



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

February 19, 2019

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 February 1, 2019, request for an Authorization to Proceed for the Grand River Technology Park and Southern Museum of Flight AML 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 enhanced Abandoned Mine Land Inventory System (e-AMLIS) for Problem Area AL00301, Lovick South.

Any significant changes to the nature or scope of the project will require reevaluation of the environmental issues and impacts associated with the project. This approval is contingent upon the awardee using pilot funding for allowable AML expenditures within Phases 1 through 3, excluding any use within Phase 4 (residential portion). The OSMRE's authorization to proceed for the Grand River Technology Park and Southern Museum of Flight AML 2017 Pilot Program

Project will expire on February 19, 2021. 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,



Richard B. O'Dell
Field Office Director

Enclosure

February 19, 2019

FINDING OF NO SIGNIFICANT IMPACTS

Grand River Technology Park and Southern Museum of Flight AML 2017 Pilot Program Project
Problem Area: AL000301 – Lovick South
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 areas of east Birmingham and the City of Leeds, AL. The Grand River Technology Park and Southern Museum of Flight AML 2017 Pilot Program Project is anticipated to create approximately 1,200 jobs due to the attraction of additional visitors to the adjacent Barber Motorsports Museum and the new Southern Museum of Flight, as well as the new industrial/research and light manufacturing facilities and a proposed potential development of residential properties.
2. The project will have short-term, negligible impacts on the following resources:
 - a. Vegetation and Wetlands – Wetland delineation conducted by Schoel Engineering on behalf of U.S. Steel was referenced in the pre-construction notification between U.S. Steel and the U.S. Army Corps of Engineers. The delineation identified the potential for permanent impacts (fill) to 124 linear feet of an ephemeral channel and 161 linear feet of an intermittent channel. Based on the Corps' review and issuance of the Nationwide Permit 39 to U.S. Steel the work is to be conducted in accordance with the following stipulations:
 - (1) to compensate for the loss of aquatic resource functions associated with the discharge of fill material into water of the U.S., the permittee shall purchase 773 stream credits from the Cahaba River Mitigation Bank and,
 - (2) to avoid adverse effects to the Indiana bat and Northern long-eared bat, all tree removal activities associated with this project must occur between October 15 and March 31.

- b. 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. The majority of the initial phases of the 105 acre site was recently timbered and no trees of suitable diameter with scaling bark are present in the initial phases of the proposed areas. The project area adjacent to Rex Lake Road is still forested but any additional tree removal in the southeast phases of the proposed project will be conducted from October to March, to minimize disturbance of bat maternal roosting habitat. For this reason, it is our opinion, concurred by U.S. Fish and Wildlife Service, that neither the Indiana, nor gray, nor northern long-eared bats would likely be impacted by this reclamation project.
 - c. Other Wildlife – The proposed project site is located within an area of previously unreclaimed mine spoil that was recently deforested. Identical habitat and human habitation surround the project area. Construction activities are expected to minimally disturb portions of the existing grassed areas but similar habitats exist in the adjoining areas for wildlife to live and thrive. The wildlife species will only be temporarily displaced.
 - d. Noise and Air quality values – During construction and excavation activities, limited heavy equipment or machinery such as bulldozers, tracked backhoes, dump trucks, etc. produce elevated noise levels, exhaust fumes, and particulate matter within a construction area. Visitors to Barber Motorsports Park 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 construction operations (if necessary). The direct effect on local commuters and/or residents in regards to the noise and air quality issues that would be produced at the site would be transitory, and controlled onsite to the extent possible. The dust produced during excavation activities would be minimized utilizing water via 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.
3. Cumulative impacts: As part of the overall proposal, but not funded by AML pilot funding, U.S. Steel has proposed to develop an additional 151-acre tract for a potential future Grand River Residential development in Phase 4 of the project. The residential development will contain approximately 229 homes in the City of Leeds, adjacent to the Grand River Technology Park.
4. ADOL routinely notifies government agencies with regulatory or oversight interest in their proposed projects and requires their concurrence before the project may begin. The notification usually contains the location, description of reclamation activities, and any anticipated significant impacts. ADOL notified the following agencies, via letter, of the Grand River Technology Park and Southern Museum of Flight AML 2017 Pilot Program Project:
 - State of Alabama Historic Preservation Office
 - U.S. Department of the Interior, Fish and Wildlife Service

- Alabama Department of Conservation and 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

2/19/19
Date

ENVIRONMENTAL ASSESSMENT

**GRAND RIVER TECHNOLOGY PARK
ABANDONED MINE LAND RECLAMATION
2017 PILOT PROGRAM PROJECT
JEFFERSON COUNTY, ALABAMA**

Prepared by

Alabama Department of Labor

Mining and Reclamation Division

Irondale Abandoned Mine Lands Field Office

In Cooperation with

United States Department of the Interior

Office of Surface Mining Reclamation and Enforcement

Birmingham Field Office

**Grand River Technology Park
2017 Pilot Program Project**

A. DESCRIPTION OF THE PROPOSED ACTION

The Alabama Department of Labor (ADOL), Mining & Reclamation Division proposes to fund a portion of a large scale mixed use economic/residential development encompassing approximately 105 acres as part of the Grand River Technology Park 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 and will bring long-term economic and community development benefits to the Appalachian coal region. This project is proposed for the former Lovick, South Abandoned Mine Lands Project completed in 1994, which included the reclamation of two (2) vertical openings and six (6) mine portals. There were an additional eight (8) mine openings within this Problem Area that were identified as naturally attenuated.

