

TWIN PINES, LLC

April 12, 2011

Ms. Ashley Peters
State Lands Division, Natural Heritage Section
64 North Union Street
Montgomery, Alabama 36130

RE: Shannon, LLC
Shannon Mine No. 3
Area to be added

Dear Ms. Peters:

Attached, please find a request for the identification of areas of special concern and mapping showing the initial permit area (+/- 828 acres) and the revised area (+/- 55 acres). Attached, please find the original/revised request and correspondence from DCNR. Shannon, LLC proposes to add approximately +/- 171 acres adjacent to the initial/revised area. The office of DCNR responded on February 18, 2010 to the initial/revised request. We are requesting another review for the +/- 171 acres being added to this site. This area is identified on the attached map as the 'Area to be added'. Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call me at (205) 295-0995.

Sincerely,



Keith Madison, P.G.

REQUEST FOR INQUIRY OF THE ALABAMA HERITAGE DATA BASE

Date: April 12, 2011

Mining Company Name: Shannon, LLC

Return Address: c/o Shannon, LLC

Post Office Box 621

Jasper, AL 35502

Contact: Keith Madison

Type Mining Operation: Surface

Number of acres to be Disturbed: +/- 171

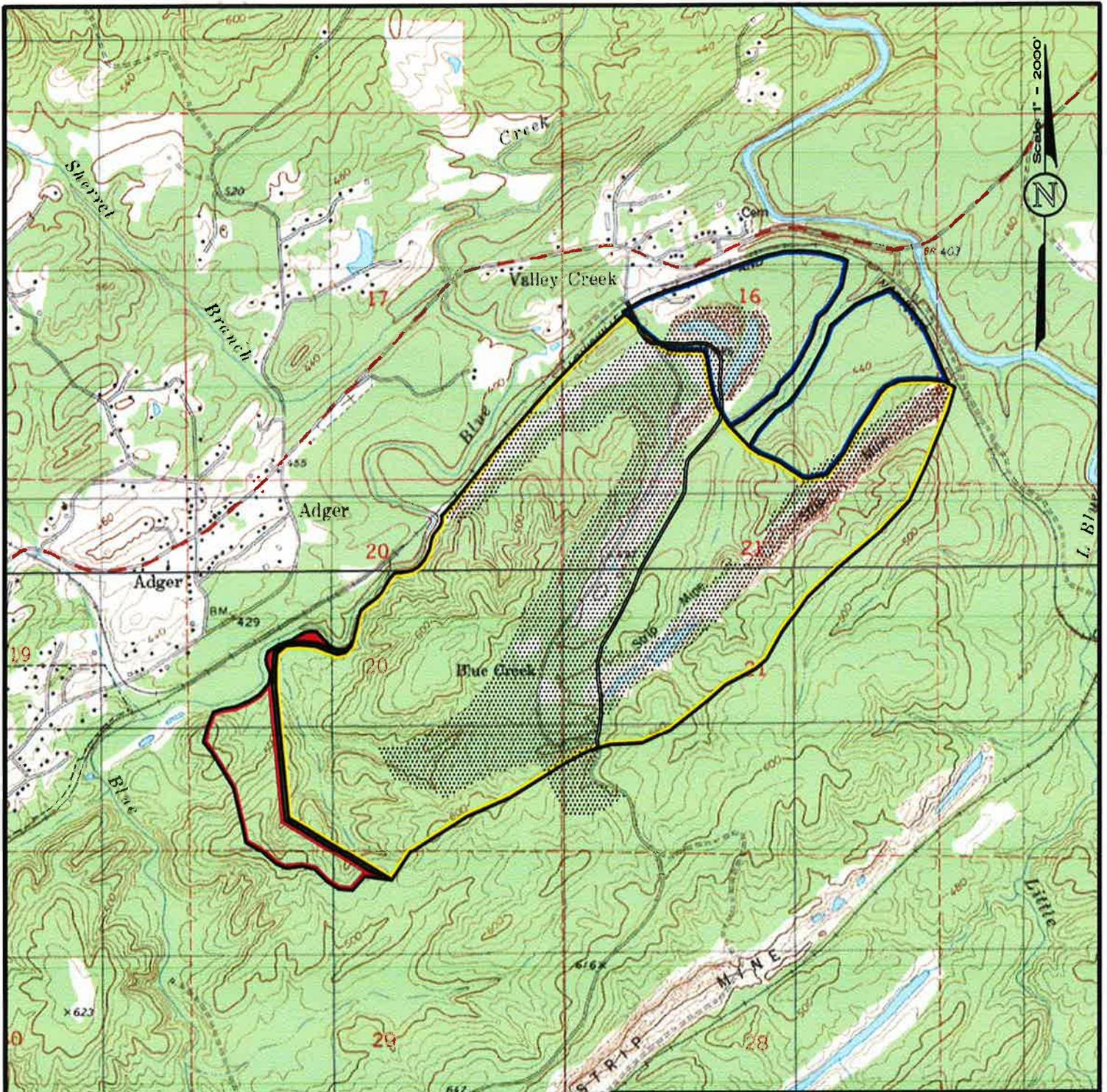
County: Jefferson County

Section(s), Township(s), and Range(s) of the Areas Contained in the Permit: _____

Part of Sections 16, Township 19 South, Range 5 West, Jefferson County

Latitude: 33° 23' 05.00"

Longitude: 87° 04' 03.00"



Legend

-  Initial Response Area (February 2010)
-  Revised Area (March 2010)
-  Proposed Area To Be Added
-  Previously Disturbed

Note: Base map taken from the McCalla & Abernath, Alabama U.S.G.S. Quadrangle Map.



Twin Pines Coal Company, Inc.

74 Industrial Parkway
 P.O. Box 621 Jasper, Alabama 35502
 (205) 295-0995 Office (205) 295-0799 Fax

**Twin Pines Coal Company, Inc.
 Shannon Mine No. 3
 Mine Site Location Map**

