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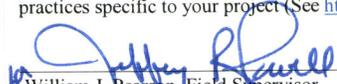
May 19<sup>th</sup>, 2016

William J. Pearson  
Field Supervisor  
U.S. Department of Interior  
Fish & Wildlife Service  
Daphne ES Field Office  
1208-B Main Street  
Daphne, AL 36526



U.S. Fish and Wildlife Service  
1208-B – Daphne, Alabama 36526  
Phone: 251-441-5181 Fax: 251-441-6222

Your project site contains suitable spring/summer habitat for the endangered Indiana bat and/or threatened northern long-eared bat. However, you have stated that tree removal will occur between October 15 and March 31; therefore, we concur that your proposed project is not likely to adversely affect the Indiana bat and/or northern long-eared bat. No other federally listed species/critical habitat are known to occur in the project area. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW. SITE MAY CONTAIN WETLANDS. Contact U.S. Army Corps of Engineers for a jurisdictional wetlands determination. We recommend the use of best management practices specific to your project (See <http://www.fws.gov/daphne/section7/bmp.html>).

  
William J. Pearson, Field Supervisor

5/13/16

Date

# 10

RE: **Oak Grove Resources, LLC – Oak Grove Mine – Revision R-46**

Dear Mr. William J. Pearson:

We are in the process of applying for a mining permit revision for the area described below and would like to request comments from your office in order to proceed with this project.

Oak Grove Resources, LLC proposes to expand mining operations in Jefferson County, Alabama. In order to accommodate its business expansion in Jefferson County, Oak Grove Resources, LLC proposes to add 10 acres at the project site as located in Section 36, Township 36 South, Range 6 West, as found on the Concord & Oak Grove, Alabama U.S.G.S Quadrangle all in Jefferson County, Alabama. The proposed site location is shown on the attached 2000' scale project area map attachment "B".

The proposed Oak Grove Resources, LLC – Oak Grove Mine – Revision R-46 project area consists of natural upland area vegetated with a mixed mature hardwood and pine stand. The proposed project is located in a mining community and will be used as cover material for reclamation in the existing Oak Grove Mine.

The proposed 10 acre project received a habitat study in May of 2016. In the attached Habitat Assessment (MEC 2016) it states that no habitat was found for the aquatic threatened and endangered species within the project renewal boundary. No evidence was found or observed for the presence of possible presence of listed species with the exception of 10 acres of potential summer roosting habitat for the Indiana Bat (*Myotis Sodalis*) and the Northern Long eared Bat (*Myotis septentrionalis*). I have attached a copy of this study for you in attachment "C".

Therefore based on the information provided in the attached habitat study, would you concur that the project will not have any adverse effect on any threatened and endangered species as long as the timber is only removed during the months from October 15<sup>th</sup> through March 31<sup>st</sup> as described in the 2016 Range-Wide Indiana Bat protection & Enhancement Plan Guidelines that the project activities will have no adverse effect on any threatened or endangered species.

