



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

TEL: 334-242-3184
FAX: 334-240-3477

November 14, 2012

Rich Weaver
DSM Design Group, LLC
P.O. Box 690
Jasper, Alabama 35502-0690

Re: AHC 05-0657
SMC P-3933, Revision 3
Powhatan Mine No. 2
Jefferson County, Alabama

Dear Mr. Weaver:

Upon review of the above referenced project, we have determined that we previously concurred with this project. We continue to concur with project activities provided the scope of work remains the same. However, if the scope of work changes, further consultation with our office will be necessary. Finally, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately.

We appreciate your efforts on this project. Should you have any questions, please contact Greg Rhinehart at (334) 230-2662. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly Yours,

A handwritten signature in cursive script that reads "Elizabeth Ann Brown".

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/GCR/gcr



DESIGN GROUP, LLC
ENGINEERING / SURVEYING

November 8, 2012

Alabama Historical Commission

Attention: Mr. Greg Rhinehart
468 South Perry Street
Montgomery, Alabama 36130-0900

RE: **AHC 05-0657**
RAC Mining, LLC.
Powhatan Mine No. 2, P-3933, ASMC Revision R-3
Jefferson County

Dear Mr. Rhinehart:

I would like to request concurrence to add the area within the Red Cross hatch (39.0 acres) to the Powhatan Mine No. 2, P-3933 project area based on the attached studies within the areas marked on the attached maps. The areas in question are located in Jefferson County, Alabama. All located on the Sylvan Springs USGS Quadrangle. We are in the process of applying for a surface coal-mining permit revision through the Alabama Surface Mining Commission for this area. All areas within question are bordered by extensive active mining and clear cut areas. Please re-review the surveys and concurrence letters and if possible, re-concur that no effect on any known cultural resources listed on or eligible for the National Register of Historic Places within the proposed area to be added by this revision.

I would like to thank you for your co-operation concerning this matter and would appreciate the assessment at your earliest convenience. If you should have any questions or need additional information, please do not hesitate to contact our office.

Sincerely,

DSM Design Group, LLC.

A handwritten signature in black ink, reading 'J. Rich Weaver'. The signature is written in a cursive, flowing style with a long horizontal line extending to the right.

J. Rich Weaver
E.I.T, CPESC,

Enclosures

**REQUEST FOR IDENTIFICATION OF THE AREAS OF SPECIAL CONCERN
FOR A SURFACE OR UNDERGROUND MINING OPERATION**

Date: November 8, 2012

Mining Company Name: RAC Mining, LLC.

Return Address: P. O. Box 690, Jasper, Alabama 35502-3431

Contact Person: DSM Design Group, LLC., J. Rich Weaver

Contact email: rich@dsmdg.com

Mine Name: Powhatan Mine No. 2 P-3933

Number of Acres: 39.0 acres

USGS Quad Sheet(s) on which the Mine occurs: Sylvan Springs U.S.G.S Quad

County: Jefferson

See Attached Map

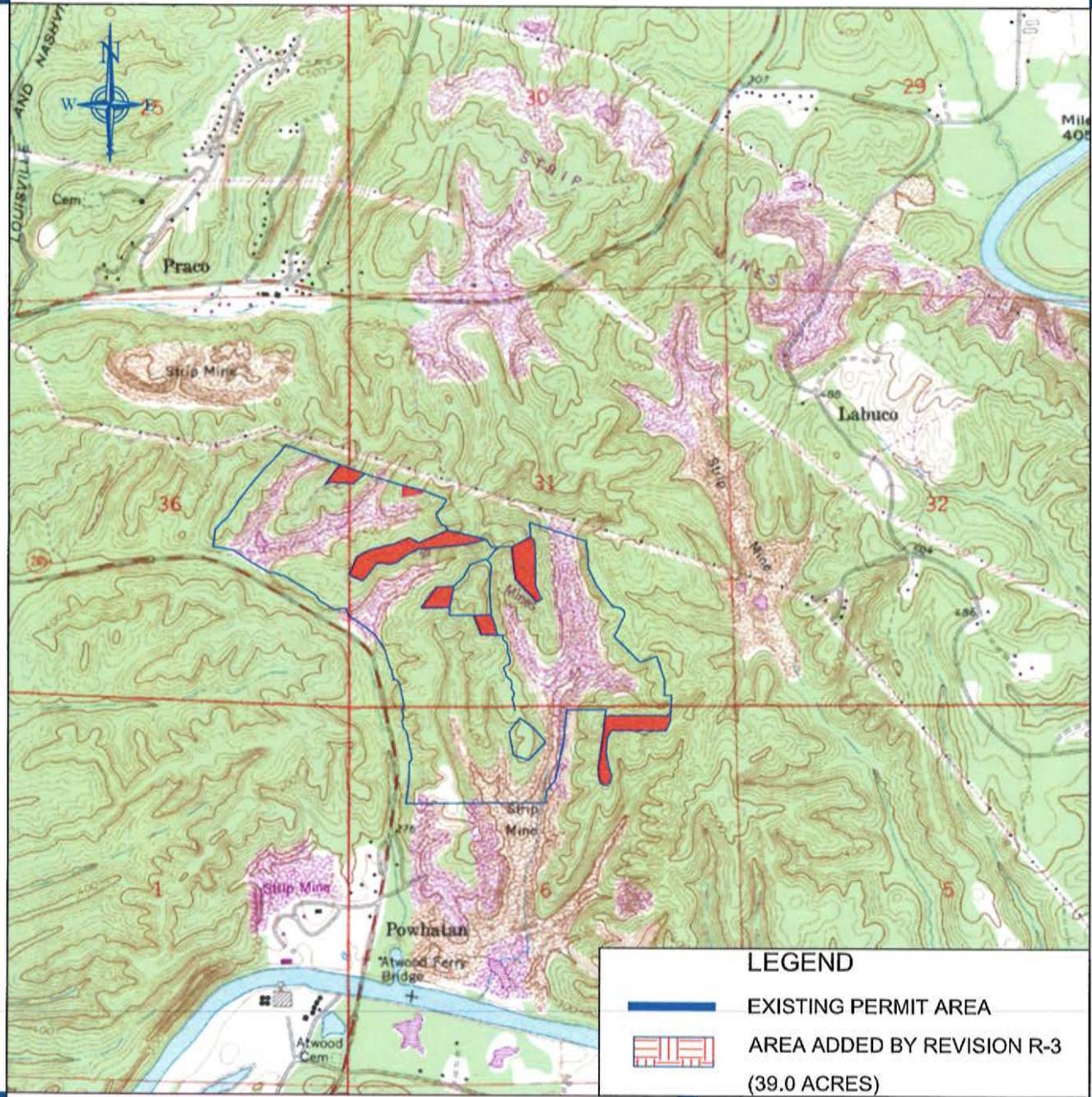
Current Landuse of Permit and Adjacent Areas:

Undeveloped/No current use

Dominate Vegetation Communities of Permit and Adjacent Areas:

Virginia and Loblolly Pine, Sweet gums, Yellow Poplar, American Sycamore, Eastern Cottonwood, Honeysuckle, various grasses, weeds & briars.





