



Public Service Commission

State of North Dakota

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March 11, 2020

Ms. Sarah Flath
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523

Dear Ms. Flath:

The Reclamation Division has reviewed Coteau's July 10, 2019 submittal of Final Bond Release No. 8 to Permit NACT-9101. Please address the items listed below so that the public advertisement and notification letters can be processed and to facilitate our technical review of the application.

Final Bond Release No. 8 Application Home Page

1. Please revise the Final Bond Release No. 8 Application Home Page to number the attachments. (WTG)

Attachment I. Final Bond Release Tract Map

2. Please add the attachment number to the Attachment 1 title box. (WTG)

Attachments IVa and IVb Letters to Interested Parties

3. Please correct the spelling for Cynthia Morrison-Lang. (WTG)
4. Please address David Glatt as the Director of the North Dakota Department of Environmental Quality. (WTG)
5. Please update the letters to surface owners and adjacent surface owners, and those to government agencies, with the same red underscore updates made to the first and second paragraphs of Attachment III (Public Notice); i.e., "*the W^{1/2}*" of Section 15, and "*on the 259.934 acres that were disturbed from mining or considered to be associated disturbance*". (WTG)

Attachment VII – Reclamation History

6. The reclamation history narrative is incomplete and should be expounded upon to describe reclamation activities from coal removal to the present. The narrative needs to include information required for each bond release stage. NDAC 69-05.2-12-12(9) (PJR)

7. Please update Table VII-1, Management, with crop history information during 2012 and 2013 to confirm that the reclaimed tract has been managed the same, or equivalent in effect, to the control areas, and that it is appropriate to adjust the 2014 standard for continuous cropping. (GAW)

Attachment X: Cropland

8. Please include additional bookmarks or subsections in the Cropland Section of the application, Section X, so that the information provided can be found without paging through lengthy multi-page pdf documents. (PJR/GAW)
9. Please add narrative to further describe the complete management history of the reclaimed tract(s) and control areas as required by the CVSS and NDAC 69-05.2-12-12(08). Narrative should also be added to explain why different climatic correction methods were used and why two different control areas were used to demonstrate revegetation success. (PJR/GAW)
10. Please provide at least two years of management and cropping history information for the control areas preceding the year the control areas are being used to demonstrate revegetation success. This is needed to show that the control areas have been managed the same, or equivalent in effect, to the reclaimed tract. (GAW/PJR)
11. The 2014, 2015 and 2017 unadjusted yield standards have been calculated with 124.15 acres of disturbed prime farmland and 113.92 acres of disturbed non-prime farmland. Tables in Section B-2 of Consolidated Vegetation Success Standards indicate these values should be 123.1 acres (94.55 + 28.55) and 130.99 acres (53.51 + 77.48), respectively. Please review and revise as necessary. If errors exist in the Tables in the CVSS then an updated version must be included in the bond release application. (GAW/PJR)
12. The Section 18 Cropland Control Survey sheet indicates that only 20.5 acres in the 34.63 acre field were harvested. Please revise Attachment Xc to clarify which portions of the 18Wolf 5/6/7 control area were harvested in 2015. The productivity standard for the control area must be derived from the soils of the area harvested. (GAW)
13. The CVSS contains separate unadjusted standards for the Scheid and Gunsch properties located in the NW1/4 and SW1/4 of Section 15. Please include a table in Attachment X that shows how a combined unadjusted standard was calculated for the W1/2 of Section 15. (GAW)

If you have any questions, please contact this office.

Sincerely,



Dean K. Moos
Director
Reclamation Division