



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-3

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- 3966-63-18-S
Southland Resources, Inc.
P.O. Box 770
Cottondale, Al 35453
(Searles Mine No. 8)

License No.: L-652
Pursuant to the
Permit map: 1 of 1
Certified by: Jeffery G. Aldridge P.E. Number 33959
Date: 09/28/2017

The permit is revised as follows:

1. Add 15.0 mining acres to Increment No. 4.
2. Add Sediment Basin 030 (1.0 acres) to Increment No. 4.
3. Add Primary Road No. 19 (3.0 acres) to Increment No. 4.
4. Modify the General Plan.
5. Modify the Operation Plan.
6. Transfer 7.0 acres from Increment No. 1 to Increment No. 6.
7. Modify the Hydrologic Monitoring Plan.
8. Request a delay in contemporaneous reclamation for two (2) short sections of highwall in Increment No.1

Finding & Conditions:

Findings R-3-1: The Regulatory Authority has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places. In a letter dated October 21, 2016 MRS Consultants, LLC (MRS) conducted a Phase I Cultural Resource Survey in Tuscaloosa County, Alabama, for approximately 70 acres on October 13, 2016. As a result of the archaeological survey, no cultural materials were found within the survey area boundaries. In general, the property is severely eroded and there is little potential that intact cultural deposits exist within the survey area. Based on these findings, MRS, recommends that the proposed Southland Resources Searles Mine No. 8 – Revision R-3, be cleared in regards to cultural resources. No significant cultural resources will be affected. By a letter dated November 14, 2016 the State Historical Preservation Office Re: AHC 11-1414, based on the cultural resource assessments conducted by the MRS, determined that the project activities will have no adverse effect on any cultural resources listed on or eligible for the National Register of Historic Places and therefore concur with the project activities. This finding is supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Regulatory Authority has determined that no additional protection measures are necessary. Concerns for unknown resources, which might be discovered during

mining, have been made conditions of the permit.

Findings R-3-2: By comments dated December 6, 2016 the US Fish and Wildlife Service (FWS) stated that the proposed project is not likely to adversely affect the Indiana bat and/or northern long-eared bat, as tree removal will occur between October 15 and March 31. No other federally listed species/ critical habitat are known to occur in the project area. In a letter dated October 11, 2016 the Alabama Department of Conservation and Natural Resources (ADCNR) states the closest sensitive species as occurring approximately 5.8 miles from the subject site. In a letter dated, December 22, 2016 the US Army Corps of Engineers (USACE) authorized the activities by Department of the Army Project Number: SAM-2015-00997-CMS, the waterbodies identified in the review area are not waters of the U.S. and are not subject to USACE Federal permitting authority. The Alabama Surface Mining Commission finds that the proposed operation will not jeopardize the continued existence of endangered or threatened species or critical habitat thereof.

Findings R-3-3: The proposed permit area is:

- (a) Not within an area under study or administrative proceedings under a petition, filed pursuant to Chapter 880-X-7 to have an area designated as unsuitable for surface coal mining operations;
- (b) Not within an area designated as unsuitable for mining pursuant to Chapter 880-X-7 or subject to the prohibitions or limitations of Section 880-X-7B-.06 and Section 880-X-7B-.07 of this chapter.

Condition R-3-1: Permittee shall flag in a color different than that of the permit boundary the area added by Revision 3, to identify the added acres as potential summer roosting habitat for the Indiana bat and/or Northern Long-eared bat.

Condition R-3-2: Permittee may only conduct tree removal October 15 through March 31 within the area added by Revision 3.

ACREAGE SUMMARY:

*INCREMENT #1: decreases to -----	134 acres
*INCREMENT #2: remains at -----	24 acres
INCREMENT #3: remains at -----	48 acres
*INCREMENT #4: increases to -----	19 acres
*INCREMENT #6: increases to -----	46 acres

Total Acreage Increases to 271 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.

EFFECTIVE DATE: October 6, 2017



Johnathan E. Hall, Director

/mw

cc: I & E, Permit File