**RAC MINING LLC.
POWHATAN MINE NO. 2, P-3933**

DRAWN BY: J.R.W.	DATE: 11/08/12	SEC. 6, T.17 S., R. 5 W., SEC. 31, T. 16 S., R. 5 W., SEC. 36, T. 16 S., R. 6 W. JEFFERSON CO., AL
APPROVED BY: J.D.M.	DATE: 11/08/12	
SCALE: 1" = 2000'	SHEET: 1 OF 1	STUDY MAP SYLVAN SPRINGS USGS QUAD


DSM
 DESIGN GROUP, LLC
 ENGINEERING / SURVEYING
 1400 VIKING DRIVE
 JASPER, ALABAMA 35501
 TELEPHONE: (205) 221-6262



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

TEL: 334-242-3184
FAX: 334-240-3477

February 8, 2012

Mr. Randall C. Johnson
Surface Mining Commission
P. O. Box 2390
Jasper, AL 35502-2390

Re: AHC 05-0657
P-3933, Revision 2
Powhatan Mine No. 2
Jefferson County, AL

Dear Mr. Johnson:

Upon review of the above referenced project, we have determined that we previously concurred with this project. We continue to concur with project activities provided the scope of work remains the same. However, should the scope of work change, further consultation with our office will be necessary.

Should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/AMH/amh



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

FRANK W. WHITE
EXECUTIVE DIRECTOR

TEL: 334-242-3184
FAX: 334-240-3477

December 19, 2011

Heath Frank
PERC Engineering
P.O. Box 1712
Jasper, Alabama 35502

Re: AHC 05-0657
Cultural Resource Assessment
Powhatan Mine No. 2
Jefferson County, Alabama

Dear Mr. Frank:

Upon review of the cultural resource assessment conducted by the Office of Archaeological Research, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities. However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately.

We appreciate your efforts on this project. Should you have any questions, please contact Greg Rhinehart at (334) 230-2662. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,

Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/GCR/gcr



A Phase I Cultural Resources Survey for the Proposed Powhatan Mine No. 2
P-3933/Revision R-2 Located near Powhatan in Jefferson County, Alabama

R. Lance Richardson

PERFORMED FOR:
PERC Engineering Company, Inc.
P.O. Box 1712
Jasper, Alabama 35502

PERFORMED BY:
The University of Alabama
Office of Archaeological Research
13075 Moundville Archaeological Park
Moundville, Alabama 35474

NOVEMBER 2011

OFFICE OF ARCHAEOLOGICAL RESEARCH

The University of Alabama
University of Alabama Museums
13075 Mound State Parkway
Moundville Alabama 35474





November 17, 2011

**A PHASE I CULTURAL RESOURCES SURVEY FOR THE
PROPOSED POWHATAN MINE NO. 2 P-3933/REVISION R-2
LOCATED NEAR POWHATAN IN JEFFERSON COUNTY,
ALABAMA**

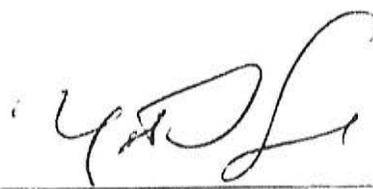
OAR PROJECT NUMBER: 12-129
AHC TRACKING NUMBER: 05-0657

PERFORMED FOR: PERC Engineering Company, Inc.
P.O. Box 1712
Jasper, Alabama 35502
Attn: Mr. Heath Franks

PERFORMED BY: R. Lance Richardson
The University of Alabama
Office of Archaeological Research
13075 Moundville Archaeological Park
Moundville, Alabama 35474

DATE PERFORMED: November 8, 2011


R. Lance Richardson
Cultural Resources Analyst
Office of Archaeological Research


Matthew D. Gage, RPA/Director
The University of Alabama
Office of Archaeological Research



A Phase I Cultural Resources Survey for the Proposed Powhatan Mine No. 2 P-3933/Revision R-2 Located near Powhatan in Jefferson County, Alabama

R. Lance Richardson

Management Summary

The University of Alabama, Office of Archaeological Research (OAR) was contracted by PERC Engineering Company, Inc. to perform a Phase I cultural resources survey for the proposed Powhatan Mine No. 2 P-3933, located near the community of Powhatan in Jefferson County, Alabama. The proposed project area is approximately 26.7 ha (66 acres) in size. Field investigations for the project were undertaken November 8, 2011. R. Lance Richardson (Cultural Resources Analyst) serves as the Project Director and Matthew D. Gage, RPA/Director of OAR is the Principal Investigator.

No archaeological sites were identified or documented. In addition, no isolated finds were recorded. Finally, no standing structures were documented during the field investigations. Consequently, a finding of no properties is recommended



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*A Phase I Cultural Resources Survey for the Proposed Powhatan Mine
Expansion No. 2 P-3933/Revision R-2 Located near Powhatan
in Jefferson County, Alabama*

R. Lance Richardson

Introduction

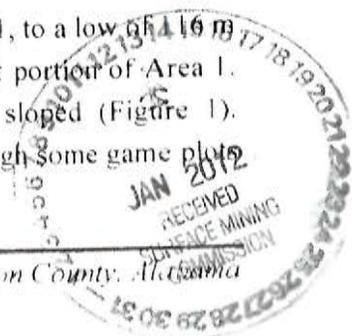
The University of Alabama, Office of Archaeological Research (OAR) was contracted by PERC Engineering Company, Inc. to perform a Phase I cultural resources survey for the proposed Powhatan Mine Expansion No. 2 P-3933/Revision R-2, located near the community of Powhatan in Jefferson County, Alabama. The proposed project area is approximately 26.7 ha (66 acres) in size. R. Lance Richardson (Cultural Resources Analyst), assisted by Daryll R. Berryman (Cultural Resources Assistant) conducted the survey on November 8, 2011 to locate and identify any archaeological sites or historic standing structures. The Principal Investigator for the project is Matthew D. Gage, RPA/Director of OAR.

