



Oak Grove Resources LLC
Attachment II-A-2
Telephone: (205) 384-5553
Facsimile: (205) 295-3114 - Main Building
(205) 295-3115 - Water Lab
Web Address: www.percengineering.com

July 31, 2015

Ms. Ashley Peters
State Lands Division, National Heritage Section
64 North Union Street
Montgomery, Alabama 36130

RE: Oak Grove Resources, LLC
Oak Grove Mine
Revision R-44

Dear Ms. Peters:

Enclosed please find a request for the identification of areas of special concern for the above referenced disturbance for a Underground Coal Mine. This area is identified on the attached map as the "Area of Interest". Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call at (205) 295-3127 or email at lstephens@percengineering.com.

Sincerely,
PERC Engineering Co., Inc.

A handwritten signature in cursive script that reads "Leslie Stephens".

Leslie Stephens P.L.S. / P.E.

REQUEST FOR IDENTIFICATION OF AREAS OF SPECIAL CONCERN FOR A
UNDERGROUND COAL MINE OPERATION

Date: August 6, 2013

Mining Company Name: Oak Grove Resources, LLC
Return Address: c/o PERC Engineering Co., Inc.
PO Box 1712
Jasper, AL 35502-1712
Contact Person: Leslie Stephens
Email: lstephens@percengineering.com
Mine Name: Oak Grove Mine
Type of Mining Operation: Underground Coal Mine
Number of Acres to be Disturbed: +/- 8 acres
County: Jefferson County

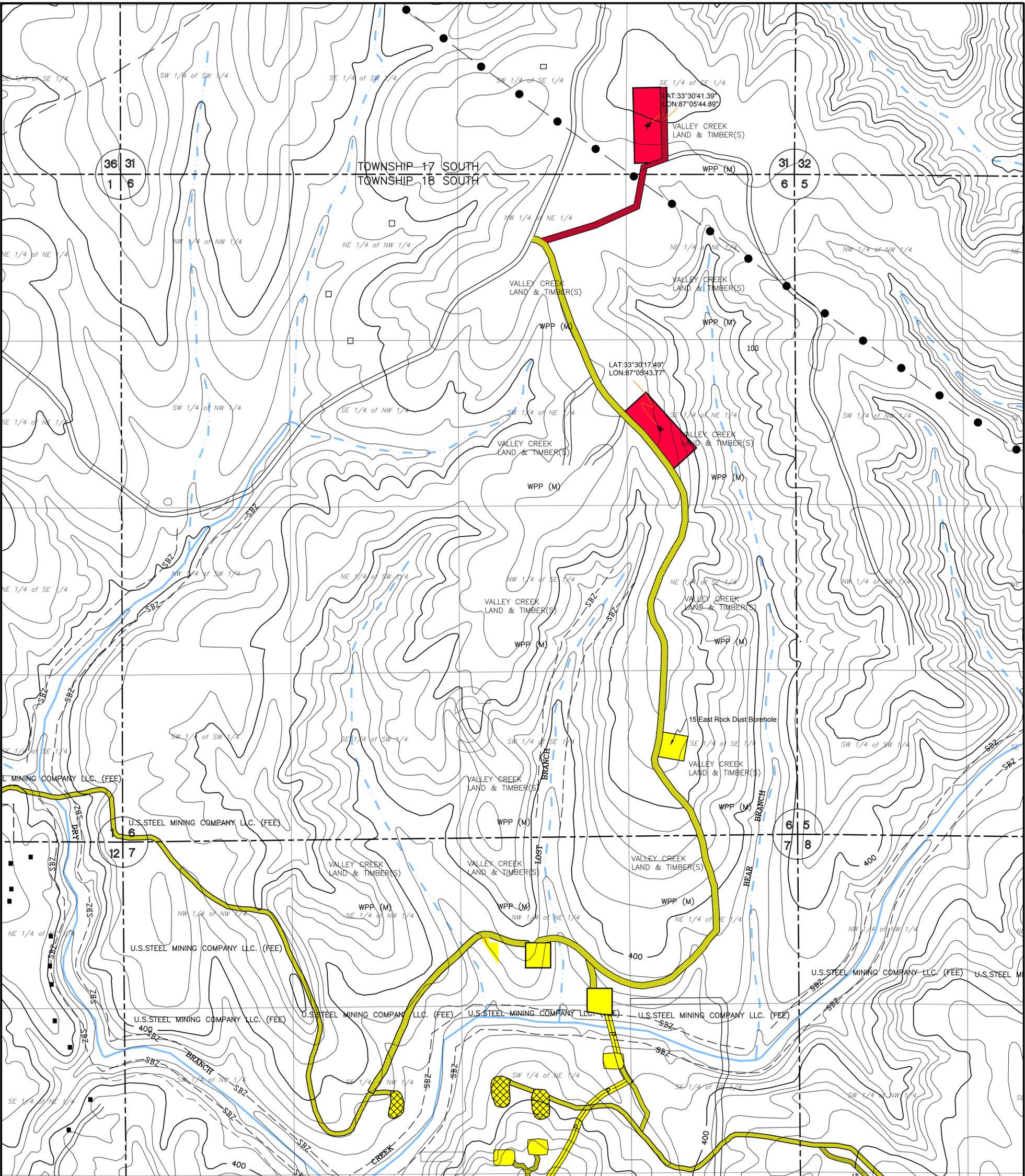
Section(s), Township(s) and Range(s) of the areas contained in the Permit Area of the proposed project.

