

BLACK WARRIOR MINERALS, INC.

MINE NO. 2

ALABAMA SURFACE MINING COMMISSION
SURFACE MINING PERMIT APPLICATION

P A R T I I

Prepared by:

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PART II - Environmental Resources Information

A. Fish, Wildlife and Environmental Values

- (1) Describe the measures to be taken, using the best technology currently available to minimize disturbances and adverse impacts to fish and wildlife and achieve enhancement of this resource where practicable within the proposed permit area. [780.18(b), 816.97(a)]

No change from original permit

- (2) Describe in detail the measures to be taken to restore or enhance, or steps to be taken to avoid disturbance of, habitats of unusually high value for fish and wildlife located within the proposed permit area.[780.18(b)(6), 816.97(d)(2)]

No change from original permit

- (3) Are there any wetland areas such as streams, lakes, marshes, etc? located in or adjacent to the proposed permit area which will be disturbed by the mining activities? [780.18(b) (6), 816.97(d) (3&4)] () Yes. (XX) No.

If yes, briefly describe the feature(s), its location and the extent of the proposed disturbance. Describe in detail measures to be taken to restore the area.

The 57 acres proposed to be added by this revision were studied under P-3950 and does contain waters of the US. This area was approved by the ACOE under NWP (SAM-2010-01563-CTM) on 1-14-2011 and NWP re-verified by the ACOE on 12-14-2012. See [ACOE NWP Re-verification](#).

If a stream channel diversion is proposed, describe in detail (including maps, diagrams or cross sections, if necessary) how the provisions of 816.44(d) will be met. Include a copy of all other necessary State or Federal approvals.

Not Applicable - None Proposed

- (4) Is fish and wildlife habitat to be primary or secondary post-mining land use? [780.18(b) (5)]
() Yes (XX) No

If yes, describe in detail the post-mining measures to be taken to attain this land use including the target specie(s) of wildlife, plant species to be used and a map delineating the proposed arrangement of plant groupings and water sources on the permit area following reclamation.

- (5) If the pre-mining land use is fish and wildlife habitat and the proposed post-mining land use is cropland, describe the post-mining provisions to be made for wildlife. Attach a map showing the location of trees, hedges, or fence rows to be used to diversify habitat types if appropriate. [780.18(b) (5)]

Not Applicable.

- (6) If the post-mining land use is to be residential, commercial or industrial, describe the post-mining provisions to be made for wildlife such as greenbelts, trees, or hedgerows composed of plant species useful for wildlife. [780.18(b) (5)]

No change from original permit.

- (7) If any exceptions to Section 816.117(c) (1-3) are proposed, describe in detail the proposed practice including target species of wildlife, plant species to be used, planting rate and/or stocking density, planting pattern with appropriate map and anticipated results of the proposed practice.

Not Applicable.

B. Cultural, Historical and Archaeological Resources

- (1) Describe and identify any cultural or historical resources located in or adjacent to the proposed permit area which are listed on the National Register of Historic Places. Delineate the location of the resources on the permit map. Describe in detail the measures to be taken to minimize or prevent adverse impacts on the resources(s). (779.12, 780.14, 780.31)

The 57 acres proposed to be added by this revision were studied under P-3950 and were re-concurred by the AHC on 7-14-2014. See [Alabama Historical Commission](#) re-concurrence.

- (2) Describe and identify any known significant archaeological sites located in or adjacent to the proposed permit area. The description shall be based on all available information including, but not limited to, data of State and local archaeological agencies. Delineate the site(s) on the permit map. (779.12, 780.14)

No sites found. See [Alabama Historical Commission](#) re-concurrence.

C. Threatened and Endangered Species

Identify any threatened or endangered species of plants or animals or critical habitats of such species located in or adjacent to the proposed permit area. Delineate the location of the specie(s) or habitat(s) on the permit map. (780.14)

The 57 acres proposed to be added by this revision were studied under P-3950 and were re-concurred by the USFWS on 1-21-2016.

