



United States Department of the Interior



OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Birmingham Field Office
Barber Business Park
135 Gemini Circle, Suite 215
Homewood, Alabama 35209

November 29, 2018

Mr. Brian J. Wittwer, State Programs Administrator
Alabama Department of Labor
Inspections Division
649 Monroe Street, Room 2211
Montgomery, Alabama 36131-5200

Dear Mr. Wittwer:

The Office of Surface Mining Reclamation and Enforcement (OSMRE) has completed their review of the August 21, 2018, request for an Authorization to Proceed for the Sicard Hollow Road Athletic Complex Abandoned Mine Land Reclamation 2017 Pilot Program Project by the Alabama Department of Labor (ADOL).

The OSMRE's evaluation of the Environmental Assessment prepared by the ADOL finds that all environmental issues and impacts associated with the project have been adequately discussed. Based on these findings, the OSMRE has determined that reclamation of this site would not have significant effects on the quality of the human environment and therefore concludes that no Environmental Impact Statement is necessary. Accordingly, pursuant to Section 4-160-50D.3 of the Federal Assistance Manual, you are authorized to proceed with this project and expend Federal funds in accordance with AML grant terms and conditions.

The OSMRE has confirmed that the required project information has been included in the Abandoned Mine Land Inventory System (e-AMLIS) for Problem Area AL00733, Pine Ridge.

Any significant changes to the nature or scope of the project will require reevaluation of the environmental issues and impacts associated with the project. The OSMRE's authorization to proceed for the Sicard Hollow Road Athletic Complex Abandoned Mine Land Reclamation 2017 Pilot Program Project will expire on September 26, 2020. Construction must begin on the project site prior to that date.

If you have any questions, please contact my staff at (205) 290-7282.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard B. O'Dell', with a long horizontal flourish extending to the right.

Richard B. O'Dell
Field Office Director

Enclosure

November 27, 2018

FINDING OF NO SIGNIFICANT IMPACTS

Sicard Hollow Road Athletic Complex 2017 Pilot Program Project
Problem Area: AL000733 – Pine Ridge
Jefferson County, Alabama

The Office of Surface Mining, Reclamation and Enforcement's (OSMRE's) Birmingham Field Office (BFO) has thoroughly reviewed the attached Environmental Assessment (EA), prepared by the Alabama Department of Labor's (ADOL's) Abandoned Mine Land (AML) Program. The OSMRE has determined that it adequately analyzes the environmental issues and impacts for AML construction authorization purposes.

The OSMRE cannot categorically exclude a project that may potentially have significant impacts on public health or safety per Federal Regulations at 43 CFR 46.215 and Departmental Manual (DM) Part 516, Chapter 13. Based on the analysis described in the EA (attached) and the responses received from agencies contacted, the BFO finds that reclamation of this abandoned mine site will not have significant effects on the quality of the human environment. The BFO concludes that no detailed Environmental Impact Statement is necessary.

Specific reasons are as follows:

1. This project is expected to have positive, long-term socio-economic effects to the coal impacted city of Vestavia Hills, Alabama. The Sicard Hollow Road Athletic Complex 2017 Pilot Program Project is anticipated to create approximately 1,000 jobs by attracting up to ten newly created businesses, and help to improve service for over 100 existing businesses, including restaurants, retail, and hotel amenities.
2. The project will have short-term, negligible impacts on the following resources:
 - a. Threatened/Endangered Plants and/or Animals – The only species that may have suitable habitats within the proposed area include Indiana, gray and the northern long-eared bats. No trees of suitable diameter with scaling bark are present in the proposed project areas, and no trees would be impacted by installation of the previously referenced features. Consequently, no trees are scheduled for removal associated the pilot project construction. For this reason, it is our opinion, concurred by US Fish and Wildlife Service, that neither the Indiana, gray, nor northern long-eared bat would likely be impacted by this reclamation project.
 - b. Other Wildlife – The proposed project site is located within an area of previously reclaimed mine spoil that has been revegetated with predominately cool season grass mixture. Identical habitat and human habitation surrounds the project area. Cool season grasses do not lend to a complex ecosystem. Local and common species are expected to be present throughout the site that can tolerate human interaction.
 - c. Noise and Air quality values – During reclamation activities, limited heavy equipment or machinery such as bulldozers, tracked backhoes, rock trucks, etc.

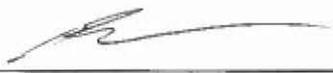
produce elevated noise levels, exhaust fumes and particulate matter within a construction area. Local residents and construction personnel will be the most directly affected temporarily by noise and air quality, however the construction personnel will be required to use personal protective equipment during reclamation operations. The direct effect on local commuters and/or residents in regards to the noise and air quality issues that will be produced at the site will be transitory and controlled onsite to the extent possible. The dust that will be produced during excavation activities, will be minimized utilizing water and a water truck for wetting the haul roads and excavation areas during construction activities, as necessary. All construction activities that could impact noise levels will be restricted to hours typical of residential construction projects. Negligible post-construction noise increase is anticipated because the project site already has heavy foot traffic from the adjacent nine baseball and nine soccer/rugby fields with associated parking lots and trails. After construction is complete, the air quality should quickly return to pre-construction conditions.

3. Cumulative impacts: Drummond Company recently unveiled its plan to develop 700 acres into residential lots including a village concept and high school at the nearby residential community of Liberty Park. Over the next 15 years there will be two new neighborhoods with approximately 1600 new residences.
4. As part of the consultation process, the ADOL notified via letter of the Sicard Hollow Road Athletic Complex 2017 Pilot Program Project as well as the location and description of the reclamation activities and anticipated significant impacts (if any) that would occur to the following agencies:
 - State of Alabama Historic Preservation Office
 - U.S. DOI Fish and Wildlife Service
 - Alabama Department of Conservation & Natural Resources
 - Alabama Department of Environmental Management
 - U.S. Army Corps of Engineers
 - Regional Planning Commission of Greater Birmingham

All the above agencies concurred with the ADOL that the project will not have significant impacts on resources.

OSMRE Birmingham Field Office Preparer: Benjamin Nsiah, Natural Resource Specialist

OSMRE Birmingham Field Office Approver:


Richard B. O'Dell, Birmingham Field Office Director

11/28/15
Date

ENVIRONMENTAL ASSESSMENT

**SICARD HOLLOW ROAD ATHLETIC COMPLEX
ABANDONED MINE LAND RECLAMATION
2017 PILOT PROGRAM PROJECT
JEFFERSON COUNTY, ALABAMA**

Prepared by

Alabama Department of Labor

Mining and Reclamation Division

Birmingham Abandoned Mine Lands Field Office

In Cooperation with

United States Department of the Interior

Office of Surface Mining Reclamation and Enforcement

Birmingham Field Office

**Sicard Hollow Road Athletic Complex
2017 Pilot Program Project**

A. DESCRIPTION OF THE PROPOSED ACTION

The Alabama Department of Labor (ADOL), Mining & Reclamation Division proposes to fund continued improvements to approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the United States Department of the Interior (USDOI) Office of Surface Mining Reclamation and Enforcement (OSMRE) 2017 Pilot Program that would bring long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014, which included the reclamation of 4,250 feet of dangerous highwall, a dangerous pile/embankment of mine spoil and approximately 65 acres of spoil area.

B. NEED FOR THE PROPOSED ACTION

This project is designated in Alabama's Abandoned Mine Lands Inventory as Problem Unit (PU) 0311 (Lake Purdy), Problem Area Description (PAD) number AL0733 (Pine Ridge). This Pilot Program would represent a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success. The funding of \$750,000 would be vital to attracting more jobs and creating more opportunities for the people of coal impacted counties, while also addressing the problem of abandoned mine lands. The continued improvement associated with the Sicard Hollow Road Athletic Complex would include construction of a 300-seat amphitheater with covered stage, a 50-person pavilion building, providing public wi-fi access, and the addition of a multi-purpose athletic court. The installation of a

turn lane on Sicard Hollow Road, and the expansion and improvement of existing parking facilities are included in the additional 1.84 acres of project area expansion beyond the original 65 acres of Sicard Hollow Road III Abandoned Mine Lands (AML) Project. This would bring to the total area of the Sicard Hollow Road Athletic Complex Pilot Project to approximately 66.84-acres (refer to the attached maps for an illustration of the additional area encompassed in the Pilot Project boundary). The long-term impacts from this project are anticipated to create 1,000 jobs due to the attraction of approximately eight to ten newly created businesses and the over 100 existing served or improved businesses to service the demand for restaurant, retail, and hotel amenities associated with the expansion of the Sicard Hollow Road Athletic Complex.

C. RELATED ENVIRONMENTAL DOCUMENTS

This project is proposed for the former Sicard Hollow Road III AML Project completed in September of 2014, which included the reclamation of 4,250 feet of dangerous highwall, a dangerous pile/embankment of mine spoil and approximately 65 acres of spoil area. An Environmental Assessment (EA) was completed for that work. The EA evaluated the environmental impacts associated with the reclamation of the site. This earlier EA provided background information and will be noted where applicable throughout this EA.

