



**STATE OF ALABAMA**  
**SURFACE MINING COMMISSION**

P.O. BOX 2390 - JASPER, ALABAMA 35502-2390  
(205) 221-4130 • FAX: (205) 221-5077

Permit Revision Number: R-31

REVISION TO PERMIT FOR  
SURFACE COAL MINING OPERATIONS

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, revision is hereby approved for permit:

Issued to: P-3247-63-18-U  
(Mine No. 7)

Jim Walter Resources, Inc.  
P. O. Box 133  
Brookwood, AL 35444

License No.: L-613

Pursuant to the  
permit map: 2 of 2

Certified by: Sanford M. Hendon, P.E. #18208

Date: 10/16/13

The permit is revised as follows:

- 1) Add 1 acre to Increment No. 1 for proposed rock-dust borehole (a) in Section 29, Township 19 South, Range 6 West.
- 2) Add 3 acres to Increment 1 for power borehole and access in Section 17, Township 19 South, Range 7 West.
- 3) Add 10 acres to Increment No. 1 for proposed slurry line in Sections 21, 22, 23, 28 & 29 Township 20 South, Range 7 West.
- 4) Add 4 acres to Increment 1 for proposed power borehole in Sections 29 & 32 Township 19 South, Range 6 West.

**FINDINGS**

**Finding R-31-1:**

The Regulatory Authority has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places. The State Historic Preservation Officer (SHPO) determined, by letters dated August 26, 2013, October 5, 2011, and April 8 2003 that the project activities would have no effect on properties listed or eligible for the National register of Historic Places. And therefore concur with the project activities. In a letter dated October 22, 2013 McGehee

Engineering Corp. (MEC) states that should any artifacts of archeological features be encountered during the project activities, work shall cease and the Alabama Historical Commission and ASMC shall be consulted immediately. This finding is supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Regulatory Authority has determined that no additional protection measures are necessary. Concerns for unknown resources, which might be discovered during mining, have been made conditions of the permit.

**Finding R-31-2**

McGehee Engineering Corp. also conducted Indiana bat (*Myotis sodalis*) for the areas to be added by R-31. In letters dated October 1 and July 25 2013 MEC determined that habitat for the Indiana bat does not exist in the project areas. The US Fish and Wildlife Service (FWS) determined that no federally listed species or critical habitat would be impacted by the proposed addition of acreage covered by R-31 by comments dated September 20, 2013 and July 28, 2013. The Alabama Department of Conservation and Natural Resources (ADCNR) reviewed the proposed addition of acreage and indicated that the closest occurrence of a species of concern was approximately 3.8 miles from the area by letter dated June 12, 2013. In a letter dated July 22, 2012 ADCNR Wildlife and Freshwater Fisheries Division has no objection to the project given that best management practices are used and any state or federally listed species and critical habitat are protected. The US Army Corps of Engineers (USACE) determined that a permit was not required for the project area by comments dated September 19, 2011, October 3 and 31, 2013. The ASMC finds that the proposed operation will not jeopardize the continued existence of endangered or threatened species or critical habitat thereof.

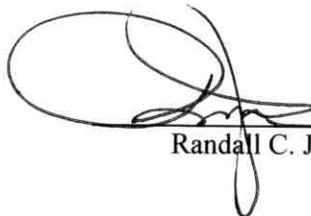
**ACREAGE SUMMARY:**

\* Inc. #1 increases to..... 1560 Acres

**Total Acreage Increases to..... 1560 Acres**

**\* Bonded to Date**

**EFFECTIVE DATE: November 5, 2013**



Randall C. Johnson, Director

/kb  
cc: I&E  
Permit File