



# Public Service Commission

## State of North Dakota

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February 9, 2016

Troy J. Leingang  
Environmental Manager  
Coteau Properties Company  
204 County Road 15  
Beulah, ND 58523-9475

Dear Mr. Leingang:

The Reclamation Division has conducted a technical review of the application for Revision No. 28 to Permit NACT-9001 at the Freedom Mine. The following items must be satisfactorily addressed before the Reclamation Division will recommend Commission action on the applications for Revision No. 28 and Renewal No. 5 for Permit NACT-9001. Both items are in follow-up to items numbered as such in our October 15, 2015 NACT-9001 permit pre-renewal review letter.

### **Section 4.1.1 - Post-Mining Land Use Narrative**

1. Follow-up to item No. 10: Please revise the new shelterbelt discussion at the top of page 2 of Section 4.1.1 to clarify which 5.0 acre tree planting will replace the shelterbelt acreage that was disturbed. New language on page 2 of Section 4.1.1 states that "*A 5.0 acre replacement native tree and shrub planting was installed in the reclaimed grassland tract located in the SW<sup>1</sup>/<sub>4</sub> Section 1 as shown on the Post-Mining Land Use Map of Section 4.1.2.*"; however, three separate shelterbelts are depicted in the SW<sup>1</sup>/<sub>4</sub> of Section 1 and none of these are 5.0 acres in size. Likewise, as previously requested, please specifically identify the tree planting(s) in Permit NACT-9501 that will be used to replace shelterbelt acreage in Permit NACT-9001. (GAW)
2. Follow-up to item No. 10: Footnote number 6 was added to Section 11 in the Location column of Section 4.1.3 (Land Use Acreage Comparison Table) with Revision No. 28 to explain that acreage in Section 11 was added to Permit NACT-0201 with Revision No. 18 but kept in the table for historical purposes. The Revision No. 28 table now has two number 6 footnotes because footnote number 6 for acres of postmine shelterbelts in Section 4.1.3 of the approved permit was retained on the table. Please revise the table as necessary to correctly reference and describe all of the table's footnotes. (GAW)

6 RC-15-736 Filed 02/09/2016 Pages: 2  
Technical review letter sent to the applicant

6 RC-15-735 Filed 02/09/2016 Pages: 2  
Technical review letter sent to the applicant  
Public Service Commission  
Bill Gunnerson

Troy J. Leingang  
February 9, 2016  
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Please contact this office if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "James R. Deutsch".

James R. Deutsch  
Director  
Reclamation Division

cc: Mercer County Auditor

Minedata/Freedom/Permits/NACT-9001/Revisions/No.28/Rev28\_Ren5\_Tech1\_rvw\_ltr\_2-9-16