

THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

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May 5, 2021

Mr. Dean K. Moos
Director Reclamation Division
Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

Dear Mr. Moos:

Responses below refer to deficiencies for the variance request for FBR #2 to NACT-9501 from your April 20, 2021, letter:

Upon review, Coteau decided to add a small area of rangeland found in Section 15 to the proposed bond release tract. Maps and calculations have been updated to reflect these changes.

1. *Please revise the 5th paragraph to reflect that the variance area is approximately 9% of the disturbed acres or state that it is 8.82% (PJR)*

With the addition of the small area found in section 15 the numbers have been recalculated.
 $4.9 \text{ (variance area)} / 65.3 \text{ (disturbed area of bond release tract)} = 0.07$.

2. *Please clarify if coal was removed from the variance area and state when coal removal was completed in the surrounding reclamation tract. (PJR)*

Additional language was added to clarify coal removal within the variance area and bond release tract.

3. *Please depict the entire watershed of the area draining through the proposed variance area on the Topographic Map and include post-mining contour elevation lines on the entire watershed as required by Policy Memorandum No. 20. (GAW)*

The watershed and contour lines have been added to the Topographic Map.

4. *Please provide additional information for the repair work necessary to correct erosion in the drainages within the variance areas to demonstrate that the repair work in the drainages does not exceed 0.5 acres and will only involve bringing in small amounts of material to repair the erosion. (JAR)*

Additional language has been added to clarify the size and method of repairs.



Mr. Dean K. Moos

May 5, 2021

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If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY

/s/

Dillon Belisle
Environmental Specialist

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