Section 31, Township 17 South, Range 5 West & Section 6, Township 18 South, Range 5 West Jefferson County Alabama

Latitude: 33° 30' 41" N Longitude: 87° 05' 45" W

Enclosed Copy of Map (1:2000 scale) showing:

1. All topographical features as shown on a USGS quadrangle sheet.
2. An accurate outline of the proposed permit area, including all incidental facilities.
3. All previously mined disturbance.
4. All existing water bodies including lakes, ponds, streams, depressions, swamps and wetlands which exceed one-fourth acre in size.
5. The current landuse(s) of the permit area and the area immediately adjacent to the permit area.
6. The dominant vegetation communities on the permit area and the immediate adjacent area.
7. A legend which includes map scale, the USGS quad sheet name and other appropriate symbols and indices.



LEGEND

- PREVIOUSLY PERMITTED BOUNDARY
- AREA OF INTEREST

NOTE: AREA OF INTEREST IN SECTION 6
 TOWNSHIP 18 SOUTH, RANGE 5 WEST &
 SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST
 ALL IN JEFFERSON COUNTY, ALABAMA

BASE MAP - CONCORD AND SYLVAN SPRINGS,
 ALABAMA 7.5 MINUTE
 U.S.G.S. QUADRANGLE MAP.



OAK GROVE RESOURCES, L.L.C.
OAK GROVE MINE / P-3232 REVISION R-44
SITE LOCATION MAP
TOWNSHIP 17 & 18 SOUTH, RANGE 5 WEST

DRAWN BY: L.G.S.	DATE: 7-31-2015
DWG. NAME: OGRGMSLMR44-3	
APPROVED BY: L.G.S.	SCALE: 1"=500'

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STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
64 NORTH UNION STREET, SUITE 464
MONTGOMERY, ALABAMA 36130

ROBERT BENTLEY
GOVERNOR

N. GUNTER GUY, JR.
COMMISSIONER

CURTIS JONES
DEPUTY COMMISSIONER

PATRICIA J. POWELL, DIRECTOR
STATE LANDS DIVISION

TELEPHONE (334) 242-3484
FAX NO (334) 242-0999

August 7, 2015

Leslie Stephens
PERC Engineering Co., Inc.
P.O. Box 1712
Jasper, AL 35502

RE: Sensitive Species Information request
Oak Grove Resources, Oak Grove Mine

Dear Leslie Stephens:

The Natural Heritage Section office received your e-mail dated 7/31/2015 addressed to Ashley Peters on 7/31/2015 and has since developed the following information pertaining to sensitive species (state protected, and federally listed candidate, threatened, and endangered species). I have enclosed a list of sensitive species which the Natural Heritage Section Database or the U.S. Fish and Wildlife Service have indicated occur or have occurred in Jefferson County. Additionally, I have listed some potentially helpful and informative web sites at the end of this letter.

The Natural Heritage Section database contains numerous records of sensitive species in Jefferson County. Our database indicates the area of interest has had no biological survey performed at the delineated location, by our staff or any individuals referenced in our database. Therefore we can make no accurate assessment to the past or current inhabitancy of any federal or state protected species at that location. A biological survey conducted by trained professionals is the most accurate way to ensure that no sensitive species are jeopardized by the development activities.

The closest sensitive species is recorded in our database as occurring approximately 4.8 miles from the subject site. This federally listed threatened species (Flattened Musk Turtle) feeds on invertebrates such as snails and mussels in undammed small to medium sized clear shallow streams in a small range in the Black Warrior River system. It can also be found upstream and downstream of impoundments. Threats include overcollecting,



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8/7/2015

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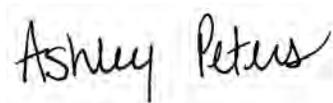
disease, and habitat degradation from sedimentation and water pollution (in part related to coal mining); habitat fragmentation and related increased vulnerability to human-caused catastrophes and demographic accidents also appear to be problems.*

I hope this information will be useful to you. The provided information is to help you in fulfilling your necessary legal obligations. This does not constitute any form of Section 7 consultation. The Natural Heritage Section recommends that the U. S. Fish and Wildlife Service field office in Daphne be contacted for Section 7 consultations.

The information does not suggest that protected species are not at this location. The specific location of a sensitive species is considered confidential information by a State Lands Division Regulation and can be released only to individuals who enter into a confidentiality and indemnity contract with the State Lands Division.

