

September 14, 2020

Public Service Commission  
600 East Boulevard Dept. 408  
Bismarck, ND 58505-0480

Re: Dakota Westmoreland Corporation Renewal No. 6, Permit KRSB-8802

Dear Commissioners,

The North Dakota Parks and Recreation Department has reviewed the above referenced proposed Dakota Westmoreland Corporation Renewal No. 6, Permit KRSB-8802 to continue surface mining at the Beulah Mine covering lands located in Mercer County.

NDPRD's scope of authority and expertise covers properties that our agency owns, leases or manages, state-wide properties that are protected under Section 6(f) of the Land and Water Conservation Fund (LWCF), and rare plants and ecological communities established through the Natural Heritage Program. The project as defined does not affect state lands under NDPRD's jurisdiction.

The North Dakota Natural Heritage biological conservation database has reviewed the project to determine if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, we do have one animal species of concern documented adjacent to proposed sites. See the attached map for a reference regarding these occurrences.

Because this natural heritage information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation to date. For additional information, please contact me at (701) 220-3377 or [kgduttonhefner@nd.gov](mailto:kgduttonhefner@nd.gov) Thank you for the opportunity to comment on this proposed project.

Sincerely,



Kathy Duttonhefner

Coordinator/Biologist II, Natural Resources Division

RC-20-209 Filed 09/14/2020 Pages: 3  
Comments from the ND Dept. of Parks & Rec regarding renewal application  
North Dakota Parks & Recreation Department  
Kathy Duttonhefner

1600 East Century Ave. Ste. 3 | Bismarck, ND 58503

North Dakota Natural Heritage Inventory  
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Vireo bellii	Bell's Vireo	S3	G5	PS	143N088W - 26; 142N088W - 09; 142N088W - 08; 143N088W - 31; 143N088W - 21; 143N088W - 30; 142N087W - 06; 143N087W - 10; 143N087W - 21; 143N087W - 32; 143N088W - 10; 143N087W - 22; 143N089W - 24; 143N088W - 32; 143N088W - 22; 143N087W - 34; 142N088W - 07	Mercer, Oliver	1975		G

# North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory

