



Public Service Commission

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

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

INSPECTION REPORT

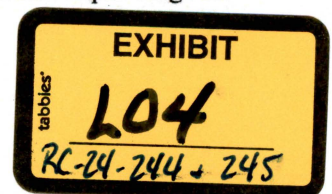
DATE OF INSPECTION: November 13, 2024
TYPE OF INSPECTION: Partial
PERMITTEE - MINE: Coyote Creek Mining Company, LLC - Coyote Creek Mine (CCMC)
PERMITS INSPECTED: NACC-1302
PERSONS ACCOMPANYING INSPECTORS: Jeremy Eckroth
INSPECTION CONDITIONS: The inspection was conducted between 10:00 a.m. and 2:45 p.m. CST. The sky was mostly sunny. The temperature ranged from 38 to 52° F. Access was unrestricted.

OFFICE RECORDS

CCMC's 2024 soil compaction probing results were examined at the mine office. CCMC has been using an Amity CTS-1000 soil penetrometer to test for soil compaction over the past few years. The Amity penetrometer produces a compaction profile showing penetration resistance measured in pounds per square inch (psi) in relation to soil depth. The Amity CTS-1000 can penetrate to a depth of 24 inches. The Amity compaction profile readout contains a red line at 300 psi which is generally considered a value detrimental to plant root growth. Soil compaction can restrict plant root growth and reduce water infiltration and water-holding capacity of the soil.

Reclaimed and undisturbed cropland in the NW¼ of Section 19 were tested for compaction on May 10, 2024. Soil moisture conditions were reportedly reasonably moist. The reclaimed cropland in Section 19 consists of approximately 2 acres. Six holes were probed on the reclaimed cropland and five holes were probed on the adjacent undisturbed cropland. Five of the six test holes on the reclaimed land showed compaction values slightly above 300 psi in the 2-to-15-inch soil depth range whereas the adjacent undisturbed cropland had less compaction in the upper reach of the soil profile. A psi of 300 was generally reached at a depth of 12 to 15 inches on the undisturbed cropland. Mr. Eckroth indicated that he had discussed ripping this reclaimed cropland with Casey Voigt (landowner) last summer.

Reclaimed cropland/hayland in Section 25 and undisturbed native grassland in Section 24 were tested for compaction on October 23, 2024. Most of the testing was conducted on lands recently reclaimed but a few tests were also completed on older reclaimed lands that had been tested for compaction in the past. Surface and subsurface soil moisture conditions were reported to be dry on October 23, 2024. The 2024 test results showed that reclaimed land had compaction values at 300 psi or greater in the 3-to-15-inch soil depth range whereas the 300 psi compaction value was found in the 1.5-to-4-inch soil depth range on



the undisturbed land in the SW¼ of Section 24. The 300-psi value was reached on most tests on the reclaimed land at the 5-to-7-inch depth range whereas the 300-psi value was reached on most tests on the undisturbed land in the 1.5-to-2.5-inch soil depth range. Mr. Eckroth said that CCMC has begun deep ripping all reclaimed cropland/hayland immediately after completing SPGM respread. Compaction results from previous years were on file and available for review.

OVERBURDEN/COAL REMOVAL

The dragline was observed operating in the NE¼ of Section 1. Trucks loaded with coal were observed on a ramp in Section 25.

SURFACE WATER MANAGEMENT

The sediment ponds in the table below were briefly observed and their water elevation was estimated in relation to their permanent pool elevation (PPE). Mr. Eckroth reported that water from sediment pond P31-01 had recently been pumped to sediment pond P30-01.

Sediment Pond	Comment(s)
P30-01	Water about 1 foot below PPE.
P31-01	Water about 1 foot below PPE.
P30-02	Water about 8 feet below PPE.
P24-01	Dry

Sediment was observed in the pool area of sediment pond P31-01. Sediment pond P24-05 has been constructed.

