



Public Notice

**U S Army Corps
of Engineers**
Huntington District

In reply refer to Public Notice No.
200600339

Issuance Date: JUL 18 2007

Stream: Untribs Casey Creek

Closing Date: AUG 17 2007

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the West Virginia Department of Environmental Protection to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Hillside Mining Company
Post Office Box 1189
Charleston, WV 25324

LOCATION: The proposed project is located on the Wharton USGS quadrangle at latitude 37° 56' 15" and longitude 81° 42' 42" within unnamed tributaries of Casey Creek approximately 1 mile southwest of Cazy, in Boone County, West Virginia. The location of the proposed project is shown on the attached **Sheet 1** of 7. Casey Creek flows into Pond Fork, which flows into the Little Coal River. The Little Coal River flows into the Coal River, a navigable (Section 10) water of the U. S.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to discharge dredged and/or fill material into waters of the U. S., in conjunction with the construction, operation, and reclamation of the Casey Creek No. 1 Surface Mine. The purpose of the proposed project is to recover bituminous coal from the No. 6 Block, No. 5 Block, Upper Stockton, Middle Stockton, Lower Stockton, Coalburg Rider, Coalburg, Buffalo Creek, Winifrede, Chilton A, Chilton Rider and Chilton coal seams. The applicant proposes to disturb approximately 675 surface acres in conjunction with proposed coal removal activities, as depicted in the attached drawings, **Sheets 2-5** of 7. Overall, the proposed project would result in adverse impacts to approximately 14,919 linear feet (1.287 acres) of streams, all of which are waters of the U.S. The project would include constructing five permanent valley fills (Valley Fill 1-5), six temporary drainage control ponds (Pond 1-4, 4a, and 5), and mining through six streams within the project area. The proposed valley fills and sediment ponds would be constructed within unnamed tributaries of Casey Creek. Construction of the proposed valley fills and mine through areas would result in permanent adverse impacts to approximately 12,371 linear feet (1.039 acres) of stream, including approximately 8,577 linear feet (0.829 acre) of intermittent streams and approximately 3,794 linear feet (0.210 acre) of ephemeral streams. Temporary adverse impacts associated with pond construction and operation and construction of a haul road would total approximately 2,548 linear feet (0.248 acre) of stream, including 2,073 linear feet (0.221 acre) of intermittent streams and 475 linear feet (0.027 acre) of ephemeral streams. In addition, approximately 845 linear feet (0.12 acre) of intermittent stream would be indirectly temporarily impacted as a result of sediment transport between the toe of proposed hollow fills and proposed sediment ponds. This impact has been included in the calculation of total temporary impacts (2,548'). The life of the mine is approximately 6 years. Upon reclamation, the site would be returned to approximate original contour with a post mining land use of forestland. The West Virginia Department of Environmental Protection is reviewing the applicant's Surface Mining Permit application (S-5005-05) pursuant to the Surface Mining Control and Reclamation Act of 1977.

ALTERNATIVE ANALYSIS: The applicant's stated overall project purpose is to mine coal from the No. 6 Block, No. 5 Block, Upper Stockton, Middle Stockton, Lower Stockton, Coalburg Rider, Coalburg, Buffalo Creek, Winifrede, Chilton A, Chilton Rider and Chilton coal seams. This project is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the applicant's goal. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the overall project purpose.

MITIGATION PLAN: To compensate for permanent and temporary adverse impacts to waters of the U. S. associated with the proposed project, the applicant has developed a compensatory mitigation plan that includes the following elements: restoration of approximately 2,548 linear feet of stream proposed to be temporarily adversely impacted as a result of this project; creation of approximately 14,270 linear feet of intermittent and ephemeral channel; and enhancement of an approximately 10,500-linear foot perennial reach of Casey Creek.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the West Virginia Department of Environmental Protection.

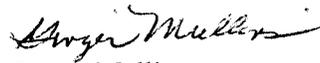
HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. This public notice will serve as coordination with the West Virginia Division of Culture and History regarding the project and its potential effects to known historical, architectural, or archeological sites listed in or eligible for inclusion in the NRHP.