D. ALTERNATIVES CONSIDERED

Alternative 1: Issue an Authorization to proceed with the proposed project

Under this alternative, the OSMRE would approve federal funding in the amount of \$750,000 for use by the Alabama AML in implementing community development benefits in association with the City of Vestavia Hills, Alabama. As noted, the Sicard Hollow Road Athletic Complex Pilot Program would consist of the

construction of a 300-seat amphitheater with covered stage, a 50-person pavilion building, providing public wi-fi access, the installation of a turn lane on Sicard Hollow Road, expansion of parking facilities, and the addition of a multi-purpose athletic court. This construction/community development project would disturb isolated portions of the previously reclaimed Sicard Hollow Road III AML Project. The Sicard Hollow Road Athletic Complex Pilot Program would encompass approximately 66.84-acres; however, only portions of the total acreage would be disturbed at any one time during various the phases of construction for the amphitheater, pavilion, athletic court, parking expansion as well as the turn lane installation on Sicard Hollow Road. Refer to the attached map for the proposed locations of the previously referenced improvements to be installed on the project site.

An ADOL AML Land Reclamation Inspector would be present onsite periodically throughout the duration of construction. Registration under the National Pollutant Discharge Elimination System (NPDES) Small Mining General Permit ALG890000 through the Alabama Department of Environmental Management (ADEM) would be obtained by the City of Vestavia Hills, Alabama and followed according to applicable rules and regulations by installing silt fences, staked haybales, sediment control logs, sediment control structures, permit sign and rain gauge. All Best Management Practices (BMPs) would be inspected after each rainfall event and corrected if they were found to be ineffective. All rainfalls would be recorded and the inspection reports would be written and submitted for ADEM's review.

Upon completion of the construction phase, the project site would be monitored for two years past the final inspection to ensure that the site is stable and that no erosion or off-site sedimentation is occurring. Corrective action would be taken by the City of Vestavia Hills (if necessary) for areas of erosion that occur.

Project construction would be anticipated to be complete by August of 2019. A total of 66.84 acres would be affected by the pilot project. The current land use (recreational) would not be likely to change and would be greatly enhanced following the completion of the project as detailed in the socioeconomics section.

Alternative 2: No Action

Under this alternative, OSMRE would deny federal funding to implement reclamation at this location. As a result, current site conditions would remain static and no additional economic/community development would occur associated with the Sicard Hollow Road Athletic Complex at this juncture.

Alternative 3: Other Reasonable Alternative

No other alternatives are being actively considered at this time.

E. AFFECTED ENVIRONMENT

1. General Setting

The project site is in the city of Vestavia Hills, AL, and is shown on the Cahaba Heights quadrangle map. The site is situated in the SW ¼ of the SE ¼, the SW ¼ of the SW ¼, and the SE ¼ of the SW ¼ of Section 8, and the NW ¼ of the NW ¼ and the NE ¼ of the NW ¼ of Section 17, Township 18 South, Range 1 West, Jefferson County, Alabama.

Records on file at the ADOL Mine Safety Office, Birmingham, AL, indicated that this area had been extensively mined in the early 20th Century. A check of past mining records at the Alabama Surface Mining Commission Office in Jasper, Alabama, revealed no history of a mining permit at the proposed project

site, thus indicating that the area was mined prior to August 3, 1977 and was consequently eligible for AML reclamation and participation in the AML Pilot Program. As noted previously, the long-term impacts from this project are anticipated to create 1,000 jobs due to the attraction of approximately eight to ten newly created businesses and over 100 existing served or improved businesses to service the demand for restaurant, retail, and hotel amenities.

2. Historical/Cultural Resources

An in-house review of readily available government records did not identify the presence of cultural resources, historic buildings, structures, historic districts, objects, State or Federal Historic Areas, Native American Reservations, scenic trails, or archaeological sites in the project vicinity. Refer to the Maps/Photographs Section for pictures of the project site and nearby features as well as Topographic and Vicinity Site Maps. Similarly, a review of the Sicard Hollow Road III Abandoned Mine Lands Project (AHC 12-1373) conducted in 2012 by the Alabama Historic Commission's Greg Rhinehart concluded that "We have determined that the project activities will have no adverse effect on cultural resources listed on or eligible for the National Register of Historic Places (NRHP)." Therefore, historic/cultural resources will not be evaluated further, unless suitable mitigation measures are suggested for each alternative.

3. Hydrology and Floodplains

A review of Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Map No. 01073C0581G, for Jefferson county Alabama and Incorporated Areas, identified the project site as located in Zone X which is defined as "Areas determined to be outside the 0.2% annual chance floodplain." Refer to the Maps/Photographs Section for pictures of the project site as well as a copy of the FEMA FIRMette Map, for the project site.

4. Vegetation and Wetlands

A lone area of Jurisdictional Wetlands was identified on the project site during a joint reconnaissance performed by AML and U.S. Army Corps of Engineers personnel on January 13, 2012. This area of Jurisdictional Wetlands is in the south-central portion of the project site. Construction impacts to this area during the Sicard Hollow Road III AML Reclamation Project for this portion of the Jurisdictional Wetlands were permitted through the U.S. Army Corps of Engineers under Nationwide Permit No. 37 (SAM-2012-00039-CMS). Similarly, a review of the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) system did not indicate any wetlands (other than the freshwater pond -PUBHx) located within the area of proposed project construction. Refer to the Maps/Photographs Section for Topographic, Critical Habitat and Wetland Maps.

5. Threatened/Endangered Plants and/or Animals

A review by the U.S. Fish and Wildlife Service (USFWS) (2012-1-0617) conducted in August 2012 for the Sicard Hollow Road III Reclamation Project concluded that “the proposed action may affect, but is not likely to adversely affect, endangered and threatened species, provided BMPs are maintained to control sediment onsite and prevent impact to Big Branch and the Little Cahaba River, and provided all vegetation removal activities are carried out in the winter as described in your correspondence.”

An updated review utilizing the USFWS IPaC system indicated the following species may be affected by activities within this region of Jefferson County:

Orangenacre Mucket (*Lampsilis perovalis*)-Threatened
Upland Combshell (*Epioblasma metastrata*)-Endangered
Ovate Clubshell (*Pleurobema perovatum*)-Endangered
Southern Clubshell (*Pleurobema decisum*)-Endangered

Triangular Kidneyshell (*Ptychobranchnus greenii*)-Endangered
Alabama Moccasinshell (*Medionidus acutissimus*)-Threatened
Finelined Pocketbook (*Lampsilis altilis*)-Threatened
Southern Acornshell (*Epioblasma othcaloogensis*)-Endangered
Gray Bat (*Myotis grisescens*)-Endangered
Indiana Bat (*Myotis solalis*)-Endangered
Northern Long-Eared Bat (*Myotis septentrionalis*)-Threatened

Although, the IPaC System indicated the above listed species may be potentially affected by activities in the project area, there are no Critical Habitats at this location. The above listed species have not been noted to be associated with this area. Further, the area around the project site is located well away from the potential habitat for most of the above referenced threatened and endangered mammals and mussels listed for Jefferson County. Similar observations of the area surrounding the proposed site did not reveal the presence of potential suitable habitat. The site is comprised of paved/graveled parking areas and previously reclaimed land predominately vegetated in mixed cool season grasses. The site is currently characterized by open grassed fields, with scattered saplings (less than waist high and less than 1-inch in diameter) of predominately Loblolly pine (*Pinus taeda*) and American sweetgum (*Liquidambar styraciflua*). No other threatened and/or endangered species were identified to be associated with the area of the project site.

There are two endangered and one threatened bat—the Indiana Bat (*Myotis Sodalis*), Gray Bat (*Myotis grisescens*) and the Northern Long-Eared Bat (*Myotis septentrionalis*), listed on the threatened and endangered species list for Jefferson County, respectively. However, no trees of suitable diameter with scaling bark are present in the proposed project areas.

6. Other Wildlife

The proposed project site is located within an area of previously reclaimed mine spoil that has been revegetated with predominately cool season grass mixture. Identical habitat and human habitation surrounds the project area. Cool season grasses do not lend to a complex ecosystem. Local and common species are expected to be present throughout the site that can tolerate human interaction.

7. Soils

There are no Prime or Unique Farmland soils delineated on this proposed project site by United States Department of Agriculture Natural Resource Conservation Service. Soils have been heavily impacted by previous mining activities. The AML project completed in 2014 provides a stable substrate suitable for cool season grasses.

8. Recreation

Upon completion of the reclamation of the project site in 2014, the City of Vestavia Hills, Alabama converted a large portion of the site into a nature/walking trail which included the installation of a covered pavilion, splash pad, children's playground and interval fitness training area. The entire area was subsequently incorporated into the Sicard Hollow Road Athletic Complex by the City of Vestavia Hills, Alabama. Surrounding areas consists of the Liberty Park Sports Complex, which consists of additional athletic/recreational facilities across Sicard Hollow Road associated with Liberty Park Elementary and Middle Schools.