B. NEED FOR THE PROPOSED ACTION

This project is designated in Alabama's Abandoned Mine Lands Inventory as Problem Unit (PU) 0312 (Stinking Creek), Problem Area Description (PAD) number AL0301 (Lovick, South). This Pilot Program would represent a tremendous opportunity for the historically coal impacted Jefferson county and the Cities of Birmingham and Leeds to accomplish a multi-phase economic and community resource development project on a formerly abandoned coal mine site, with real potential for long-term success.

FY 2017 AML Pilot- Grand River Technology Park represents a multi-phase opportunity to reclaim and transform a portion of approximately 105 acres of undeveloped land surrounding and adjacent to the sites of a number of pre-1977

abandoned coal mines in east Jefferson County into a regional nexus for research and development, tourism, and light manufacturing. The proposed development site was impacted by the Red Diamond Mines #2 - #5, #7, #9, #11 and #12, as well as TCI Mine #6 all which ceased mining operations around 1948. Potential uses for AML program funds are described by phase below.

The funding of \$6,000,000 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 reclamation and development associated with the Grand River Technology Park would include 3 phases:

Phase 1- Clearing, grading and leveling a 28-acre site at the proposed main entrance of the park and adjacent to the Barber Motorsports Park entrance for the construction of a new 110,000 square foot building for the relocation of the Southern Museum of Flight. The City of Birmingham (which owns the Museum's current facility and the land on which it is located) has agreed to the move in a development agreement between U. S. Steel and Birmingham, and the Museum has initiated an \$8,000,000 capital campaign to fund new facility construction. At the Park, the Museum will have double the space to exhibit its collection in a state-of-the-art 110,000 square foot facility. More importantly, the Museum will be the occupant of the prime real estate fronting the main road into and out of Barber Motorsports Park (home of the North American Porsche Driving School and host to dozens of Indy car and motorcycle race series) and the Barber Vintage Motorsports Museum (the world's largest motorcycle museum, according to Guinness). With average attendance on an Indy race weekend of roughly 82,000 and 260,000 visitors per year at the Motorsports Park and Museum, the increase in visibility among race fans and museum-goers alike will be invaluable for the Southern Museum of Flight.

Phase 2- Clearing, grading, leveling of an approximately 40-acre parcel to create 6 sites for industrial and research tenants and construction of 1,300 linear feet of road.

The road construction and additional pad preparation in Phases 2 and 3 will set the table for Birmingham, Jefferson County, and U. S. Steel to attract tenants for the Park. Once Phase 2 and funded portions of Phase 3 are complete, recruitment efforts will begin immediately, and will target research facilities and niche, light manufacturing facilities likely to produce high-skill, high-wage job opportunities.

Phase 3- Grading and leveling on the remaining approximately 37 acres to prepare the area for a light-industrial park that will attract niche industries like auto/transportation manufactures and industrial research companies. Development of this phase will create 5 new “pad” sites and an additional 1,650 linear feet of road.

These three phases would bring the total area of the Grand River Technology Park Pilot Project to approximately 105 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 over 1,200 new employment opportunities that could generate over \$85 million in new revenue in the Birmingham metro area. \$6.0 million in AML funding invested in Phase 1 will generate \$8.0 million in private investment – in other words, every \$1 in AML funding will generate \$6.67 in private investment. In Phases 2 and 3, every \$1 in AML funding has the potential to generate up to \$17.23 in private investment and \$62.78 in economic impact.

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 \$6,000,000 for use by the Alabama AML Program in implementing community development benefits in cooperation with U.S. Steel Corporation, the City of Birmingham, and the City of Leeds in the development of the Grand River Technology Park. As noted, the development plan for the Grand River Technology

Park Pilot Program calls for a mix of industrial research companies and niche manufacturers and the relocation and expansion of the Southern Museum of Flight from its current location in northeast Birmingham. The Park will be located in the City of Birmingham, Jefferson County, AL. This construction/community development project would disturb isolated portions of the previously reclaimed Lovick South AML Project. The Grand River Technology Park Pilot Project would encompass approximately 105-acres; however, only portions of the total acreage would be disturbed at any one time during the various phases of construction for the museum, Industrial Research Facilities, Light Manufacturing. Refer to the attached map for the proposed locations of the previously referenced phases to be constructed 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) Construction General Permit ALR100000 through the Alabama Department of Environmental Management (ADEM) would be obtained by the U.S. Steel Corporation and followed according to applicable rules and regulations by installing erosion control best management practices (BMP's) which may include silt fences, staked haybales, sediment control logs, sediment control structures, permit sign and rain gauge. All (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 U.S. Steel Corporation (if necessary) for areas of erosion that may occur.