ENDANGERED/THREATENED SPECIES REVIEW: The U.S. Fish and Wildlife Service's (USFWS) latest published version of endangered and threatened species has been reviewed to determine if any endangered or threatened species may occur in the project area. The proposed project would be located in a county where the endangered Indiana bat (*Myotis sodalis*) is known to occur. By letter dated April 12, 2006, the USFWS concurred with the applicant's winter habitat survey data which indicated there are no sites suitable for winter Indiana bat habitat. Additionally, the USFWS concluded that the area around the proposed mine provides sufficient summer habitat for any Indiana bats displaced as a result of the proposed action and that all timber removal associated with the proposed action will only be removed between the dates of November 15 and March 31. Based on the information provided, the USFWS concluded that no federally-listed threatened or endangered species are expected to be impacted by the project. Therefore, the proposed project is not likely to adversely affect federally-listed species and no further consultation under the Endangered Species Act (ESA) is required with the USFWS. This public notice serves as a request to the USFWS for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Ms. LuAnne Conley, Environmental Engineer, South Regulatory Section, CELRH-OR-FS, U. S. Army Corps of Engineers Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070. Please note names and addresses of those who submit comments in response to this public notice may be made publicly available. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please call Ms. LuAnne Conley, South Regulatory Section at 304-399-5710.



Ginger Mullins
Chief, Regulatory Branch

(W)



DATE: 10/30/2006 SCALE: 1"=4000'

DRAWN BY: J.S.

HILLSIDE MINING COMPANY
 P.O. BOX 1189
 CHARLESTON, WV 25324

SUMMIT ENGINEERING, INC.
 137 Summit Drive
 Pikeville, Ky. 41501
 (800) 432-1447

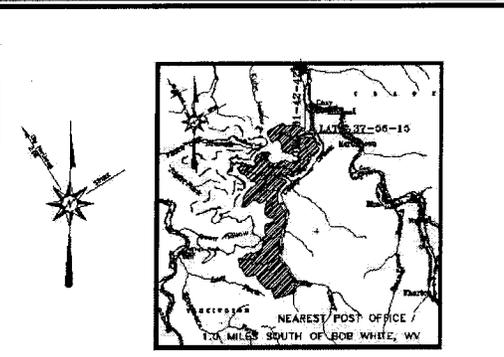


PROJECT LOCATION MAP

Z:\Hillside Mining\Casey Creek surface mine\Corps of Engineers\Public Notice\Location Map.dwg

WASHINGTON, KY LOUISVILLE, KY HAZARD, KY
 CHARLESTON, WV TOWN, WV

HILLSIDE MINING COMPANY
CASEY CREEK NO.1 SUFACE MINE
USACE ID NO. 200600339
JULY 12, 2007
SUMMIT ENGINEERING, INC.
SHEET 1 OF 7



LOCATION MAP
 RECEIVING STREAMS: **UPPER TRIBUTARIES OF CASEY CREEK AND CASEY CREEK OF FOUR FORK OF LOWER LITTLE ROCK RIVER OF HAWKRA RIVER**
 WHARTON QUADRANGLE
 COOK COUNTY
 BOONE COUNTY
 PERMIT NO. S-5005-05
 NPDES NO. WV1022784
 SCALE: 1" = 1 MILE

NOTE: SEE DRAINAGE-REGRADE MAP FOR AFFECTED DRAINAGE AREAS INFORMATION

PERMIT ACRES

HAULROADS	8.65 ACRES
PONDS	6.30 ACRES
FILLS	6.65 ACRES
MINERAL REMOVAL AREA	853.40 ACRES
TOTAL PERMIT ACRES	875.00 ACRES

POND NUMBER	POND DRAINAGE ACRES	ASS. FILL	LENGTH POND TOE	FOOTPRINT OF FILL	TYPE OF FILL
POND 1	124.84	FILL 1	130	1,670	DRY
POND 2	142.04	FILL 2	210	882	DRY
POND 3	35.36	FILL 3	170	882	DRY
POND 4	298.19	FILL 4	683	1,350	DRY
POND 5	157.85	FILL 5	470	1,880	DRY

FILL DRAINAGE NUMBER	ACRES	FILLS TOE LOCATION	FILL CREST LOCATION	TOE	FILL VOL.
FILL 1	124.84	81-43-26 1180 30	81-33-18 1245 18	1580 118	3,074,965
FILL 2	142.04	81-33-18 1300 45	81-33-18 1300 45	1300 45	185,524
FILL 3	35.36	81-33-18 1300 45	81-33-18 1300 45	1300 45	336,861
FILL 4	298.19	81-33-18 1000 30	81-33-18 1000 30	1400 26	3,516,898
FILL 5	157.85	81-33-18 1000 30	81-33-18 1000 30	1380 19	2,870,149