9. Noise and Air Quality

The project site is not located within any special air quality zones. The general air quality in the vicinity of the project site is good. Similarly, the project site is

located south-southwest of the Sicard Hollow Road Athletic Complex just off of Sicard Hollow Road. At this site, ambient noise levels from traffic on Sicard Hollow Road is considered minimal and noise from the Athletic Complex would be considered moderate during occasional sporting events. Aircraft noise at the site is minimal.

10. Topography

The project site lies in an area dominated by woodlands and naturally revegetated mine lands. The topography consists of reclaimed mine spoil which has restored the topography on-site to a more natural state.

11. Socioeconomic/Political

The abandoned mine land property located at Sicard Hollow Road in Vestavia Hills, Alabama has been made into recreational space by the City of Vestavia Hills. As such its value towards revenue generation is in the ability to attract visitors, businesses and residents to the park amenity. Prior to the reclamation of the abandoned mine land site, the City had developed adjacent parcels as soccer facilities and named the site the Sicard Hollow Road Athletic Complex. However, the adjacent property consisting of a former coal strip mine was largely unusable and represented a significant safety danger to visitors of the Sicard Hollow Road Athletic Complex due to the remaining highwalls, steep and sloping mine spoil piles and associated water impoundments. Subsequent to reclamation by the ADOL AML Program , the City was able to add some passive recreational features to the reclaimed land, which now includes trails, a children's playground, an interval fitness area, a splash pad and covered pavilion and restrooms. The reclaimed land was then incorporated into the Sicard Hollow Road Athletic Complex.

12. Other Affected Resources, Including Special Areas of Consideration

Identified below are any resource elements that are present and would be affected by the proposed project:

- | | |
|--|----------------|
| a. Historic/Cultural Resources | No (X) Yes () |
| b. Hydrology/Floodplains | No (X) Yes () |
| c. Vegetation/Wetlands | No (X) Yes () |
| d. Threatened/Endangered Plants or Animals | No (X) Yes () |
| e. Other Wildlife | No () Yes (X) |
| f. Soils | No (X) Yes () |
| g. Recreation | No () Yes (X) |
| h. Air Quality | No () Yes (X) |
| i. Noise | No () Yes (X) |
| j. Topography | No (X) Yes () |
| k. Socioeconomic/Political Factors | No () Yes (X) |

F. ENVIRONMENTAL IMPACTS OF THE PROPOSED ALTERNATIVES

Alternative 1: Issue an Authorization to Proceed with Proposed Project

The proposed project has potential to impact the following specific resource values present in and around the project area including: other wildlife, recreation, air quality, noise, and socioeconomics. For those that are not anticipated to have an impact, the following mitigation measures are discussed.

1. Historical/Cultural Resources

Based on AML's review, the project would have no potential to impact any historic resources. If tramp iron or other potential associated historical mining articles or archaeological features are uncovered during construction (unlikely on the previously reclaimed project site), they would be retained and put aside for examination by any interested parties, specifically the Alabama Historical Commission.

2. Hydrology and Floodplains

As stated above, all Best Management Practices (BMPs) would be utilized during construction. Refer to the Maps/Photographs Section for pictures of the project site as well as a copy of the FEMA FIRMette Map, for the project site.

3. Vegetation and Wetlands

Currently, no impacts to the area wetlands are planned during the construction for the Sicard Hollow Road Athletic Complex Pilot Program Project. All construction associated with the Pilot Project would occur well away from the Jurisdictional Wetlands identified on-site. No site construction activities are proposed to impact the area of the freshwater pond identified through the U.S. Fish and Wildlife Service IPaC system. Refer to the Maps/Photographs Section for Topographic, Critical Habitat and Wetland Maps.

4. Threatened/Endangered Plants and/or Animals

The only species that may have suitable habitat within the proposed project area include Indiana Bat (*Myotis Sodalis*), Gray Bat (*Myotis grisescens*) and the Northern Long-Eared Bat (*Myotis septentrionalis*). As stated previously, no trees of suitable diameter with scaling bark are present in the proposed project areas, and no trees would be impacted by installation of the previously referenced features. Consequently, no trees are scheduled for removal associated with Pilot Project construction. For this reason, it is AML's opinion that neither the Gray, Indiana nor Northern Long-Eared Bat would likely be impacted by this reclamation project.

No other threatened and/or endangered species were identified to be associated with the area of the project site.

Best management practices would be utilized by the City of Vestavia Hills before, during, and after construction thus providing protection from sediment leaving the site.

5. Other Wildlife

The project site is located within an area of previously reclaimed mine spoil that has been revegetated with a predominately cool season grass mixture. Identical habitat and human habitation surrounds the project area. While the construction activities at the site would disturb select portions of the existing grassed area, within the 66.84-acre project area, the existing wildlife have similar habitats in the areas adjoining the project limits in which to live and thrive. The wildlife species will only be displaced temporarily.

6. Soils

Best management practices would be utilized by the City of Vestavia Hills before, during, and after construction thus providing protection to on-site soils and from sediment leaving the site.

7. Recreational Resources

Upon completion of the Pilot Project, recreational resources at the site will be greatly enhanced because of the addition of the multi-use athletic court, pavilion, and amphitheater.

8. Noise and Air Quality

Most techniques used in construction/excavation require use of heavy equipment and machinery. Inherent to such use are increased noise levels, production of exhaust fumes and particulate matter, destruction of vegetative cover, and increased sedimentation; which potentially could affect the project site and

adjacent areas. Due to the nature of the proposed on-site construction it is anticipated that these impacts would be both minor and temporary in that they would be limited to the duration of the project, and controlled using standard safety and best management erosion control devices and/or practices.

During construction and excavation activities, limited heavy equipment or machinery such as bulldozers, tracked backhoes, dump trucks, etc. would produce elevated noise levels, exhaust fumes and particulate matter within the construction area. Residents and construction personnel would be the most directly affected temporarily by noise and air quality. The construction personnel would be required to use personal protective equipment during the limited construction operations (if necessary). The direct effect on local commuters and/or residents regarding the noise and air quality issues that would be produced at the site would be transitory, and would be controlled onsite to the extent practicable. The dust produced during the limited excavation activities, would be minimized when required utilizing water and a water truck for wetting the haul roads and excavation areas during construction activities, as necessary. All construction activities that could impact noise levels will be restricted to hours typical of residential construction projects. After construction is complete, the air quality should quickly return to pre-construction conditions.

9. Topography

Negligible short-term impacts on topography may occur due to construction of various proposed site features necessary for the development and long term operational success for the site. Once project construction is completed overall topography will deviate only slightly from the current configuration.

10. Socioeconomic/Political

Continued improvements that would be facilitated by the AML Pilot Program have sparked multiple private developers interested in locating complementary projects such as hotels and restaurants in the area. Further development of transportation amenities and other features of the Sicard Hollow Road Athletic Complex would be expected to promote willingness of private partners to continue to invest in the area. The long-term impacts from this project are anticipated to create 1,000 jobs due to the attraction of approximately eight to ten newly created businesses and over 100 existing served or improved businesses to service the demand for restaurant, retail, and hotel amenities associated with the Sicard Hollow Road Athletic Complex.

11. Cumulative Impacts

Drummond Company recently unveiled its plans to develop 700 acres into residential lots including a village concept and high school at the nearby residential community of Liberty Park. Over the next 15 years there will be two new neighborhoods with approximately 1600 new residences. The potential socioeconomic benefit in the creation of new jobs and amenities outweighs the potential impacts to the above referenced resource elements in the area. Additionally, the construction of a 300-seat amphitheater with covered stage, a 50-person pavilion building, providing public wi-fi access, and the addition of a multi-purpose athletic court, the installation of a turn lane on Sicard Hollow Road, and the expansion and improvement of existing parking facilities represents a very small footprint of potential impact.

Alternative 2: [No action]

Taking no action would result in current site conditions remaining static and no additional economic/community development would occur associated with the

Sicard Hollow Road Athletic Complex at this juncture. For additional information concerning the project site refer to the Sicard Hollow Road III EA completed in 2014.

G. SUMMARY

Implementation of the Sicard Hollow Road Athletic Complex Pilot Program Project would have the potential for tremendous benefit to the citizens of the City of Vestavia Hills, Alabama. The proposed project provides a litany of long-term, beneficial socioeconomic impacts to residents' public physical and mental health by providing safe recreational areas, while also providing the potential the economic benefit of new jobs and amenities that would be attracted to the area.

H. CONSULTATION

As part of our National Environmental Policy Act compliance, The State of Alabama Department of Labor is soliciting review and commentary on the Sicard Hollow Road Athletic Complex Pilot Project from the following agencies:

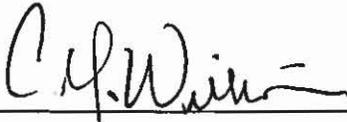
- Alabama Historical Commission
- USDOJ Fish and Wildlife Service
- Alabama Department. of Conservation & Natural Resources
- Alabama Department of Environmental Management
- US Army Corps of Engineers
- The Greater Birmingham Regional Planning Commission

Upon receipt of commentary from all the above referenced agencies, this document along with the solicited agency commentary will be made available to the public at the Library in the Forest in Vestavia Hills, Alabama for a period of at least 15 days to allow for public/shareholder review and input.

