

COYOTE CREEK MINING COMPANY, L.L.C.

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A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

January 9, 2026

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

RE: Completeness Review #3 Responses for Revision 14 to NACC-1302

Dear Mr. Emmer:

Coyote Creek Mine submits the following responses to completeness review #3 items for Revision No. 14 to Surface Coal Mining Permit NACC-1302 for The Coyote Creek Mine in your letter dated January 5, 2026.

General

- 1. Please review the Revision 14 application to ensure all changes to the original and approved narratives are displayed in an underline-strikethrough format as required by NDAC 69-05.2-05-02(6). Although the Revision 14 Newspaper Publication Notice appears to be ready for publication, the most recent alterations to the public notice were not displayed in an underline-strikethrough format. Likewise, Section 1.1.2 (Revision Summary Pages) for Revision 14 was not updated to address the changes proposed in the December 16, 2025 version of the application. The Revision 14 summary narrative at the top of page 72 of Section 1.1.2 should be updated to mention woodland updates, and the list of changes below the summary narrative should be updated to include Section 4.4.2.2 (Design Parameters for Post-Mining Wetlands) and Section 4.5.2.1 (Design Parameters for Post-Mining Stockponds). Please provide the Reclamation Division with a copy of Revision 14 after addressing the issues listed above. Copies of the Revision 14 application will be sent to other agencies and individuals, so it is important that the revision changes be readily apparent. (GAW/WWS)**

Please see the updated sections: Newspaper Publication Notice – Section 1.2.4. and Section 1.1.2 Revision Summary Pages,

Section 4.4 – Post-Mining Wetlands

- 1. Please review the table of contents within Section 4.4 (Post-Mining Wetlands). Section 4.4.2.1 is labeled as “Design Parameters for Post-Mining Wetlands” in the table of contents; however, the link appears to open Section 4.4.2.1 “Undisturbed and Disturbed Wetland Acreage Summary Table”. Section 4.4.2.2 is labeled as “Proposed Replacements for Disturbed Wetlands” in the table of contents; however, the link appears to open Section**

Mr. Jonathan Emmer
January 9, 2026
Page 2 of 2

4.4.2.2 “Design Parameters for Post-Mining Wetlands”. Furthermore, the narrative in Section 4.4.2 (Wetland Designs) states that “the table in Section 4.4.2.2 presents the design parameters for post-mining wetlands to be reclaimed within the disturbed portions of the permit area”, indicating that the table of contents within Section 4.4 are mislabeled, but the subsection links appear to access the correct content. Please review and revise the table of contents within Section 4.4, specifically the labels for Section 4.4.2.1 and Section 4.4.2.2, so that the labels match the documents accessed by the links. (GAW/MLJ)

Please see updated Section 4.4.

Sincerely,

THE COYOTE CREEK MINING COMPANY, L.L.C



Jeremy Eckroth
Environmental Manager