



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-8

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:

P- 3930-01-26-S
Highland Energy, Inc.
7802 Highway 78
Cordova AL, 35550
(Fishtrap Mine No 2)

License No.: L-863
Pursuant to the
Permit map: 1 of 1
Certified by: Bradley K. Simmons PE # 33277
Date: 09/25/2024

The permit is revised as follows:

1. Transfer 116 mining acres from Inc. No. 3 to Inc. No. 1.
2. Transfer 1 incidental acre from Inc. No. 2 to Inc. No. 1.
3. Transfer 10 incidental acres from Inc. 6 to Inc. No. 1.
4. Delete 124 mining acres from Inc. No. 1 as undisturbed.
5. Delete 29 mining acres from Inc. No. 2 as undisturbed.
6. Delete 69 mining acres from Inc. No. 3 as undisturbed.
7. Transfer 3 incidental acres from Inc. No. 6 to Inc. No. 1.
8. Add 93 mining acres to Inc. No. 1
9. Add Sediment Basin 013 to Inc. No. 1 (1 acre).
10. Move Sediment Basin 011.
11. Modify/re-evaluate Sediment Basins 009 and 009A.
12. Add Primary Road No. 7 to Inc. No. 1 (no acreage change)
13. Modify the operation plan.
14. Modify the general plan.
15. Modify the hydrologic monitoring plan.
16. Extend the topsoil variance to include area added by R-8.
17. Update Ownership.
18. Add 1 acre to Inc. No. 1 for Sediment Basin 006 access.

Revision 8 Findings 1: By comments dated July 25, 2024, the U.S. Fish & Wildlife Service concurred the project is not likely to adversely affect the endangered Indiana Bat, Northern Long-Eared Bat and/or the proposed endangered Tricolored Bat if tree removal only occurs from October 1 through March 14.

Revision 8 Findings 2: By a letter dated October 30, 2024, Simmons Johnsey Engineering, LLC on behalf of Highland Energy, Inc., has stated an U.S. Army Corps of Engineers (USACE) permit will be obtained prior to any disturbance on permitted area that has not been disturbed by current mining

operations (with the exception of the 94 acres being added to Increment No. 1 by Revision R-8, this area has a been certified as having no Waters of the U.S.).

Revision 8 Condition 1: The permittee may only conduct tree removal from October 1 through March 14.

Revision 8 Condition 2: If tree removal from the potential summer roosting habitat is necessary outside October 1 through March 14 timeframe an Indiana Bat, Northern Long-Eared Bat and/or Tricolored Bat (include the Tricolored Bat if added to the list of endangered species prior to tree removal) presence/absence survey must be conducted, and the U.S. Fish & Wildlife Service approval must be submitted to ASMC prior to tree removal.

Revision 8 Condition 3:

The permittee shall obtain an U.S. Army Corps of Engineers permit and submit to ASMC prior to any disturbance in any area not previously disturbed by current mining operations as referenced in Findings 2.

ACREAGE SUMMARY:

*INCREMENT #1: increases to -----	470 acres
INCREMENT #2: decreases to -----	0 acres
INCREMENT #3: decreases to -----	0 acres
INCREMENT #4: decreases to -----	0 acres
INCREMENT #6: decreases to -----	0 acres
INCREMENT #7: decreases to -----	0 acres

Total Acreage Increases to 470 Acres

BONDED TO DATE *

All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

SM 10/30/2024
EFFECTIVE DATE: October 30, 2024



Kathy H. Love, Director

/mw
cc: I & E, Permit File