I. LIST OF PREPARERS

1. Jeff Butler, Branch Chief, AMLR Planning and Maintenance
2. Les Kearley, Branch Chief, AMLR Design and Construction
3. Chuck Williams, State Mine Land Reclamation Supervisor

FOR ALABAMA DEPARTMENT OF LABOR:



Chuck Williams

State Mine Land Reclamation Supervisor

06/13/18

Date

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e

MAPS/PHOTOGRAPHS

IPaC Information for Planning and Consultation U.S. Fish & Wildlife Service

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Jefferson County, Alabama



Local office

Alabama Ecological Services Field Office

☎ (251) 441-5181

📅 (251) 441-6222

1208 B Main Street

Daphne, AL 36526-4419



NOT FOR OFFICIAL USE

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please [contact NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME

STATUS

Gray Bat <i>Myotis grisescens</i>	Endangered
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6329	
Indiana Bat <i>Myotis sodalis</i>	Endangered
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5949	
Northern Long-eared Bat <i>Myotis septentrionalis</i>	Threatened
No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045	

Clams

NAME	STATUS
Alabama Moccasinshell <i>Medionidus acutissimus</i>	Threatened
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/7287	
Finelined Pocketbook <i>Lampsilis altilis</i>	Threatened
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/1393	
Orangenacre Mucket <i>Lampsilis perovalis</i>	Threatened
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/1980	
Ovate Clubshell <i>Pleurobema perovatum</i>	Endangered
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/5430	
Southern Acornshell <i>Epioblasma othcaloogensis</i>	Endangered
There is final critical habitat for this species. Your location is outside the critical habitat. https://ecos.fws.gov/ecp/species/8469	

**Southern Clubshell** *Pleurobema decisum*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/6113>

Southern Pigtoe *Pleurobema georgianum*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/1520>

Triangular Kidneyshell *Ptychobranchus greenii*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/4396>

Upland Combshell *Epioblasma metastriata*

Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.

<https://ecos.fws.gov/ecp/species/317>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>

- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the [E-bird data mapping tool](#) (search for the name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain timeframe) and the [E-bird Explore Data Tool](#) (perform a query to see a list of all birds sighted in your county or region and within a certain timeframe). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Sep 1 to Aug 31

- Black-billed Cuckoo** *Coccyzus erythrophthalmus* Breeds May 15 to Oct 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/9399>
- Bobolink** *Dolichonyx oryzivorus* Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Cerulean Warbler** *Dendroica cerulea* Breeds Apr 27 to Jul 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/2974>
- Eastern Whip-poor-will** *Antrostomus vociferus* Breeds May 1 to Aug 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Golden-winged Warbler** *Vermivora chrysoptera* Breeds May 1 to Jul 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/8745>
- Kentucky Warbler** *Oporornis formosus* Breeds Apr 20 to Aug 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Prairie Warbler** *Dendroica discolor* Breeds May 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Red-headed Woodpecker** *Melanerpes erythrocephalus* Breeds May 10 to Sep 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Rusty Blackbird** *Euphagus carolinus* Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
- Wood Thrush** *Hylocichla mustelina* Breeds May 10 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-bellied Sapsucker *sphyrapicus varius*

Breeds May 10 to Jul 15

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
<https://ecos.fws.gov/ecp/species/8792>

NOT FOR CONSULTATION

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds.

Probability of Presence ()

Each green bar represents the bird's relative probability of presence in your project's counties during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the counties of your project area. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

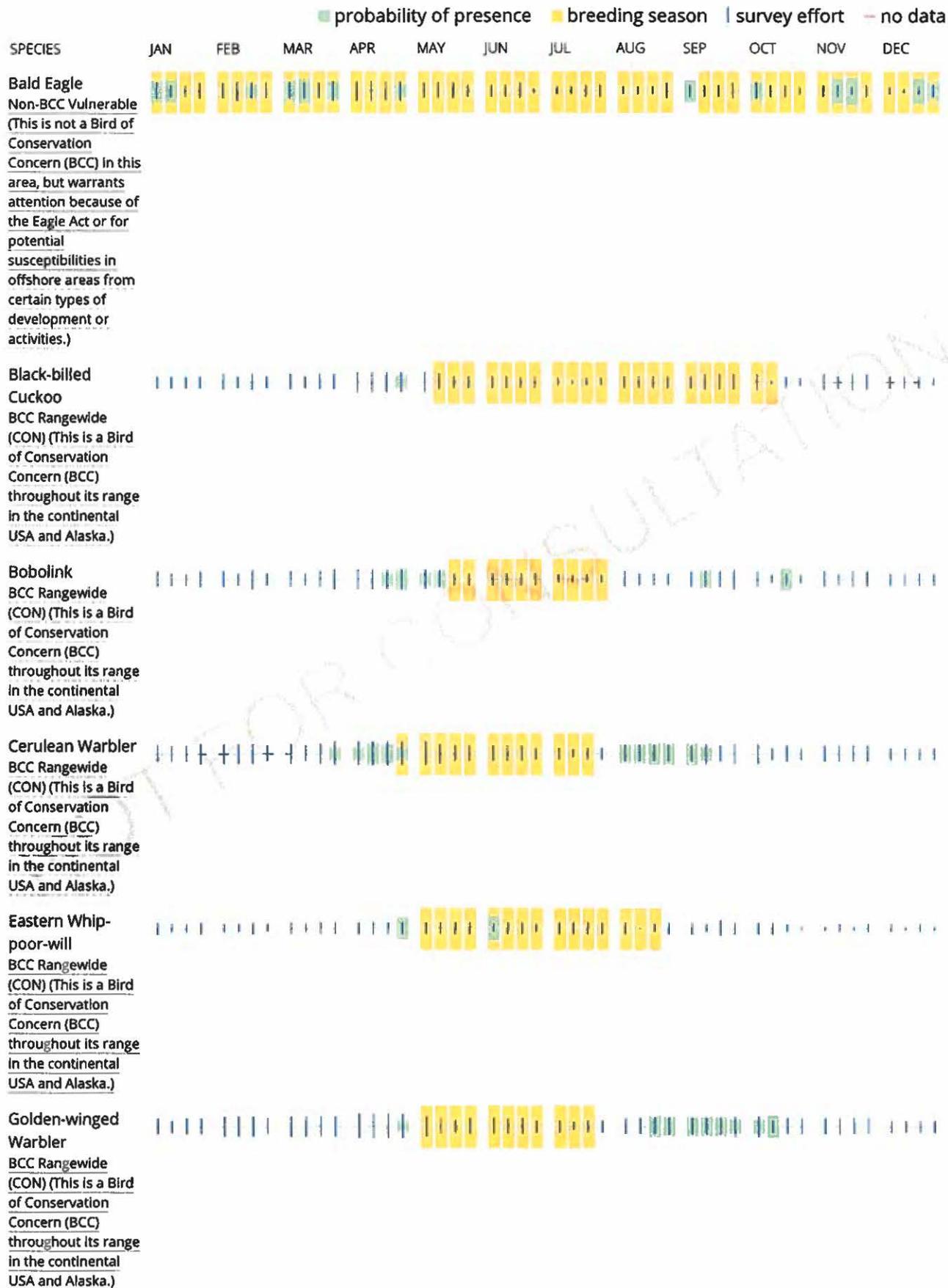
No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant

information.



Kentucky Warbler
 BCC Rangewide
 (CON) (This is a Bird
 of Conservation
 Concern (BCC)
 throughout its range
 in the continental
 USA and Alaska.)



Prairie Warbler
 BCC Rangewide
 (CON) (This is a Bird
 of Conservation
 Concern (BCC)
 throughout its range
 in the continental
 USA and Alaska.)



**Red-headed
 Woodpecker**
 BCC Rangewide
 (CON) (This is a Bird
 of Conservation
 Concern (BCC)
 throughout its range
 in the continental
 USA and Alaska.)



Rusty Blackbird
 BCC Rangewide
 (CON) (This is a Bird
 of Conservation
 Concern (BCC)
 throughout its range
 in the continental
 USA and Alaska.)



Wood Thrush
 BCC Rangewide
 (CON) (This is a Bird
 of Conservation
 Concern (BCC)
 throughout its range
 in the continental
 USA and Alaska.)



**Yellow-bellied
 Sapsucker**
 BCC - BCR (This is a
 Bird of Conservation
 Concern (BCC) only
 in particular Bird
 Conservation
 Regions (BCRs) in the
 continental USA)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the [Probability of Presence Summary](#). [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting

and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the counties which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird entry on your migratory bird species list indicates a breeding season, it is probable that the bird breeds in your project's counties at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize

migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the BGEPA should such impacts occur.