The Natural Heritage Section provides this information as a service to the people of Alabama. The NHS acts as a clearing house for species distribution data. We happily accept any information environmental researchers are willing to donate. Sensitive species exact locations are kept confidential. If you would be willing to donate any information to this database, we will be better able to assist all individuals interested in environmental compliance.

Sincerely,

A handwritten signature in black ink that reads "Ashley Peters". The signature is written in a cursive, slightly slanted style.

Ashley Peters
Database Manager
Natural Heritage Section

Enclosures

*Paraphrased Information from NatureServe.2014. Natureserve Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: March 17, 2014).

Potentially helpful web sites

Information about federally listed species
<http://daphne.fws.gov/es/specieslst.htm>

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8/7/2015

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<http://www.pfmt.org/wildlife/endangered/>

<http://www.natureserve.org/explorer/>

State Protected Species Regulations:

<http://www.outdooralabama.com/hunting/regulations/regs.cfm>

ALABAMA'S FEDERALLY LISTED AND STATE PROTECTED SPECIES (BY COUNTY)

This is a list of protected species that are believed to occur in the designated county and the legal protection status of each species. This list is a combination of the U.S. Fish and Wildlife Service (Daphne field office) federally listed species county and state lists and the Alabama State Lands Division's Natural Heritage Section (SLD-NHS) Database of species occurrence data. This list is continually being updated, and, therefore, it may be incomplete or inaccurate and is provided strictly for informational purposes. Site specific information can be provided by the Alabama SLD-NHS and/or the U.S. Fish and Wildlife Service (Daphne field office) prior to project activities. To be certain of occurrence, surveys should be conducted by qualified biologists to determine if a sensitive species occurs within a project area. Species not listed for a given county does not imply that they do not occur there, only that their occurrence there is as yet unrecorded by these two agencies. This list is currently under review and reflects only our current understanding of species distributions. It also does not constitute any form of Section 7 consultation. The Alabama SLD-NHS recommends that the U.S. Fish and Wildlife Service field office in Daphne be contacted for Section 7 consultations.

Jefferson

Protection Status	Common Name	Scientific Name	Applicable State Regulation
State Protected	Alabama Map Turtle	<i>Graptemys pulchra</i>	220-2-.92 (1) (c)
Threatened / State Protected	Alabama Moccasinshell	<i>Medionidus acutissimus</i>	220-2-.98 (1) (a)
Candidate / State Protected	Black Warrior Waterdog	<i>Necturus alabamensis</i>	220-2-.92 (1) (b)
State Protected	Black-knobbed Map Turtle	<i>Graptemys nigrinoda</i>	220-2-.92 (1) (c)
Threatened / State Protected	Blue Shiner	<i>Cyprinella caerulea</i>	220-2-.92 (1) (a)
Endangered / State Protected	Cahaba Shiner	<i>Notropis cahabae</i>	220-2-.92 (1) (a)
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State Protected	Eastern Coachwhip	<i>Coluber flagellum</i>	220-2-.92 (1) (c)
State Protected	Eastern Kingsnake	<i>Lampropeltis getula getula</i>	220-2-.92 (1) (c)
Threatened / State Protected	Finelined Pocketbook	<i>Hamiota altilis</i>	220-2-.98 (1) (a)
Threatened / State Protected	Flattened Musk Turtle	<i>Sternotherus depressus</i>	220-2-.92 (1) (c)
Endangered	Gentian Pinkroot	<i>Spigelia gentianoides</i>	
Candidate	Georgia Rockcress	<i>Arabis georgiana</i>	
Threatened / State Protected	Goldline Darter	<i>Percina aurolineata</i>	220-2-.92 (1) (a)
Endangered / State Protected	Gray Bat	<i>Myotis grisescens</i>	220-2-.92 (1) (e)
State Protected	Green Salamander	<i>Aneides aeneus</i>	220-2-.92 (1) (b)
Endangered / State Protected	Indiana Bat	<i>Myotis sodalis</i>	220-2-.92 (1) (e)
Threatened	Mohr's Barbara Button	<i>Marshallia mohrii</i>	
Threatened / State Protected	Orangenacre Mucket	<i>Lampsilis perovalis</i>	220-2-.98 (1) (a)
Endangered / State Protected	Ovate Clubshell	<i>Pleurobema perovatum</i>	220-2-.98 (1) (a)
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Threatened / State Protected	Round Rocksnail	<i>Leptoxis ampla</i>	220-2-.98 (1) (a)
Endangered / State Protected	Rush Darter	<i>Etheostoma phytophilum</i>	220-2-.92 (1) (a)
State Protected	Southeastern Five-lined Skink	<i>Plestiodon inexpectatus</i>	220-2-.92 (1) (c)
Endangered / State Protected	Southern Acornshell	<i>Epioblasma othcaloogensis</i>	220-2-.98 (1) (a)
Endangered / State Protected	Southern Clubshell	<i>Pleurobema decisum</i>	220-2-.98 (1) (a)

