

Post-it® Fax Note	7671	Date	4/20/15	# of pages▶	
To	Amber Tubbs	From	USFWS		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	205-221-7721	Fax #			

mcgehee engineering corp

RECEIVED
MAR 23 2015
BY:.....

March 20th, 2015



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

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
William J. Pearson, Field Supervisor

4/20/2015
Date # 6

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

RE: **Jim Walter Resources, Inc. – Mine No. 4 – Revision R-40 – Basin K**

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.

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. has existing mining operations in Tuscaloosa County, Alabama. In order to accommodate its business expansion in Tuscaloosa County, Jim Walter Resources, Inc. wants to permit a total of 18 acres at the project site as located in Section 2, Township 20 South, Range 8 West, all on the Brookwood, 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 18 acre project received a habitat study in February of 2015. In the study it states that there was no habitat found for the listed, threatened and endangered species and that no evidence was found or observed for the presence or possible presence of these listed species. I have attached a copy of this study for you in attachment "C".

The project consists of adding area that has been previously disturbed through timber harvesting Natural gas extraction, mining, silviculture maintenance, and/or existing roads.

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Jim Walter Resources, Inc. - Mine No. 4 - R-40 - Basin K

In addition to the avoidance of any and all jurisdictional drainage courses Jim Walter Resources, Inc. plans to adhere to the Alabama Surface Mining Commission Administrative Code, Chapter 880-X-10C, PERFORMANCE STANDARDS SURFACE MINING ACTIVITIES, and will develop an erosion control plan tailored to the mining operation that will be submitted and reviewed by qualified professionals from the Alabama Surface Mining Commission. The mine plan will closely adhere to the protective measure in the ADEM regulations sections 335-6-10.06 (a) and (c) to maintain minimum water quality conditions applicable to all state waters as stated within the approved ADEM NPDES permit AL0026590.

Additionally the NPDES Permit has some maximum and average limitations as set forth by ADEM for this NPDES Permit and are as follows: The pH limit is between 6.0 - 8.5 s.u.; TSS maximum limit is 28 mg/l and the average is 14 mg/l; Fe maximum limit is 6.0 mg/l and the average is 3.0 mg/l; Mn maximum limit is 4.0 mg/l and the average is 2.0 mg/l.

This NPDES Permit has one specific existing Sediment Basin that will address and filter the runoff from this project site prior to entering into a flow path or overland flow that will ultimately drain into Horn Creek. This basin is identified as existing Sediment Basin 018. The location of this Proposed Basin can be seen in attachment "D".

This existing Sediment Basin will have storm detentions to absorb any increase of surface run-off, if it should occur. This mining operation will not alter the drainage area of the downstream tributaries. Therefore, the overall quantity of flow to downstream should not be adversely affected. This sediment basin will be designed for a 10 year 24 hour stormwater event at the primary spillway with a design of 25 year 6 hour at the emergency spillway. I have attached a copy of the Sediment Basins Typical Cross-Section in attachment "E" and a copy of the Typical Plan View in attachment "F".

Jim Walter Resources, Inc. will adhere to the current requirements for the inspections of BMPs that are in strict accordance with both Alabama Surface Mining Commission (ASMC) and Alabama Department of Environmental Management (ADEM) Rules and Regulations and are as follows:

Sediment basins are inspected semi-monthly for erosion, instability, etc., with maintenance performed as necessary. Sediment basins are examined quarterly for structural weakness, instability, slope failure, or other hazardous conditions with maintenance performed as necessary. Formal inspections are made annually, by a qualified registered professional engineer or other qualified person under the direction of a professional engineer, including any reports or modifications, in accordance with 880-X- 10C- .20[1(j)] of the Alabama Surface Mining Regulations.

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Jim Walter Resources, Inc. - Mine No. 4 - R-40 - Basin K

In addition to the frequent inspections (listed above) made by Jim Walter Resources, Inc. personnel or their agents, monthly inspections of the BMPs are performed by ASMC inspectors during the active mining phase. Following a phase II bond release, the ASMC inspections are performed quarterly until the final bond release.

Jim Walter Resources, Inc. will ensure that the water quality is monitored to assure discharges/runoff does not increase stream solids beyond the state water quality standards. All surface water samples will be taken by the grab method. Flow rate measurements of surface water samples will be performed in accordance with ASTM D3858, 10.9.6, p.101 "Standard Practice for Open Channel Flow Measurement of Water by Velocity - Area Method".

All surface water samples are analyzed for at a minimum the pH, Total Iron, Total Manganese, Total Suspended Solids, and reported to the Alabama Department of Environmental Management and Alabama Surface Mining Commission to maintain and ensure adherence to the State's water quality standards required in the approved ADEM NPDES permit AL0026590.

The approved BMP's structures will be inspected within 24 hours of each significant rainfall event and immediate corrective action will be taken if erosion or soil runoff is observed.

Jim Walter Resources, Inc. will immediately re-vegetate any disturbed areas that are not actively being mined and execute any work that results in exposed earth or slopes leading to the surface waters during periods when significant rainfall is not present.

In addition, the area to be impacted will be restored immediately following the mineral extraction operation. Through the BMP's required by the Alabama Surface Mining Commission (ASMC) and the Alabama Department of Environmental Management (ADEM) State Water Quality Standards Jim Walter Resources, Inc. believes the project will not have any adverse downstream effects on any Threatened and Endangered Species outside the project area.

