

July 6, 2021

Dean Moos
Director
ND Public Service Commission
Inside Mail

Dear Mr. Moos:

This is in response to your request for a review of the environmental impacts associated with the Revision No. 8 to Surface Coal Mining Permit No. BNCR-1108 at Center Mine.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- There are no FEMA regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective FIRM and State minimum standards.
- In accordance with North Dakota Century Code §61-16.1-38, any new construction or construction modifications on water storage impoundments, including dams or ponds, may require a construction permit from the Office of the State Engineer (OSE) based on the storage volume and hazard classification. Similarly, if any dams or ponds are to be removed, we request that the OSE Regulatory Division be notified. Please contact the OSE Regulatory Division at 701-328-2752 if you have any questions.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or stevebest@nd.gov.

Sincerely,



Steven Best
Planner III

SB:dm/1570