CORE HOLE LOCATIONS

NUMBER	LAT	LONG	ELEV.
DD1-SB1	37 54 18	81 43 21	1185.25
DD1-SB2	37 54 22	81 43 21	1185.65
DD1-SB3	37 54 26	81 43 21	1186.05
DD1-SB4	37 54 30	81 43 21	1186.45
DD1-SB5	37 54 34	81 43 21	1186.85
DD1-SB6	37 54 38	81 43 21	1187.25
DD1-SB7	37 54 42	81 43 21	1187.65
DD1-SB8	37 54 46	81 43 21	1188.05
DD1-SB9	37 54 50	81 43 21	1188.45
DD1-SB10	37 54 54	81 43 21	1188.85
DD1-SB11	37 54 58	81 43 21	1189.25
DD1-SB12	37 55 02	81 43 21	1189.65
DD1-SB13	37 55 06	81 43 21	1190.05
DD1-SB14	37 55 10	81 43 21	1190.45
DD1-SB15	37 55 14	81 43 21	1190.85
DD1-SB16	37 55 18	81 43 21	1191.25
DD1-SB17	37 55 22	81 43 21	1191.65
DD1-SB18	37 55 26	81 43 21	1192.05
DD1-SB19	37 55 30	81 43 21	1192.45
DD1-SB20	37 55 34	81 43 21	1192.85
DD1-SB21	37 55 38	81 43 21	1193.25
DD1-SB22	37 55 42	81 43 21	1193.65
DD1-SB23	37 55 46	81 43 21	1194.05
DD1-SB24	37 55 50	81 43 21	1194.45
DD1-SB25	37 55 54	81 43 21	1194.85
DD1-SB26	37 55 58	81 43 21	1195.25
DD1-SB27	37 56 02	81 43 21	1195.65
DD1-SB28	37 56 06	81 43 21	1196.05
DD1-SB29	37 56 10	81 43 21	1196.45
DD1-SB30	37 56 14	81 43 21	1196.85
DD1-SB31	37 56 18	81 43 21	1197.25
DD1-SB32	37 56 22	81 43 21	1197.65
DD1-SB33	37 56 26	81 43 21	1198.05
DD1-SB34	37 56 30	81 43 21	1198.45
DD1-SB35	37 56 34	81 43 21	1198.85
DD1-SB36	37 56 38	81 43 21	1199.25
DD1-SB37	37 56 42	81 43 21	1199.65
DD1-SB38	37 56 46	81 43 21	1200.05
DD1-SB39	37 56 50	81 43 21	1200.45
DD1-SB40	37 56 54	81 43 21	1200.85
DD1-SB41	37 56 58	81 43 21	1201.25
DD1-SB42	37 57 02	81 43 21	1201.65
DD1-SB43	37 57 06	81 43 21	1202.05
DD1-SB44	37 57 10	81 43 21	1202.45
DD1-SB45	37 57 14	81 43 21	1202.85
DD1-SB46	37 57 18	81 43 21	1203.25
DD1-SB47	37 57 22	81 43 21	1203.65
DD1-SB48	37 57 26	81 43 21	1204.05
DD1-SB49	37 57 30	81 43 21	1204.45
DD1-SB50	37 57 34	81 43 21	1204.85
DD1-SB51	37 57 38	81 43 21	1205.25
DD1-SB52	37 57 42	81 43 21	1205.65
DD1-SB53	37 57 46	81 43 21	1206.05
DD1-SB54	37 57 50	81 43 21	1206.45
DD1-SB55	37 57 54	81 43 21	1206.85
DD1-SB56	37 57 58	81 43 21	1207.25
DD1-SB57	37 58 02	81 43 21	1207.65
DD1-SB58	37 58 06	81 43 21	1208.05
DD1-SB59	37 58 10	81 43 21	1208.45
DD1-SB60	37 58 14	81 43 21	1208.85
DD1-SB61	37 58 18	81 43 21	1209.25
DD1-SB62	37 58 22	81 43 21	1209.65
DD1-SB63	37 58 26	81 43 21	1210.05
DD1-SB64	37 58 30	81 43 21	1210.45
DD1-SB65	37 58 34	81 43 21	1210.85
DD1-SB66	37 58 38	81 43 21	1211.25
DD1-SB67	37 58 42	81 43 21	1211.65
DD1-SB68	37 58 46	81 43 21	1212.05
DD1-SB69	37 58 50	81 43 21	1212.45
DD1-SB70	37 58 54	81 43 21	1212.85
DD1-SB71	37 58 58	81 43 21	1213.25
DD1-SB72	37 59 02	81 43 21	1213.65
DD1-SB73	37 59 06	81 43 21	1214.05
DD1-SB74	37 59 10	81 43 21	1214.45
DD1-SB75	37 59 14	81 43 21	1214.85
DD1-SB76	37 59 18	81 43 21	1215.25
DD1-SB77	37 59 22	81 43 21	1215.65
DD1-SB78	37 59 26	81 43 21	1216.05
DD1-SB79	37 59 30	81 43 21	1216.45
DD1-SB80	37 59 34	81 43 21	1216.85
DD1-SB81	37 59 38	81 43 21	1217.25
DD1-SB82	37 59 42	81 43 21	1217.65
DD1-SB83	37 59 46	81 43 21	1218.05
DD1-SB84	37 59 50	81 43 21	1218.45
DD1-SB85	37 59 54	81 43 21	1218.85
DD1-SB86	37 59 58	81 43 21	1219.25
DD1-SB87	37 59 02	81 43 21	1219.65
DD1-SB88	37 59 06	81 43 21	1220.05
DD1-SB89	37 59 10	81 43 21	1220.45
DD1-SB90	37 59 14	81 43 21	1220.85
DD1-SB91	37 59 18	81 43 21	1221.25
DD1-SB92	37 59 22	81 43 21	1221.65
DD1-SB93	37 59 26	81 43 21	1222.05
DD1-SB94	37 59 30	81 43 21	1222.45
DD1-SB95	37 59 34	81 43 21	1222.85
DD1-SB96	37 59 38	81 43 21	1223.25
DD1-SB97	37 59 42	81 43 21	1223.65
DD1-SB98	37 59 46	81 43 21	1224.05
DD1-SB99	37 59 50	81 43 21	1224.45
DD1-SB100	37 59 54	81 43 21	1224.85