The research design of the Phase I survey is to locate and identify any archaeological sites or historic standing structures within the survey boundaries, assess their significance, and provide recommendation with regard to guidelines set forth by the National Park Service (NPS) for National register of historic places (NRHP) eligibility criteria. Included in this report is a discussion of the environmental setting of the survey area, a literature search of any previously recorded sites or previously conducted surveys within or near the survey area, a description of field and laboratory methods, the results of the cultural resources reconnaissance, and conclusions and recommendations based on the findings of this survey.

Environmental Setting

The location of the four individual survey areas can be seen on the 1971, USGS 7.5' Sylvan Springs, Alabama topographic quadrangle located in the E ½ of Section 36 of T16S, R6W, the S ½ of 31 of T16S, R5W, and a small portion of the NE ¼ of T17s, R5W. The northeastern portion of the survey area extends into the SE ¼ of Section 33 and encompasses most of the SW ¼ of Section 34, all in T19S, R6W (Figure 1).

The project tract consists of upland crests and steep side slopes with elevation ranging from a peak of 152 m (500 ft) AMSL along the northernmost portion of Area 1, to a low of 116 m (380 ft) AMSL along a drainage along the western side of the southernmost portion of Area 1. Much of the survey area has been previously timbered and is steeply sloped (Figure 1). Vegetation consists of secondary growth, mature pines and hardwoods, although some game plots are also present.



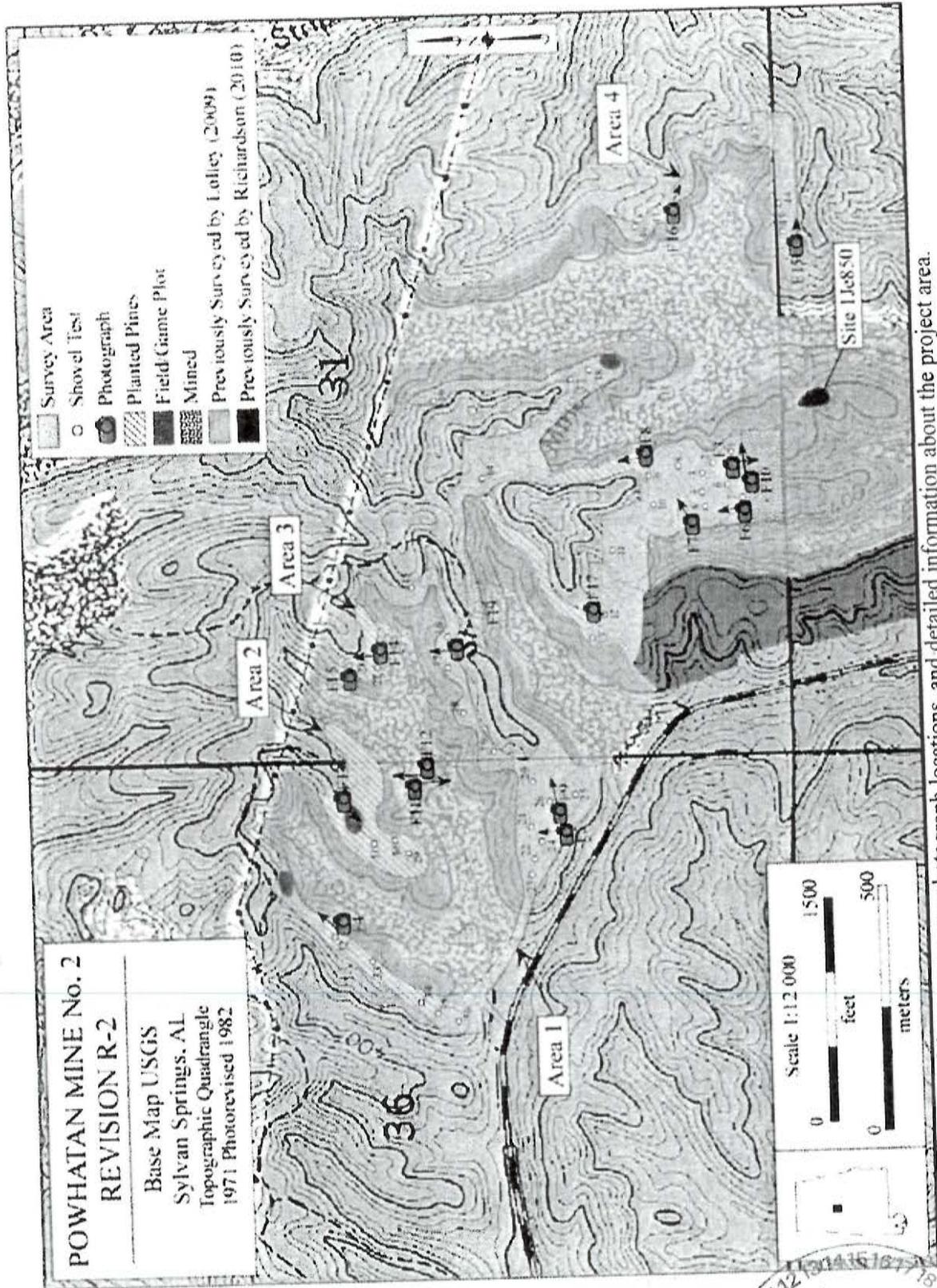


Figure 1. Location of the survey area, photograph locations, and detailed information about the project area.



The survey area lies within the Warrior Basin district of the Cumberland Plateau physiographic section of Alabama. The Warrior Basin district is described as a homoclinal limestone valley of low relief. Synclinal submaturely to maturely dissected sandstone and shale plateau of moderate relief (Sapp and Emplaineourt 1975).

The National Cooperative Soil Survey (Soil Survey Staff 2011) of Jefferson County, Alabama shows two soil types/associations present within the survey area (Figure 2). A brief description of each soil along with a representative soil profile follows.

Montevallo-Nauvoo association, steep (29): This map unit consists of soils on strongly dissected areas of sandstone and shale plateaus in the northern and western parts of the county. Montevallo soils have a surface layer of very dark gray shaley silt loam and dark grayish brown shaley silt loam about 6 inches thick. The subsoil is yellowish brown very shaley silt loam about 10 inches thick. Nauvoo soils are found on ridge tops and ridge sides. Typically, the surface layer is dark grayish brown fine sandy loam about 6 inches thick. The subsoil is about 36 inches thick. The upper 6 inches is yellowish brown fine sandy loam and the lower portion is about 30 inches of yellowish red clay loam

Palmerdale complex, steep (35): This complex consists of steep, somewhat excessively drained Palmerdale soils and other soils on surface mining spoil piles. Slope ranges from 15 to 60 percent in most areas. Present land use of these soils is oriented primarily towards reclamation and establishment of trees.