*Section 15, 16, 17, 20, 21 & 29,
 Township 19 South, Range 5 West,
 Jefferson County, Alabama*

DRAWN BY: P.T.O.
 DWG. NAME: TPSM3MSLMA

DATE: 4-7-11

APPROVED BY: W.K.M.

SCALE: 1"=2000'



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
64 NORTH UNION STREET, SUITE 464
MONTGOMERY, ALABAMA 36130

ROBERT BENTLEY
GOVERNOR

N. GUNTER GUY, JR.
COMMISSIONER

CURTIS JONES
ASSISTANT COMMISSIONER

PATRICIA J. POWELL, DIRECTOR
GREGORY M. LEIN, ASSISTANT DIRECTOR
STATE LANDS DIVISION

TELEPHONE (334) 242-3484
FAX NO (334) 242-0999

April 12, 2011

Mr. Keith Madison
Twin Pines Coal Company, Inc.
74 Industrial Parkway
Jasper, AL 35501

RE: Sensitive Species Information request
Twin Pines Coal Company, Inc - Shannon Mine No. 3

Dear Mr. Madison:

The Natural Heritage Section office received your email dated 4/12/2011 addressed to Ashley Peters on 4/12/2011 and has since developed the following information pertaining to sensitive species (state protected, and federally listed candidate, threatened, and endangered species). I have enclosed a list of sensitive species which the Natural Heritage Section Database or the U.S. Fish and Wildlife Service have indicated occur or have occurred in Jefferson County. Additionally, I have listed some potentially helpful and informative web sites at the end of this letter.

The Natural Heritage Section database contains numerous records of sensitive species in Jefferson County. Our database indicates the area of interest has had no biological survey performed at the delineated location, by our staff or any individuals referenced in our database. Therefore we can make no accurate assessment to the past or current inhabitancy of any federal or state protected species at that location. A biological survey conducted by trained professionals is the most accurate way to ensure that no sensitive species are jeopardized by the development activities.

