



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

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

sent via email and regular mail

February 4, 2026

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
Casper, WY 82602-7032
jfleischman@osmre.gov

Dear Mr. Fleischman:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

Mine Plan approval to mine 284 acres of federal coal (NDM 110277) in the SW¼ of Section 24 and the SE¼ of Section 26, T143N, R89W was granted to the Coyote Creek Mine by the Department of the Interior on March 14, 2024. All federal coal consists of privately owned surface. The Office of Surface Mining must make the determination if this revision constitutes a mine plan modification. Enclosed is a flash drive containing the permit revision application. All updates to the permit with Revision No. 14 are listed in Section 1.1.2 (Revision Summary Pages). Please provide any written comments on the revision application by **March 23, 2026**. If you have any questions, please contact this office.

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. 14\Rev14_Advsry_rvw_rqst_ltr_2-4-26



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February 4, 2026

Ms. Erica Trent
Natural Resources Specialist
Office of Surface Mining
PO Box 25065
Lakewood, CO 80225
etrent@osmre.gov

Dear Ms. Trent:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

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Sincerely,

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Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only w/o enclosures: Marcelo Calle (mcal@osmre.gov)

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February 4, 2026

Josh Alexander
Bureau of Land Management
Billings Field Office
Eastern Montana Dakotas District Office
Department of Interior
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. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

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Director
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February 4, 2026

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Avenue 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. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

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February 4, 2026

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:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

Enclosed is a flash drive of the revision application for your agency's review. All updates to the permit with Revision No. 14 are listed in Section 1.1.2 (Revision Summary Pages). Please review the revision application with regard to your agency's areas of responsibility and technical expertise, and for compliance with NDAC 69-05.2-16-03. Please provide any revision application review comments by **March 23, 2026** in accordance with NDAC 69-05.2-10-01(2).

If you have any questions, please contact this office.

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February 4, 2026

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:

Coyote Creek Mining Company, L.L.C. has filed an application for Revision No. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

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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. 14 to Surface Coal Mining Permit NACC-1302 for the Coyote Creek Mine. Revision No. 14 revises the post-mining topography in portions of Sections 23, 24, 25, 26, and 36, T143N, R89W; Section 31, T143N, R88W; and Section 6, T142N, R88W. Revision No. 14 also updates the introductory information, pre-mining land use, general operations, surface water management, post-mining land use plans and topography, revegetation procedures, establishment and management, and vegetation assessment and success standards sections of the permit. Specific updates include updated design plans for sediment pond P24-06, the addition of design plans for diversion D25-01, post-mining land use acreage adjustments in Sections 24 and 25, T143N, R89W to accommodate larger blocks of cropland and native grassland, and modifications to the native grassland and woodland planting seed mixtures. The revision also finalizes the location of the Section 36 farmer access road (18th Street SW) and finalizes the use of several ecological sites as native grassland reference areas.

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