

DKM



# Public Service Commission State of North Dakota

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## INSPECTION REPORT

DATE OF INSPECTION: June 25, 2015  
TYPE OF INSPECTION: Partial  
PERMITTEE - MINE: Coyote Creek Mine  
PERMITS INSPECTED: NACC-1301, NACC-1302  
PERSONS ACCOMPANYING INSPECTORS: Mark Kiefel, Executive Air Pilot and Matt Fischer, PSC AML Division  
INSPECTION CONDITIONS: The inspection was conducted between 10:55 a.m. and 11:02 a.m. CDT. Skies were clear. The temperature was near 68° F. Access was unrestricted.

### GENERAL

The permits and adjacent areas were flown over and viewed from an elevation of approximately 1400 feet above the ground surface with a 172 Cessna. High water marks indicated that water had backed up adjacent to the access road that is being constructed over Coyote Creek west of the shop office facilities area during a recent runoff event. The water level in Coyote Creek had subsided to the point that all of the water was passing through the 60 inch low flow culvert. Portions of two of the four box culverts have been placed through the access road west of the low flow culvert and there was evidence that water from the runoff event had either backed up or flowed around the box culverts. Wet ground or sediment was evident in and around the access road and the box culverts and it was evident that equipment had been using the access road south of the box culvert construction site. Coyote Creek appeared to be carrying a heavy load of silt both upstream and downstream of the construction site. High water marks in the stream channel indicated that the original stream channel was able to handle the flow from the runoff event except near the creek crossing near Casey Voigt's farmstead and adjacent to the access road. In other words, there was no evidence that water had overflowed the creek channel to the flood plain except adjacent to the access road and where it passed over the creek crossing near Mr. Voigt's farmstead. The channel that was created a few years ago to divert Coyote Creek from meandering around the Voigt farmstead is a wide eroded channel.

There was no evidence that the permit area had received the same precipitation event that caused Coyote Creek to rise. The pool area of sediment pond P-31-01 was not holding any visible water and equipment was working in the construction of this pond. Equipment was also observed to be working in a drainage

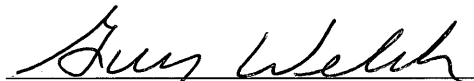
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way located in Section 30 where a haul road will be constructed and SPGM has been stripped from the coal processing facility area in Section 10. Silt fences were observed in place down-slope around areas where operations were occurring. Equipment was sitting idle in Section 18, north of County Road No. 12.

Photographs and video taken during the inspection are on file with the Reclamation Division and copies will be provided at a later date.



Guy A. Welch  
Environmental Scientist

cc: Sarah Flath  
OSM Casper Field Office  
Mercer County Auditor

Minedata/CoyoteCreek/InspectionReports/2015/150625\_flyover