Facilities

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER POND

[PUBHx](#)

A full description for each wetland code can be found at the National Wetlands Inventory

website: <https://ecos.fws.gov/ipac/wetlands/decoder>

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Mr. Frank White
Alabama State Historic Officer
State of Alabama Historic Preservation Office
468 South Perry Street
P.O. Box 300900
Montgomery, Alabama 36130

Reference: **Preliminary Project Review -Previously Reviewed as (ACH 12-1373)**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. White:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. This site does not contain any old foundations, buildings or mine related structures. Further, a review of the State of Alabama Historic Preservation Office's web site (<http://www.preserveala.org>) did not disclose any items of historical, cultural, or archeological significance. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat..

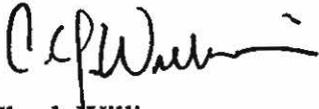
STATE OF ALABAMA
DEPARTMENT OF LABOR

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the State of Alabama Historic Preservation Office's review and commentary for our proposed project.

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from your office is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**



ALABAMA HISTORICAL COMMISSION

468 South Perry Street
P.O. Box 300900
Montgomery, Alabama 36130-0900
334-242-3184 / Fax: 334-240-3477

Lisa D. Jones
Executive Director
State Historic Preservation Officer

June 22, 2018

Chuck Williams
Department of Labor
4351 Crescent Road
Irondale, AL 35210

Re: AHC 12-1373
Abandoned mine reclamation (Sicard Hollow Road Athletic Complex)
Jefferson County

Dear Mr. Williams:

Upon review of the above-referenced project forwarded by your office, we have determined that project activities will have no effect on any cultural resources listed on or eligible for 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. 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 historic archaeological and architectural resources. Should you have any questions, please contact Amanda McBride at 334.230.2692 or Amanda.McBride@ahc.alabama.gov. Have the AHC tracking number referenced above available and include it with any future correspondence.

Sincerely,

Lee Anne Wofford
Deputy State Historic Preservation Officer

LAW/EDS/amh



KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Mr. Bill Pearson
Field Supervisor
United States Department of the Interior
Fish and Wildlife Service
1208-B Main Street
Daphne, Alabama 36526

Reference: **Preliminary Project Review T&E Species/Critical Habitat Review
Previously Reviewed as (2012-1-0617)**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. Pearson:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases including IPaC

STATE OF ALABAMA
DEPARTMENT OF LABOR

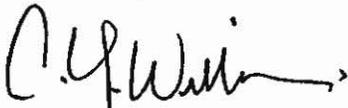
provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the U.S. Fish and Wildlife Service's review and commentary for our proposed project. Please review the information to confirm that the undertaking at this site will not adversely affect or jeopardize Threatened & Endangered Species. .

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from your office is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**

KAY IVEY
GOVERNOR



1 A/M
2012-1-0617

WJ

Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR



RECEIVED
JUN 15 2018

June 13, 2018



U.S. Fish and Wildlife Service
1208-B Main Street - Daphne, Alabama 36526
Phone: 251-441-5181 Fax: 251-441-6222

Mr. Bill Pearson
Field Supervisor
United States Department of the Interior
Fish and Wildlife Service
1208-B Main Street
Daphne, Alabama 36526

No federally listed species/critical habitat are known to occur in the project area. As described, the project will have no significant impact on fish and wildlife resources. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT NEW PLANS FOR REVIEW. We recommend use of best management practices specific to your project (See <http://www.fws.gov/daphne/section7/bmp.html>).

William J. Pearson

JUN 25 2018

Reference: **Preliminary Project Review T&I** William J. Pearson, Field Supervisor Date #3
Previously Reviewed as (2012-1-0617)
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. Pearson:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases including IPaC

STATE OF ALABAMA

DEPARTMENT OF LABOR

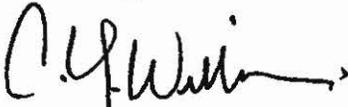
provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the U.S. Fish and Wildlife Service's review and commentary for our proposed project. Please review the information to confirm that the undertaking at this site will not adversely affect or jeopardize Threatened & Endangered Species. .

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from your office is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Attention: Dr. Taconya Goar
State of Alabama
Department of Conservation and Natural Resources
64 N. Union Street
Montgomery, Alabama 36130

Reference: **Preliminary Project Review T&E Species/Critical Habitat Review**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Dr. Goar:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases including IPaC provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential

 **STATE OF ALABAMA** 
DEPARTMENT OF LABOR

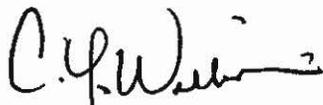
presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the Alabama Department of Conservation's review and commentary for our proposed project. Please review the information to confirm that the undertaking at this site will not adversely affect or jeopardize Threatened & Endangered Species. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining, and because this is a time-critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response is required to be documented prior to our proceeding with the proposed project.

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**



STATE OF ALABAMA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
WILDLIFE AND FRESHWATER FISHERIES DIVISION



64 North Union Street, Ste. 567
P. O. Box 301456
Montgomery, AL 36130-1456
Phone: (334) 242-3465 Fax: (334) 242-3032
www.outdooralabama.com

KAY IVEY
GOVERNOR

CHRISTOPHER M. BLANKENSHIP
COMMISSIONER

EDWARD F. POOLOS
DEPUTY COMMISSIONER

The mission of the Wildlife and Freshwater Fisheries Division is to manage, protect, conserve, and enhance the wildlife and aquatic resources of Alabama for the sustainable benefit of the people of Alabama.

CHARLES F. "CHUCK" SYKES
DIRECTOR

FRED R. HARDERS
ASSISTANT DIRECTOR

June 21, 2018

Mr. Chuck Williams
Abandoned Mine Land Reclamation Office
4351 Crescent Road
Irondale, Alabama 35210

**RE: Preliminary Project Review T&E Species/Critical Habitat Review
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama**



Dear Mr. Williams:

Based on the information provided in your letter dated June 13, 2018 and our own research, we have no objections to the reclamation project located at the Sicard Hollow Road Athletic Complex in Jefferson County, Alabama. We understand that this project will fund continued improvements to the 66.84 acres that comprise the Sicard Hollow Road Athletic Complex. It should be noted that this area is designated as a Problem Unit in the Abandoned Mine Lands Inventory. Federally-protected species are under the jurisdiction of the U. S. Fish and Wildlife Service. Please contact the U.S. Fish and Wildlife Service (251-441-5181) regarding potential impacts to federally-protected species

Environmental impacts should be minimized prior to and during construction by strict adherence to proper erosion control and re-vegetation procedures. Installation and implementation of best management practices (BMPs), as outlined in the Alabama Handbook for Erosion Control, Sediment Control and Stormwater Management on Construction Sites and Urban Areas (September 2014) and the Field Guide for Erosion and Sediment Control on Construction Sites in Alabama (June 2015), will aid in minimizing erosion and migration of sediments into nearby Big Branch and the Little Cahaba River. State water quality standards (particularly those related to erosion control, water turbidity, and dissolved oxygen) should be strictly adhered to.

We appreciate the opportunity to comment on this project. Please contact me if we may be of further assistance (334-353-7484).

Sincerely,

Taconya D. Goar
Environmental Affairs Supervisor

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Mr. Dale Mapp
Chief, Field Operations Division
Permits/Compliance Unit
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130

Reference: **Preliminary Project Review**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. Mapp:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource

STATE OF ALABAMA
DEPARTMENT OF LABOR

Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the ADEM's review and commentary for our proposed project. As with all of our projects, permitting required for compliance with applicable ADEM rules (specifically ADEM NPDES Small Mining General Permit No. ALG890000) will be implemented by the City of Vestavia Hills, Alabama with reference to site construction activities. A Construction Best Management Practices Plan (CBMPP), that is designed to minimize pollutant discharges in stormwater runoff to the maximum extent practicable during land disturbance activities, will be fully implemented and effectively maintained during all reclamation activities.

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from the ADEM is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Mr. Dale Mapp
Chief, Field Operations Division
Permits/Compliance Unit
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130



Reference: **Preliminary Project Review**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. Mapp:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource

STATE OF ALABAMA

DEPARTMENT OF LABOR

Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the ADEM's review and commentary for our proposed project. As with all of our projects, permitting required for compliance with applicable ADEM rules (specifically ADEM NPDES Small Mining General Permit No. ALG890000) will be implemented by the City of Vestavia Hills, Alabama with reference to site construction activities. A Construction Best Management Practices Plan (CBMPP), that is designed to minimize pollutant discharges in stormwater runoff to the maximum extent practicable during land disturbance activities, will be fully implemented and effectively maintained during all reclamation activities.

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from the ADEM is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**



Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950



July 6, 2018

CHUCK WILLIAMS
STATE MINE LAND RECLAMATION SUPERVISOR
ALABAMA DEPARTMENT OF LABOR
ABANDONED MINE LAND RECLAMATION OFFICE
4351 CRESCENT ROAD
IRONDALE, AL 35210

RE: 2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Jefferson County (073)

Dear Mr. Williams:

The Department's Water Division (WD) has reviewed the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Attached, please find a copy of WD's proposed project/activity review information.

