

Public Service Commission

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sent via email only

February 24, 2025

Mr. Mark Wallen
Environmental Specialist
Coteau Properties Company
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Dear Mr. Wallen:

The Reclamation Division has completed a third technical review of Final Bond Release Application No. 2 to Permit NACT-9501 in response to Coteau's January 16, 2025 submittal. The following issues will need to be addressed prior to this office recommending Commission action.

Attachment VI – General Information

1. Follow-up to Item No. 1 and Item No. 2 of our technical deficiency letter dated January 9, 2025: Please revise the third sentence in the last paragraph of the Reclamation Practices subsection of Attachment VI (General Information) to state the "Revegetation initiation dates can be found in Attachment VIa (Revegetation Initiation Dates and Land Use Map)." The sentence currently references Attachment "Via", but it incorrectly references this attachment as the SPGM Respread Depths Map. (GAW)

Attachment VIII – Wildlife Assessment

2. Follow-up to Item No. 3 of our technical deficiency letter dated January 9, 2025: The first sentence of Attachment VIII (Wildlife Assessment) states "a post-mining wildlife assessment was compiled and reported in the 2022-2023 Wildlife Monitoring Report." The 2022-2023 Wildlife Monitoring Report does not provide a post-mining wildlife assessment or an evaluation of the pre- and post-mining habitats for the North Mine Area. Please revise Attachment VIII to include an assessment or evaluation of the pre- and post-mining habitats for the bond release tract. This assessment should include a discussion about the pre- and post-mining wetland acreage in the bond release tract and if any high value wildlife habitat, such as woodlands, were replaced or avoided by mining activities. (ACC/GAW)

Attachment IX – Native Grassland

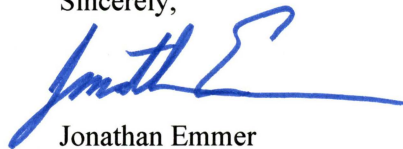
3. Follow-up to Item No. 16 of our initial review letter dated October 22, 2021 and Item No. 7 of our technical deficiency letter dated January 9, 2025: The loamy reference area in Section 9 is in reduced ecological condition and it yielded poorly during the years being used to demonstrate revegetation success. The 2019 and 2024 US Drought Monitor Maps document that 2019 and 2024 were normal precipitation years, but the reference area produced only a fraction of its expected

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yield. The Reclamation Division has determined this reference area does not adequately characterize the productivity of the soil mapping units or the ecological site it is intended to represent. As previously stated, please revise Attachment IXa (Production Standard Calculations) to demonstrate that productivity has been restored using a methodology that does not rely heavily on this loamy reference area. This may be achieved by developing a climatic adjustment factor using all approved native grassland reference areas or by using the loamy (silty) reference area in Section 13, T145N, R87W. (GAW)

If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

cc via email only: Mike Berg (michael.berg@nacoal.com)
 Dillon Belisle (dillon.belisle@nacoal.com)