

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Coteau Properties Company
Revision 28, Permit NACT-0201
Application

Case No. RC-23-331

REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

April 10, 2024

Based on the application for **Revision Number 28 to Permit Number NACT-0201 received October 13, 2023**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application received on October 13, 2023, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code; and
2. Threatened and endangered species findings were reviewed in consultation with the USFWS North Dakota Field Office, and it was determined that surface coal mining and reclamation activities planned during the next term of the permit will have no effect on the continued existence of any listed threatened or endangered species or any designated critical habitat.
3. The Commission's other findings made when the permit was issued and updated with subsequent permit revisions remain applicable to the revised operation and reclamation plans.

Revision Number 28 to Permit Number NACT-0201 is hereby conditionally granted to The Coteau Properties Company to identify the next five-year coal removal subarea and to update the legal and ownership information, and the mining and reclamation plans for the next five-year permit term as described in the permit revision application received on October 13, 2023.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chair


Julie Fedorchak
Commissioner