Therefore based on intentional drainage course avoidance design of the project area and the information provided above 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.

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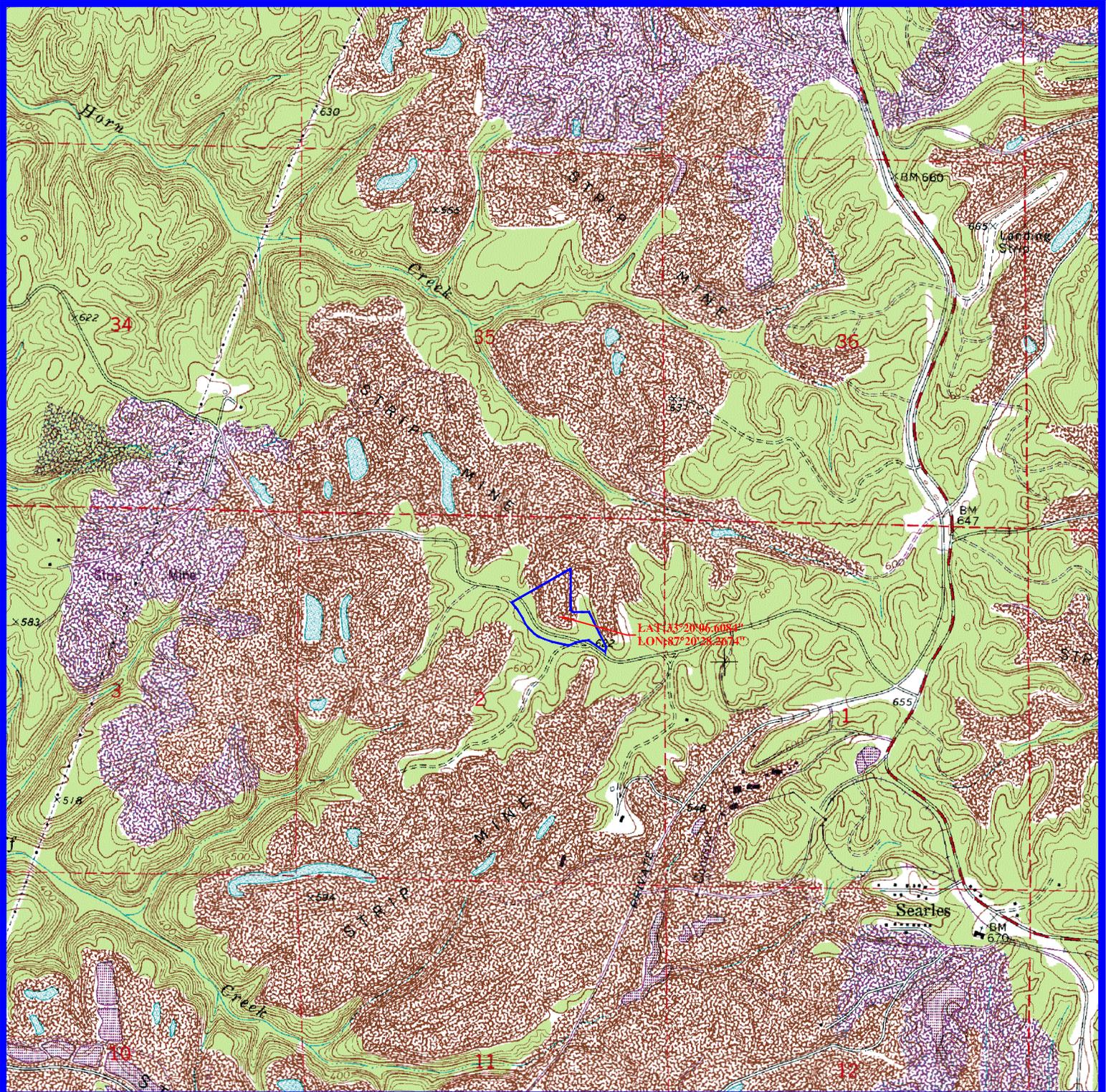
Sincerely,
McGehee Engineering Corp.

Amber Tubbs

Amber Tubbs
Project Manager,

Enclosure:

- (A) Project Notification Summary
- (B) Project Area Map 2000 Scale
- (C) Habitat Study - McGehee Engineering Corporation - February of 2015
- (D) Basin Location Map
- (E) Sediment Basin Typical Cross Section
- (F) Sediment Basin Typical Plan View



SCALE: 1" = 2000'
 January 8th, 2015
 Map Size: 8.5" x 11"

JIM WALTER RESOURCES, INC.
MINE NO. 4 REVISION R-40
 (APPROXIMATELY 18 ACRES TOTAL)



PROJECT AREA MAP

SECTION 2, TOWNSHIP 20 SOUTH, RANGE 8 WEST,
 ALL IN TUSCALOOSA COUNTY, ALABAMA
 AS FOUND ON THE BROOKWOOD (1983) ALABAMA USGS QUAD.



PROJECT BOUNDARY

MEC
 mcgehee engineering corp
 post office box 3431
 jasper, alabama 35602-3431
 telephone: (205) 221-0686 fax: 221-7721
 email: staff@mcgehee.org

Latitude: 33°20'07" N
 Longitude: 87°20'28" W