Literature and Document Search

For prior archaeological surveys conducted in the general area, the National Archaeological Database Bibliography, housed at OAR, and the Alabama Phase I Surveys Website (OAR 2011b) were reviewed. Multiple surveys associated with Powhatan Mine No. 2 were surveyed adjacent to the present survey areas (Hobgood 2008; Lolley 2005, 2008, 2009; and Richardson 2010). Also, one survey associated with the Praco Mine is located to the north of the current survey area (Meyer 2003). The ASSF shows three sites that have been recorded within one mile of the survey area (OAR 2011a). Site 1Je513 is recorded as the remnants of the 20th century Praco Mine. Site 1Je626 is recorded as a dense 20th century historic scatter that was likely a dump site. Site 1Je850 is recorded as being an early 20th century historic cemetery likely associated with the Powhatan mining community (Figure 3). The cemetery boundary was delineated and flagged for avoidance since it is located within the active Powhatan Mine No. 2 (Jones 2009).



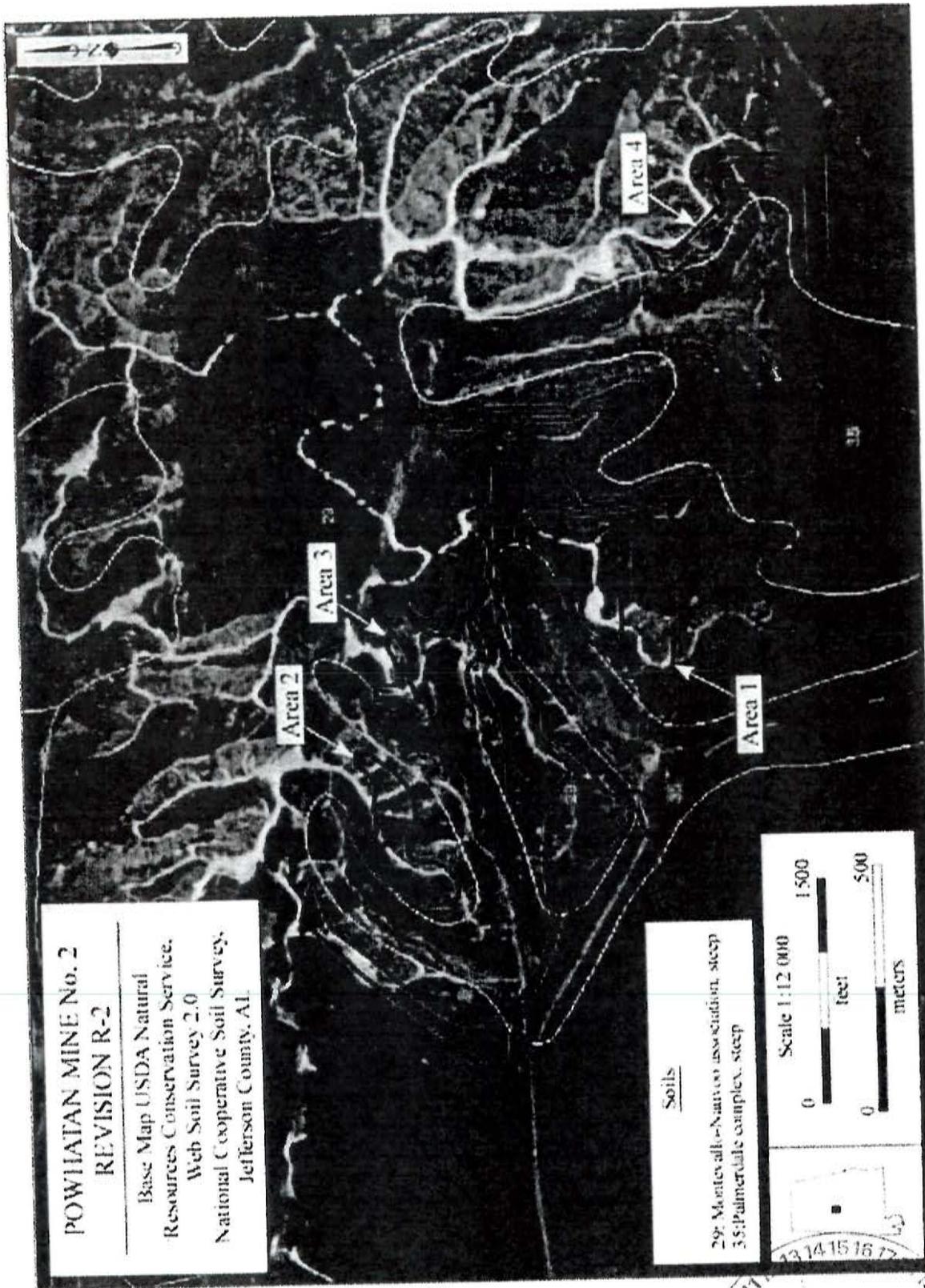


Figure 2. Aerial photograph and soil information.





Figure 3. Site 1Je850 from Area 1. View to the south. Site 1Je850 is located in the cove of trees on the remnant landform.

The NRHP and related supplements list no eligible properties located in the general vicinity of the proposed project area. A review of the 1908 Jefferson County, Alabama Soil Map shows no properties within the survey area. Also, the 1937 and 1960 editions of the Jefferson County, Alabama Highway Maps revealed no structures located within of the survey area. Finally, the *Historical Atlas of Alabama, Vol. 2* lists no historic cemeteries located within the survey area (Remington 1999). Site 1Je850 was not listed in Remington's cemetery book, however.