Endangered / State Protected	Southern Pigtoe	Pleurobema georgianum	220-2-.98 (1) (a)
Endangered	Tennessee Yellow-eyed Grass	Xyris tennesseensis	
Endangered / State Protected	Triangular Kidneyshell	Ptychobranthus greenii	220-2-.98 (1) (a)
Endangered / State Protected	Upland Combshell	Epioblasma metastriata	220-2-.98 (1) (a)
Endangered / State Protected	Vermilion Darter	Etheostoma chermocki	220-2-.92 (1) (a)
Endangered / State Protected	Watercress Darter	Etheostoma nuchale	220-2-.92 (1) (a)

Key to codes on list:

Endangered - Federally listed as an endangered species by the U. S. Fish and Wildlife Service

Threatened - Federally listed as a threatened species by the U. S. Fish and Wildlife Service

Candidate - Federally listed as a candidate species by the U. S. Fish and Wildlife Service

Experimental - Species is protected throughout its range, except for the nonessential experimental population, by the U. S. Fish and Wildlife Service

State Protected - It is unlawful to take, capture or kill; possess, sell or trade for anything of monetary value, or offer to sell or trade these species. Alabama Regulations relating to game, fish and furbearing animals. 2013-2014. Alabama Department of Conservation and Natural Resources. See <http://www.outdooralabama.com/watchable-wildlife/regulations/nongame.cfm> for more information.

Notes:

- Birds: The Nongame Species Regulation 220-2-.92 (1)(d) states: All nongame birds are protected under the provisions of this regulation except crows, starlings, blackbirds, English sparrows, Eurasian collared doves, pigeons and other non-native species.
- The Bald Eagle (*Haliaeetus leucocephalus*) has been delisted. This species is still protected by the Nongame Species Regulation and the Migratory Bird Act. This species is distributed statewide, but it is most likely to be observed near large rivers and reservoirs.
- Black Bear (*Ursus americanus* ssp.) may occur statewide.



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Web Address: www.percengineering.com

August 20, 2015

Dr. Taconya D. Goar, PhD
Alabama Department of Conservation and Natural Resources
64 North Union Street
Montgomery, Alabama 36130

RE: Oak Grove Resources, LLC
Oak Grove Mine P-3232 Revision R-44

Dear Dr. Goar:

Attached please find a request for the identification of areas of special concern and mapping showing the proposed permit area for the above referenced disturbance for a underground coal mine surface disturbance. This area is identified on the attached map as the "Area of Interest". I have also included a copy of a recent field study by Dr. Paul Yokley and Dr. Robert Daly for your review and consideration. Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call at (205) 295-3127 or email at lstephens@percengineering.com

Sincerely,

PERC Engineering Co., Inc.

A handwritten signature in black ink that reads "Leslie Stephens".

Leslie Stephens P.L.S. / P.E.

REQUEST FOR IDENTIFICATION OF AREAS OF SPECIAL CONCERN FOR A
UNDERGROUND COAL MINE OPERATION

Date: August 6, 2013

Mining Company Name: Oak Grove Resources, LLC
Return Address: c/o PERC Engineering Co., Inc.
PO Box 1712
Jasper, AL 35502-1712
Contact Person: Leslie Stephens
Email: lstephens@percengineering.com
Mine Name: Oak Grove Mine
Type of Mining Operation: Underground Coal Mine
Number of Acres to be Disturbed: +/- 8 acres
County: Jefferson County

