

# THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

204 County Road 15  
Beulah, North Dakota 58523-9475

(701) 873-2281 • Fax (701) 873-7226

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:

The Coteau Properties Company (Coteau) is requesting a variance from the ten-year liability period for a tract of land within Section 16, T146N, R88W. This tract will be known as Final Bond Release #2 to Permit NACT-9501. The bond release boundary is shown on the enclosed maps. The boundary of the bond release tract includes approximately 158.4162.9 acres of native rangeland, and a stockpond and a developed water resource.

The table below further details the acreage of land uses within the bond release tract.

	Undisturbed Native Grassland	Reclaimed Native Grassland	Reclaimed Native Grassland Variance Area	Reclaimed Stockpond	Total
FBR #2 NACT-9501	97.6 acres	<u>55.560.0</u>	4.9	0.4 acres	<u>158.4162.9</u>

Revegetation dates for the entire tract are depicted on the enclosed *Revegetation Map*. A post-mining *Topographic Map* is also enclosed. The areas that require a variance from the ten-year liability period were associated with a sedimentation pond removed in 2014 (P-H16-05), as well as a topsoil pile (TS-697) and a subsoil pile (SS-396), also revegetated in 2014. These areas are labeled on the *Topographic Map*. Excluding the variance areas, the last revegetation initiation date was 2012, thereby extending the liability period to 2021. In addition to associated disturbance areas and post-mining topography, the *Topographic Map* shows watershed boundaries and coal removal.

The enclosed *Variance Map* highlights the area in which a variance is being requested. The acreage for the variance is included within the map. In summary, Coteau is requesting a variance of two years on 4.9 acres of native rangeland, all of which had coal removal completed. The variance area had approximately one acre of coal removal and coal removal on the entire bond release tract was conducted between 2008 and 2009.

The variance area is approximately eight seven percent of the disturbed acres within the bond release tract and three percent of the entire tract. As stated previously, the entire variance area was reclaimed to native grassland.

The variance area, and larger bond release tract, have small erosional features found in several drains. These areas will be repaired prior to bond release and do not exceed 0.5 acres in total. Typically, rock will be brought in to fill the wash and prevent further erosion. If necessary, additional topsoil will be brought in to provide an environment for vegetation to grow.



Mr. Dean K. Moos

May 5, 2021

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The sedimentation pond, topsoil pile, and subsoil pile were all removed in 2014. The area was then seeded to native rangeland that same year beginning the 10-year revegetation liability period.

Reclamation of the area provided at least equal protection to the environment and public health and safety. In 2019, the approved standard for basal cover was 80.9 percent with the tract having 90.5 percent basal coverage.

In 2020, the approved standard for basal cover was 92.6 percent with the tract having 97.7 percent basal coverage. Data collected in both 2019 and 2020 included sample points found within the proposed variance area. All data collected for the proposed variance area will be presented in the bond release package.

The variance area is managed with the adjacent reclaimed lands. The entire area is fenced and grazed by cattle. Reclamation within the variance area is consistent with the reclamation completed in the surrounding area.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY

/s/

Dillon Belisle  
Environmental Specialist

Uploaded via Permit Services

T146N  
R88W  
16

SP-H16-01

R-2012  
NATIVE  
GRASSLAND

R-2012

NATIVE  
GRASSLAND

NATIVE  
GRASSLAND

R-2014

NATIVE  
GRASSLAND

R-2014

R-2014

R-2012

NACT-9501

	PERMIT BOUNDARY
	PERMIT IDENTIFICATION
	BOND RELEASE BOUNDARY
	SECTION LINE-SURVEYED LOCATION
	LANDUSE LINE
	REVEGETATION YEAR
	2014 VARIANCE AREA

G.N.

Scale 1" = 500'

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Apr29, 2021 - 9:47am

9			
8			
7			
6			
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4			
3			
2			
1	DEB	DEB	04/29/21
0	DEB	DEB	02/10/21
NO.	BY	APP'D	DATE
DRAWING UPDATES			

**COTEAU** FREEDOM MINE  
BEULAH, ND 58523

REVEGETATION MAP  
VARIANCE REQUEST  
FBR #2 TO NACT-9501

SCALE: 1"=500'  
PROJECT: FBR #2 TO NACT-9501 REVISION: N/A

NACT-9501

T146N  
R88W


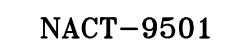


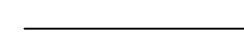





16

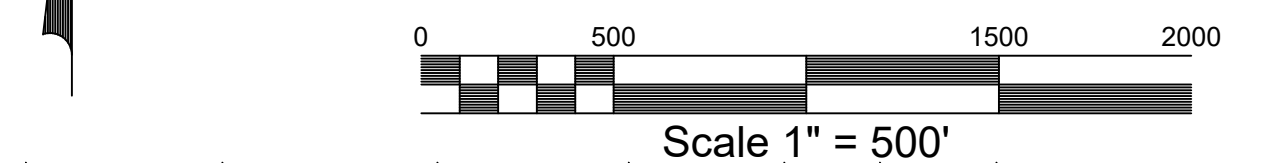
T146N  
R88W

15

NACT-9501

P-116-05  
(REMOVED IN 2014)

-  PERMIT BOUNDARY
-  NACT-9501
-  PERMIT IDENTIFICATION
-  BOND RELEASE BOUNDARY
-  SECTION LINE-SURVEYED LOCATION
-  TOPOGRAPHIC CONTOUR
-  WATER MANAGEMENT & SUPPORT FACILITIES
-  WATERSHED BOUNDARY
-  COAL REMOVAL BOUNDARY
-  2014 VARIANCE AREA



Scale 1" = 500'

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Apr 29, 2021 - 9:46am

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NO.	BY	APP'D	DATE
DRAWING UPDATES			

**COTEAU** **FREEDOM MINE**  
BEULAH, ND 58523

TOPOGRAPHIC MAP  
VARIANCE REQUEST  
FBR #2 TO NACT-9501

SCALE: 1"=500'  
PROJECT: FBR #2 TO NACT-9501 REVISION: N/A

T146N  
R88W  
16

97.6 ACRES  
UNDISTURBED NATIVE  
GRASSLAND

60.0 ACRES  
RECLAIMED NATIVE GRASSLAND  
AND STOCKPOND WITH  
NO VARIANCE

4.9 ACRES  
R-2014

NACT-9501

	PERMIT BOUNDARY
	PERMIT IDENTIFICATION
	BOND RELEASE BOUNDARY
	SECTION LINE-SURVEYED LOCATION
	DISTURBANCE BOUNDARY
	NO VARIANCE AREA
	2014 VARIANCE AREA



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May05, 2021 - 9:59am

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1	DEB	DEB	04/29/21
0	DEB	DEB	02/10/21
NO.	BY	APP'D	DATE
DRAWING UPDATES			

**COTEAU** FREEDOM MINE  
BEULAH, ND 58523

VARIANCE MAP  
VARIANCE REQUEST  
FBR #2 TO NACT-9501

SCALE: 1"=500'  
PROJECT: FBR #2 TO NACT-9501 REVISION: N/A