

ZAB



Public Service Commission State of North Dakota

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INSPECTION REPORT

DATE OF INSPECTION: May 13, 2020
TYPE OF INSPECTION: Partial
PERMITTEE - MINE: Coteau Properties Company - Freedom Mine
PERMITS INSPECTED: NACT-9101, NACT-0201
PERSONS ACCOMPANYING INSPECTORS: Sarah Flath, Kayla Torgerson, Dillon Belisle and Rylan Sundsbak representing the Coteau Properties Company
INSPECTION CONDITIONS: The inspection was conducted between 9:30 a.m. and 11:00 a.m. CDT. Skies were overcast. The temperature was near 45° F. Access was unrestricted.

GENERAL

The purpose of this inspection was to evaluate reclamation of lands included in Final Bond Release Application No. 8 to Surface Coal Mining Permit NACT-9101, as required by NDCC 38-14.1-17(3). Final Bond Release Application No. 8 includes all of the W1/2 of Section 15, T145N, R86W, Mercer County. This comprises 159.16 acres in the NW1/4 owned by Bradley and Camey Gunsch and 159.468 acres in the SW1/4 that is owned by the Irene Scheid Life Estate. The surface owners, Mercer County Commissioners, OSM and the NRCS local District Conservationist were invited, but declined to participate in the final bond release inspection.

REVEGETATION

The bond release tracts include 285.3 acres of cropland, 19.8 acres of wetland and 13.5 acres of road right-of-way. Approximately 255.5 acres were disturbed by mining, including 125.1 acres of non-prime cropland, 123.5 acres of prime farmland, and 11.4 acres of road right-of-way. The balance of the acreage was not disturbed by mining activities. This includes the large semi-permanent wetland located in the NW1/4 of Section 15. The W1/2 of Section 15 is managed as a single field.

The reclaimed cropland in the W1/2 of Section 15 continues to support 2019 spring wheat stubble that has not been tilled. Boundaries between reclaimed and undisturbed land and prime and non-prime farmland soils within this field cannot be visually distinguished. There is some surface irregularity or surface undulation on reclaimed lands within this tract. The stubble height and density is consistent throughout the field with the exception of a few small (<0.1 acres) low areas where it appears water may have temporarily ponded. Stubble density in some of these low areas is reduced compared to areas where water did not temporarily pond. No water was observed ponding on this field but spring moisture conditions have been dry. Only a few scattered rocks were observed on this reclaimed land.⁹

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Conservation grassed waterways have been established in drainageways in the SW1/4 where surface water runoff from adjacent lands flows to the NW1/4. The drainageway in the NW1/4 is quite flat and is being farmed. Erosional features were not observed on any cropland acreage although it appeared water may flow outside of a bend of an established grassed waterway in the SW1/4 of the SW1/4.

A few acres of reclaimed land adjacent to the large undisturbed semi-permanent wetland in the NW1/4 of Section 15 has been affected by the expansion of this wetland. Areas of reclaimed cropland affected by this wetland are considered conservation grassed waterways. This wet waterway area is supporting reed canary grass, common cattail, bulrush species, curly dock, willows and other hydric vegetation. Numerous bird species, primarily waterfowl, were utilizing the undisturbed wetland in the NW1/4NW1/4 of Section 15.

County Road No. 27, which has an asphalt surface, borders the west side of Section 15 and county roads with gravel surfaces are located on the north and south sides of Section 15. The county road ditches and conservation grass waterways not associated with the wetland are well established with perennial vegetation consisting primarily of Kentucky bluegrass, smooth bromegrass, intermediate wheatgrass and alfalfa. The road ditches and non-wetland grassed waterways were hayed in 2019. No erosional features were observed in the county road ditches or conservation grassed waterways.

A GPS tracklog of the route traveled is on file with the Reclamation Division and an image of the W1/2 of Section 15 with 2019 National Agriculture Imaging Program (NAIP) aerial photography and the tracklog is shown in **Figure 1**. Numerous photographs were taken during this inspection and are on file with the Reclamation Division. **Figure 2** contains a few photographs taken during this inspection.

No issues were identified during this inspection that would prevent or delay recommending Commission approval of Final Bond Release Application No. 8 to Permit NACT-9101.

MISCELLANEOUS

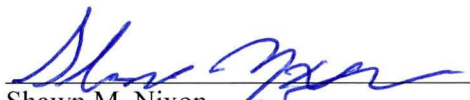
Woodland and shelterbelt replacement plans associated with pending Revision No. 24 to Permit NACT-0201 were discussed during a meeting between Coteau and the Reclamation Division Staff in the afternoon. Baseline pre-mine woodland aerial imagery from the permit was available for review and proposed changes to the classification and replacement of woodlands were explained, evaluated and discussed.



