United States Department of the Interior

FISH AND WILDLIFE SERVICE
1208-B Main Street
Daphne, Alabama 36526

NOV 17 2010

IN REPLY REFER TO:
2006-TA-0202d

Ms. Kaylen Jones
McGehee Engineering Corp.
P.O. Box 3431
Jasper, AL 35502-3431

Dear Ms. Jones:

Thank you for your letter of October 26, 2010, requesting comments on the proposed permit renewal of 362 acres for Carter Mine (ASMC Permit P-3819) by Tuscaloosa Resources, Inc. in Tuscaloosa County, Alabama. We have reviewed the information and are providing the following comments in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. et seq.) and the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Endangered Species

Our records indicate that no endangered, threatened, or candidate species or critical habitat occur in the immediate project area. Therefore, no further endangered species consultation will be required for the project unless: 1) the identified action is subsequently modified in a manner that causes an effect on a listed species or on proposed or designated critical habitat; 2) new information reveals the identified action may affect Federally protected species or designated critical habitat in a manner or to an extent not previously considered; or 3) a new species is listed or a critical habitat is designated under the Endangered Species Act that may be affected by the identified action.

Recommendations

We strongly recommend that Tuscaloosa Resources, Inc., closely adhere to Alabama Surface Mining Commission Administrative Code, Chapter 880-X-10C, PERFORMANCE STANDARDS SURFACE MINING ACTIVITIES, and develop an erosion control plan tailored to the mining site. We also recommend development of mine plans that closely adhere to protective measures in ADEM regulations sections 335-6-10-.06(a) and (c) to maintain minimum water quality conditions applicable to all State waters.

Your biological habitat assessment indicates moderate to steep slopes are located throughout the project area. We recommend placing all mining activities, including settling ponds, at least 100 feet from any tributaries that flow through the project site. The buffers should consist of natural

vegetation such as trees, shrubs, and grasses, or other herbaceous species, and be maintained to protect surface waters from soil runoff and mining contaminants. We recommend increasing the buffer to 150 feet in the steeply sloped areas (i.e., 45 degree slopes). The photographs in Appendix B of the assessment indicate that little to no vegetation is present in the areas adjacent to the tributaries that are present in the project area. We highly recommend planting natural vegetation to maintain an adequate buffer zone adjacent to any tributaries at this site.

We would also like to emphasize the importance of these additional best management practices (BMPs) to control erosion and minimize impacts to aquatic systems:

- size settling ponds to accommodate a 25-year, 24-hour rain or flood event and avoid placing ponds in sites with steep topography or in buffer areas.

- inspect BMP structures within 24 hours of each significant rainfall event and take immediate corrective action if erosion or soil runoff is observed.

- monitor water quality (especially turbidity or total suspended solids) to assure that discharges/runoff do not increase stream turbidity above background levels.

- immediately revegetate any disturbed areas not actively mined.

- execute any work that results in exposed earth on slopes leading to wetlands or surface waters during periods when significant rainfall is not predicted.

- maintain the State's standard for pH at all times ("Wastes shall not cause the pH to deviate more than one unit from the normal or natural pH, nor be less than 6.0, nor greater than 8.5" [ADEM 1992]). This is particularly important for sustaining a healthy ecosystem and aquatic fauna.