Field Methods

Field investigations consisted of a pedestrian walkover of the proposed project area employing visual inspection of exposed ground surface and subsurface testing. Investigations were conducted by a two person crew. Per Alabama Historical Commission (AHC) guidelines, all shovel tests had a minimum diameter of 30 cm and were excavated to recognizable, naturally sterile subsoil. All excavated soil was sieved through 6.35 mm (¼ in) hardware cloth in an effort to recover cultural materials. Soil profiles were recorded for each shovel test noting soil colors, textures, and depths of soil texture/color changes and horizon boundaries. All shovel test



locations were documented using global positioning systems units rated for 1-3 m accuracy. A total of 45 shovel tests was excavated in the course of this survey. The sloping terrain, the extensive impact from the creation of access roadways, and silviculture, has greatly reduced or even negated the potential for many areas of the tract to contain intact subsurface or even surficial evidence of prior aboriginal or historic occupation. Photographic documentation was undertaken to provide evidence of the varying environments and disposition of the proposed project area. These photographs (Figures 3-19) are keyed to the topographic map (Figure 1) showing their location and direction.

Where exposed ground surface was present, initial investigations consisted of visual inspection. The locations included bare soil exposures along natural slopes, drainages, road cutbanks, road surfaces, and erosional surfaces. Where visibility was limited, shovel tests were excavated at 30 m intervals. Such areas were very limited in extent and consisted of landforms with relatively level settings (areas of less than 15 percent slope). The 30 m interval subsurface testing method was also limited to those settings exhibiting an absence of disturbance from prior silviculture activities, where subsequent erosion has removed near surface soil horizons. Lower probability areas were sampled at greater intervals ranging from 60 m to 100 m and included gently sloped and disturbed settings. Slopes greater than 15 percent were visually inspected. The majority of the survey areas exhibit a 15 percent slope or greater. Shovel test intervals in these areas exceeded the 60 m spacing and in some cases shovel testing was curtailed altogether due to visible subsoil at the surface.

The proposed project area consists of four smaller tracts. Area 1, the largest tract, is very irregularly shaped and consists of steep side slopes and gently sloping ridge tops situated in varying vegetation (Figures 4-5). Vegetation includes secondary growth, planted game plots, pines, and hardwoods (Figures 6-7). This tract has varying degrees of disturbance in the forms of previous timbering activities, push piles, and access roads (Figures 8-9). Much of Area 1 is bounded by previously surface mined drainages or active mining along the southern survey boundary. In fact, much of the southernmost portion of Area 1 has been mined and no longer contains intact soils (Figure 10). Area 2 is located north of a previously mined drainage and is steeply sloped (Figures 11-12). A game plot is located in and along an existing access roadway (Figure 13). Planted pines and dense secondary growth make up the majority of the vegetation within Area 2 but scattered hardwoods are also present. Area 3 is also located north of a previously mined drainage. This small parcel is steeply sloped and is vegetated in planted pines (Figure 14). Area 4 is located entirely to the north and west sides of an existing access roadway and south and east of a previously mined drainage (Figure 15). This tract is steeply sloped and is situated in secondary growth and mixed hardwoods (Figure 16). Side slopes in all four survey areas were examined for rock outcrops and anthropogenic features, with none being observed.



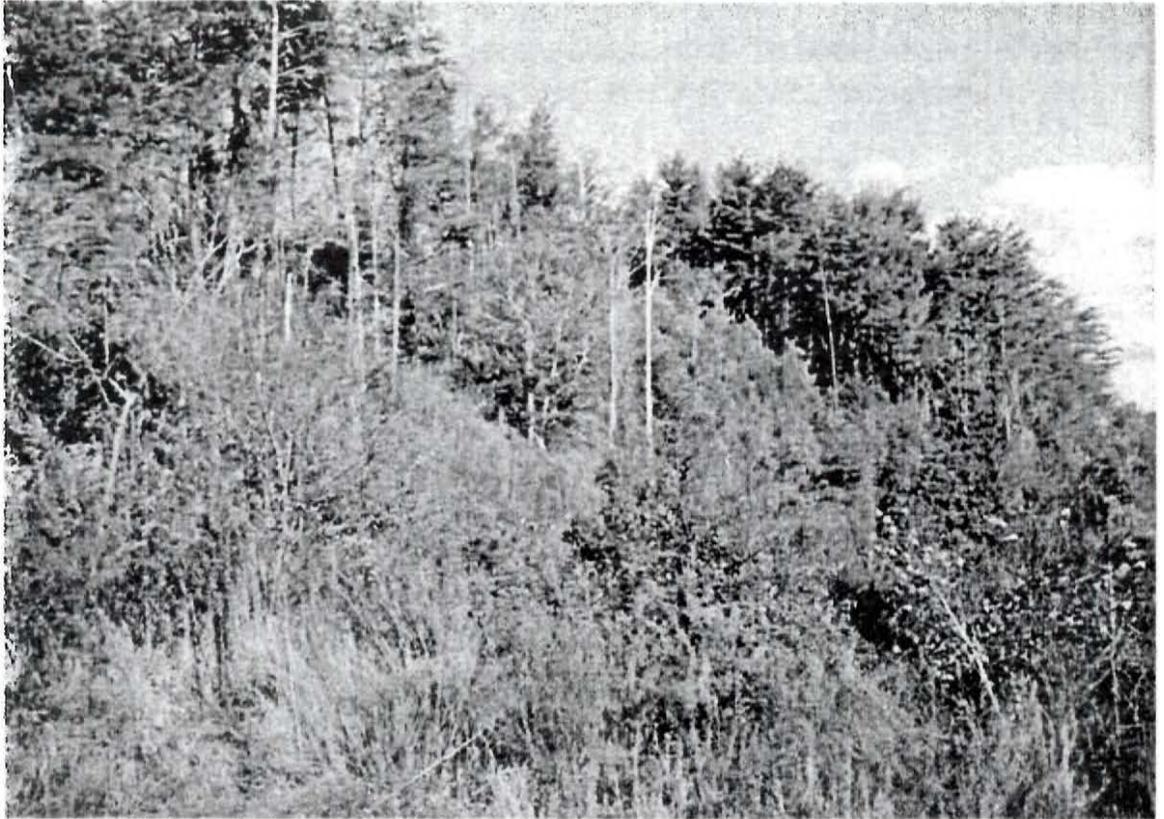


Figure 4. Steeply sloping terrain of Area 1. View to the northeast.