NPDES OUTLET LOCATIONS

NUMBER	LAT	LONG	ELEV.
DD1	37 54 42	81 43 02	1180
DD2	37 54 46	81 43 06	1180
DD3	37 54 50	81 43 10	1180
DD4	37 54 54	81 43 14	1180
DD5	37 54 58	81 43 18	1180
DD6	37 55 02	81 43 22	1180
DD7	37 55 06	81 43 26	1180
DD8	37 55 10	81 43 30	1180
DD9	37 55 14	81 43 34	1180
DD10	37 55 18	81 43 38	1180
DD11	37 55 22	81 43 42	1180
DD12	37 55 26	81 43 46	1180
DD13	37 55 30	81 43 50	1180
DD14	37 55 34	81 43 54	1180
DD15	37 55 38	81 43 58	1180
DD16	37 55 42	81 44 02	1180
DD17	37 55 46	81 44 06	1180

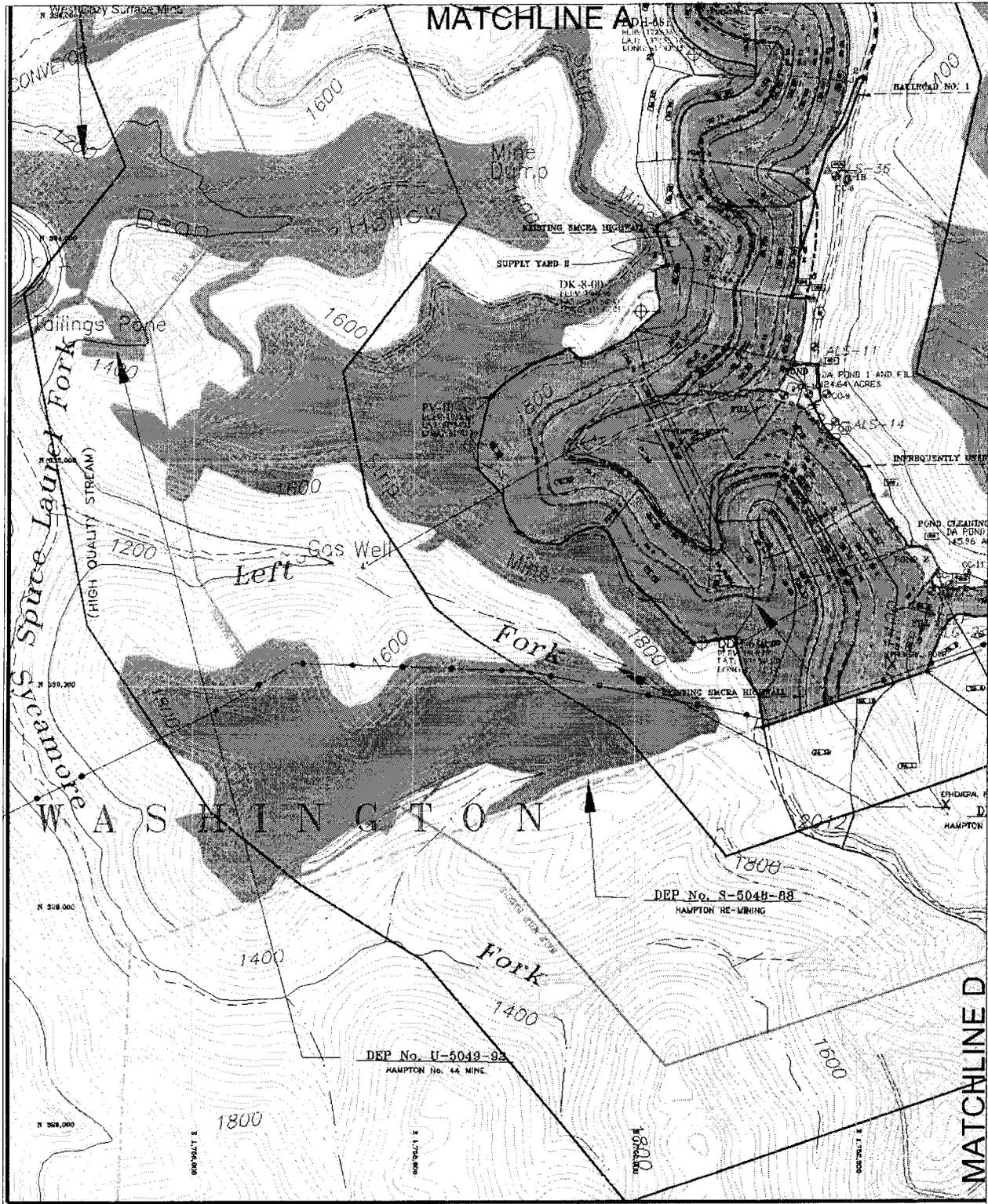
LEGEND

- SURFACE WATER BASELINE POINT
- GROUND WATER SAMPLE POINT
- GROUND WATER USER
- ⊕ STRUCTURE DOES NOT EXIST
- ⊙ STRUCTURE (DWELLING)
- ⊙ STRUCTURE (OTHER)
- FLOW ARROW
- DITCHES
- CULVERT
- HAY BALES AND SILT FENCE
- ADJACENT HAUL/ACCESS ROADS
