



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS - MOBILE DISTRICT
BIRMINGHAM FIELD OFFICE
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

August 30, 2013

North Branch
Regulatory Division

SUBJECT: Nationwide Permit Authorization- Project Number SAM-2012-00716-CMS,
Johnson North Mine, Cahaba Resources, LLC

Cahaba Resources, LLC
c/o McGehee Engineering
Attention: Mr. Stephen Blankenship
Post Office Box 3431
Jasper, Alabama 35502

Dear Mr. Blankenship:

This letter is in response to your June 13, 2013 application that was received in our office on July 1, 2013 for a Department of the Army (DA) permit to impact a jurisdictional stream and wetlands in association with the Johnson North Mine. The project is located in Sections 27, 28, 33 and 34, Township 19 South, Range 6 West, in Jefferson County, Alabama (N 33.353605, W 87.163371).

DA authorization is necessary because the project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The project involves impacts to 268 linear feet of ephemeral stream and 0.05 acre of wetlands.

Based upon the Pre-Construction Notification and subsequent addendum, your proposal is authorized by Nationwide Permit (NWP) 21 for Surface Coal Mining Activities (Federal Register, February 21, 2012 Vol. 77, No. 34). In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the General Conditions of Nationwide Permit 21, which can be viewed at our website at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, and the following special conditions:

1. To mitigate for the stream impacts, the permittee shall purchase 319 stream Credits (288 base credits x 1.11 Proximity factor (Px)) from Big Sandy Mitigation Bank. A copy of the proof of credit purchase shall be submitted to this office prior to conducting work authorized by this letter.

2. To mitigate for the wetland impacts, the permittee shall purchase 0.014 wetland credits (0.0125 base credits x 1.11 Px) from Big Sandy Mitigation Bank. A copy of the proof of credit purchase shall be submitted to this office prior to conducting work authorized by this letter.

This verification is valid until March 18, 2017 unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work has not been completed by that date, please contact us to discuss the status of your authorization. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act.

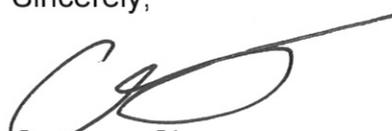
This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Further, please note General Condition 30 requires that you submit a signed certification to us once any work has commenced and when the work and required mitigation are completed. Please complete and submit the attached Notification of Commencement of Work when work has begun and the attached Compliance Certification form to this office within 60 days of completion of the authorized work.

A Preliminary Jurisdictional Determination (PJD) form for the site was submitted to your office under separate cover dated September 7, 2012.

A copy of this authorization is being provided to the Alabama Department of Environmental Management, Attention: Mr. Richard Hulcher, Field Operations Division, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

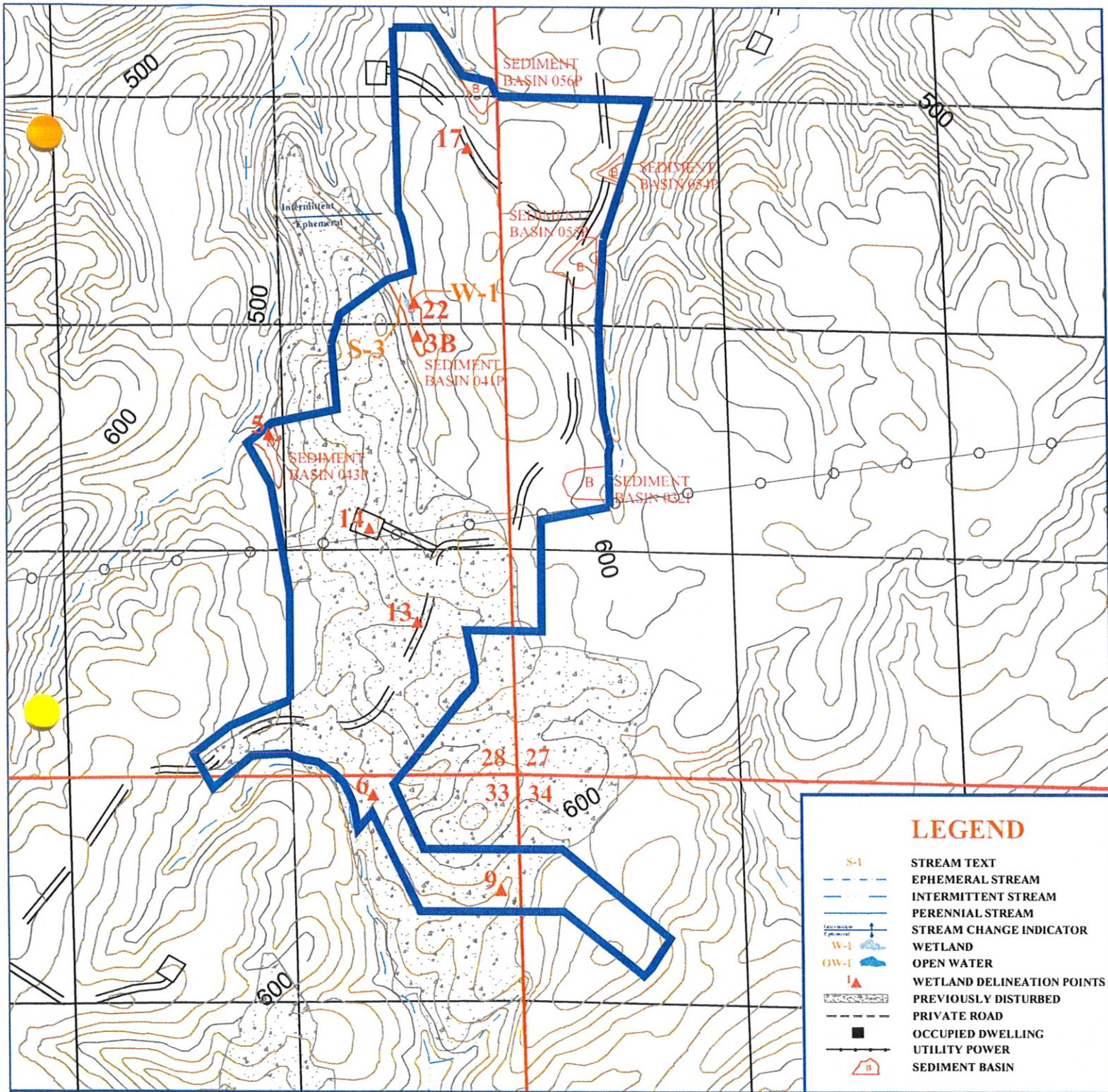
Please contact Courtney Shea at 205-290-9096 if you have any questions. For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,