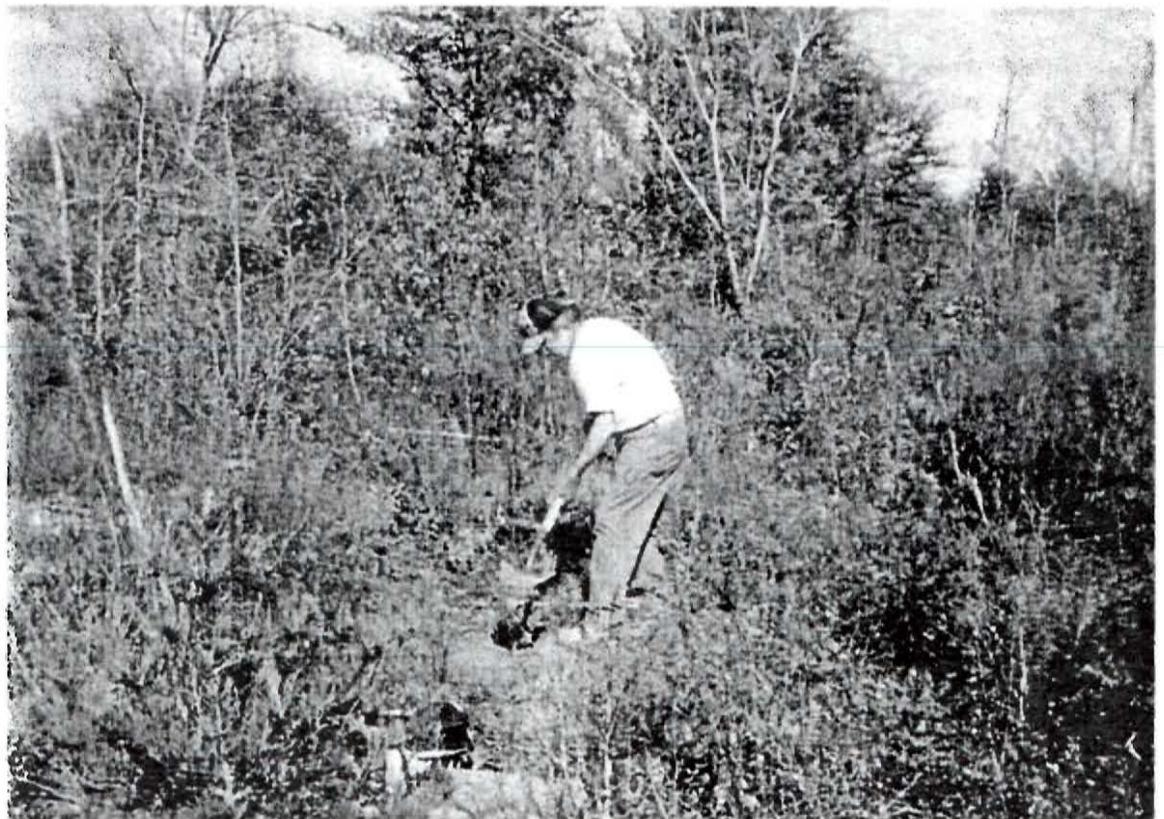


Figure 5. Secondary growth in Area 1 near Shovel Test #24. View to the north.



Figure 6. Secondary growth, mixed hardwoods, and planted pines in Area 1. View to the north.



Figure 7. Small drainage containing steep slopes and hardwood growth in Area 1. View to the northeast.

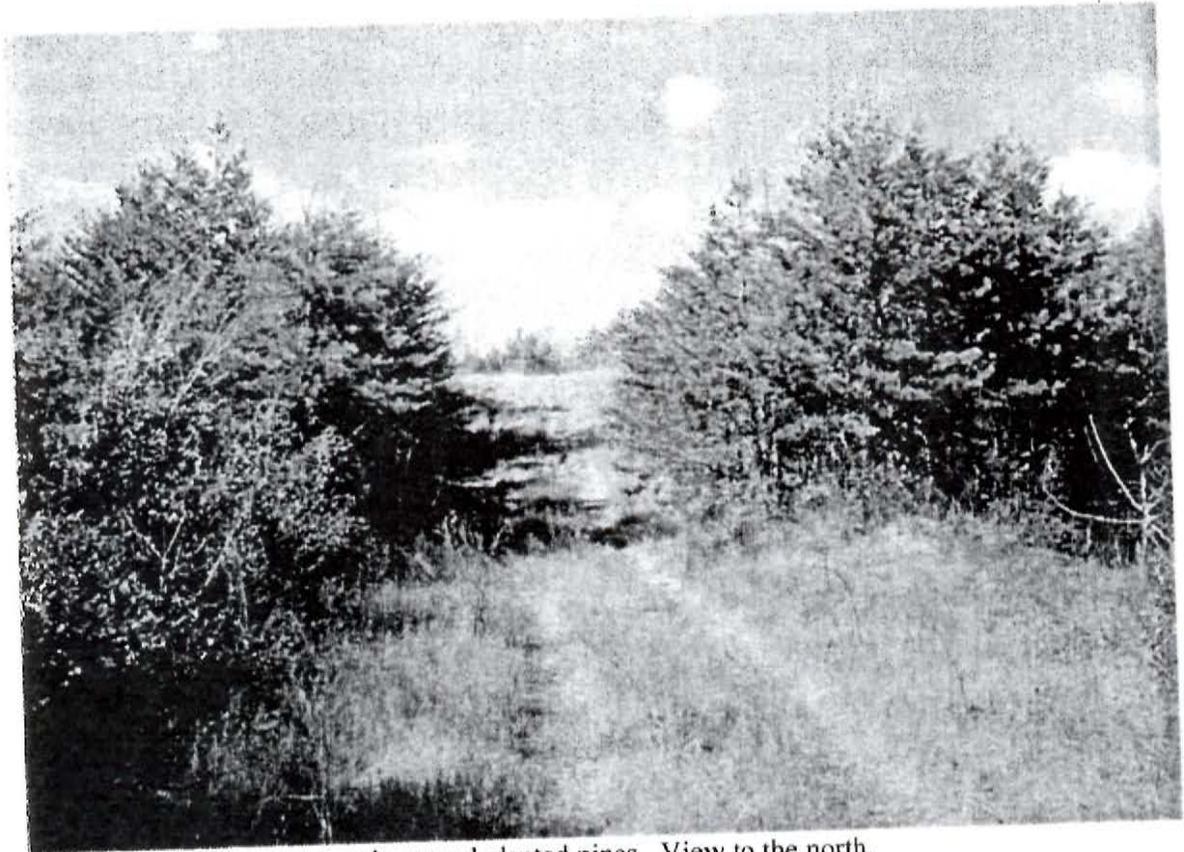


Figure 8. Typical access roadway and planted pines. View to the north.



Figure 9. Surface visibility, an access road, and a push pile in a previously timbered landform in Area 1. View to the east.



Figure 10. Southern boundary of Area 1 and adjacent mining activities. View to the east.