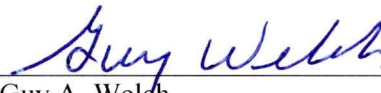
Bruce Beechie
Environmental Scientist



Jeffrey A. Roerick
Environmental Scientist



Shawn M. Nixon
Environmental Engineer



Guy A. Welch
Environmental Scientist

cc: Sarah Flath
OSM Casper Field Office
Mercer County Auditor

Figure 1: Final Bond Release No. 8 to NACT-9101, W1/2 of Section 15, T145N, R86W

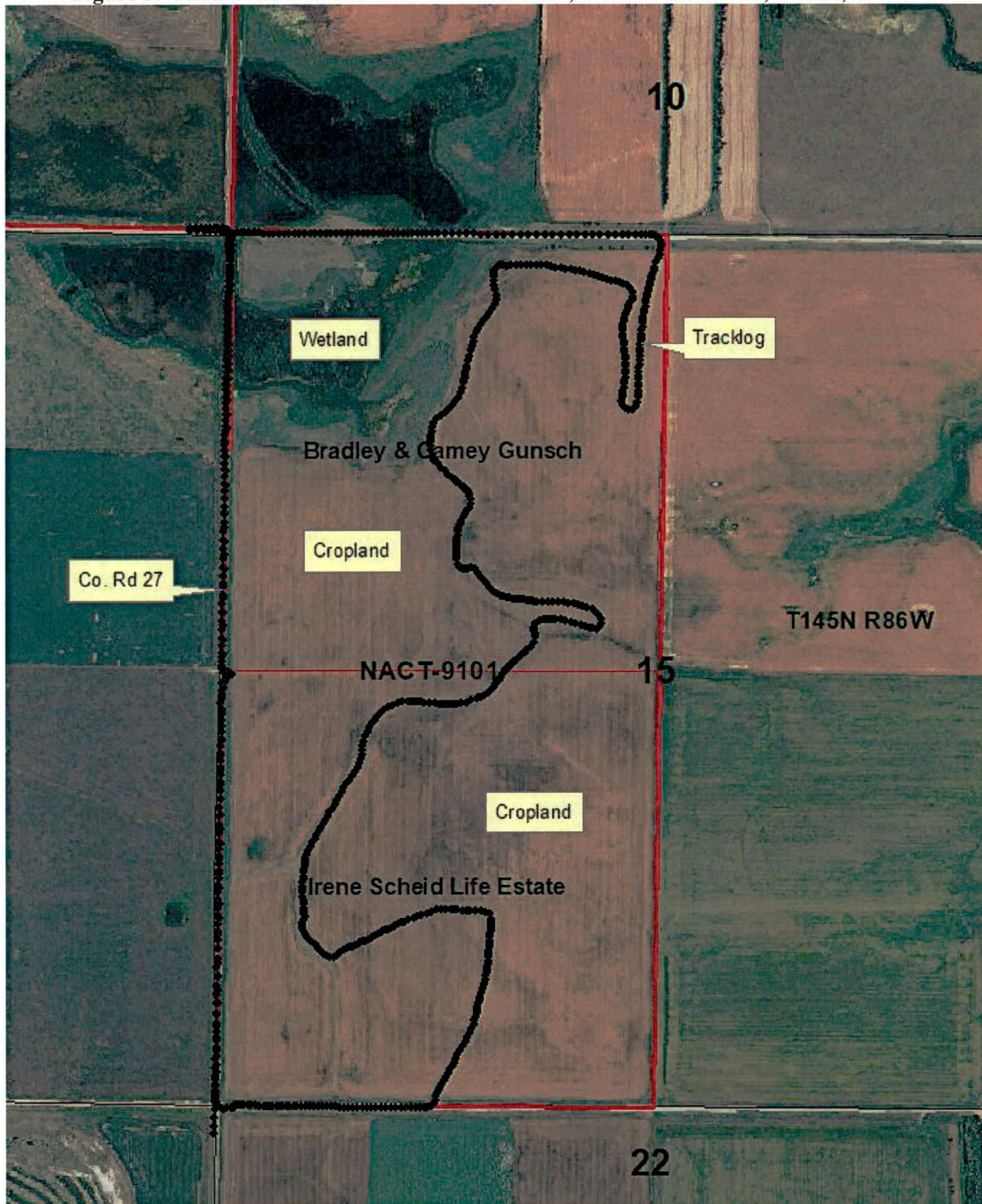



Figure 2: Photographs – W1/2 of Section 15, T145N, R86W

Reclaimed cropland	Reclaimed cropland
 <p>05/13/2020</p>	 <p>05/13/2020</p>
Grassed waterway	Cropped drainageway
 <p>05/13/2020</p>	 <p>05/13/2020</p>
Undisturbed wetland	Reclaimed County Road No. 27
 <p>05/13/2020</p>	 <p>05/13/2020</p>