

2007-TA-0219

Event FM

JAN 17 2012

January 11<sup>th</sup>, 2012

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

|                               |               |         |           |              |
|-------------------------------|---------------|---------|-----------|--------------|
| Post-it <sup>®</sup> Fax Note | 7671          | Date    | 1-20-2012 | # of pages ▶ |
| To                            | Kaylen DeFoor | From    | US FWS    |              |
| Co./Dept.                     |               | Co.     |           |              |
| Phone #                       |               | Phone # |           |              |
| Fax #                         | 205-221-7721  | Fax #   |           |              |

RE: 2007-TA-0219  
**Jim Walter Resources – Mine No. 4 – Revision R-37 Project**

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.

Jim Walter Resources, Inc. wants to expand mining operations in Tuscaloosa County, Alabama. In order to accommodate its business expansion in Tuscaloosa County, Jim Walter Resources, Inc. wants to permit 112 acres at the project site located in Section 5 & 6, Township 19 South, Range 8 West, and Section 32, Township 18 South, Range 8 West all on the Windham Springs, Alabama U.S.G.S Quadrangle as found in Tuscaloosa County, Alabama. The proposed site location is shown on the attached 2000' scale project area map attachment "B".

The proposed project consists of 112 acres most of which is existing ancillary and primary road beds and previously disturbed area. The proposed Revision R-37 project boundary received a Habitat Study in January of 2012. I have attached this study in attachment "C". In the study it states that no although potential habitat was identified for the Georgia aster and the White fringeless orchid no evidence was found or observed for the presence or possible presence of the listed species.

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JWR – Mine No. 4 – R-37 Project

Therefore based on the information provided in the attached Habitat Study would you concur that the project activities will have no adverse effect on any endangered and threatened species and that no further species consultation will be required.

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,



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

**McGehee Engineering Corp.**

*Kaylen DeFoor*

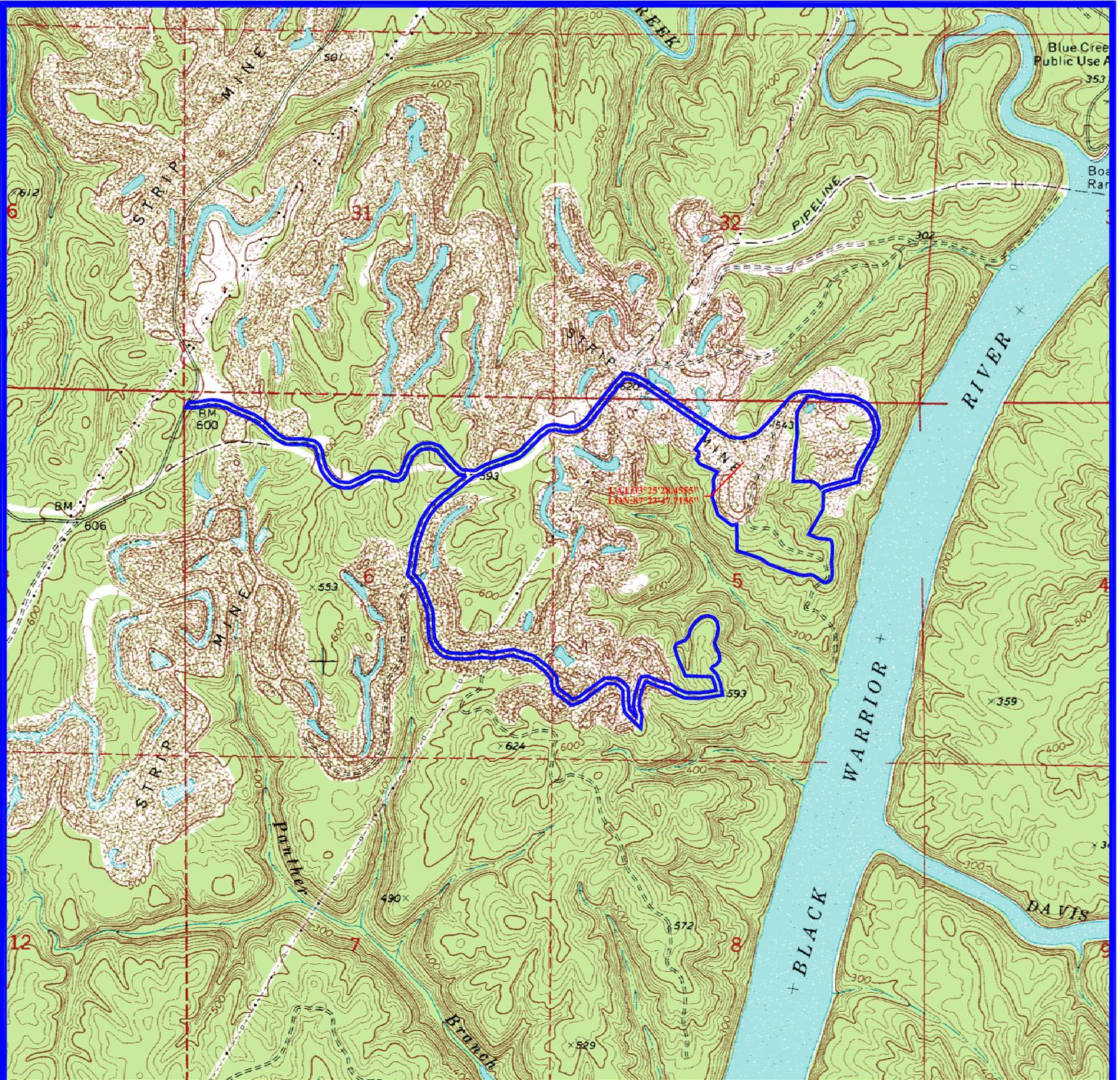
Kaylen DeFoor  
Project Manager,

Based upon our records and the information provided in your letter, we agree with your findings that no federally listed species/critical habitat occur in the project area. **If project design changes are made, please submit new plans for review.**

*William J. Pearson*  
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William J. Pearson, Field Supervisor      1-20-2012      Date      # 6

Enclosure:

- (A) Project Notification Summary
- (B) Project Area Map 2000 Scale
- (C) Habitat Study – McGehee Engineering Corporation – January 2012



SCALE: 1" = 2000'  
Date: 12-23-2011

**JIM WALTER RESOURCES, INC.**  
**MINE NO. 4**  
(APPROXIMATELY 112 ACRES TOTAL)

**PROJECT AREA MAP**

SECTIONS 5 & 6, TOWNSHIP 19 SOUTH, RANGE 8 WEST,  
SECTION 32, TOWNSHIP 18 SOUTH, RANGE 8 WEST,  
ALL IN TUSCALOOSA COUNTY, ALABAMA  
AS FOUND ON THE WINDHAM SPRINGS, ALABAMA USGS QUAD.



REVISION R-37 BOUNDARY

**MEC**  
mcgehee engineering corp  
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jasper, alabama 35502-3431  
telephone: (205) 221-0686 fax: 221-7721  
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Longitude: 87°23'47" W