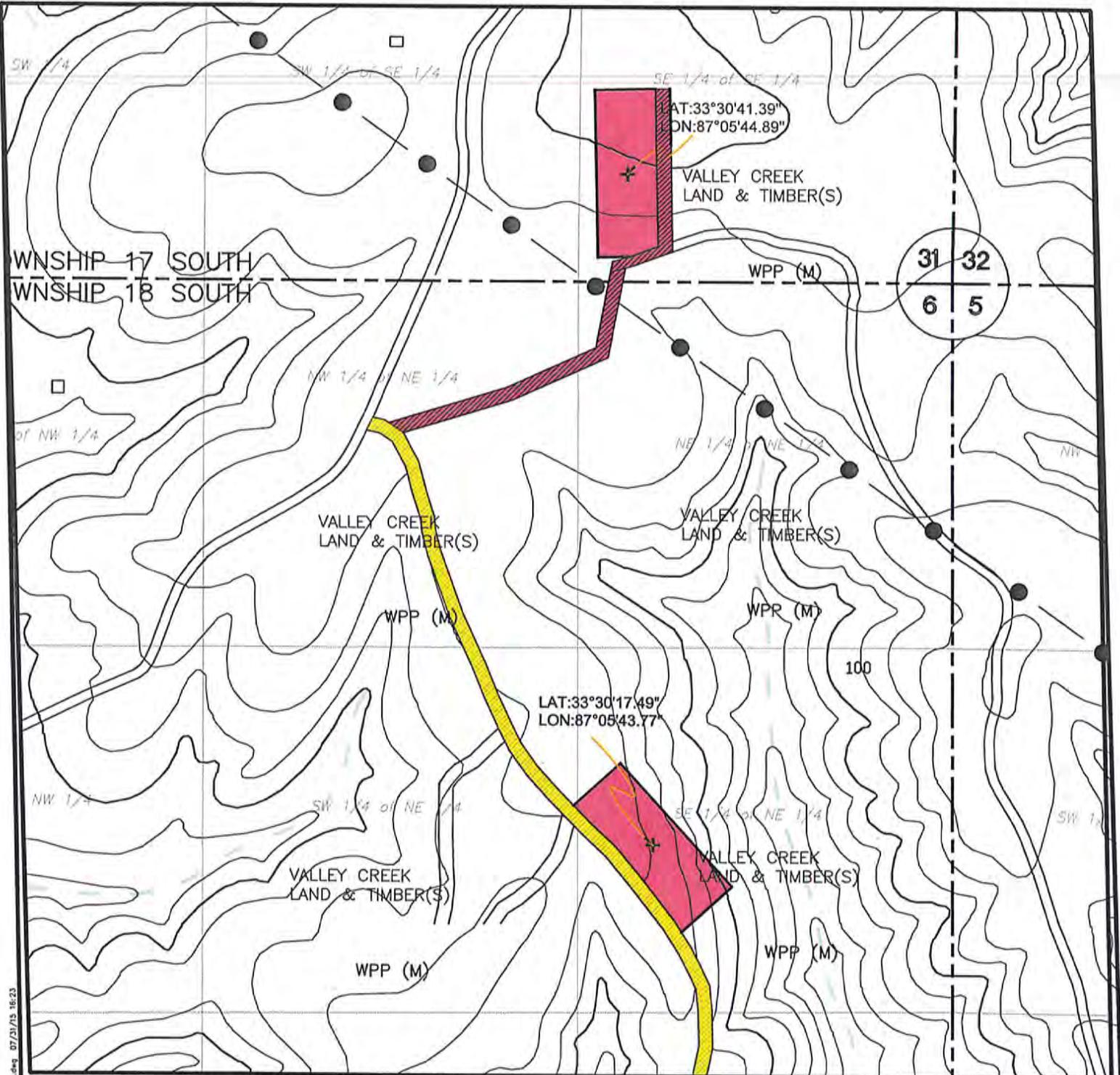
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Section 31, Township 17 South, Range 5 West & Section 6, Township 18 South, Range 5 West Jefferson County Alabama

Latitude: 33° 30' 41" N Longitude: 87° 05' 45" W

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3. All previously mined disturbance.
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5. The current landuse(s) of the permit area and the area immediately adjacent to the permit area.
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7. A legend which includes map scale, the USGS quad sheet name and other appropriate symbols and indices.



BASE MAP - CONCORD AND SYLVAN SPRINGS,
ALABAMA 7.5 MINUTE
U.S.G.S. QUADRANGLE MAP.

LEGEND

- PREVIOUSLY PERMITTED BOUNDARY
- AREA OF INTEREST

NOTE: AREA OF INTEREST IN SECTION 6
TOWNSHIP 18 SOUTH, RANGE 5 WEST &
SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST
ALL IN JEFFERSON COUNTY, ALABAMA



OAK GROVE RESOURCES, L.L.C.
OAK GROVE MINE / P-3232 REVISION R-44
SITE LOCATION MAP
TOWNSHIP 17 & 18 SOUTH, RANGE 5 WEST

DRAWN BY: L.G.S.	DATE: 7-31-2015
DWG. NAME: OGROGMSLMR44-3	
APPROVED BY: L.G.S.	SCALE: 1"=500'

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**BIOLOGY MALACOLOGY ICHTHYOLOGY ENTOMOLOGY
TAXONOMY ORNITHOLOGY BOTANY**

ENVIRONMENTAL ASSESSMENTS

YOKLEY ENVIRONMENTAL CONSULTING SERVICE

**103 Sky Park Cove
Florence, Alabama 35634-2427**

E-Mail: paulyokley@comcast.net

Cell Phone (256) 648-0182

August 13, 2015

Environmental Assessment

On August 13, 2015, an environmental assessment for habitat and the possible presence of Federally listed and State protected sensitive species for Jefferson County, Alabama, was conducted on the site of the proposed Oak Grove Resources, L.L.C., Oak Grove Mine/P-3232 Revision R-44, Jefferson County, Alabama. A list of the sensitive species provided by the Natural Heritage Section Office of the Alabama Department of Conservation and Natural Resources is included with this environmental assessment.

A topographic map is included with this report. At the time of the survey the air temperature was 74 with a clear sky and no wind. The two site's soil surface was clay and sandstone based with a thick cover of loblolly pine needles and some mixed hardwood leaves. The two drill sites and adjacent land were surveyed by walking over the area looking for possible habitat and the actual presence of the listed species. Digital photographs were taken of representative locations related to the proposed sites. These photographs are included with this report. Both site locations are vegetated by a loblolly pine forest with smaller mixed hardwood trees and an open understory of small trees, shrubs, and vines. The two drill sites are located on dry hilltop/hillside locations.

