

Post Office Box 1549
Jasper, Alabama 35502-1549

Telephone: (205) 387-0501
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**DRUMMOND
COMPANY, INC.**

October 28, 2011

Mr. Matthew D. Marshall
Alabama Department of Conservation
and Natural Resources
64 North Union Street
Montgomery, AL 36130

RE: Permit Revision to ASMC for Shoal Creek Mine,
Tuscaloosa, Jefferson and Walker County, AL

Dear Mr. McHugh:

Drummond Company, Inc., is in process of submitting a permit revision for surface disturbances associated with the underground mine location referenced above to the Alabama Surface Mining Commission in Jasper, Alabama for technical review as prescribed by the Alabama Surface Mining Act No. 81-435 and its regulations which resulted from the Federal Surface Mining Control and Reclamation Act No. 95-87. I have enclosed a map showing the extent of the proposed project areas. The sizes of the areas associated with this project are five sites at 1 acre each or less to be used for boreholes to deliver concrete into the mine. The areas have been in undeveloped timber production for an extended period of time and a portion of the area has been disturbed with the installation of methane gas wells. The areas are located in Sections 5, 8 & 9 of Township 18 South, Range 7 West in Jefferson County, Alabama and Section 32 of Township 17 South, Range 7 West in Walker County, Alabama. I would appreciate your comments concerning our proposed operation as it relates to endangered or threatened species or their critical habitat in the proposed permit area as soon as possible.

If you have any questions, need additional information or would like to make a site review, please contact me at your earliest convenience. My office telephone number is (205) 387-0501 and my email address is kmadison@drummondco.com.

Sincerely,



Keith Madison, P.G.
Manager of Permitting

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Enclosures



LEGEND

 PROJECT AREA

 AREAS PREVIOUSLY COMMENTED ON, NO ENDANGERED OR THREATENED SPECIES FOUND.

 **DRUMMOND COMPANY, INC.**
 P.O. BOX 1549 JASPER, AL 35502

SHOAL CREEK MINE
 PART OF SECTIONS 5, 8 & 9 TOWNSHIP 18 SOUTH, RANGE 7 WEST
 JEFFERSON COUNTY
 PART OF SECTION 32 TOWNSHIP 17 SOUTH, RANGE 7 WEST
 WALKER COUNTY

DRAWN: SEW
 APPROVED: WKM
 SCALE: 1" = 2000'
 DATE: 10-28-11

U.S.G.S. QUADS: TUTWILER SCHOOL & BURCHFIELD STORE



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
WILDLIFE AND FRESHWATER FISHERIES DIVISION

64 North Union Street, Ste. 567
P.O. Box 301456
Montgomery, AL 36130-1456
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ROBERT BENTLEY
GOVERNOR

N. GUNTER GUY, JR.
COMMISSIONER

The mission of the Wildlife and Freshwater Fisheries Division is to manage, protect, conserve, and enhance the wildlife and aquatic resources of Alabama for the sustainable benefit of the people of Alabama.

M. N. "CORKY" PUGH
DIRECTOR

FRED R. HARDERS
ASST. DIRECTOR

November 16, 2011

Mr. Keith Madison, P.G.
Drummond Company, Inc.
P.O. Box 1549
Jasper, Alabama 35502

**RE: Permit Revision to ASMC for Shoal Creek Mine,
Tuscaloosa, Jefferson, and Walker County**

Dear Mr. Madison:

Please reference your letter dated October 28, 2011 regarding the addition of five borehole sites to the permit for the above-referenced underground mine. We have no comments on this permit revision in addition to those in the letters from Mr. Cherry dated March 19, 2008 or Mr. McHugh dated November 18, 2008.

Feel free to contact me if I can be of further assistance.