The closest sensitive species is recorded in our database as occurring approximately 4.8 miles from the subject site. This federally listed endangered species (Watercress Darter) occurs in springs and small streams immediately below them in vegetated flowing water. Usually found in mats of watercress where it rests on stems and leaves well above soft substrate.*



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4/12/2011

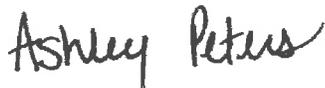
Page 2

I hope this information will be useful to you. The provided information is to help you in fulfilling your necessary legal obligations. This does not constitute any form of Section 7 consultation. The Natural Heritage Section recommends that the U. S. Fish and Wildlife Service field office in Daphne be contacted for Section 7 consultations.

The information does not suggest that protected species are not at this location. The specific location of a sensitive species is considered confidential information by a State Lands Division Regulation and can be released only to individuals who enter into a confidentiality and indemnity contract with the State Lands Division.

The Natural Heritage Section provides this information as a service to the people of Alabama. The NHS acts as a clearing house for species distribution data. We happily accept any information environmental researchers are willing to donate. Sensitive species exact locations are kept confidential. If you would be willing to donate any information to this database, we will be better able to assist all individuals interested in environmental compliance.

Sincerely,



Ashley Peters
Database Manager
Natural Heritage Section

Enclosures

*Paraphrased Information from NatureServe. 2006. NatureServe Explorer: An online encyclopedia of life [web application]. Version 5.0. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: August 18, 2006).

Potentially helpful web sites

Information about federally listed species
<http://daphne.fws.gov/es/specieslst.htm>
<http://www.pfmt.org/wildlife/endangered/>
<http://www.natureserve.org/explorer/>

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4/12/2011

Page 3

State Protected Species Regulations:

<http://www.outdooralabama.com/hunting/regulations/regs.cfm>

ALABAMA'S FEDERALLY LISTED AND STATE PROTECTED SPECIES (BY COUNTY)

This is a list of protected species that are believed to occur in the designated county and the legal protection status of each species. This list is a combination of the U.S. Fish and Wildlife Service (Daphne field office) federally listed species county and state lists and the Alabama State Lands Division's Natural Heritage Section (SLD-NHS) Database of species occurrence data. This list is continually being updated, and, therefore, it may be incomplete or inaccurate and is provided strictly for informational purposes. Site specific information can be provided by the Alabama SLD-NHS and/or the U.S. Fish and Wildlife Service (Daphne field office) prior to project activities. To be certain of occurrence, surveys should be conducted by qualified biologists to determine if a sensitive species occurs within a project area. Species not listed for a given county does not imply that they do not occur there, only that their occurrence there is as yet unrecorded by these two agencies. This list is currently under review and reflects only our current understanding of species distributions. It also does not constitute any form of Section 7 consultation. The Alabama SLD-NHS recommends that the U.S. Fish and Wildlife Service field office in Daphne be contacted for Section 7 consultations.

