Public Service Commission

Sheri Haugen-Hoffart Randy Christmann

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

January 6, 2025

Mr. Michael Berg
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523
michael.berg@nacoal.com

Dear Mr. Berg:

The Reclamation Division has reviewed Coteau's December 10, 2024 response to our December 10, 2024 technical review of Revision No. 29 to Permit NACT-0201. The following item must be adequately addressed prior to our office recommending Commission approval.

Section 4.1.2 – Post-Mining Topography and Land Use Map

1. Follow-up to Item No. 1 of our December 10, 2024 technical review letter: The Reclamation Division disagrees with Coteau's December 10, 2024 response stating that the wooded draw in Sections 4 and 5 was completely avoided, which led to Coteau removing the replacement plantings from Section 4.2.3.1. Please review the mining disturbance boundary in Tracts 8, 9, and 19, and update the table in Section 4.2.3.1 (Post-Mining Replacement Woodlands) and Section 4.1.2 (Post-Mining Topography and Land Use Map) to account for the tree and associated shrub (woodland) acreage disturbed by mining activities. Coteau estimated the disturbed wooded acreage at 2.6 acres in Tract 8 and 4.2 acres in Tract 9 with Revision 24 to NACT-0201. Aerial photography and the 2023 Freedom Annual Mine Map clearly show that associated shrubs were disturbed at the north end of the wooded draw in Tract 8, and a woodland consisting of trees was disturbed on Tracts 9 and 19. Please review and update the permit to account for the disturbed woodland acreage. (GAW)

If you have any questions, please contact this office.

Sincerely,

Jonathan Emmer
Director
Reclamation Division

cc via email only: Mark Wallen (mark.wallen@nacoal.com)

Freedom Mine\Permits\NACT - 0201\Revisions & Renewals\Rev 29\Rev29_Tech4_rvw_ltr_1-6-25

27 RC-24-82 Filed 01/06/2025 Pages: 1
Revision 29 Technical 4 Review Letter

Public Service Commission
Jonathan Emmer