



July 3, 2024

Jonathan Emmer
Reclamation Division
Public Service Commission
600 East Boulevard Ave, 408
Bismarck, ND 58505

Dear Mr. Emmer:

This is in response to your request for a review of the environmental impacts associated with the Westmoreland Beulah Mining LLC application for Revision No. 36 to Surface Coal Mining Permit No. KRSB-8603 at the Beulah Mine.

The proposed project has been reviewed by Department of Water Resources (DWR), and the following comments are provided:

- There is a FEMA National Flood Insurance Program (NFIP) regulatory floodplain identified or mapped where this proposed project is to take place. Impacted areas may be designated to be in NFIP Zone A. The State of North Dakota has no formal NFIP permitting authority, as all NFIP permitting decisions are considered by impacted NFIP participating communities, which is the community with zoning authority for the area in question. Please work directly with the local floodplain administrator of the zoning authority impacted to achieve NFIP and community compliance.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or kyrkoski@nd.gov.

Sincerely,

A handwritten signature in black ink that reads "Kyle Yrkoski". The signature is written in a cursive style and is positioned to the left of a vertical line.

Kyle Yrkoski
Planner III

KY:dm/1570