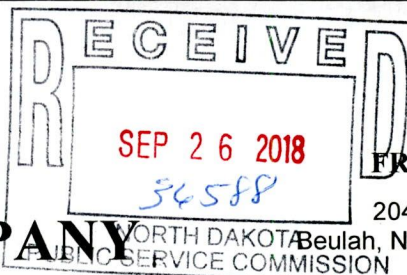


THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION



FREEDOM MINE

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September 25, 2018

Mr. Dean K. Moos
Director Reclamation Division
Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

Dear Mr. Moos:

Enclosed are two discs containing Final Bond Release #7 to Permit NACT-9101. Responses below refer to technical deficiencies in your December 21, 2017, letter:

Attachment VIIIa – Vegetation Management and Production

1. *Follow-up to Item No. 2: Please revise or replace the last sentence of the paragraph related to the industrial land use for the county road right-of-way portion of the bond release tract to clarify how it was determined that erosion is not occurring in the road ditch. This should include a brief description of the type and density of ground cover present in the road ditch and a visual estimate of ground cover. (RLK)*

The last sentence of the paragraph related to the county road right-of-way was replaced with a visual description of the vegetative cover.

Attachment VIIIb – Vegetative Productivity Standards for Cropland

2. *Follow-up to Item No. 3: The unadjusted yield standard of the undisturbed prime farmland soils in Step 1 of Attachment VIIIb, Cropland Productivity Standards, has been changed to 32.3 bushels/acre but the "Undisturbed Vegetative Productivity Standards for Prime Cropland" table on page 4 of Attachment VIIIb – Cropland Productivity Standards has not been updated. It appears the value of 32.3 bushels was obtained from the Table on page 31 of Section B-2 of the CVSS that was calculated using prime farmland soils that were disturbed in Section 21. Language on page 5 of Section B-1 of the CVSS states that at the time of bond release, ... the soil of the undisturbed acreage of the field will be used to establish the actual unadjusted standard for the tract. Please revise the first Table on page 4 of Attachment VIIIb and recalculate the unadjusted standard values listed on pages 1, 2 and 3 of Attachment VIIIb accordingly. (GAW)*

The calculations of the unadjusted yield standard of the undisturbed prime farmland soils were reviewed and corrected. The correct standard of 36.2 bu/acre has been updated throughout the calculations shown in Attachment VIIIb.

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Coteau response to fourth technical review letter
Coteau Properties Company
Kayla Torgerson



Attachment VIIIc – Yield Calculations and Test Weight Comparison

3. *Follow-up to Item No. 5: The 2012 cropland survey information for the control area presents several record/data quality concerns. While we respect the farm cooperators efforts to address missing or questionable data items, 2012 may be too far in the past to resolve issues or gaps in records at this time. We suggest that Coteau obtain crop production information for 2016 and 2017 for the bond release tract and control area. We may be able to work with a portion of the 2012 control area information (18WOLF5 and maybe 18WOLF6); however, more recent crop information may be more reliable and helpful for demonstrating revegetation success for the cropland within this bond release tract. (RLK)*

Crop information for 2018 has been added and the 2012 information has been removed. Producer data sheets have been added to Attachment VIIIId for 2018.

Attachment VIIIId – Control Area and Reclaimed Cropland Surveys

4. *Follow-up to Item No. 6: As requested, Coteau developed unadjusted cropland productivity standards for each strip of cropland in the Wolf control area in Section 18 using areas delineated as prime farmland by NRCS rather than the detailed soil survey. Please revise the unadjusted standards tables added on pages 7, 8 and 9 of Attachment VIIIb – Cropland Productivity Standards, so the prime and non-prime soils are not separated. The information in these tables can be shown in the same manner as presented on page 8 of Section B-7 of the Consolidated Vegetation Success Standard (CVSS) document. (GAW)*

The requested change was made.

5. *Follow-up to Item No. 6: A small area of previously disturbed land occurring along the east margin of the control area field labeled 18WOLF7 does not appear in the unadjusted standard calculation provided on page 9 of Attachment VIIIb. The corresponding control area productivity standard presented in the CVSS document, page 8 of Section B-7, identifies the area as 1.38 acres of Mined Land soils with a Productivity Index of 20%. Please review and revise page 9 of Attachment VIIIb as appropriate. (RLK)*

This acreage was added and the standard was adjusted. Calculations for the 2013 standards were also adjusted, as the standard for 18WOLF7 changed due to the acreage addition.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY



Kayla Torgerson
Environmental Specialist

KBT
Enc.