

Public Service Commission

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

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

sent via email and regular mail

July 8, 2024

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
Casper, WY 82602-5004
jfleischman@osmre.gov

Dear Mr. Fleischman:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 13 identifies the coal removal areas that will be mined during the next five-year permit term, and updates the introductory information, legal information, business entity/compliance information, identification of interests and rights of entry, operations - general, surface water management, fish and wildlife resources, reclamation plans, and the worst-case bond estimate for the permit renewal. The Office of Surface Mining must make a determination if this revision constitutes a mine plan modification. Enclosed is a flash drive of the revision application for your agency's review.

Mine Plan approval to mine 284 acres of federal coal (NDM 110277) was granted to the Coyote Creek Mine by the Department of the Interior on March 14, 2024. The federal coal tracts being mined are in the SW¼ of Section 24 and the SE¼ of Section 26, T143N, R89W. Delayed federal mine plan approval has resulted in pit sequence and mining timeline changes from what was originally planned.

Please provide us with any comments on the revision application by August 26, 2024.

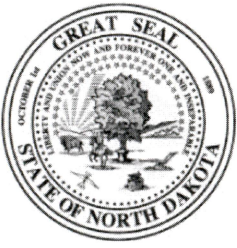
Sincerely,

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only w/o enclosures: John Sieving (jsieving@osmre.gov)

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 13 Ren 2\Rev13_Ren2_Advsry_rvw_rqst_ltr_7-8-24



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July 8, 2024

Ms. Elizabeth Shaeffer
Field Operations Manager
P.O. Box 25065
Lakewood, CO 80225
eshaeffer@osmre.gov

Dear Ms. Shaeffer:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 13 identifies the coal removal areas that will be mined during the next five-year permit term, and updates the introductory information, legal information, business entity/compliance information, identification of interests and rights of entry, operations - general, surface water management, fish and wildlife resources, reclamation plans, and the worst-case bond estimate for the permit renewal. The Office of Surface Mining must make a determination if this revision constitutes a mine plan modification. Enclosed is a flash drive of the revision application for your agency's review.

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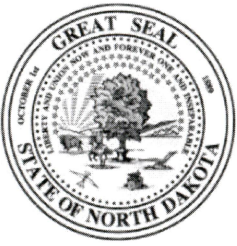
A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only w/o enclosures:

Erica Trent (etrent@osmre.gov)
Charlie Kwak (ckwak@osmre.gov)



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

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600 East Boulevard Ave
Dept. 408
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July 8, 2024

Mr. Josh Alexander
Bureau of Land Management
Billings Field Office
Eastern Montana Dakotas District Office
5001 Southgate Dr.
Billings, MT 59101
jalexand@blm.gov

Dear Mr. Alexander:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 13 identifies the coal removal areas that will be mined during the next five-year permit term, and updates the introductory information, legal information, business entity/compliance information, identification of interests and rights of entry, operations - general, surface water management, fish and wildlife resources, reclamation plans, and the worst-case bond estimate for the permit renewal. The Office of Surface Mining must make a determination if this revision constitutes a mine plan modification. Enclosed is a flash drive of the revision application for your agency's review.

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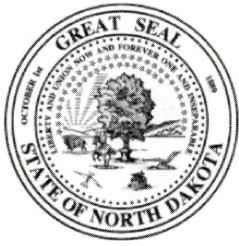
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Director
Reclamation Division

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

July 8, 2024

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Ave West, Suite A
Dickinson, ND 58601
ekraft@blm.gov

Dear Mr. Kraft:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 13 identifies the coal removal areas that will be mined during the next five-year permit term, and updates the introductory information, legal information, business entity/compliance information, identification of interests and rights of entry, operations - general, surface water management, fish and wildlife resources, reclamation plans, and the worst-case bond estimate for the permit renewal. The Office of Surface Mining must make a determination if this revision constitutes a mine plan modification. Enclosed is a flash drive of the revision application for your agency's review.