SUITABLE PLANT GROWTH MATERIAL REMOVAL/RESPREAD

The 301 excavator was stripping subsoil from the NW¼ of Section 25 and this material was being respread on grade approval COY-048 in the NE¼ of Section 36. A dozer was respreading the subsoil to achieve the desired depth. The trucks hauling the subsoil were not driving on the respread subsoil. The graded spoil was observed as having been ripped prior to SPGM respread.

STOCKPILES

Three new stockpiles were observed by sediment pond P24-05. A temporary topsoil stockpile was observed in the SW¼ of Section 24.

REVEGETATION

The sites where Western Plains Consulting (WPC) sampled reclaimed soils in the NE¼ of Section 25, T143N, R89W and the SE¼ of Section 36, T143N, R89W were inspected. Lath with WPC sample markings and test holes where soil probing had occurred were observed at each location. The soil near each WPC sample hole was tested for compaction with the Reclamation Division's handheld soil penetrometer. The soil profile was dry, and the 300-psi value was generally observed within a few inches of the soil surface and in most instances, it was not physically possible to push the penetrometer into the soil surface beyond a couple of inches. The exceptions were samples near Site No. 3 and Site No. 6 where the penetrometer was pushed into the ground at depths of 8 inches and 14 inches, respectively. Depths of 7 and 18 inches were attained at two samples near Site No. 9 in the SE¼ of Section 36, T143N, R89W.

WPC sample Sites No. 1 through No. 4 were on reclaimed cropland in the NE¼ of Section 25. This area was initially seeded in 2020, according to the 2023 Annual Mine Map. These samples are near a seeding boundary and the hayland vegetation varies from predominantly alfalfa to predominantly switchgrass and western wheatgrass. The approved hayland seed mixture consisted of 10 lbs of alfalfa, 4 lbs of switchgrass and 4 lbs of western wheatgrass. It is not clear why a more uniform mixture of alfalfa and grasses was not established in this area. This reclaimed land was hayed in 2024.

WPC sample Sites No. 5 and No. 6 were on reclaimed native grassland in the NE¼ of Section 25. This area was reclaimed in 2018, and the 10-year revegetation period was initiated in 2023. The sample site area was initially seeded to the delayed native grassland seed mixture which consisted of slender wheatgrass, western wheatgrass, switchgrass, and sand dropseed. Native species not included in the initial seed mixture were planted in the spring of 2023. This included green needlegrass, blue grama, sideoats grama, little bluestem, big bluestem, prairie sandreed, and forbs. This native grassland was hayed in 2024 and is well-established with the seeded species.

WPC sample Sites No. 7 through No. 9 were on reclaimed native grassland in the SE¼ of Section 36. Sample Sites No. 7 and No. 8 are within grade approved area COY-038 and sample Site No. 9 is within grade approved area COY-034. These sample sites were seeded to the native grassland seed mixture in the spring of 2024 with a nurse crop of oats. The seeded native species were observed becoming established. The oats nurse crop was clipped during the growing season to aid grass stand establishment.

ROADS

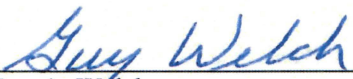
The primary haulroad and access roads were observed as having been watered to control fugitive dust.

WILDLIFE

Three mule deer were observed in Section 36.

GENERAL

A GPS tracklog of the route traveled is on file with the Reclamation Division as are photographs taken.



Guy A. Welch
Permit Administrator

cc via email only: Jeremy Eckroth (jeremy.eckroth@nacoal.com)
 Donn Steffen (donn.steffen@nacoal.com)
 Jason Friedt (jason.friedt@nacoal.com)
 Tyler Barth (tyler.barth@nacoal.com)
 Casey Voigt (vvranch4@westriv.com)
 John Sieving (jsieving@osmre.gov)
 John Ahlbrandt (jahlbrandt@osmre.gov)
 Carmen Reed (careed@nd.gov)