

**Thompson, Pamela J.**

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**From:** efilngmail@tylerhost.net  
**Sent:** Tuesday, July 18, 2023 4:13 PM  
**To:** Thompson, Pamela J.  
**Subject:** Filing Accepted for Case: 08-2023-CV-01338; Casey Voigt, et al. vs. North Dakota Public Service Commission, et al.; Envelope Number: 5273073

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**North Dakota  
Court System**

## Filing Accepted

Envelope Number: 5273073  
Case Number: 08-2023-CV-01338  
Case Style: Casey Voigt, et al. vs. North Dakota  
Public Service Commission, et al.

The filing below was reviewed and has been accepted by the clerk's office. You may access the file copy of the document filed by clicking on the below link.

Filing Details	
<b>Court</b>	Burleigh County
<b>Case Number</b>	08-2023-CV-01338
<b>Case Style</b>	Casey Voigt, et al. vs. North Dakota Public Service Commission, et al.
<b>Date/Time Submitted</b>	7/18/2023 1:52 PM CST
<b>Date/Time Accepted</b>	7/18/2023 4:11 PM CST
<b>Accepted Comments</b>	
<b>Filing Type</b>	Exhibit
<b>Filing Description</b>	CR Exhibit 17 - Agency Correspondence Comments
<b>Activity Requested</b>	EFileAndServe
<b>Filed By</b>	Pamela Thompson
<b>Filing Attorney</b>	John Schuh

Document Details	
<b>Lead Document</b>	CR Exhibit 17 - Agency Correspondence Comments.pdf
<b>Lead Document Page Count</b>	1
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August 26, 2022

Steve Kahl  
Public Service Commission  
600 E. Boulevard Ave., Dept 408  
Bismarck, ND 58505-0480

Re: Coyote Creek Mining Company Surface Coal Mining Permit No. NACC-1302

Dear Mr. Kahl,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced Coyote Creek Mining Company Surface Coal Mining Permit No. NACC-1302, Mercer County, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants, and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties that NDPRD owns, leases, or manages.

The project does not appear to affect any properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, we have no known plant and animal species of concern or significant ecological communities documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation to date. For additional information, please get in touch with Kathy Duttenhefner at 701-328-5370, 701-220-3377 (cell), or [kgduttenhefner@nd.gov](mailto:kgduttenhefner@nd.gov).

Thank you for the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Duttenhefner".

Kathy Duttenhefner, Chief Natural Resources Division

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Agency Correspondence Comments  
North Dakota Parks & Recreation Department  
Kathy Duttenhefner

604 E Boulevard Ave Dept. 750 | Bismarck, ND 58505