



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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*sent via email only*

November 12, 2021

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Ms. Sarah Flath  
Environmental Manager  
Coteau Properties Company  
204 County Rd. 15  
Beulah, ND 58523  
[sarah.flath@nacoal.com](mailto:sarah.flath@nacoal.com)

Dear Ms. Flath:

The Reclamation Division has reviewed Coteau's October 15, 2021 request for a variance from the ten-year revegetation responsibility period for 19.7 acres of reclaimed native grassland in Section 22 of Permit NACT-9501. Please revise the request to clarify if the 2017 and 2020 basal cover values listed in the fourth paragraph on page 2 of the request are average values for the entire bond release tract or represent the variance request areas only.

On November 3, 2021, Reclamation Division staff observed erosional features in the drainageway associated with sediment pond P-W22-07. Please let us know when these erosional features have been repaired and stabilized.

If you have any questions, please contact this office.

Sincerely,

Zanna A. Brinkman  
Director  
Reclamation Division

cc via email only:      Amanda Hoffer ([amanda.hoffer@nacoal.com](mailto:amanda.hoffer@nacoal.com))  
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Freedom Mine\Permits\NACT - 9501\Variations\2021\FB#3\_Variance\_Request\1st\_Submittal\_10\_15-21\Sect22Var\_initialreview\_Ltr\_11-12-21