Jefferson

Protection Status	Common Name	Scientific Name	Applicable State Regulation
Candidate	Black Warrior River Waterdog	<i>Necturus alabamensis</i>	
Candidate/ State Protected	Rush Darter	<i>Etheostoma phytophilum</i>	220-2-.92 (1) (a)
Endangered	Leafy Prairie Clover	<i>Dalea foliosa</i>	
Endangered/ State Protected	Cahaba Shiner	<i>Notropis cahabae</i>	220-2-.92 (1) (a)
Endangered/ State Protected	Plicate Rocksnail	<i>Leptoxis plicata</i>	220-2-.98 (1) (a)
Endangered/ State Protected	Southern Clubshell	<i>Pleurobema decisum</i>	220-2-.98 (1) (a)
Endangered/ State Protected	Triangular Kidneyshell	<i>Ptychobranchus greenii</i>	220-2-.98 (1) (a)
Endangered/ State Protected	Upland Combshell	<i>Epioblasma metastrata</i>	220-2-.98 (1) (a)
Endangered/ State Protected	Vermilion Darter	<i>Etheostoma chermocki</i>	220-2-.92 (1) (a)
Endangered/ State Protected	Watercress Darter	<i>Etheostoma nuchale</i>	220-2-.92 (1) (a)
State Protected	Cooper's Hawk	<i>Accipiter cooperi</i>	220-2-.92 (1) (d)
Threatened/ State Protected	Blue Shiner	<i>Cyprinella caerulea</i>	220-2-.92 (1) (a)
Threatened/ State Protected	Finelined Pocketbook	<i>Hamiota altilis</i>	220-2-.98 (1) (a)
Threatened/ State Protected	Flattened Musk Turtle	<i>Sternotherus depressus</i>	Section 9-11-269
Threatened/ State Protected	Goldline Darter	<i>Percina aurolineata</i>	220-2-.92 (1) (a)
Threatened/ State Protected	Orangenacre Mucket	<i>Hamiota perovalis</i>	220-2-.98 (1) (a)

Key to codes on list:

Endangered - Federally listed as an endangered species by the U. S. Fish and Wildlife Service

Threatened - Federally listed as a threatened species by the U. S. Fish and Wildlife Service

Candidate - Federally listed as a candidate species by the U. S. Fish and Wildlife Service

Experimental - Species is protected throughout its range, except for the nonessential experimental population, by the U. S. Fish and Wildlife Service

State Protected - It is unlawful to take, capture or kill; possess, sell or trade for anything of monetary value, or offer to sell or trade these species. Alabama Regulations relating to game, fish and furbearing animals. 2009-2010. Alabama Department of Conservation and Natural Resources. See <http://www.outdooralabama.com/hunting/regulations/regs.cfm> for more information.

Notes:

- Bald eagle (*Haliaeetus leucocephalus*), red-cockaded woodpecker (*Picoides borealis*) and the American peregrine falcon (*Falco peregrinus anatum*) may occur in any county, if habitat exists.
- Wood stork: July - October
- Bald eagle (*Haliaeetus leucocephalus*) has been delisted. This species is still protected by the non-game species regulation and the migratory bird act. This species distribution is statewide but it is most likely to be observed near large rivers and reservoirs.
- Sea turtles: Only loggerhead is potential nester, the rest are in coastal waters.
- Black bear (*Ursus americanus* sp.) - known to exist in Mobile County, but not listed.
- Gulf moccasinshell (*Mediondus penicillatus*), oval pigtoe (*Pleuroberna pyriforme*), Chipola slabshell (*Elliptio chipolaensis*), and purple bankclimber (*Elliptio sloatianus*) are freshwater mussels of the family Unionidae found only in eastern Gulf Slope streams draining the Apalachicola Region, defined as streams from the Escambia to the Suwannee river systems, and occurring in southeast Alabama, southwest Georgia, and north Florida. All are listed as "Endangered".
- Fanshell (*Cyprogenia stegaria*), oyster mussel (*Epioblasma capsaeformis*), and Catspaw (purple cat's paw pearlymussel) (*Epioblasma obliquata obliquata*) are historically known to be found in the Tennessee River system and drainage.
- Gentian pinkroot (*Spigelia gentianoides*) has been historically found along the Alabama-Florida border.
- West Indian Manatee (*Trichechus manatus*) has been known to move north along the gulf coast west to Louisiana.