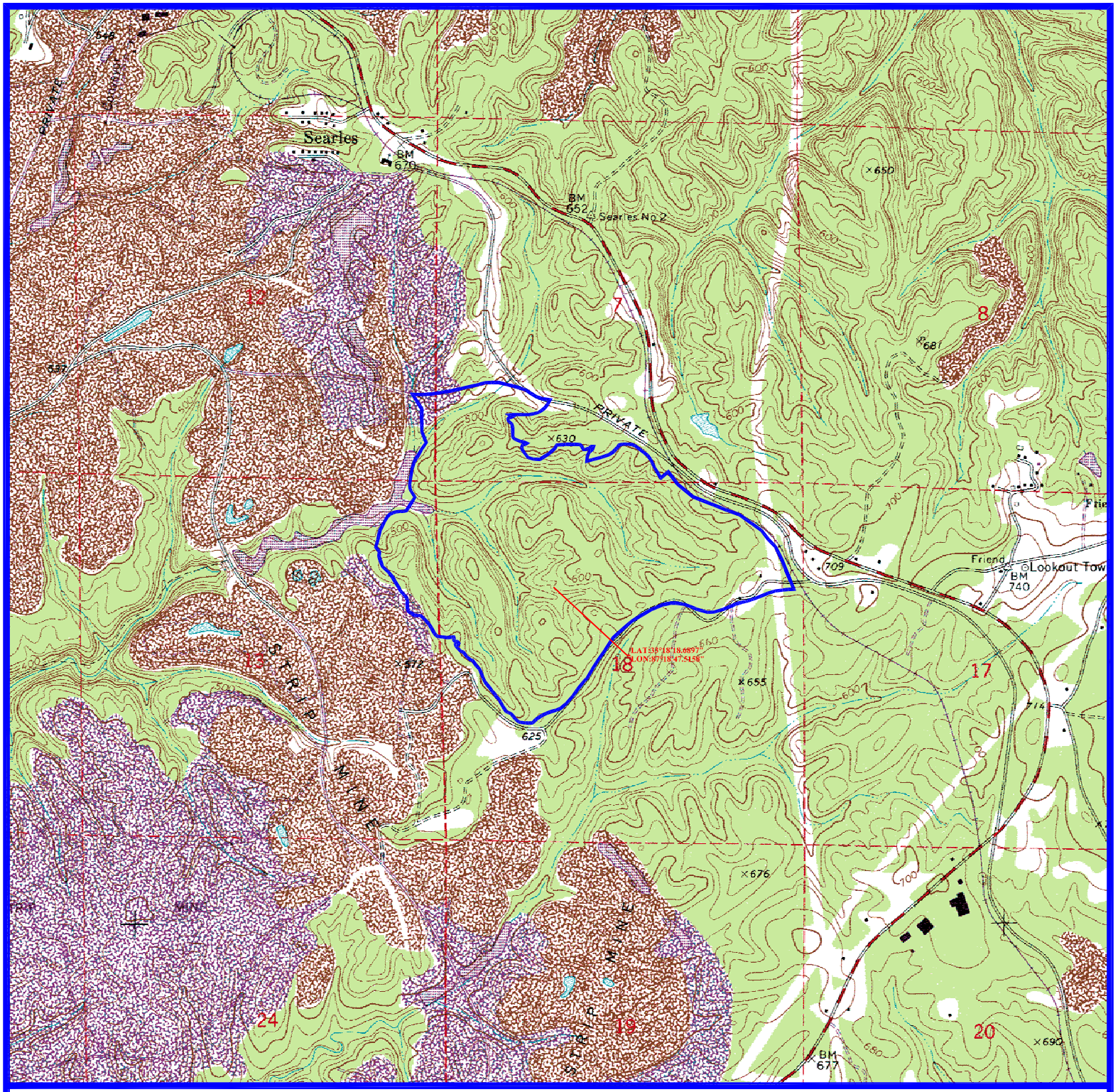
For specific techniques, see "The Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas" (2009), available from the Alabama Soil and Water Conservation Committee or on-line at:

http://swcc.alabama.gov/pages/erosion_control.aspx?sm=b_b

If you have any questions or need additional information, please contact Ms. Jodie Smithem at (251) 441-5842. Please refer to the reference number located at the top of this letter in future phone calls or written correspondence.

Sincerely,

Dan Everson
Deputy Field Supervisor
Alabama Ecological Services Field Office



SCALE: 1" = 2000'

TUSCALOOSA RESOURCES, INC.
CARTER MINE
(APPROXIMATELY 362 ACRES TOTAL)

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PROJECT AREA MAP

SECTIONS 7 & 18, TOWNSHIP 20 SOUTH, RANGE 7 WEST
SECTIONS 12 & 13, TOWNSHIP 20 SOUTH, RANGE 8 WEST
ALL IN TUSCALOOSA COUNTY, ALABAMA
AS FOUND ON THE BROOKWOOD, AL. USGS QUAD.

mcgehee engineering corp
post office box 3431
Jasper, alabama 35502-3431
telephone: (205) 221-0686 fax: 221-7721
email: staff@mcgehee.org

INITIAL PROJECT AREA

Latitude: 33°18' 18" N
Longitude: 87°18'47" W