Courtney Shea
Project Manager

Enclosures



SCALE: 1" = 2000'
June 13th, 2013

CAHABA RESOURCES, LLC.
JOHNSON NORTH MINE
(APPROXIMATELY 151 ACRES TOTAL)

JURISDICTIONAL IMPACTS MAP
(Revised Date: 06-11-2013)

SECTIONS 27, 28, 33 & 34, TOWNSHIP 19 SOUTH, RANGE 6 WEST,
ALL IN JEFFERSON COUNTY, ALABAMA
AS FOUND ON THE ABERNANT, ALABAMA USGS QUAD.

SAM-2012-00716-CMS

CMS
8/30/13

Latitude: 33°21'13" N
Longitude: 87°09'48" W

268 l.f.
ephemeral

0.05 ac.
wetland



US Army Corps of Engineers
Mobile District

NOTIFICATION OF COMMENCEMENT OF WORK

Permit Number: SAM-2012-00716-CMS

Name of Permittee: Cahaba Resources, LLC

Date of Permit Issuance: August 30, 2013

Location of the Work: Jefferson County, AL

Upon commencement of the authorized work and any mitigation required by the permit, you must complete and return this notification to the following address:

**U.S. Army Corps of Engineers, Mobile District
Regulatory Division (RD-I-N)
218 Summit Pkwy, Suite 222
Homewood, AL 35209**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

IT SHALL NOT BE LAWFUL TO DEVIATE FROM SUCH PLANS EITHER BEFORE OR AFTER COMPLETION OF THE WORK, unless modification of said plans has previously been submitted to and received the approval of the Department of the Army. If for any reason it becomes necessary to make a material change in location or plans for this work, revised plans should be submitted promptly to the District Engineer in order that the revised plans may receive the approval required by law before work is begun.

PERMITTEE TO COMPLETE THE FOLLOWING:

Date Work Commenced: _____

Signature of Permittee

Date



US Army Corps of Engineers
Mobile District

SELF-CERTIFICATION - STATEMENT OF COMPLIANCE

Permit Number: SAM-2012-00716-CMS

Name of Permittee: Cahaba Resources, LLC

Date of Permit Issuance: August 30, 2013

Location of the Work: Jefferson County, AL

Upon completion of the activity authorized by this permit and any mitigation required by the permit, you must complete and return this certification to the following address:

**U.S. Army Corps of Engineers, Mobile District
Regulatory Division (RD-I-N)
218 Summit Pkwy, Suite 222
Homewood, AL 35209**

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with all terms and conditions of this permit the permit is subject to permit suspension, modification, or revocation and you are subject to an enforcement action by this office.

PERMITTEE TO COMPLETE THE FOLLOWING:

Date Work Completed: _____

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the permit authorization, including all general and/or special conditions of the said permit, and the required mitigation (if applicable) was completed in accordance with the permit conditions.

Signature of Permittee

Date