

M. 2012 - 00668 - CM



May 17th, 2012

33 580-530
85-302570

Department of the Army Corps of Engineers
Attention: Ms. Cindy J. House-Pearson
Section Chief
Birmingham Field Office
Regulatory Division, USACE
218 Summit Parkway, Suite 222
Homewood, AL 35209

U.S. Army Corps of Engineers

A Department of the Army permit will not be required for your project as proposed.

PROJECT MANAGER
REGULATORY DIVISION

6/21/12
DATE

RE: Blue Creek Energy, Inc.
Blue Creek Energy No. 1 - Power Transmission Line Project
Project Notification

Dear Ms. Cindy House-Pearson:

Blue Creek Energy proposes to add a power transmission line to the Blue Creek No. 1 Facility routed through the area described below and would like comments from your office in order to proceed with this project.

In order to accommodate the routing of the above mentioned power transmission line, Blue Creek Energy would need to add 323 acres at the project site as located in Sections 1 & 12, Township 17 South, Range 9 West, Sections 4, 5, 6, 7, 8, 9, 10, 14, 15, 23, 24 & 25, Township 17 South, Range 8 West, Sections 28, 29, 30, 32 & 33, Township 17 South, Range 7 West, all on the Wiley and Tutwiler School, Alabama U.S.G.S Quadrangle as found in Walker & Tuscaloosa County, Alabama. The proposed site location is shown on the attached 2000' scale project area map attachment "B".

The proposed project activity consists of spanning the areas identified as delineated waters and or potential jurisdictional waters. Access to the power line route will come only through the upland areas and without any fill activity to any waters of the U.S.

I have attached an aerial photo in attachment "C", which reveals the existing conditions of the proposed project boundary. This can also be seen in the photographic log, attachment "D".

MAY 25 2012

Therefore based on the fact that this project area consists of spanning existing identified waters for the use of a power line transmission line route and that the identified waters of the US will not receive any fill impacts, would you concur that the project activities will not require a Department of Army Permit.

I would like to thank you for your co-operation concerning this matter and would appreciate your comments at your earliest convenience. If you should have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

McGehee Engineering Corp.

L. Stephen Blankenship

L. Stephen Blankenship
Project Manager,
stephenb@mcgehee.org

Enclosure:

- (A) *Project Notification Summary*
- (B) *Project Area Map 2000 Scale*
- (C) *Aerial Photo*
- (D) *Photographic Log*
- (E) *Delineated Waters Table*

Attachment “A”

Project Notification Summary

**PROJECT NOTIFICATION & PROJECT SUMMARY
REQUEST FOR IDENTIFICATION OF THE AREAS OF SPECIAL CONCERN
FOR A SURFACE OR UNDERGROUND MINING OPERATION**

Date: May 17th, 2012

Mining Company Name: Blue Creek Energy, Inc.

Return Address: P. O. Box 3431, Jasper, Alabama 35502-3431

Return Fax Number: (205) 221-7721

Contact Person: McGehee Engineering Corp., L. Stephen Blankenship

Project Name: Blue Creek Energy No. 1 – Power Transmission Line Project

Number of Acres: 323 Acres

USGS Quad Sheet(s) on which the Mine occurs: Wiley & Tutwiler School Quad

County: Walker & Tuscaloosa County

See Attached Map

Current Landuse of Permit and Adjacent Areas:

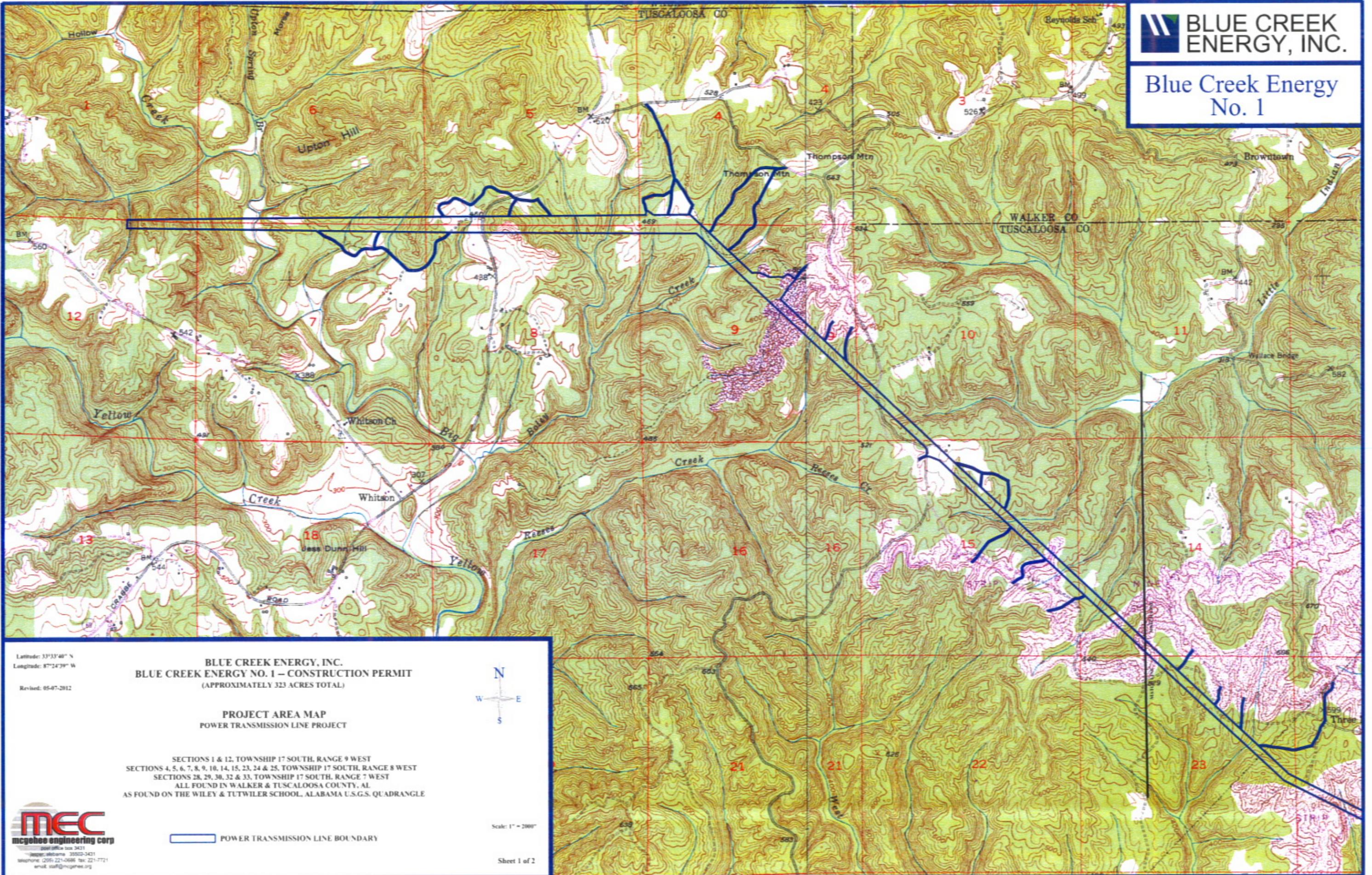
Undeveloped

Dominant Vegetation Communities of Permit and Adjacent Areas:

Along the road bed there are Virginia and Loblolly Pine, Fescue and other various upland grasses, weeds & briars. Some young second growth hardwoods off of the existing road bed routes.

Project:

Blue Creek Energy, Inc. -- Blue Creek Energy No. 1 – Power Transmission Line Project



Latitude: 33°33'40" N
 Longitude: 87°14'39" W
 Revised: 05-07-2012

BLUE CREEK ENERGY, INC.
BLUE CREEK ENERGY NO. 1 – CONSTRUCTION PERMIT
 (APPROXIMATELY 323 ACRES TOTAL)

PROJECT AREA MAP
POWER TRANSMISSION LINE PROJECT

SECTIONS 1 & 12, TOWNSHIP 17 SOUTH, RANGE 9 WEST
 SECTIONS 4, 5, 6, 7, 8, 9, 10, 14, 15, 23, 24 & 25, TOWNSHIP 17 SOUTH, RANGE 8 WEST
 SECTIONS 28, 29, 30, 32 & 33, TOWNSHIP 17 SOUTH, RANGE 7 WEST
 ALL FOUND IN WALKER & TUSCALOOSA COUNTY, AL
 AS FOUND ON THE WILEY & TUTWILER SCHOOL, ALABAMA U.S.G.S. QUADRANGLE