- DRAINAGE AREA LIMITS
- DRAINAGE AREA NUMBER
- LINEAR FEATURE
- PROPERTY LINE
- POWER LINE/POLE
- PERMIT AREA 875.00 AC.
- OVERMINED AREA
- DISTURBED AREA
- MINERAL REMOVAL AREA
- PONDS
- HAULROADS
- ADJACENT PERMITS
- ALLUVIAL ADDUCTER / QUATERNARY ALLUVIUM
- PVE SIGMA DISTURBANCE
- UNDERGROUND MINE OPENING
- DEEP MINE LIMITS
- CORE HOLE
- GEOLOGY SECTION LINE
- GAS LINE
- GAS WELL
- PERMANENT MARKER
- PERMANENT MONUMENT
- PERMIT BOUNDARY
- SLOPE LINES
- NPDES OUTLET
- EMBANKMENT POND
- DRAINAGE AREA
- EPHEMERAL POINT
- COALBURG STRUCTURE LINES
- BENTHIC SAMPLING SITE
- BRAN
- SEE STREAM DEPT AND GEOLOGICAL MAP FOR SAMPLING BENTHIC INFORMATION
- SWROA POINT
- AIR CONTAMINANT SOURCE
- OREBEL FUEL TANK
- ANTIKREEP BANK
- UREX OIL TANK
- ARO - METAL BIN
- LIGHTNING CONDUCTOR