Post Office Box 1549
Jasper, Alabama 35502-1549

Telephone: (205) 387-0501
Facsimile: (205) 384-2456

**DRUMMOND
COMPANY, INC.**

June 7, 2012

Ms. Ashley Peters
State Lands Division, Natural Heritage Section
64 North Union Street
Montgomery, Alabama 36130

RE: Shannon, LLC
Shannon Mine No. 3
Area to be added

Dear Ms. Peters:

Attached, please find a request for the identification of areas of special concern and mapping showing the permit area previously commented on by your agency. Shannon, LLC proposes to add approximately +/- 21 acres to the current permit area. We are requesting another review for this additional +/- 21 acres being added to this site. This area is identified on the attached map as the 'Area to be added'. Please process at your earliest convenience. Your prompt consideration will be most appreciated.

If you require additional information, please feel free to call me at (205) 387-0501.

Sincerely,



Keith Madison, P.G.
Manager of Permitting
On Behalf of Shannon, LLC

REQUEST FOR INQUIRY OF THE ALABAMA HERITAGE DATA BASE

Date: June 7, 2012

Mining Company Name: Shannon, LLC

Return Address: c/o Drummond Co., Inc.

Post Office Box 1549

Jasper, AL 35502

Contact: Keith Madison

Type Mining Operation: Surface

Number of acres to be Disturbed: +/- 21

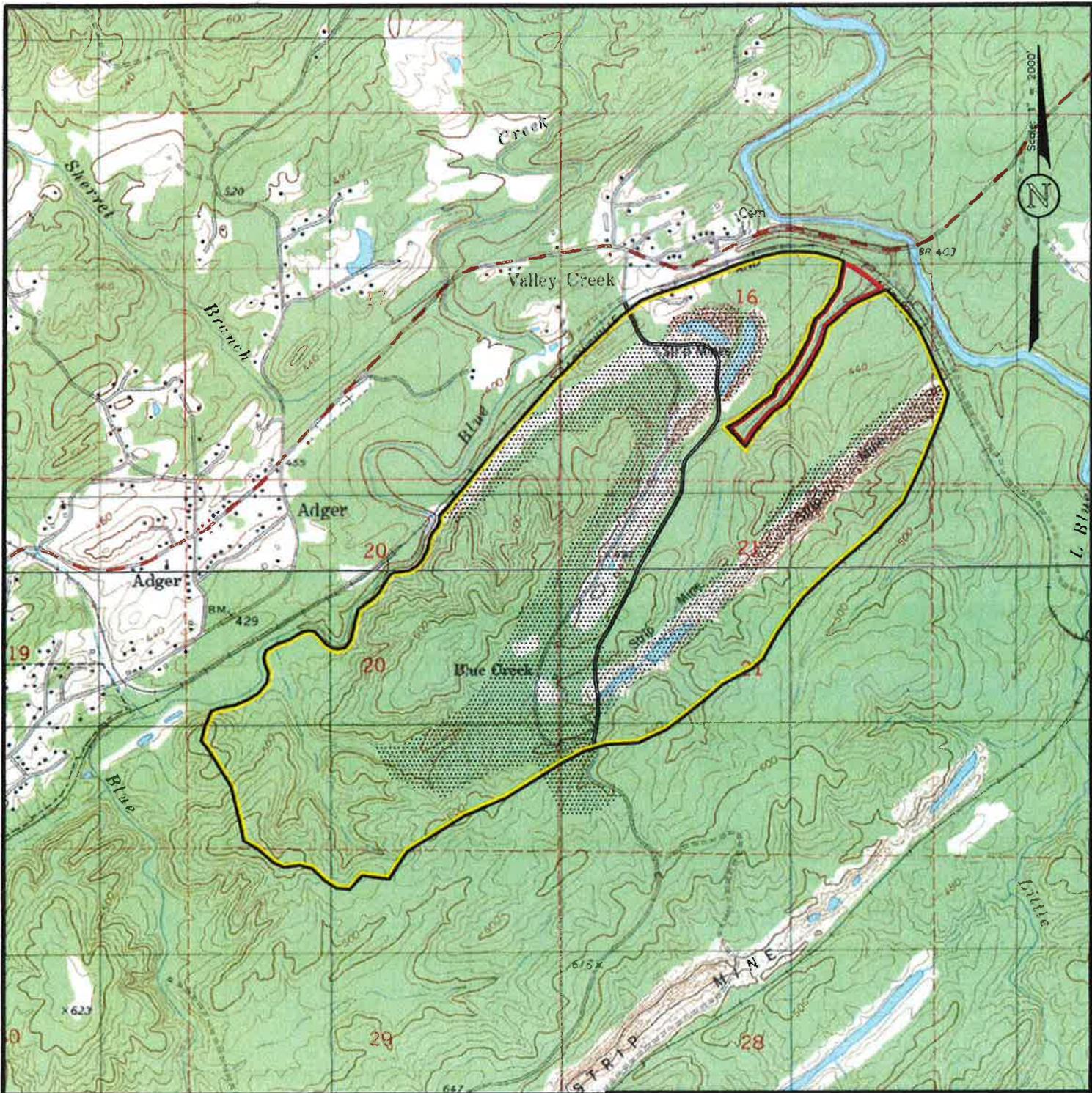
County: Jefferson County

Section(s), Township(s), and Range(s) of the Areas Contained in the Permit: _____

Part of Sections 15 & 16, Township 19 South, Range 5 West.

Latitude: 33° 22' 57.00"

Longitude: 87° 03' 52.00"



Legend

- Area Previously Reviewed
- Proposed Area To Be Added
- Previously Disturbed

Note:
Base map taken from the McCalla & Abernant, Alabama U.S.G.S. Quadrangle Maps.



DRUMMOND COMPANY, INC.

P.O. BOX 1549 JASPER, AL 35502
205-387-0501 OFFICE

**Shannon, LLC
Shannon Mine No. 3
Mine Site Location Map**
Section 15, 16, 17, 20, 21 & 29,
Township 19 South, Range 5 West,
Jefferson County, Alabama

DRAWN BY: HOCUTT
DWG. NAME: SM3MSL

DATE: 6-7-12

APPROVED BY: W.K.M.

SCALE: 1"=2000'

