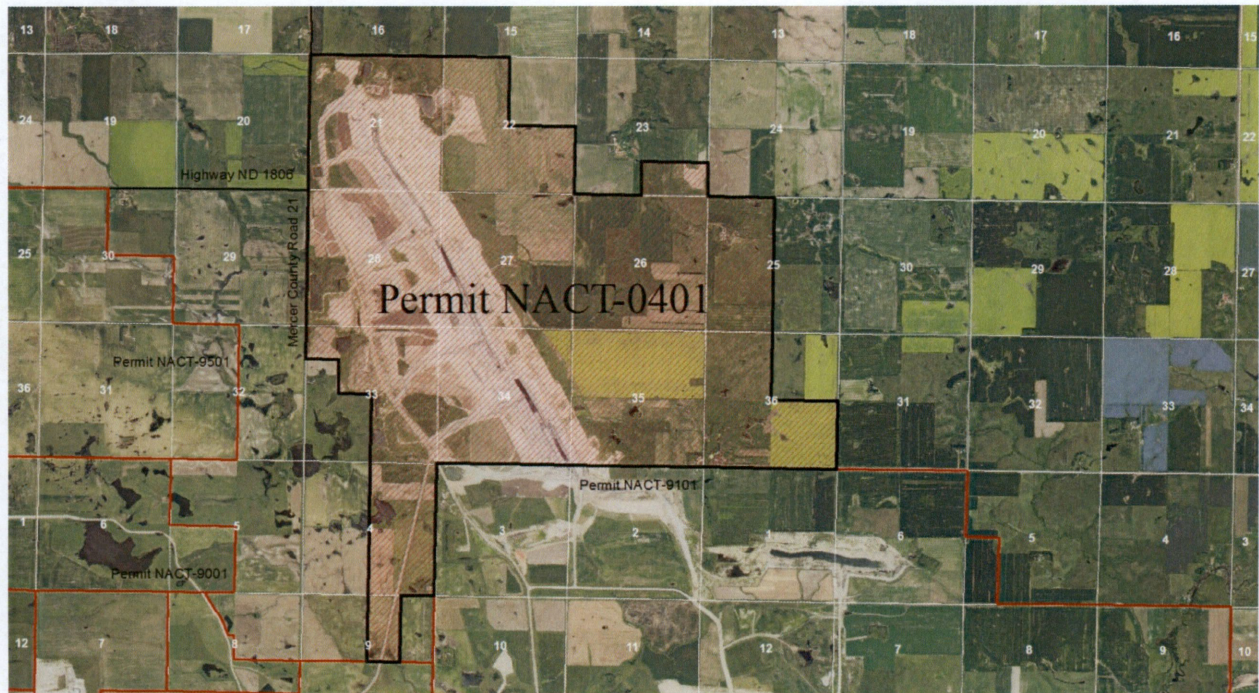


Figure 1: Permit NACT-0401, Sections 4 and 9, T145N, R87W, and Sections 21, 22, 23, 25, 26, 27, 28, 33, 34, 35, and 36, T146N, R87W.