Sincerely,

Matthew Marshall
Environmental Coordinator



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
WILDLIFE AND FRESHWATER FISHERIES DIVISION

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BOB RILEY
GOVERNOR

M. BARNETT LAWLEY
COMMISSIONER

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M. N. 'CORKY' PUGH
DIRECTOR

FRED R. HARDERS
ASSISTANT DIRECTOR

November 18, 2008

Mr. Dwight Hicks
Drummond Company, Inc.
P. O. Box 1549
Jasper, AL 35502

Re: Permit Revision to ASMC for Shoal Creek Mine
Walker County

Dear Mr. Hicks:

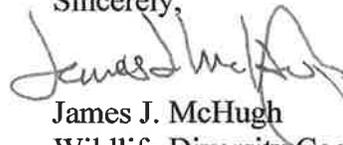
Based on a review of the project proposal, the Division of Wildlife and Freshwater Fisheries provides the following comments:

- Threatened and endangered species are under the jurisdiction of the U.S. Fish and Wildlife Service. Contact that agency at 251-441-5181.
- Be advised that the U. S. Army Corps of Engineers advises that all wetlands on mine sites, whether on previously disturbed or pristine areas, fall within the category of jurisdictional wetlands; however, dredge and fill activities might be permitted under specified conditions. We have no objection to the use of a wetland mitigation protocol such as WRAP (the Wetland Rapid Assessment Procedure), provided it is properly applied and provided that temporal losses are correctly accounted for. We have no objection to the purchase of mitigation credits from a Corps-sanctioned wetland mitigation bank.
- The density or diversity of aquatic biota is not adversely impacted and that aquatic habitat quality in streams and wetlands is not diminished: excessive siltation resulting from uncontrolled erosion at a mine site can be as destructive to the aquatic ecosystem of a stream or wetland as acid mine discharges. We are therefore very concerned about the degradation/loss of aquatic habitat which may occur as a result of siltation associated with mining operations. We are also very concerned about the loss of stream habitat and stream functions which occur when settling ponds are constructed on intermittent or perennial streams. Such ponds not only result in the loss of stream functions within the impounded areas, but downstream flows below the dam are altered (during low rainfall periods, there is often no flow or inadequate flow in the stream downstream of the dam) and the upstream movement of fish is restricted except during floods, resulting in aquatic habitat fragmentation. The best way to protect aquatic habitat is to prevent sediment from entering a stream or wetland, not to contain the sediment within the stream or wetland once it has entered the aquatic ecosystem. We therefore recommend that spoil banks or other slopes be

grassed as early as possible (well prior to reclamation), that silt barriers, terraces, and check dams be properly installed and maintained, that streamside buffer zones be 100 feet in width and well vegetated in order to function properly, that sedimentation ponds not be constructed in streams or wetlands, and that the mine owner/operator should be responsible for in-kind restoration or mitigation if streams or wetlands are adversely impacted by mining activities.

- Channel realignment, excavation, diversion or alteration of flow, impoundment, or excessive sedimentation of streams should not occur as a result of mining. If such impacts do occur, the mine owner/operator should provide stream mitigation by restoring the functions of a degraded stream similar in size and natural (biological) productivity to the impacted stream.

Sincerely,



James J. McHugh
Wildlife Diversity Coordinator



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
WILDLIFE AND FRESHWATER FISHERIES DIVISION

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COMMISSIONER

The mission of the Wildlife and Freshwater Fisheries Division is to manage, protect, conserve, and enhance the wildlife and aquatic resources of Alabama for the sustainable benefit of the people of Alabama.

FRED R. HARDERS
ASST. DIRECTOR

March 19, 2008

Mr. Dwight Hicks
Drummond Co., Inc.
P. O. Box 1549
Jasper, AL 35502-1549

Re: Revision to ASMC for Shoal Creek Underground Mine
Walker County

Dear Mr. Hicks:

I am writing in response to your March 11, 2008 request for information concerning threatened and endangered species on or near the proposed worksite.

The Natural Heritage Section of the State Lands Division should be contacted to determine if there is a potential for adverse impacts to state-protected species (Ms. Jo Lewis, 334-353-3051, jo.lewis@dnr.alabama.gov). If protected species are adversely impacted by the project, additional coordination with the DCNR and/or with USFWS (251-441-5181) will be required.

Your office should also be aware that it is necessary to coordinate with the U. S. Fish and Wildlife Service (USFWS) regarding potential impacts to federally-protected species, but please note that USFWS does not provide information on state-protected species.

We appreciate the opportunity to comment on this project.

Sincerely,

Division of Wildlife and Freshwater Fisheries

James S. Cherry II
Environmental Coordinator