See attached re-concurrence from the [U.S. Department of Interior Fish and Wildlife Service](#)

I. Land Use Information

(1) Describe in detail the land use(s) existing at the time of the application. Give the number of acres and describe sufficiently so that areas can be identified on a map. If necessary, include a map showing land use units. (779.22)

<u>Increment</u>	<u>Area</u>	<u>Land Use</u>
1	171.0 Acres	Undeveloped/No Current Use
2	280.0 Acres	Undeveloped/No Current Use
3	120.0 Acres	Undeveloped/No Current Use
4	442.0 Acres	Undeveloped/No Current Use
5	388.0 Acres	Undeveloped/No Current Use

(2) Give the applicable land use classification under local law, if any. (779.22)

The permit area is zoned by Jefferson County as I3-S (Strip Mining District).

(3) Is any of the area prime farmland? (779.27, 785.17)

() Yes (XX) No

If yes, submit the information required in Section 785.17.

If no, show or state how the determination was made.

See Attachment II-I-(3), [Soils Map](#)

None of the area within the proposed permit is prime farmland. The Nauvoo Fine Sandy Loam, 2-8% soil type is considered prime soil; however, the area has not been cultivated 5 of the last 10 years. The area is in undeveloped no current use.

(4) Has the land use of any area on the proposed permit changed within the last 5 years? (779.22) () Yes. (XX) No.

If yes, identify those areas and describe their historic use.

- (5) Has any area within the proposed permit been previously mined? (779.22)
 Yes No

If yes, complete the following:

- (a) Describe the area or show on a map.

Approximately 12 acres of the 57 acres proposed to be added was previously disturbed under pre-law mining. The remaining 45 acres have been recently disturbed under Mine No. 1 P-3950.

- (b) Was the area reclaimed? Yes No

If yes, under what law? 1969, 1975, Interim Law.

- (c) Describe the land use of the area prior to any mining, or if this cannot be determined describe the land use(s) of surrounding unmined land. (779.22)

The previously mined area (as well as can be determined) with the permitted area is made up of undeveloped/no current use.

- (6) Describe in detail, land uses of areas adjacent to the proposed permit area. (779.22)

The area adjacent to the proposed permit area is made of previously mined are and undeveloped/no current use.

(7) Discuss the capability of the lands within the permit area to support a variety of land uses other than the current use. (779.22)

Soil Type	Corn Bu	Soybeans Bu	Tall Fescue AUM	Grass Hay TN
29	--	--	5.5	3.5
30	75	30	7.0	4.5
31	70	25	6.5	4.0
35	--	--	--	--
39	116	39	9.5	5.5

--: Not Rated
AUM: Cow - Acre - Days
BU: Bushels
TN: Tons

Data obtained from the Jefferson County Soil Conservation Service.

(8) Give the premining productivity of the proposed permit area based on actual yield data or estimates based on data from similar sites. (If estimates, give sources of data used.) (779.22)

See Attachment II-I-(3), [Soils Map](#)

SOIL TYPE	MAP SYMBOL	SITE INDEX	SPECIES
Montevallo-Nauvoo Association Steep	29	80	Loblolly
** Nauvoo Fine Sandy Loam Loblolly 2 to 8% slopes	30	89	
Nauvoo Fine Sandy Loam Loblolly 8 to 15% slopes	31	89	
Palmerdale Complex Steep	35	80	Loblolly
Sullivan-State Complex 0 to 2% slopes	39	70	Loblolly

** Prime Soils

Data obtained from the Jefferson County Soil Conservation Service.

J. Vegetation Information

Delineate on a map, or describe in detail, the existing plant communities within the proposed permit area (and adjacent areas if required). List the predominant overstory, understory, and ground cover species (use common name only). Give approximate acreage covered by each plant community and approximate age of timber stands. (779.19)

The proposed permit area prior to being disturbed under P-3950, consisted of unmanaged timberland and previously mined land. All of the area begin added to the permit has been mined under P-3950 and is currently disturbed. A small portion of the area has been regraded and revegetated with a mixture of grasses including KY 31 fescue, crimson & yuche clover serala serecia, common Bermuda and brown top millet.