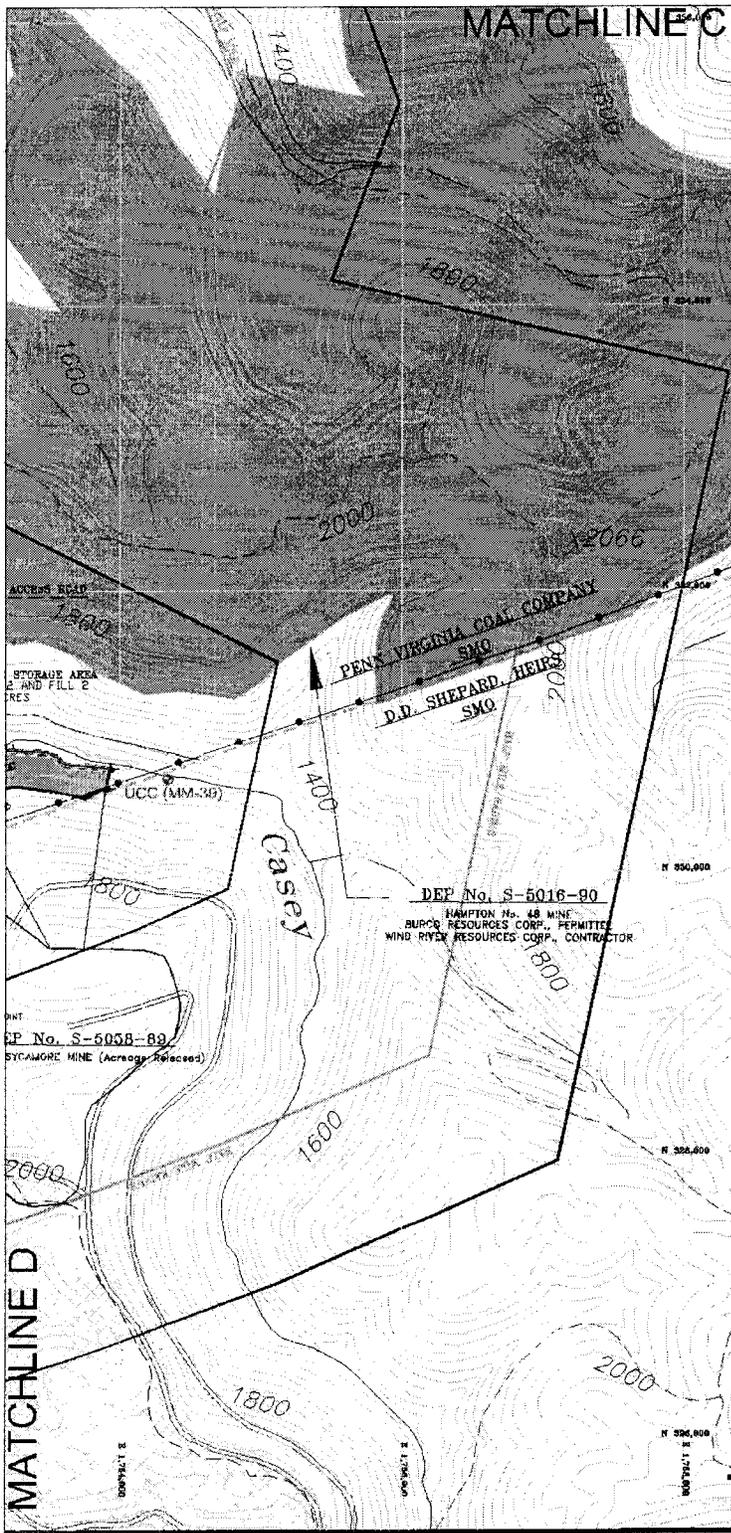
COLOR CHART

5-BLOCK HORIZON

HILLSIDE MINING COMPANY
CASEY CREEK NO.1 SURFACE MINE
USACE ID NO. 200600339
JULY 12, 2007
SUMMIT ENGINEERING, INC.
SHEET 3 OF 7



**HILLSIDE MINING COMPANY
CASEY CREEK NO.1 SUFACE MINE
USACE ID NO. 200600339
JULY 12, 2007
SUMMIT ENGINEERING, INC.
SHEET 4 OF 7**



5-BLOCK HORIZON
 STOCKTON HORIZON
 COALBURG HORIZON
 BUFFALO CREEK HORIZON
 WINFREDE HORIZON
 CHILTON #2 HORIZON
 CHILTON HORIZON

NOTE: NOT ALL SYMBOLS ARE USED.

