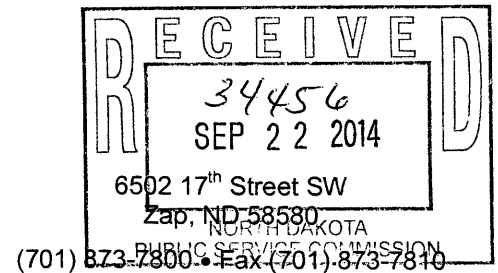


COYOTE CREEK MINING COMPANY, L.L.C.

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION



September 19, 2014

North Dakota Regulatory Office
U.S. Army Corps of Engineers
Bismarck Regulatory Office
1513 South 12th Street
Bismarck, ND 58504

To Whom It May Concern:

Enclosed is our application for a Regional General Permit for surface coal mining operations associated with Coyote Creek Mining Company, L.L.C. The area is described as Surface Coal Mining Permit NACC-1302. The mining permit application was submitted to the ND Public Service Commission (NDPSC) on October 31, 2013 and has been deemed complete. Approval is expected in October, 2014.

Except for one item, all information required for the Regional General Permit application is already included in the permit submitted to the NDPSC. They will closely review this information, thereby relieving the COE of duplicative review. Enclosed is a cross-reference from the Regional General Permit Application Procedures checklist to items in Mining Permit NACC-1302. Also enclosed is a copy of 1) NACC-1302 on DVD, 2) the approved cultural resource management plan, 3) Map 1, which depicts all inventoried waters at Coyote Creek Mine, and 4) Map 2, which depicts all waters that were determined to be Waters of the United States by the September, 2014 JD.

Additionally, the signed Preliminary Jurisdictional Determination Form is enclosed. Determinations that were made for the Preliminary JD and a separate Approved JD address waters that may be disturbed by the first five years of mining. This includes both NACC-1302 and a future permit area to the north, which will be submitted to the NDPSC for their review later this year. After the permit addition has been deemed administratively complete, likely this winter, a regional general permit application will be submitted for that area as well.

If you have any questions, please contact me.

Sincerely,

COYOTE CREEK MINING COMPANY, L.L.C.

Sarah Flath
Senior Environmental Specialist

SJF
Enc.

cc: Mr. James R. Deutsch, ND Public Service Commission (w/out enc.)

**Information to Address the Regional General Permit Application Procedures Checklist for
Permit NACC-1302
September 19, 2014**

Note: Sections refer to section in Coyote Creek Mine's Permit NACC-1302

1. Name, address, and telephone number of the person responsible for the work.

Refer to Section 1.3.6.

2. A written description of the proposed work, including the purpose and need;

The purpose is surface coal mining.

type, composition and volume of fill and/or excavated material;

Details concerning soils and overburden can be found in Section 2.5 – Soil Resources and Section 2.1 – Geology.

length, width and depth of fill material and/or excavation area;

Refer to Section 3.1.3 for the extent of mining. Depth of excavation ranges. Information can be found in Section 2.1 and 3.1 regarding the elevation of the coal and the surface throughout the permit area. Depths are also visible in cross section in Section 3.1.7.

disposal site for the excavated material; borrow site for fill material;

This is not directly applicable, as these areas are being mined through and reclaimed. However, details on operation plans can be found in Section 3.1.

types of equipment to be used;

Refer to Section 3.1.1.5.

and impacts to wetlands, streams or other waters of the United States. Impacted includes filled, excavated, drained, dewatered or otherwise adversely modified by coal mine operations.

North Dakota's surface mining law at NDCC 38-14.1-14(1)(o) and surface mining regulations at NDAC 69-05.2-09-12(2) require permit applicants to conduct an analysis of the hydrologic impacts of the proposed mining operations. This information can be found in Section 2.2 – Surface Water Hydrology and Section 2.3 – Ground Water Hydrology. In addition to the analyses conducted by Coyote Creek Mine, the NDPSC conducts their own Cumulative Hydrologic Impact Analysis (CHIA) for each permit application.

3. A written legal description of the project location including section, township, range, and county.

Refer to Section 1.5.1.

4. Names, addresses, and telephone numbers of adjacent property owners.

Addresses can be found in Section 1.5.2. Phone numbers follow:

Arnold V. Winkler and Sharon D. Winkler	701-948-2854
Norman R. Winkler and Martha Winkler	701-673-3252
LeeRoy J. Winkler and Sharon L. Winkler	701-948-2878
Howard H. Winkler and Bernadette J. Winkler	701-873-5618
Florence Winkler	701-873-4679
Remaindermen: Russell D. Winkler and Tammy Winkler	701-873-4943
Perry Winkler and Beth A. Winkler	701-873-2824
Lyle Winkler and Patricia Winkler	701-873-2375
Sharon L. Unruh	701-873-5529
Shawn Unruh and Shevele Unruh	701-873-4998
Dean Hartman	701-873-4261
Ronald E. Gunsch and Janice J. Gunsch	701-873-4713
Donald J. Schwalbe and Claire Schwalbe	701-873-5561
Casey Voigt and Julie Voigt	701-873-2211
Subject to Contract for Deed from:	
Shawn Voigt and Maria Voigt	701-873-4918
Karmen Eslinger and Craig Eslinger	701-873-2430
Donalda Voigt	701-873-2275
Kenneth Voigt	Not Available
Kenneth Reich and Elaine Reich	701-873-5214
Jim Swenson and Darlene Swenson	701-873-5720
Arlyce Schulte	Not Available
Dakota Westmoreland	701-873-4333
Coyote Creek Mining Company, L.L.C.	701-873-7800
Mercer County	701-745-3294
North Dakota Department of Trust Lands	701-328-1918
Bank of America Trustee for the	701-748-2233
Margaret Z. Young Paine Trust	

5. A set of drawings on 8 1/2 by 11 inch paper, with dimensions of the proposed work, showing:
- The project location, including the disposal site locations.

Refer to Section 3.1.3.

- A plan or top view of the mine area.

Refer to Section 3.1.3

- A typical cross-section or side view of the project area.

Refer to Section 3.1.7.

6. A wetland delineation for the entire life of mine permit boundary area. Delineations must be completed by qualified individuals in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual dated January 1987 and any updates and supplements to the manual. More detailed information on delineation requirements is available upon request. Delineation maps must show all areas that meet the definition of wetland, as defined in the manual, and all other water features such as ditches, streams, ponds, and lakes.

Refer to Section 2.2.2 for a map of all surface water features. Delineation methods and supplemental information can be found in Section 2.2 and 2.4. Additionally, information submitted by Coyote Creek Mine to your office for the JD may be referenced. It has been included in this submittal as Map 1 and Map 2. Map 1 depicts all waters and Map 2 depicts all waters that were determined to be Waters of the United States by the September, 2014 JD.

7. Copy of Public Service Commission coal mining permit.

Please see the enclosed DVD.

8. A wetland and waters final reclamation/restoration plan.

For this surface mining operation the reclamation plan serves as the mitigation plan and is described in detail in several sections of the permit application. See Section 2.2 – Surface Water Hydrology, Section 3.0 – Operations Plans, and Section 4.0 – Post-Mining Land Use and Revegetation.

Additionally, to aid in your review of the Cultural Resources of this application, a copy of Coyote Creek Mining Company, L.L.C.'s approved management plan has been included, along with correspondence regarding its approval. Also, eligible cultural resource sites are shown on Map 1 and Map 2.

Information has been included in Permit NACC-1302 regarding threatened and endangered species. To aid in your review of this subject, please refer to Section 2.7.