Winfree, Steve

From: Peters, Ashley [Ashley.Peters@dcnr.alabama.gov]
Sent: Thursday, June 07, 2012 1:56 PM
To: Winfree, Steve
Subject: RE: Shannon Mine No.3
Attachments: 12-06-01.doc; Jefferson.pdf

Steve,

Attached is a letter in response to your request regarding the Shannon Mine No. 3 project area.

Also attached is a list of sensitive species that are believed to potentially occur in Jefferson County. Please let me know if I can assist you in any other way.

Ashley Peters
Ala. Dept. of Conservation and Natural Resources
State Lands Division, Natural Heritage Section
Phone: (334) 353-7878

From: Winfree, Steve [<mailto:SWinfree@drummondco.com>]
Sent: Thursday, June 07, 2012 1:41 PM
To: Peters, Ashley
Subject: Shannon Mine No.3

Good Afternoon Ashley,
Please review and process, at your earliest convenience, the attached file requesting identification of areas of special concern.
Thank You

Steve Winfree
Drummond Co., Inc.
Permitting Department

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain material that is confidential, privileged and/or attorney work product. Any unauthorized review; usage, reliance, disclosure or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete and destroy all copies of the original message. Thank You.

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STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
64 NORTH UNION STREET, SUITE 464
MONTGOMERY, ALABAMA 36130

ROBERT BENTLEY
GOVERNOR

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DEPUTY COMMISSIONER

PATRICIA J. POWELL, DIRECTOR
GREGORY M. LEIN, ASSISTANT DIRECTOR
STATE LANDS DIVISION

TELEPHONE (334) 242-3484
FAX NO (334) 242-0999

June 7, 2012

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

RE: Sensitive Species Information request
Shannon, LLC - Shannon Mine 3

Dear Mr. Madison:

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«AddressBlock»

6/7/2012

Page 2

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Ashley Peters
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