Figure 11. High wall and adjacent previous mining activities to the south of Area 2. View to the south.



Figure 12. Slope in survey Area 2 from a previously mined drainage. View to the north.



Figure 13. Recently planted game plot in Area 2. View to the southwest. Note the surface visibility within the plot.



Figure 14. Slope along an access roadway in Area 3. View to the north.



Figure 15. Access roadway, mixed forest, and secondary growth along the southern boundary of Area 4. View to the east.



Figure 17. Shovel Test #12 with shale bedrock exposed at base.

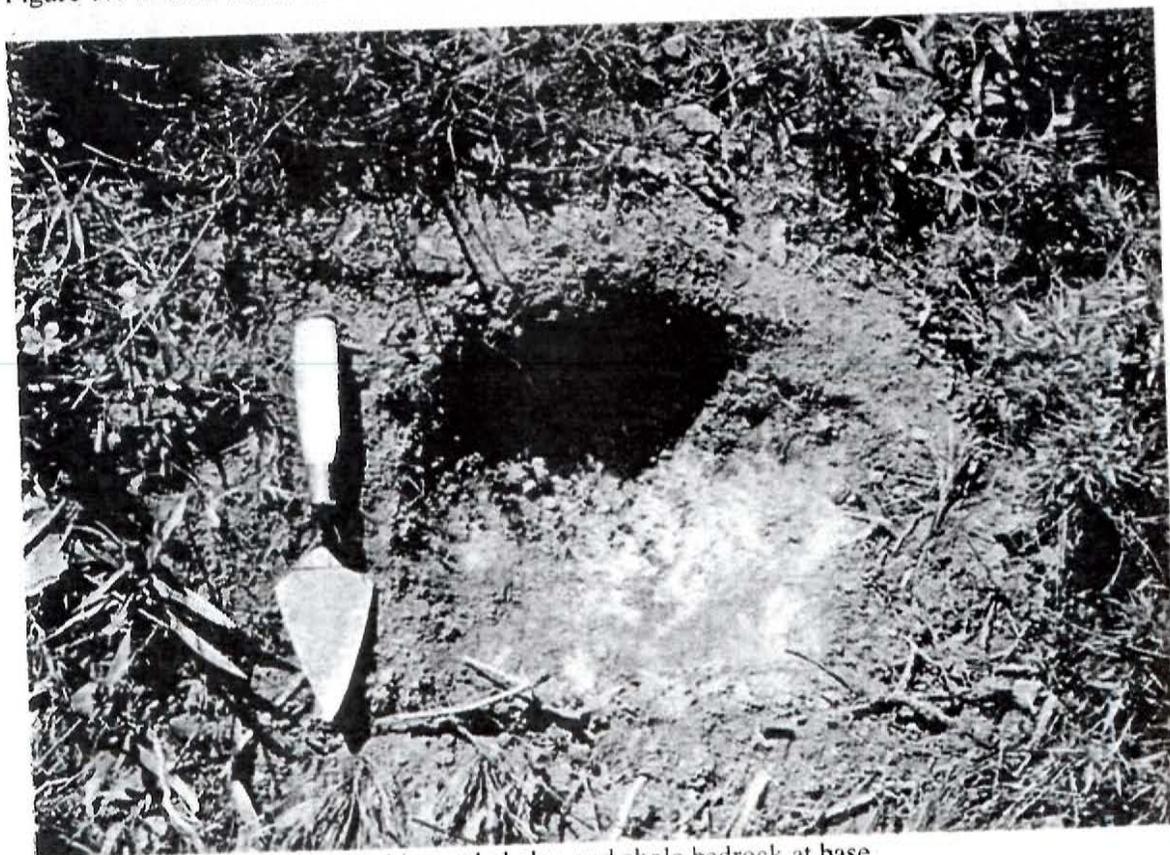


Figure 18. Shovel Test #18 with mottled clay and shale bedrock at base.