I hope this information is useful. If you have any questions or need additional information, please contact me by email at hmgriffin@adem.alabama.gov or by phone at (334) 274-4197.

Sincerely,

A handwritten signature in black ink that reads "Heather Griffin".

Heather Griffin
Environmental Scientist Sr.
Construction Permits Section
Stormwater Management Branch
Water Division

HMG File:PREV

Enclosure: Proposed Project/Activity Review Information
Copy of Review Request Letter



ADEM CONSTRUCTION STORMWATER

PROPOSED PROJECT/ACTIVITY REVIEW INFORMATION

The Department has received and evaluated the information you sent us regarding the above-referenced project. You had requested that we review this information and provide comments.

Please note that State law and ADEM regulations require that appropriate, effective Best Management Practices (BMPs) for the control of pollutants in stormwater run-off be fully implemented and maintained as needed for all construction and land disturbance activities regardless of permit status or size of the disturbance to prevent/minimize discharges of sediment and other pollutants to waters of the State of Alabama.

A "water of the state" is broadly defined as [§ 22-22-1(b)(2), Code of Alabama 1975, as amended] "All waters of any river, stream, watercourse, pond, lake, coastal, ground, or surface water, wholly or partially within the state, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership, or corporation unless such waters are used in interstate commerce." Discharges of pollutants resulting from failure to implement and maintain effective BMPs are considered unpermitted discharges to state waters.

Please be advised that pursuant to EPA rules and ADEM Construction General Permit (CGP) ALR100000, the operator or owner is required to apply for and maintain valid National Pollutant Discharge Elimination System (NPDES) coverage for stormwater discharges prior to beginning construction or regulated land disturbance that will equal or exceed one (1) acre in size. The regulations also require NPDES coverage for disturbance activities less than one (1) acre that are part of, adjacent to, or associated with a larger common plan of development or sale, that may eventually equal or exceed one (1) acre, or if less than one (1) acre in size if stormwater discharges have reasonable potential to be a significant contributor of pollutants to a water of the State or have reasonable potential to cause or contribute to a violation of applicable Alabama water quality standards as determined by the Department. In addition, a Construction Best Management Practices Plan (CBMPP) is required to be submitted for priority construction sites as defined in the CGP. The regulated construction disturbance also includes, but is not limited to, associated areas utilized for support activities such as vehicle parking, equipment or supply storage areas, material stockpiles, temporary office areas, and access roads, and pre-construction activities performed in advance or in support of construction such as logging, clearing, and dewatering. Please be advised that an operator or owner must retain NPDES permit coverage until all disturbance activity, including phased construction, is complete.

Additional ADEM air, land, and/or water permits for discharges and regulated impacts resulting from the operation of the completed facility may be required.

Effective Best Management Practices (BMPs), as provided in the *Alabama Handbook For Erosion Control, Sediment Control, And Stormwater Management On Construction Sites And Urban Areas*, as amended, Alabama Soil and Water Conservation Committee (ASWCC), for prevention and control of nonpoint sources of pollutants must be implemented prior to, during, and after project implementation. Immediately after completion of the project, effective measures to ensure permanent revegetation, cover, and/or effective stormwater quality remediation must be implemented and maintained. The CGP requires that a CBMPP to reduce pollutant discharges to the maximum extent practicable be prepared by a qualified credentialed professional (QCP) as defined in the CGP, and retained onsite. Information regarding construction activities forms, and other helpful information is available on the ADEM WebPage at <http://www.adem.state.al.us/programs/water/constructionstormwater.cnt>

Tennessee River Watershed - In order to determine whether this project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the U. S. Army Corps of Engineers, Nashville District by mail at PO Box 1070, Nashville, TN 37202-1070 or by phone at (615) 736-5181. Facilities covered under a U.S. Army Corps of Engineers Individual 404 Permit, Nationwide or General Permit, or Letter of Permission must apply for NPDES stormwater coverage from ADEM, if construction or land disturbance above the Ordinary High Water Mark, or any non-dredge/fill operations below the Ordinary High Water Mark and associated upland dredge disposal sites that will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

All Other Alabama Watersheds - In order to determine whether this project should be covered under an existing CWA Section 404, Nationwide, or General Permit, or Letter of Permission, you should contact the U.S. Army Corps of Engineers, Mobile District by mail at PO Box 2288, Mobile, AL 36628-0001 or by phone at (251) 690-2658. Facilities covered under a U.S. Army Corps of Engineers Individual 404 Permit, Nationwide or General Permit, or Letter of Permission must apply for NPDES stormwater coverage from ADEM, if construction or land disturbance above the Ordinary High Water Mark, or any non-dredge/fill operations below the Ordinary High Water Mark and associated upland dredge disposal sites that will equal or exceed one (1) acre or that are part of a larger common plan of development or sale in which disturbed acreage will eventually equal or exceed (1) acre.

ADEM's Coastal Program manages uses and activities having the potential to significantly impact the coastal portions of Alabama and/or its resources. The Coastal Area is comprised of only a portion of Mobile and Baldwin counties and is defined as the lands and waters seaward of the continuous ten-foot contour. ADEM issues Coastal Programs Non-Regulated Use Permits for commercial and residential developments greater than 5 acres in size, construction on Gulf-fronting properties intersected by the Construction Control Line, and groundwater wells that exceed 50 gallons per minute of water withdrawal. ADEM also must certify that permits issued by federal and state agencies, and projects conducted by those agencies, are consistent with the Coastal Program. ADEM accomplishes this by reviewing applications for permits submitted to other agencies. Therefore, it is recommended that applicants having development plans, or even considering development in the Coastal Area, consult with ADEM Coastal Program staff as soon as possible in the project development stage so that the applicant can learn of applicable requirements. Questions involving projects in the coastal area should be directed to the ADEM Coastal Office in Mobile.

You may also wish to contact: (1) the U.S. Fish & Wildlife Service and the Alabama Department of Conservation & Natural Resources. These are the Federal and State agencies, respectively, that have primacy and statutory authority to address potential impacts to endangered or threatened species, (2) the Office Of Water Resources, Alabama Department of Economic and Community Affairs, which is the State agency with primacy and statutory authority to address potential water quantity concerns or issues, (3) the State Fire Marshall and the Alabama Department of Industrial Relations which are the State agencies with primacy and statutory authority to address potential safety considerations regarding blasting, (4) the Alabama Department of Industrial Relations which requires permit coverage and reclamation bonding for most non-coal mining sites, (5) the Alabama Historical Commission which is the State agency with primacy and statutory authority to address preservation or potential impacts to surrounding or onsite historical or archaeological sites, (6) your local county health department for issues related to onsite sewage management, and (7) your local municipal or county government, or local zoning and planning agency, if applicable, for additional approvals that may apply to your project.

In recognition that projects are site specific in nature and conditions can change during project implementation, the Department reserves the right to require the submission of additional information or require additional management measures to be implemented, as necessary on a case-by-case basis, in order to ensure the protection of water quality. Responsibility for compliance with ADEM rules and permit requirements are not delegable by contract or otherwise. The operator or owner must ensure compliance. Any violations resulting from the actions of such person may subject the operator/owner to enforcement action.

ADEM permitting decisions are predicated on current regulatory requirements, established engineering standards and technical considerations, best management practices information, and formal administrative procedures in conformance with Departmental regulations and applicable Alabama law. Issuance of permit coverage by ADEM neither precludes nor negates an operator/owner's responsibility or liability to apply for, obtain, or comply with other ADEM, federal, state, or local government permits, certifications, licenses, or other approvals. ADEM permit coverage does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, trespass, or any infringement of Federal, State, or local laws or regulations.

If you have any questions or need additional information regarding construction stormwater permitting, please contact the Water Division in Montgomery at (334) 271-7700 or cswmail@adem.state.al.us.

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Ms. Shannon Johnson
Field Office Manager
Department of the Army
U.S. Army Engineer District, Mobile
Corps of Engineers
Birmingham Field Office
218 Summit Parkway, Suite 222
Birmingham, Alabama 35209

Reference: **Preliminary Project Review**
Previously Reviewed as (SAM 2012-00039-CMS)
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Ms. Johnson:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat. In an effort to prevent those instances where reclamation could temporarily affect critical habitats or threatened and/or endangered species, wetlands and/or

STATE OF ALABAMA
DEPARTMENT OF LABOR

Waters of the U.S., we have performed an in-depth reconnaissance of the proposed site and immediate adjacent areas. Further, we have reviewed the current databases provided by the U.S. Fish and Wildlife Service, as well as the Department of Agriculture's Natural Resource Conservation Service (NRCS) Jefferson County Soil Survey, to evaluate the potential presence of listed threatened or endangered species, designated critical habitats, wetlands and/or Waters of the U.S. Based on our review of the information provided in the U.S. Fish and Wildlife Service database and the NRCS Soil Survey, it is our opinion that this proposed project will not adversely affect or jeopardize any potential wetlands, threatened and/or endangered species or designated critical fish and wildlife habitat.

