

Public Service Commission

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January 29, 2025

Mr. Mark Wallen
Environmental Specialist
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523-9475
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Dear Mr. Wallen:

The Reclamation Division has reviewed Coteau's December 26, 2024 and January 16, 2025 submittals in response to our November 21, 2024 technical review of Final Bond Release Application No. 2 to Permit NACT-1801. The following issues will need to be addressed prior to this office recommending Commission action.

Attachment VIa – Tract 1 General Information

1. Please consider including the 2024 yearly management description for Tract 1 on page 4 of Attachment VIa (Tract 1 General Information). (WWS)
2. Please include a narrative in Attachment VIa (Tract 1 General Information) that describes the general flow of surface water within the bond release tract and how the land will not contribute suspended solids to streamflow outside the permit area as required in NDAC 69-05.2-12-12(7)(b). (JAR/GAW)

Attachment VIb – Tract 2 General Information

3. Please consider including the 2024 yearly management description for Tract 2 on page 3 of Attachment VIb (Tract 2 General Information). (WWS)
4. Please include a narrative in Attachment VIb (Tract 2 General Information) that describes the general flow of surface water within the bond release tract and how the land will not contribute suspended solids to streamflow outside the permit area as required in NDAC 69-05.2-12-12(7)(b). (JAR/GAW)

Attachment VIII – Wildlife Assessment

5. Attachment VIII (Wildlife Assessment) references the 2022-2023 Wildlife Monitoring Report. The 2022-2023 Wildlife Monitoring Report has information on post-mining habitats and wildlife monitoring data for the South and Island (EMA) Study Areas in the Long-Term Specific Analysis subsection. Please update Attachment VIII to provide an analysis of the post-mining habitats and wildlife monitoring data. (AAC)

Attachment IXa1 – Production Standard Calculations

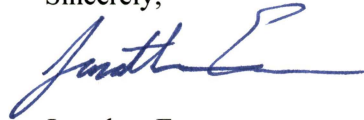
6. Please revise the t-distribution (t) value from 1.315 to 1.316 on page 2 of Attachment IXa1 (Production Standard Calculations) to reflect page III-E-6 of the Revegetation Success Standards document. Degrees of freedom are calculated as $n - 1$. Since 26 samples were taken, the 90% level would be 1.316. Please update all applicable calculations after this correction has been made. (GAW)

Attachment IXb1 – Production Standard Calculations

7. Please revise the t-distribution (t) value from 1.345 to 1.35 on page 2 of Attachment IXb1 (Production Standard Calculations) to reflect page III-E-6 of the Revegetation Success Standards document. Degrees of freedom are calculated as $n - 1$. Since 14 samples were taken, the 90% level would be 1.35. Please update all applicable calculations after this correction has been made. (GAW)
8. Please revise the t-distribution (t) value from 1.323 to 1.325 on page 6 of Attachment IXb1 (Production Standard Calculations) to reflect page III-E-6 of the Revegetation Success Standards document. Degrees of freedom are calculated as $n - 1$. Since 21 samples were taken, the 90% level would be 1.325. Please update all applicable calculations after this correction has been made. (GAW)

If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

cc via email only: Mike Berg (michael.berg@nacoal.com)
 Dillon Belisle (dillon.belisle@nacoal.com)