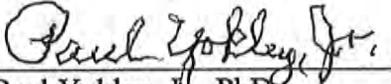
The southernmost site [Site #1 for this report] is located next to a well-maintained and traveled access road. A large gas pumping station is located immediately west of Site #1 across the access road. Several gas/water pipeline routes are located along Site #1's west and north boundaries.

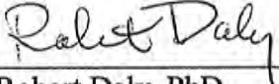
The northern most site [Site#2 for this report} is located a short distance north of a well maintained and traveled access road. A gas well and gas pumping site is just south of Site #2 along with a power line right-of-way. Pipeline routes are located along the access road and along the west and south boundaries of this site. Several residences are located just west of the northern portion of this site along the pipeline route.

There are no streams, permanent water sources, or wetlands on or adjacent to the two sites. Surface water runoff is to the east or south of the sites. The largest loblolly pine trees on

both sites are an estimated 40 years of age. The hardwood trees that are present are less than 40 years of age. No large dead trees were observed in the area. No animals were observed. Due to the very dense stand of pines and hardwoods on both sites, there are few herbaceous plants growing under the stands of trees. The edges of both sites that are next to the access roads, pipeline routes, and utility routes have a thicket of small trees, shrubs, vines, and herbaceous plants typical of this region of the state.

There is no habitat on or adjacent to the proposed site for the listed protected species believed to occur in Jefferson County, Alabama. None of the listed plant and animal species were observed on or adjacent to the site. There is no habitat suitable for the Indiana and gray bat species and no bats were observed. The entire area has been disturbed by previous construction of gas well sites, gas pumping stations, pipeline and utility routes, and road construction. Maintenance, inspection, and operation of these locations continues. The proposed project will have no detrimental effect on the listed species since the species and their required habitat does not exist on or adjacent to the sites.


Paul Yokley, Jr., PhD
Biologist


Robert Daly, PhD
Biologist

ALABAMA'S FEDERALLY LISTED AND STATE PROTECTED SPECIES (BY COUNTY)

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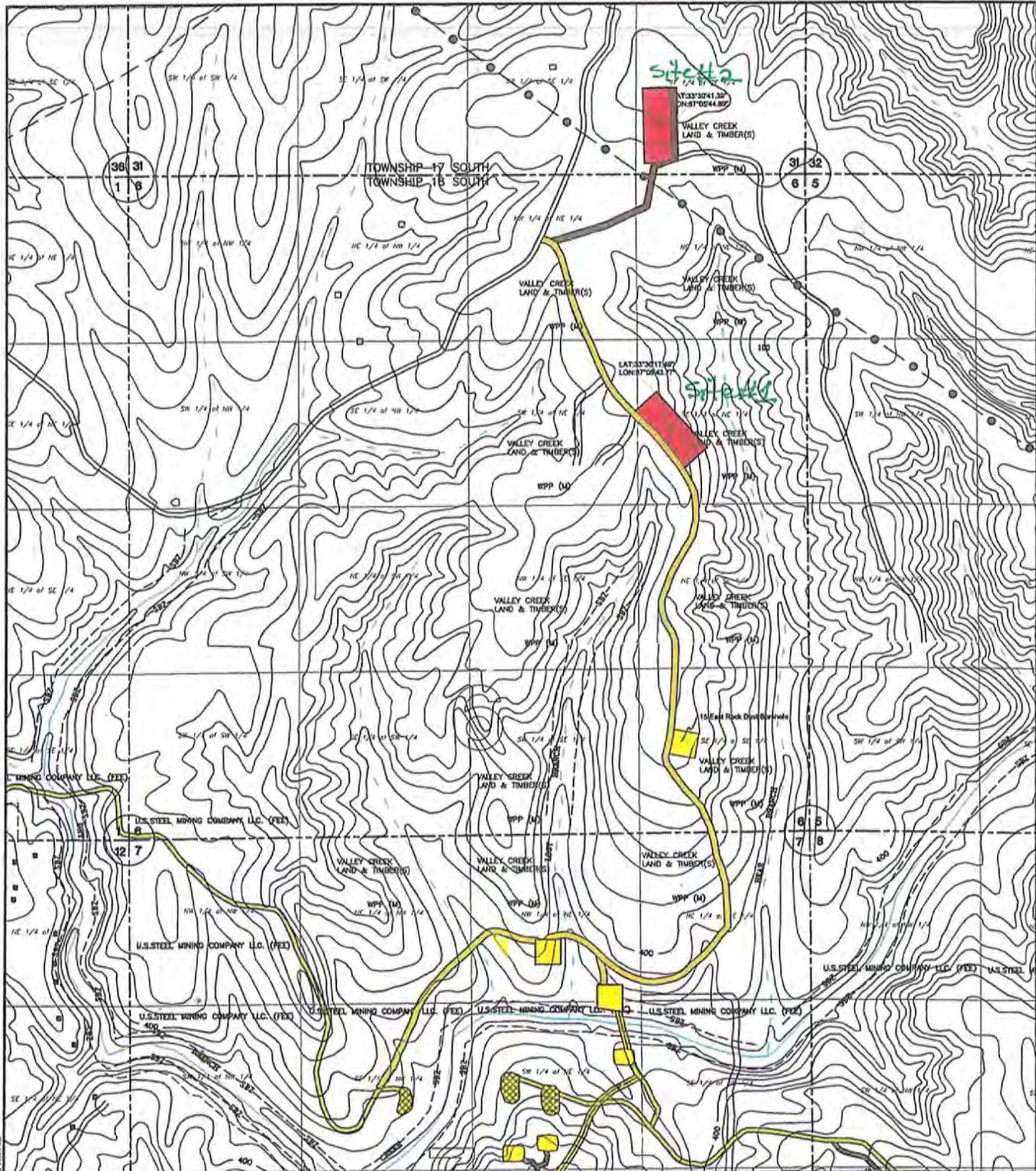
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PREVIOUSLY PERMITTED BOUNDARY
 AREA OF INTEREST