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the U.S. Army Corps of Engineers' review and commentary for our proposed project. Please review the information to confirm that the undertaking at this site will not adversely affect or jeopardize Waters of the U.S. and/or Jurisdictional Wetlands.

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from your office is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, MOBILE DISTRICT
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

July 12, 2018



North Branch
Regulatory Division

SUBJECT: No Permit Required - File Number SAM-2012-00039-CMS, Sicard Hollow Road Complex, Alabama Department of Labor Abandoned Mine Lands Office

State of Alabama
Department of Labor
Abandoned Mine Lands Office
Attention: Mr. Chuck Williams
4351 Crescent Road
Irondale, Alabama 35210

Sent electronically to chuck.williams@labor.alabama.gov

Dear Mr. Williams:

This letter is in response to your June 13, 2018 request for a review of the proposed 2017 Pilot Program Project at the Sicard Hollow Road Athletic Complex. Specifically, the property is situated in Section 17, Township 18 South, Range 1 West in Vestavia Hills, Jefferson County, Alabama and is centered at latitude 33.472486, longitude -86.670482.

Based on our desktop review of the information furnished by your office and our review of the USGS topographic maps, aerial photographs, and National Wetland Inventory maps, it appears that Federally-regulated wetlands or other "waters of the United States" do not occur on the property. Therefore, no permit, pursuant to our regulations, is required for your project. You should note that this determination is primarily based upon the information submitted by you and that you are ultimately responsible for its accuracy.

Enclosed is an Approved Jurisdictional Determination for your subject site. If you object to this determination, you may request an Administrative Appeal under USACE regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the South Atlantic Division Office at the following address: Mr. Jason W. Steele, Regulatory Appeals Review Officer, Telephone: 404-562-5137, Facsimile: 404-562-5138, South Atlantic Division, 60 Forsyth Street SW (Room 10M15), Atlanta, Georgia 30303-8801.

In order for an RFA to be accepted by the USACE, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it

has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by August 30, 2018.

It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

Please be advised that this jurisdictional determination reflects current policy and regulation and is valid for a period of 5 years from the date of this letter. If after the 5-year period this jurisdictional determination has not been specifically revalidated by the U.S. Army Corps of Engineers, it shall automatically expire.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, State, or Federal assent required by law for the activities discussed above. If the scope of work or project location changes, you are urged to contact this office for a verification of this determination.

Thank you for your cooperation with our permit program. If you have any questions concerning this matter, please feel free to contact me at (205) 290-9096 or e-mail at Courtney.m.shea@usace.army.mil and refer to file number SAM-2012-00039-CMS.

For additional information about our Regulatory Program, visit our web site at <http://www.sam.usace.army.mil/Missions/Regulatory.aspx>. Also, please take a moment to complete our customer satisfaction survey located near the bottom of the webpage. Your responses are appreciated and will allow us to improve our services.

Sincerely,

SHEA.COURTNEY.
M.1387610231
Courtney Shea
Project Manager

Digitally signed by
SHEA.COURTNEY.M.1387610231
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,
ou=USA, cn=SHEA.COURTNEY.M.1387610231
Date: 2018.07.12 09:15:20 -05'00'

Enclosures

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: AL Dept of Labor AML Office	File Number: SAM-2012-00039-CMS	Date: 7/12/18
Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:
USACE Mobile District – Birmingham Field Office
218 Summit Parkway, Suite 222
Homewood, Alabama 35209

If you only have questions regarding the appeal process you may also contact:
Jason Steele
Administrative Appeals Review Officer
60 Forsyth Street, SW (Room 9M10)
Atlanta, GA 30303-8801
404-562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:
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PROJECT
III AML
PHLETTIC



Sicard Hollow

SICARD HOLLOW ATHLETIC COMPLEX MASTER PLAN
Private Property

KAY IVEY
GOVERNOR



Fitzgerald Washington
SECRETARY OF LABOR

STATE OF ALABAMA
DEPARTMENT OF LABOR

June 13, 2018

Mr. Charles Ball
Executive Director
Regional Planning Commission of Greater Birmingham
1731 First Avenue North, Suite 200
Birmingham, Alabama 35203

Reference: **Preliminary Project Review -Previously Reviewed as (ACH 12-1373)**
Proposed Abandoned Mine Land Reclamation
2017 Pilot Program Project (Sicard Hollow Road Athletic Complex)
Sec 17, Township 18 S, Range 1 W
Jefferson County, Alabama

Dear Mr. Ball:

The State of Alabama Department of Labor Abandoned Mine Land Program (AML) has selected to fund the continued improvements to the approximately 66.84 acres of the Sicard Hollow Road Athletic Complex. This funding is provided through the 2017 Pilot Program that brings long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Sicard Hollow Road III Abandoned Mine Lands Project completed in September of 2014. Additional detailed information, including site photographs and maps for the project site are included in the attached **Environmental Assessment Report**.

The Pilot Program represents a tremendous opportunity for coal impacted counties and/or cities to accomplish economic and community resource development projects on abandoned mine sites that were historically mined for coal, with real potential for long-term success in attracting more jobs and creating more opportunities for the people of coal impacted counties. As you are aware, abandoned coal-mined lands are a major source of sedimentation and acid mine drainage that seriously impacts fish and wildlife. Reclamation of those previously disturbed sites under Alabama's Abandoned Mine Land Program encourages the recovery of aquatic communities and improves wildlife habitat..

As part of our National Environmental Policy Act (NEPA) compliance, we are requesting the Regional Planning Commission of Greater Birmingham's review and commentary for our proposed project.

 **STATE OF ALABAMA**
DEPARTMENT OF LABOR

Enclosed please find our **Environmental Assessment Report** along with the associated maps and photographs of the site and site vicinity. Please review the information and provide commentary on the proposed project. Because this is a federally funded project through the U.S. Department of Interior's Office of Surface Mining Reclamation and Enforcement, and because this is a time critical project, we are required to have a response from your office (via letter, e-mail or fax) within 60 days of the date of this letter. A response from your office is required to be documented prior to our proceeding with the proposed project.

Thank you for your help in this matter. Should you have any questions regarding this request, please contact me at (205) 945-8671 or via email at Chuck.Williams@labor.alabama.gov

Sincerely,



Chuck Williams
State Mine Land Reclamation Supervisor

Attachments: **Environmental Assessment Report**



July 12, 2018

Mr. Chuck Williams
State Mine Land Reclamation Supervisor
Abandoned Mine Land Reclamation Office
11 West Oxmoor Road
Birmingham, Alabama 35209

Dear Mr. Williams:

Re: Sicard Hollow Road Athletic Complex
Abandoned Mine Land Reclamation Project – Jefferson County

This letter is in response to your letter requesting our review on the subject project. The Regional Planning Commission of Greater Birmingham (RPCGB) does not know of any reason to oppose, and therefore concurs with the project. Thank you for giving us the opportunity to comment.