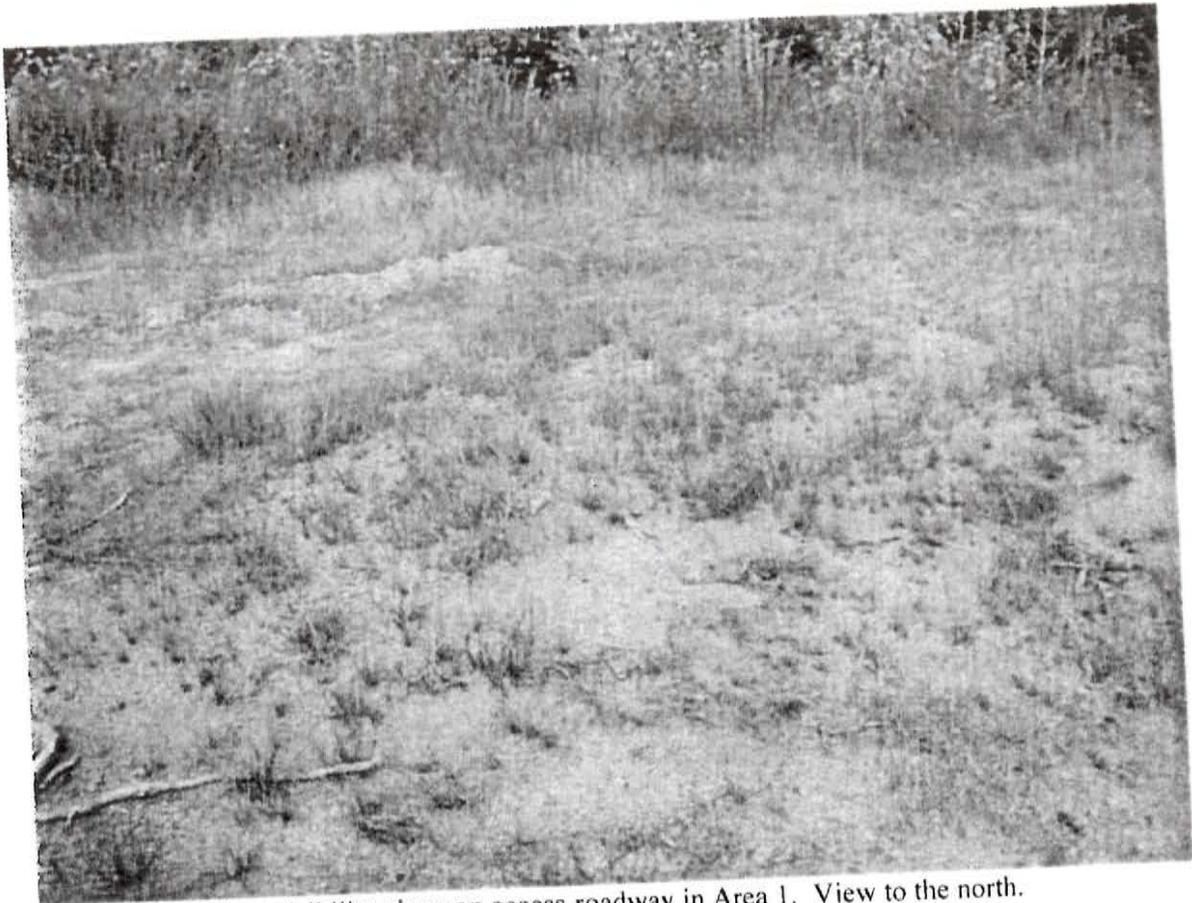


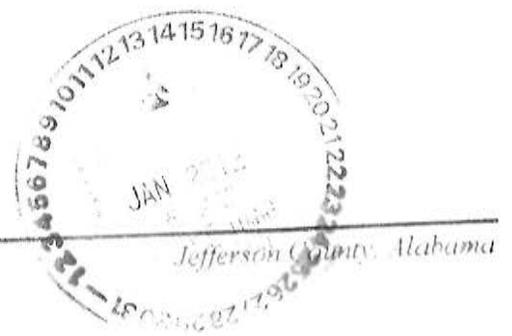
Figure 19. Surface visibility along an access roadway in Area 1. View to the north.

Results

No archaeological sites, no isolated finds, and no historic structures were identified or documented. The lack of cultural material and historic structures is not surprising considering the slope and degree of disturbance to the survey areas.

Recommendations

The four survey areas are for the proposed Powhatan Mine Expansion No. 2 P-3933/ Revision R-2, located near the community of Powhatan in Jefferson County, Alabama. No archaeological sites were identified during this survey. It is the opinion of the office that the development of this tract will have no impact on any cultural resources. A finding of no properties is recommended.



References Cited

Hobgood, Timothy A.

- 2008 *A Phase I Cultural Resource Survey for the 16 Acre Proposed Powhatan Strip Mine Located in Jefferson County, Alabama*. Report submitted to Perc Engineering, Jasper by the Archaeological Research Center, Jacksonville State University, Jacksonville.

Jones, V. Stephen

- 2009 *Boundary Delineation and Mapping of an Unnamed Cemetery Associated with the Expansion of Powhatan Mine No. 2, near Birmingham, Jefferson County, Alabama*. Report submitted to the Office of Land Management and Real Estate Services, University of Alabama, Tuscaloosa by the Office of Archaeological Research, University of Alabama Museums, Tuscaloosa.

Lolley, Terry L.

- 2005 *Phase I Cultural Resource Assessment, Proposed Powhatan Mine, Jefferson County, Alabama*. Report submitted to Perc Engineering, Jasper by P. E. LaMoreaux and Associates, Tuscaloosa.
- 2008 *A Phase I Cultural Resource Assessment for the Proposed Powhatan Mine No. 2 in Jefferson County, Alabama*. Report submitted to Goodwyn, Mills, and Cawood, Vernon by P. E. LaMoreaux and Associates, Lauderdale, Mississippi.
- 2009 *A Phase I Cultural Resource Assessment for the Proposed Powhatan Mine No. 2 Addition in Jefferson County, Alabama*. Report submitted to Goodwyn, Mills, and Cawood, Vernon by P. E. LaMoreaux and Associates, Lauderdale, Mississippi.

Office of Archaeological Research, University of Alabama Museums (OAR)

- 2011a Alabama State Site File. Secure electronic document, accessed November 10, 2011.
- 2011b Phase I Surveys. Secure electronic document, accessed November 8, 2011.

Meyer, Jeffery M.

- 2003 *A Phase I Cultural-Resource Survey of the Praco Mine in Jefferson and Walker Counties, Alabama*. Report submitted to Taft Coal Sales and Associates, Jasper by Panamerican Consultants, Tuscaloosa.

Remington, Craig W. (Editor)

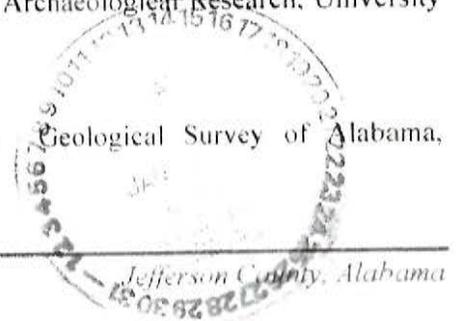
- 1999 *Cemetery Locations by County. Historical Atlas of Alabama, Volume 2*. Department of Geography, University of Alabama, Tuscaloosa, Alabama.

Richardson, R. Lance

- 2010 *A Phase I Cultural Resources Reconnaissance Survey for the Proposed Powhatan Mine Number 2, Revision R-1, near Powhatan, Jefferson County, Alabama*. Report submitted to PERC Engineering Inc., Jasper by the Office of Archaeological Research, University of Alabama Museums, Tuscaloosa.

Sapp, C. Daniel, and Jacques Emplaincourt

- 1975 *Physiographic Regions of Alabama*. Map 168. Geological Survey of Alabama, University.



Soil Survey Staff, Natural Resources Conservation Service (SSS)
2011 Official Soil Series Descriptions. Electronic document. <http://soils.usda.gov/technical/classification/osd/index..> accessed November 10, 2011.



APPENDIX A



University of Alabama Museums

Office of Archaeological Research

THE UNIVERSITY OF
ALABAMA
M U S E U M S

October 31, 2011

Matthew D. Gage, Director
Office of Archaeological Research
University of Alabama Museums
13075 Mound State Parkway
Moundville, AL 35474

Dear Matt:

This letter is to confirm our agreement to provide curation services for all the materials generated by this project. As you know, we are recognized by a variety of Federal agencies as a repository meeting the standards in 36 CFR Part 79 and have formal agreements to provide curation under these guidelines to agencies such as the National Park Service, U.S. Fish and Wildlife Service, U.S. Soil Conservation Service, U.S. Army Corps of Engineers, Tennessee Valley Authority, National Forest Service, etc.

We appreciate having the opportunity to assist you with curation services in the past and look forward to working with you in the future.

Sincerely,



Eugene M. Futato RPA
Deputy Director