NOTE: AREA OF INTEREST IN SECTION 6
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 SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST
 ALL IN JEFFERSON COUNTY, ALABAMA

BASE MAP - CONCORD AND SYLVAN SPRINGS,
 ALABAMA 7.5 MINUTE
 U.S.G.S. QUADRANGLE MAP.



OAK GROVE RESOURCES, L.L.C.
OAK GROVE MINE / P-3232 REVISION R-44
SITE LOCATION MAP
TOWNSHIP 17 & 18 SOUTH, RANGE 5 WEST

DRAWN BY: L.G.S.	DATE: 7-31-2015
DWG. NAME: OGR0005UR44-3	
APPROVED BY: L.G.S.	SCALE: 1"=500'



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of northern boundary [on right] of Site #1 from access road, loblolly pine forest edge [pink flagging], pipeline route.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View to south, west boundary [on left] of Site #1 from access road, loblolly pine forest edge, pipeline route.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of middle region of Site #1.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of east boundary of Site #1, on east facing slope.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of south boundary of Site #1.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of gas pumping site across access road from northern part of Site #1.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of south boundary [to left] of Site 2, loblolly pine forest, pipeline route.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View of forest edge of Site #2 boundary and old road.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View to north from middle of Site #2, loblolly pine forest with mixed hardwoods.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View to east from west boundary of Site #2, loblolly pine forest with mixed hardwoods.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View to south down pipe line right-of-way, west boundary of Site #2 to left, residences to right of photo.



08 13 2015, OAK GROVE RESOURCES, OAK GROVE MINE, REVISION R-44: View to east just south of Site #2, power line right-of-way.





Telephone: (205) 384-5553
Facsimile: (205) 295-3114 - Main Building
(205) 295-3115 - Water Lab
Web Address: www.percengineering.com

August 24, 2015

Mr. Bill Pearson
Fish and Wildlife Services
Daphne ES Field Office
1208-B Main Street
Daphne, Alabama 36526

RE: Oak Grove Resources, LLC
Oak Grove Mine Revision R-44

Dear Mr. Pearson:

Attached please find a request for the identification of areas of special concern and mapping showing the proposed permit area for the above referenced disturbance for a Underground Coal Mine. This area is identified on the attached maps in red as the "Area of Interest" and the yellow has been previously permitted with the Alabama Surface Mining Commission. Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call at (205) 295-3127 or email at lstephens@percengineering.com.

Sincerely,
PERC Engineering Co., Inc.

A handwritten signature in black ink that reads 'Leslie Stephens'.

Leslie Stephens P.L.S. / P.E.

REQUEST FOR IDENTIFIATION OF AREAS OF SPECIAL CONCERN FOR A
UNDERGROUND COAL MINE OPERATION

Date: August 6, 2013

Mining Company Name: Oak Grove Resources, LLC
Return Address: c/o PERC Engineering Co., Inc.
PO Box 1712
Jasper, AL 35502-1712
Contact Person: Leslie Stephens
Email: lstephens@percengineering.com
Mine Name: Oak Grove Mine
Type of Mining Operation: Underground Coal Mine
Number of Acres to be Disturbed: +/- 8 acres
County: Jefferson County