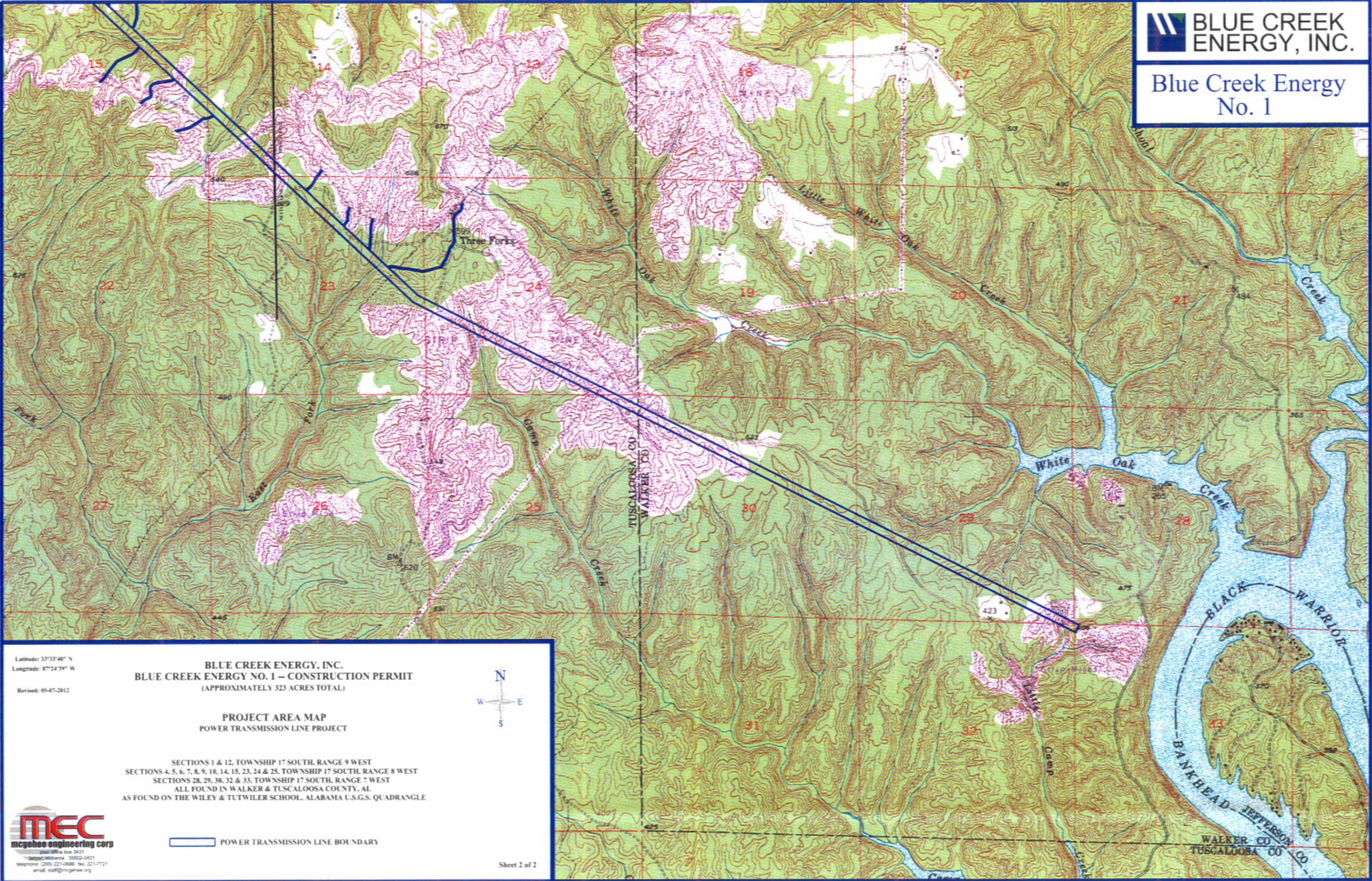
Scale: 1" = 2000'

Sheet 1 of 2



2009 office box 3421
 Jasper, Alabama 35050-3421
 telephone: (205) 221-0686 fax: 221-7721
 email: staff@mcgohee.org

 POWER TRANSMISSION LINE BOUNDARY



Latitude: 33°33'40" N
Longitude: 87°24'39" W
Revised: 05-07-2012

BLUE CREEK ENERGY, INC.
BLUE CREEK ENERGY NO. 1 – CONSTRUCTION PERMIT
(APPROXIMATELY 323 ACRES TOTAL)

PROJECT AREA MAP
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— POWER TRANSMISSION LINE BOUNDARY