



Public Service Commission  
State of North Dakota

COMMISSIONERS

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Sent via email only

June 9, 2021

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Ms. Sarah Flath  
Environmental Manager  
Coteau Properties Company  
204 County Rd. 15  
Beulah, ND 58523  
sarah.flath@nacoal.com

Dear Ms. Flath:

The Reclamation Division has reviewed Coteau’s May 13, 2021 response to our May 7, 2021 technical review of pending final Bond Release No. 1 to Permit NACT-9001. The item listed below must be addressed prior to further Commission action.

**Attachment X – Native Grasslands**

1. Follow-up to items No. 9 and No. 35 of our letters dated May 7, 2021 and February 17, 2021, respectively. Attachment Xe, 2019 Production Sampling Locations, has been added to the application but no sampling data is provided that demonstrates revegetation success of the variance area in Section 1 that was seeded in 2011 and 2014. Policy Memorandum No. 20 to Mine Operators requires that vegetation measurements taken to prove reclamation success include samples taken from each variance area. Please include 2019 or 2020 production and ground cover data that includes samples taken from the variance area in Section 1 and update the tables and narrative analysis in Attachment X accordingly to demonstrate revegetation success of the reclaimed native grassland in Section 1. If 2019 or 2020 production and ground cover data is not available from the entire bond release tract then provide appropriate justification or other demonstration of reclamation success to allow the Reclamation Division to recommend approval of the bond release application. (GAW)

If you have any questions, please contact this office.

Sincerely,

Dean K. Moos  
Director  
Reclamation Division

cc via email only: Amanda Hoffer (amanda.hoffer@nacoal.com)  
Kayla Torgerson (Kayla.Torgerson@nacoal.com)

Freedom Mine\Permits\NACT - 9001\Bond Release\No. 1\BR1\_4th\_Tech\_rvw\_ltr\_6-9-21