

ND INDUSTRY'S PERSPECTIVE ON BOND RELEASE¹

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Abstract: The bond release process outlined by the North Dakota Public Service Commission has worked well for The Coteau Properties Freedom Mine. This presentation contains information from areas released from bond in recent years, which includes data demonstrating reclamation success on land uses such as cropland, native grassland and redisturbed orphan spoil areas. This presentation will also cover some of the issues we face as an industry as we approach bond release. While the bond release process is set up very well as a whole, some issues arise when small areas need to be repaired during the liability period and waivers or variances need to be obtained. Another concern is handling small tracts of land that may be ready for bond release, but are too small to sell or manage properly. Our most prevalent problem, however, is relying on the public to satisfy the North Dakota Public Service Commission requirements to prove reclamation success. As a consequence of North Dakota's corporate farming laws, mining companies are unable to raise crops or cattle on our reclaimed land. This requires us to rely solely on tenants of the land to produce a previously approved crop and provide adequate documentation to prove production and quality of everything they produce.

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