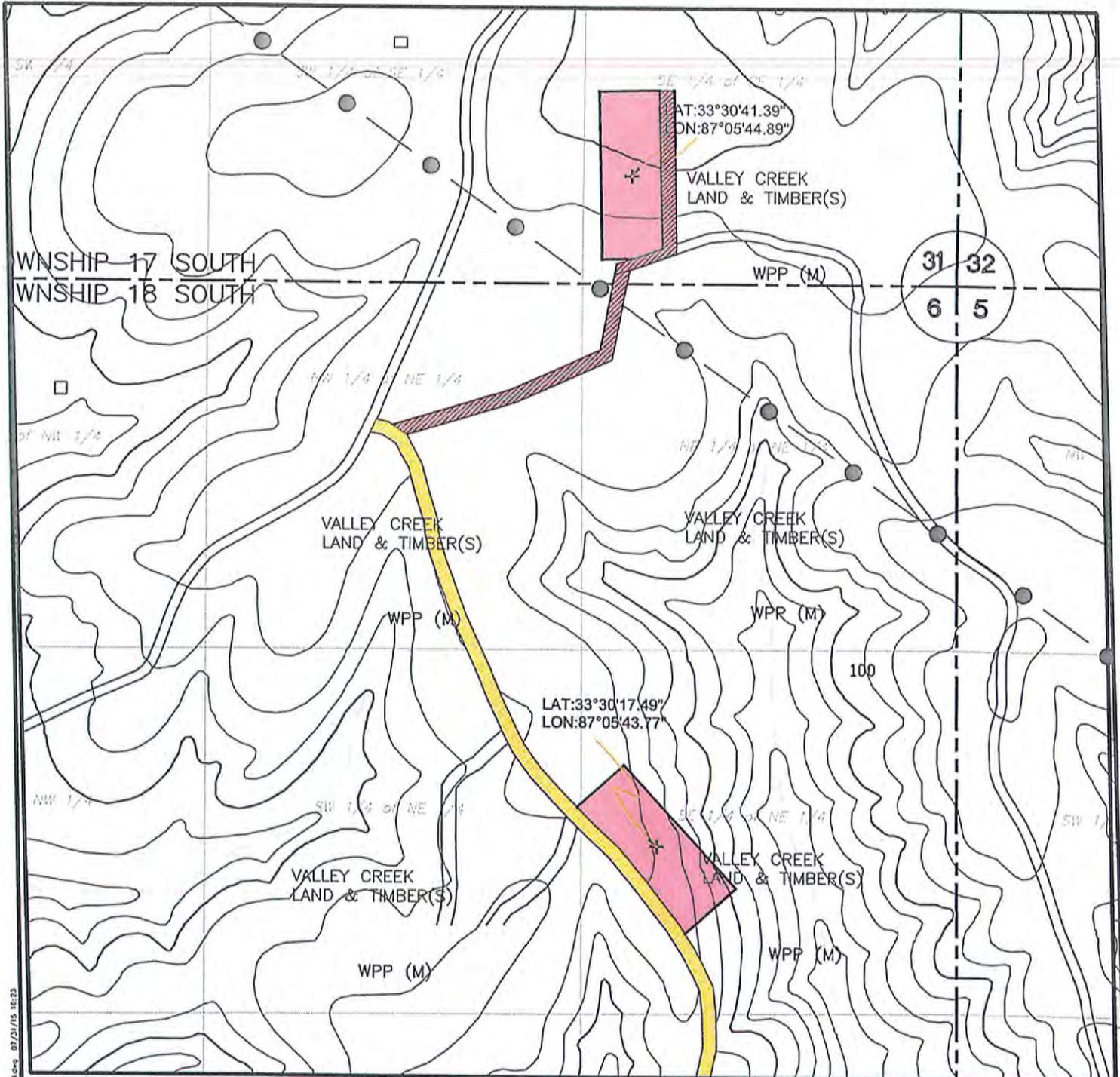
Section(s), Township(s) and Range(s) of the areas contained in the Permit Area of the proposed project.

Section 31, Township 17 South, Range 5 West & Section 6, Township 18 South, Range 5 West Jefferson County Alabama

Latitude: 33° 30' 41" N Longitude: 87° 05' 45" W

Enclosed Copy of Map (1:2000 scale) showing:

1. All topographical features as shown on a USGS quadrangle sheet.
2. An accurate outline of the proposed permit area, including all incidental facilities.
3. All previously mined disturbance.
4. All existing water bodies including lakes, ponds, streams, depressions, swamps and wetlands which exceed one-fourth acre in size.
5. The current landuse(s) of the permit area and the area immediately adjacent to the permit area.
6. The dominant vegetation communities on the permit area and the immediate adjacent area.
7. A legend which includes map scale, the USGS quad sheet name and other appropriate symbols and indices.



BASE MAP - CONCORD AND SYLVAN SPRINGS,
ALABAMA 7.5 MINUTE
U.S.G.S. QUADRANGLE MAP.

- LEGEND**
- PREVIOUSLY PERMITTED BOUNDARY
 - AREA OF INTEREST

NOTE: AREA OF INTEREST IN SECTION 6
TOWNSHIP 18 SOUTH, RANGE 5 WEST &
SECTION 31, TOWNSHIP 17 SOUTH, RANGE 5 WEST
ALL IN JEFFERSON COUNTY, ALABAMA



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