SURFACE AND MINERAL OWNERS

PENNSYLVANIA COAL COMPANY - P.O. BOX 245 US HIGHWAY 88-421 W
 DUFFIELD, VA 24644

HILLSIDE MINING CO. - P.O. BOX 1199
 CHARLESTON, WV 25304

WV DEPT. OF HIGHWAYS - 1894 SMITH ST.
 CHARLESTON, WV 25303

- = NOTES =**
- Coal seams to be mined: No. 6-Block, No. 5-Block, Stockton, Coalburg, Buffalo Creek, Winfrede, Chilton A, Chilton and all their associated Splits and Rider seams.
 - Type of operation is: Surface/Highwall/Auger Mine
 - Mine Name: Casey Creek No. 1 Surface Mine
 - Permit application number: S-5005-05
 - Applicant name and business address: Hillside Mining Company
 - Operator name: Same as above
 - Receiving Stream: UNNAMED TRIBUTARIES OF CASEY CREEK OF FORD FORK OF LOWER COAL RIVER OF THE COONHOLE BASIN
 - Quadrangle: Wharton Series Number
 - There are no known or probable cultural, historic or archaeological sites listed or eligible for listing in the National Register of Historic Places within the proposed permit or adjacent area.
 - There are no lands within or adjacent to the proposed permit area which lie within the boundaries of any public park.
 - Current land use for the area within and adjacent to the proposed permit area is: Forestland
 - Historic land use has not changed for the proposed permit area within the last 5 years.
 - There are no habitats for threatened or endangered species located on or within 1,000 feet of the proposed permit area.
 - There are no lands within the proposed permit area which lie within or are adjacent to the boundaries of the National Park System, National Forest, National Wildlife Refuge System, National System of Trails, National Wilderness Preservation System.
 - There are no known public or private cemeteries, Indian burial grounds or other areas where human bodies are interred, located in or within 100' of the proposed permit area.
 - Property owners: AS SHOWN ON MAP
 - There are no air pollution monitoring or control facilities or subsidence monitoring locations on the proposed permit area.
 - The applicant has the legal right to enter and conduct mining activities within the bonded area on the map.
 - There are no known workings of active, inactive or abandoned underground mines including mine openings to the surface other than shown within the proposed permit and adjacent areas.
 - All known adjacent surface mined areas are shown. Augering in the 5-Block and Stockton coal seams have been mined in the permit area.
 - There are no fixed facilities to store Class A explosives on the proposed permit area.
 - No aerial storage/holding, cleaning or refuse disposal areas are proposed.
 - No structures are located within 1000 feet of the proposed permit area other than shown.
 - County road will be affected by this application.
 - There are no known gas wells within the mining area.
 - There are no water supply intakes for current users of surface water in the area.
 - No proposed facilities to be used to protect or enhance fish and wildlife.
 - There are no known current users other than the applicant of the surface water resources within the permit area.
 - All areas of the proposed permit overlie subsurface water to some extent. Subsurface water not encountered during exploration activities.
 - There are no proposed topsoil borrow areas for this operation.
 - All soil removed from structures proposed under this application are temporary.
 - There are no permanent or temporary solid waste fills, or treatment facilities.
 - There are no alternate water resources to be identified for this operation.
 - There are no known faults in the proposed operation area.
 - Total Permit Area is 873.00 Acres
 - There will be no gravel transport.

No.	Date	Revisions	%	By Whom	Checked By	Drawn By
1	5/26/05	CORRECTIONS AND IMPROVEMENTS	100	JAC-05-54	EAC-001-04	M/304
2	08/02/05	TECHNICAL CORRECTIONS	100	EAC-001-07	SRN	RLR
3						
4						
5						
6						
7						
8						
9						
10						

I, the undersigned, do hereby certify that this map is correct and true to the best of my knowledge and belief, all the information required by the various laws of this state.

Date: _____ of _____, 2007

Name: J. B. Hill

Signature: _____

HILLSIDE MINING COMPANY
 1100 BOX 1199, CHARLESTON, WV 25304

CASEY CREEK NO. 1 SURFACE MINE
 PERMIT NO. S-5005-05
 APPL NO. 05-322/81

PROPOSAL/DRAINAGE MAP
 ATTACHMENT - EXHIBIT 10-A

PREPARED BY:
Empire Consulting Services, L.L.C.
 1006 8th Avenue, West Logan, WV 25787
 Phone: (304) 752-6480

HILLSIDE MINING COMPANY
CASEY CREEK NO.1 SURFACE MINE
USACE ID NO. 200600339
JULY 12, 2007
SUMMIT ENGINEERING, INC.
SHEET 5 OF 7

Table 5: PREFERRED ALTERNATIVE SUMMARY

Size of the permit	675.0 acres
Mineral Removal Area	653.4 acres
Number of seams to be mined	8
Number of fills	5
Number of in-channel embankment ponds	6
Recoverable tons of coal	15.8 million
Permanent impacts	<p>Valley Fill #5 – 1,765 linear feet</p> <p>Valley Fill #4 & Mine Through – 7,008 linear feet</p> <p>Valley Fill #3 – 565 linear feet</p> <p>Valley Fill #2 & Mine Through – 1,033 linear feet</p> <p>Valley Fill #1 – 2,000 linear feet</p>
Temporary impacts	<p>Pond 5 Embankment - 119 linear feet Pond 5 Pool area – 185 linear feet Pond 5 Drainage corridor – 131 linear feet</p> <p>Pond 4a Embankment – 83 linear feet Pond 4a Pool area – 295 linear feet Pond 4a Drainage corridor – 165 linear feet</p> <p>Pond 4 Embankment – 83 linear feet Pond 4 Pool area – 421 linear feet Pond 4 Drainage corridor – 154 linear feet</p> <p>Pond 3 Embankment – 45 linear feet Pond 3 Pool area – 70 linear feet Pond 3 Drainage corridor – 120 linear feet</p> <p>Pond 2 Embankment – 32 linear feet Pond 2 Pool area – 30 linear feet Pond 2 Drainage corridor – 75 linear feet</p> <p>Pond 1 Embankment – 31 linear feet Pond 1 Pool area – 69 linear feet Pond 1 Drainage corridor – 200 linear feet</p> <p>Haul road #1 – 240 linear feet</p>