Sincerely,

Charles E. Ball, AICP
Executive Director

National Flood Hazard Layer FIRMMette

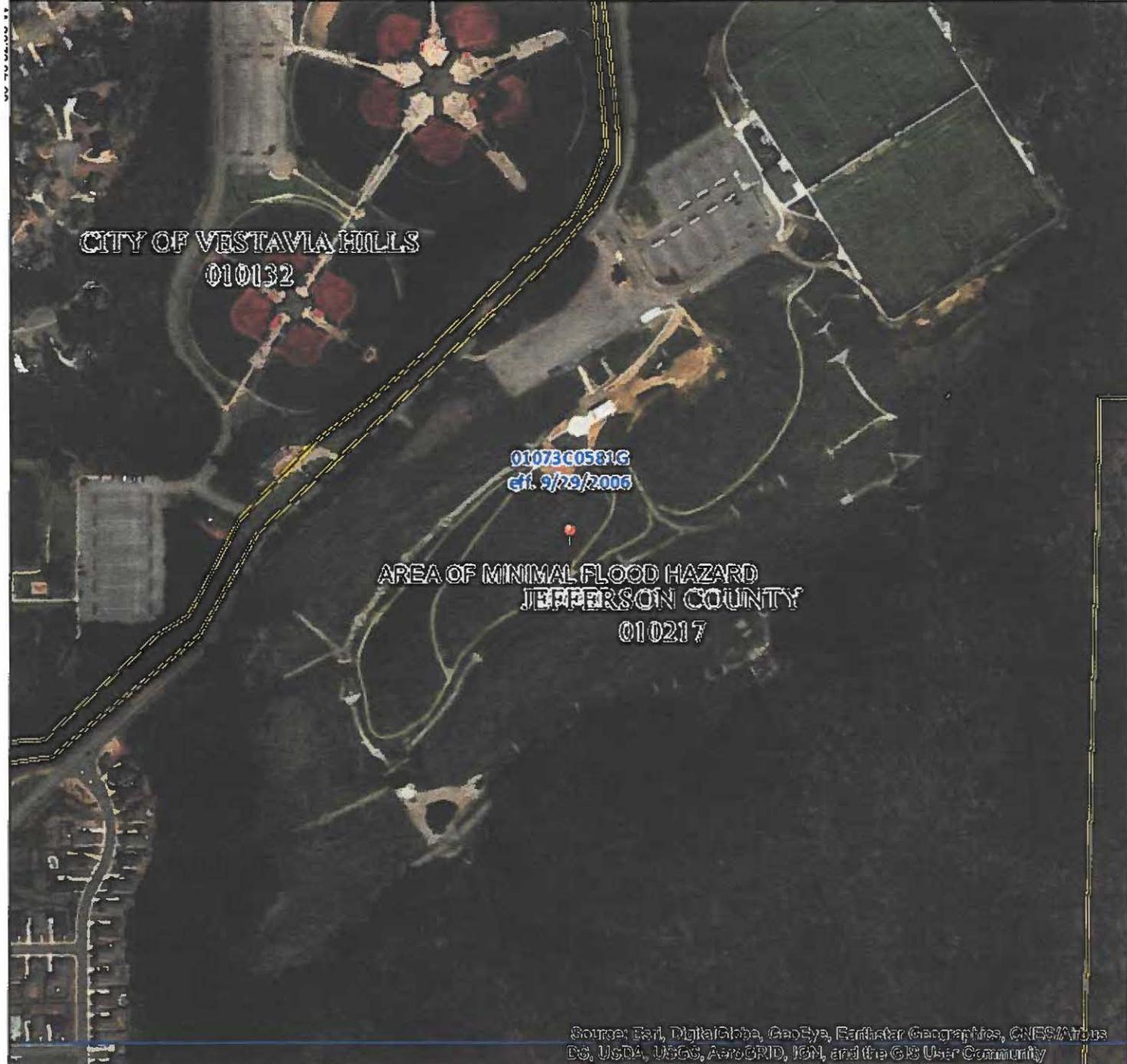


FEMA

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

33°28'36.84"N



SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth
		Regulatory Floodway Zone AE, AO, AH, VE, ...
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone I
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone I
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/3/2018 at 9:13:40 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

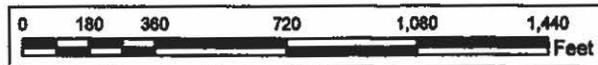
**SICARD HOLLOW PARK 2017 PILOT GRANT PROJECT
BOUNDARY MAP WITH SICARD HOLLOW ROAD III AML
PROJECT BOUNDARIES--SICARD HOLLOW ATHLETIC
COMPLEX MASTERPLAN OVERLAY**



Figure 2
SAM-2012-00039-CMS
7/12/18
Dept of Labor AML Office
Sicard Hollow Road Pilot
Program

-  Sicard Hollow Park 2017 Pilot Grant Project Boundry
-  Sicard Hollow Road III Project Boundary (Original)
-  County Road
-  PAD Areas

**ALABAMA DEPARTMENT OF LABOR
ABANDONED MINE LAND RECLAMATION PROGRAM
SICARD HOLLOW PARK 2017 PILOT GRANT PROJECT**



DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): July 12, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAM-2012-00039-CMS, Alabama Department of Abandoned Mine Lands, Sicard Hollow Road Athletic Complex

C. PROJECT LOCATION AND BACKGROUND INFORMATION: Site was reviewed in 2012 prior to reclamation of the abandoned highwalls and highwall pits. Site has since been reclaimed and a portion of the property now has soccer fields, associated parking areas, and a walking trail for use by the public.

State: AL County/parish/borough: Jefferson City: Vestavia Hills
Center coordinates of site (lat/long in degree decimal format): Lat. 33.472486 °, Long. -86.670482 °
Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: UT to Big Branch
Name of watershed or Hydrologic Unit Code (HUC): Cahaba

- Check if map/diagram of review area is available upon request.
- Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date: July 12, 2018
- Field Determination. Date(s): [Click here to enter a date.](#)

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Submittal from State of AL Dept of Labor Abandoned Mine Lands office dated June 13, 2018
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: [Click here to enter text.](#)
- U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Cahaba Heights Quad
- USDA Natural Resources Conservation Service Soil Survey. Citation: [Click here to enter text.](#)
- National wetlands inventory map(s). Cite name: [Click here to enter text.](#)
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth 4/2018
 - or Other (Name & Date): [Click here to enter text.](#)
- Previous determination(s). File no. and date of response letter: SAM-2012-00039-CMS 9/4/13
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Project site has already been reclaimed and no resulting waters of the U.S. are on site.

¹ This form is for use only in recording approvals involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

**SICARD HOLLOW PARK 2017 PILOT GRANT PROJECT
BOUNDARY MAP WITH SICARD HOLLOW ROAD III AML
PROJECT BOUNDARIES-SICARD HOLLOW ATHLETIC
COMPLEX MASTERPLAN OVERLAY**

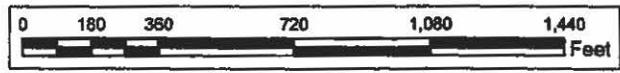


33.4733; -86.6715

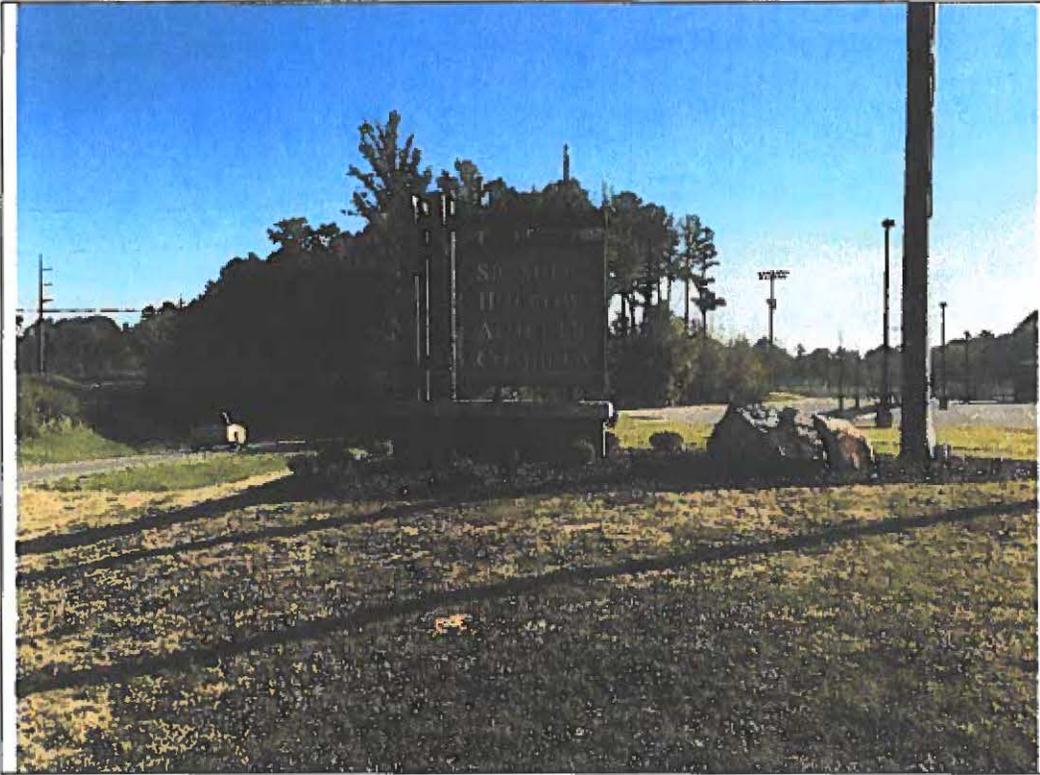
Figure 1
SAM-2012-00039-CMS
7/12/18
Dept of Labor AML Office
Sicard Hollow Road Pilot
Program

-  Sicard Hollow Park 2017 Pilot Grant Project Boundry
-  Sicard Hollow Road III Project Boundary (Original)
-  County Road
-  PAD Areas

**ALABAMA DEPARTMENT OF LABOR
ABANDONED MINE LAND RECLAMATION PROGRAM
SICARD HOLLOW PARK 2017 PILOT GRANT PROJECT**



SICARD HOLLOW ROAD ATHELETIC COMPLEX PILOT PROJECT



1. View northeast of facility sign.



2. View of west of proposed project area on former reclaimed abandoned mine land.

SICARD HOLLOW ROAD ATHLETIC COMPLEX PILOT PROJECT



3. View east of current on-site pavilion with splash pad in the foreground.



4. View of south of interval fitness area located on-site.

SICARD HOLLOW ROAD ATHLETIC COMPLEX PILOT PROJECT



5. View east across the interior of the site along the waking trail. This is the approximate area of the proposed amphitheater.



6. View southeast along walking trail of proposed area of multipurpose athletic court construction.

SICARD HOLLOW ROAD ATHLETIC COMPLEX PILOT PROJECT



7. View southwest of area of proposed secondary pavilion construction.



8. View of west along Sicard Hollow Road in area of proposed turn lane installation.

SICARD HOLLOW ROAD ATHLETIC COMPLEX PILOT PROJECT



9. View west of adjacent soccer fields and associated features.



10. View north across the typical interior of the project site.