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,

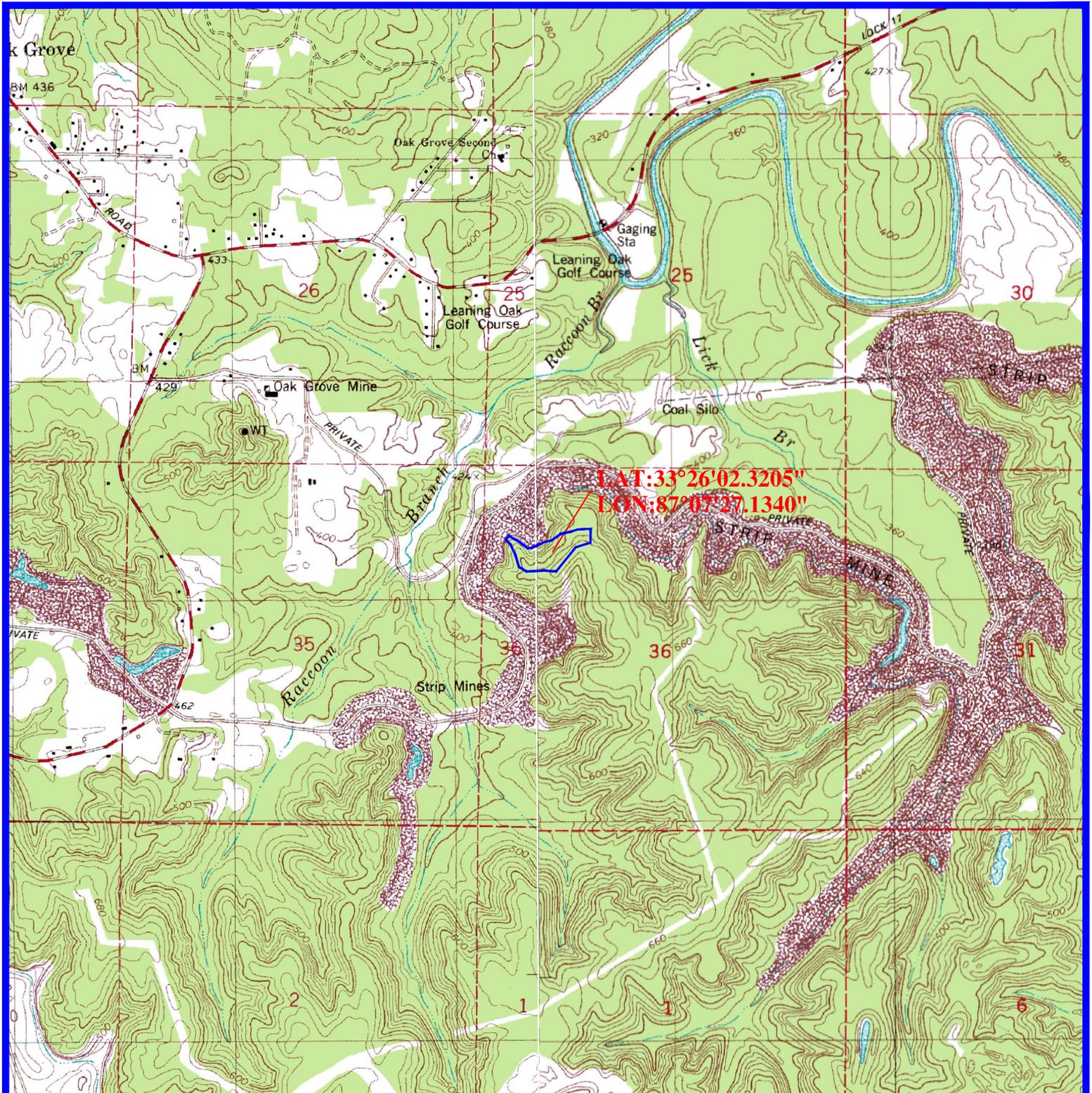
**McGehee Engineering Corp.**

*Amber Tubbs*

Amber Tubbs  
Project Manager,

Enclosure:

- (A) Project Notification Summary*
- (B) Project Area Map 2000 Scale*
- (C) Habitat Study – McGehee Engineering Corporation – MEC 2016*



SCALE: 1" = 2000'  
 April 22nd, 2016  
 Page Size: 8 1/2" x 11"

**OAK GROVE RESOURCES, LLC**  
**OAK GROVE MINE**  
 Revision R-46  
 (APPROXIMATELY 10 ACRE TOTAL)



**PROJECT AREA MAP**

SECTION 36, TOWNSHIP 18 SOUTH, RANGE 6 WEST  
 ALL IN JEFFERSON COUNTY, ALABAMA  
 AS FOUND ON THE OAKGROVE(1980) & CONCORD (1979), ALABAMA USGS QUAD



REVISION R-46 BOUNDARY

Latitude: 33°26'02" N  
 Longitude: 87°07'27" W