**HILLSIDE MINING COMPANY
CASEY CREEK NO.1 SUFACE MINE
USACE ID NO. 200600339
JULY 12, 2007
SUMMIT ENGINEERING, INC.
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TABLE A. Total linear feet of temporary and permanent impacts at Hillside Mining's Casey Creek No. 1 Surface Mine. REI Consultants Inc., August 2006. Rev. Summit Engineering, Inc. July 2007.

Channel Name, Structure Name, & Designation	Permanent Impacts				Temporary Impacts			
	Intermittent		Ephemeral		Intermittent		Ephemeral	
	ft	ac	ft	ac	ft	ac	ft	ac
Drain #5 (Pond 1 Embankment)	0	0.000	0	0.000	31	0.002	0	0.000
Drain #5 (Pond 1 Pool area)	0	0.000	0	0.000	69	0.004	0	0.000
Drain #5 (Pond 1 Drainage corridor)	0	0.000	0	0.000	200	0.013	0	0.000
Drain #5 (Fill 1)	1329	0.162	71	0.004	0	0.000	0	0.000
Drain #4 (Fill 1)	300	0.023	300	0.023	0	0.000	0	0.000
Drain #2 (Pond 2 Embankment)	0	0.000	0	0.000	32	0.004	0	0.000
Drain #2 (Pond 2 Pool area)	0	0.000	0	0.000	30	0.003	0	0.000
Drain #2 (Pond 2 Drainage corridor)	0	0.000	0	0.000	75	0.009	0	0.000
Drain #2 (Fill 2 & Mined Through)	903	0.121	0	0.000	0	0.000	0	0.000
Drain #3 (Mined Through)	130	0.008	0	0.000	0	0.000	0	0.000
Drain #8 (Pond 3 Embankment)	0	0.000	0	0.000	0	0.000	45	0.003
Drain #8 (Pond 3 Pool area)	0	0.000	0	0.000	0	0.000	70	0.005
Drain #8 (Pond 3 Drainage corridor)	0	0.000	0	0.000	0	0.000	120	0.009
Drain #8 (Fill 3)	0	0.000	565	0.043	0	0.000	0	0.000
Drain #7 (Haulroad #1)	0	0.000	0	0.000	0	0.000	240	0.010
Drain #11 (Pond 4 Embankment)	0	0.000	0	0.000	83	0.009	0	0.000
Drain #11 (Pond 4 Pool area)	0	0.000	0	0.000	280	0.030	0	0.000
Drain #11 (Pond 4 Drainage corridor)	0	0.000	0	0.000	154	0.016	0	0.000
Drain #11 (Pond 4A Embankment)	0	0.000	0	0.000	83	0.009	0	0.000
Drain #11 (Pond 4A Pool area)	0	0.000	0	0.000	295	0.031	0	0.000
Drain #11 (Pond 4A Drainage corridor)	0	0.000	0	0.000	165	0.017	0	0.000
Drain #11 (Fill 4 & Mined Through)	1800	0.181	900	0.047	0	0.000	0	0.000
Drain #12 (Fill 4 & Mined Through)	1485	0.104	0	0.000	0	0.000	0	0.000
Drain #13 (Pond 4 Pool area)	0	0.000	0	0.000	141	0.024	0	0.000
Drain #13 (Mined Through)	23	0.002	200	0.017	0	0.000	0	0.000
Drain #10 (Fill 4 & Mined Through)	2067	0.181	533	0.028	0	0.000	0	0.000
Drain #19 (Pond 5 Embankment)	0	0.000	0	0.000	119	0.014	0	0.000
Drain #19 (Pond 5 Pool area)	0	0.000	0	0.000	185	0.021	0	0.000
Drain #19 (Pond 5 Drainage corridor)	0	0.000	0	0.000	131	0.015	0	0.000
Drain #19 (Fill 5)	540	0.047	825	0.044	0	0.000	0	0.000
Drain #18 (Fill 5)	0	0.000	400	0.004	0	0.000	0	0.000
SUBTOTAL:	8577	0.829	3794	0.210	2073	0.221	475	0.027
PERMANENT & TEMPORARY TOTAL:	12,371 feet (1.039 ac)				2,548feet (0.248 ac)			
TOTAL ALL:	14,919 feet (1.287 acres)							

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