

January 8, 2025

Freedom Mine\Permits\NACT - 0201\Revisions & Renewals\Rev 29
Rev29_Tech4_rsp_ltr_1-8-25 (40119)

Mr. Jonathan Emmer
Director Reclamation
Division Public Service
Commission 600 East
Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

Dear Mr. Emmer:

Revision 29 to Permit NACT-0201 has been uploaded to Permit Services. Deficiencies listed in your January 6, 2025 letter have been addressed, with responses listed below. All changes have been tracked in track changes and highlighted in dark green.

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)

Section 4.1.2 (Post-Mining Topography and Land Use Map) has been updated to depict the disturbed and undisturbed woodlands in the SE $\frac{1}{4}$ of Section 5 and the SW $\frac{1}{4}$ of Section 4. The disturbed woodland and associated shrub acres in Tract 8 and Tract 9 are being replaced with woodland planting W-W04-01 which is depicted in Tract 8 near the top of the undisturbed wooded draw. All disturbed woodlands in Tract 19 are being replaced with woodland planting W-W08-04. Section 4.2.3.1 (Post-Mining Replacement Woodlands) has also been updated to show this change.

Freedom Mine – Coteau Properties Company

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Coteau Properties Company, a subsidiary company of The North American Coal Corporation

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Revision 29 Technical 4 Response Letter

Coteau Properties Company
Mark Wallen



A NACCO COMPANY

Mr. Jonathan Emmer
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If you have any questions, please contact this office.
Sincerely,

THE COTEAU PROPERTIES COMPANY

/s/

Mark Wallen
Environmental Specialist

MAW
Enc.

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