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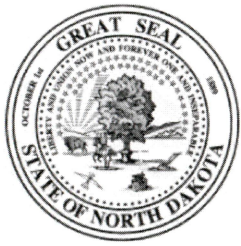
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Director
Reclamation Division

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July 8, 2024

North Dakota Department of Water Resources
C/O Project Review
1200 Memorial Highway, Dept 770
Bismarck, ND 58504
dwrprojectreview@nd.gov

Dear Project Review Team:

Enclosed is a flash drive containing Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company, L.L.C. This revision updates various sections of the permit for the next five-year permit term. Section 3.1.3 (Pit Layout and Facilities Map) has been updated to identify the coal removal areas during the next permit term. The surface water management plans are in Section 3.3 of the permit. All updates to the permit with Revision No. 13 are listed in Section 1.1.2 (Revision Summary Pages).

Please review those portions of the revision application within your areas of responsibility and provide us with comments by August 26, 2024.

If you have any questions, please contact this office.

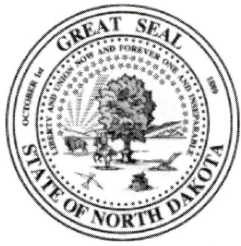
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Director
Reclamation Division

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Dept. 408
Bismarck, ND 58505-0480
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July 8, 2024

Mr. David Glatt, P.E.
Director
North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324
dglatt@nd.gov

Dear Mr. Glatt:

Enclosed is a flash drive containing Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 held by the Coyote Creek Mining Company, L.L.C. This revision updates various sections of the permit for the next five-year permit term. Section 3.1.3 (Pit Layout and Facilities Map) has been updated to identify the coal removal areas during the next permit term. The surface water management plans are in Section 3.3 of the permit. All updates to the permit with Revision No. 13 are listed in Section 1.1.2 (Revision Summary Pages).

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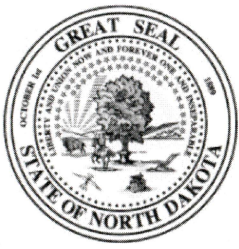
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Jonathan Emmer
Director
Reclamation Division

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July 8, 2024

Mr. Jeb Williams, Director
North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095
jwilliam@nd.gov

Dear Mr. Williams:

The Reclamation Division is reviewing Coyote Creek Mining Company, L.L.C.'s (CCMC) applications for Renewal No. 2 and Revision No. 13 to Surface Coal Mining Permit NACC-1302 at the Coyote Creek Mine. Revision No. 13 updates mining and reclamation plans for the next five-year term of the permit, October 22, 2024 through October 22, 2029. Prior to permit renewal, the Reclamation Division and the USFWS are required to make findings regarding impacts to threatened and endangered species, designated critical habitat, and habitat and species proposed for listing for the next term of the permit.

Enclosed is a flash drive containing Revision No. 13 to Permit NACC-1302. This revision application contains baseline environmental resource information, and updated mining and reclamation plans for the next five-year term of the permit. Section 3.1.3 (Pit Layout and Facilities Map) of the permit identifies areas to be mined and affected during the next permit term. Pre-mining land use and vegetation information is in Section 2.4 and baseline fish and wildlife resource information is in Section 2.7 of the permit. Native grassland ecological sites and species composition information are provided in Section 2.4.7 of the permit.

Baseline Dakota skipper habitat and survey information is provided in Section 2.7.2, and additional surveys have been conducted in recent years in accordance with USFWS protocol. The results of the 2022 and 2023 Dakota skipper survey were included in CCMC's 2022-2023 Biennial Wildlife Report.

Please review the enclosed flash drive of Revision No. 13 to Permit NACC-1302 and provide us with comments by August 26, 2024.

If you have any questions, please contact this office.

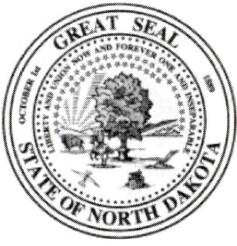
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Jonathan Emmer
Director
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ndpsc@nd.gov

July 8, 2024

Mr. Derrick Braaten
Braaten Law Firm
109 N. 4th Street, Suite 100
Bismarck, ND 58501
derrick@braatenlawfirm.com

Dear Mr. Braaten:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 13 and Renewal No. 2 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 13 identifies the next five-year coal removal areas. The revision also updates the introductory information, legal information, business entity/compliance information, identification of interests and rights of entry, operations - general, surface water management, fish and wildlife resources, reclamation plans, and the worst-case bond estimate for the permit renewal.

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Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only w/o enclosure: Desirae Zaste (desirae@braatenlawfirm.com)

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