

January 31, 2022

Ms. Zanna A. Brinkman
Director Reclamation Division
Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

Dear Ms. Brinkman:

Final Bond Release #2 to Permit NACT-9501 has been uploaded to Permit Services. Changes have been tracked using track changes and highlighted in yellow. Responses below refer to technical deficiencies in your January 10, 2022, letter.

General:

1. *Follow-up to item No. 1 of our initial review letter dated October 22, 2021: Please include a map in the bond release application that clearly identifies surface ownership of the bond release tract and all adjacent lands for compliance with the notice requirements of NDCC 38-14.1-17. (GAW)*

Adjacent surface owner information was added to Attachment Va.

Attachment IX – Native Grassland

2. *Follow-up to item No. 17 of our initial review letter dated October 22, 2021: The Reclamation Division believes that a single productivity standard should be developed for Pfennig native grassland in Sections 15 and 16 even though separate standards were developed for each Section in the CVSS. The reclaimed native grassland in this bond release application has been reclaimed, fenced, managed, and sampled as a single unit even though it involves land in Sections 15 and 16. The development of single standards by surface ownership and land use in this instance will also facilitate the bond release of the cropland in Section 16 where no cropland existed prior to mining. The CVSS does not include a productivity standard for the cropland in Section 16 and it is currently not clear how Coteau intends to develop a standard for this acreage that is being managed as a single field with cropland in Section 15. (GAW)*

Using information provided in the CVSS a combined standard for rangeland was calculated for sections 15 & 16. That information was used and provided in the updated bond release package.

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Response to letter regarding inspection delay
Coteau Properties Company

Ms. Zanna A. Brinkman

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We look forward to your review and approval. If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY

/s/

Dillon E. Belisle
Environmental Specialist

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