A total of 105 acres would be affected by the pilot project. The current land use (undeveloped) 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, the proposed development would likely still proceed with the other cooperating partners but the scope of the development and economic impact would be drastically reduced.

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 Jefferson County, AL, and within portions of the municipal boundaries of Birmingham and Leeds, AL. It is shown on the Leeds quadrangle map. The site is situated in the SE $\frac{1}{4}$ of Section 23, and the NW $\frac{1}{4}$ Section 24, Township 17 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. The proposed development site was impacted by the Red Diamond Mines #2 - #5, #7, #9, #11 and #12 as well as TCI Mine #6 all which ceased mining operations around 1948. 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 over 1,200 jobs due to the additional visitors to the Barber Motorsports Museum and Southern Museum of Flight, as well as the attraction of new industrial/research and light manufacturing facilities and development of residential properties.

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. 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. 01073C0438G, 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 review of the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) system indicated an approximately 1-acre area of PFO1A (Palustrine, Forested, Broad-leaved Deciduous, Temporarily Flooded Wetland), and PSS1F (Palustrine, Scrub-Shrub, Broad-leaved Deciduous, Semi-permanently Flooded) wetland along the southern project boundary. A 0.2 acre area of R5UBH (Riverine, unknown Perennial, Unconsolidated Bottom, Permanently Flooded) intermittent stream was also identified along the southern project boundary. A wetland delineation conducted by Schoel Engineering on behalf of U.S. Steel was referenced in the pre-construction notification between U.S. Steel and the Army Corps of Engineers, this delineation did identify 124 linear feet of an ephemeral channel (Non-RPW 1), and 161 linear feet of an intermittent channel (RPW 1).

Refer to the Maps/Photographs Section for Topographic, Critical Habitat and Wetland Maps as well as a copy of Schoel Engineering's Pre-Construction Notification and U.S. Steel's Army Corps of Engineers Nationwide Permit No.39.

5. Threatened/Endangered Plants and/or Animals

A 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 (*Ptychobranhus 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
Cahaba Shiner (*Notropis cahabae*)- Endangered

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 lightly vegetated mine spoil and overburden material the majority of which has been recently timbered. The project area adjacent to Rex Lake Road has not been timbered, however any additional timbering activities will be conducted from October- March as to not disturb any potential maternal roosting habitat for the threatened/endangered bat species. 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 initial phases of the proposed project areas.

6. Other Wildlife

The proposed project site is located within an area of previously strip mined spoil and overburden that that has been recently timbered. Identical habitat and human habitation surrounds the project area. 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.

8. Recreation

There are no state or federal parks in vicinity of the project area. The Barber Motorsports Park and Vintage Motorsports Museum are located North, Northeast of the proposed development. The project should not adversely impact recreational use by the immediate community. The construction activities will be relegated to the project area and should not impact any activities outside of the project boundary.

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 of Interstate 20. At this site, ambient noise levels from traffic on the interstate is considered minimal and noise from the Motorsports racetrack is moderate during occasional racing 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 un-reclaimed mine spoil and overburden piles. Strip mining on the surrounding property has altered the natural topography and surface hydrology of the project area.

11. Socioeconomic/Political

There are no adverse political or economic issues related to the project area. However, the State of Alabama and the entire surrounding community would have interest in seeing the area reclaimed and developed. During construction, trucks and other vehicles traveling to and from the site would increase traffic in the project area. However, this impact is expected to be minimal and of short-term duration during site construction activities. Completion of the proposed project would have a beneficial impact to the visitors to the project site area by providing a new location for the Southern Museum of flight as well as employment opportunities presented by new industrial/research and light manufacturing facilities.

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

A review of the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) system indicated an approximately 1-acre area of PFO1A (Palustrine, Forested, Broad-leaved Deciduous, Temporarily Flooded Wetland), and PSS1F (Palustrine, Scrub-Shrub, Broad-leaved Deciduous, Semi-permanently Flooded) wetland along the southern project boundary. A 0.2 acre area of R5UBH (Riverine, unknown Perennial, Unconsolidated Bottom, Permanently Flooded) intermittent stream was also identified along the southern

project boundary. Impact to these areas was not anticipated by the proposed development. A wetland delineation conducted by Schoel Engineering on behalf of U.S. Steel was referenced in the pre-construction notification between U.S. Steel and the Army Corps of Engineers, this delineation did identify the potential for permanent impacts (fill) to 124 linear feet of an ephemeral channel (Non-RPW 1), and 161 linear feet of an intermittent channel. Based on the Army Corps of Engineers review and issuance of the Nationwide Permit 39 to U.S. Steel the work is to be conducted in accordance with the following stipulations:

a) To compensate for the loss of aquatic resource functions associated with the discharge of fill material into waters of the U.S. the permittee shall purchase 773 stream credits from the Cahaba River Mitigation Bank.

b) To avoid adverse effects to the Indiana bat and Northern long-ear bat all tree removal activities associated with this project must occur between October 15 and March 31.

Refer to the Maps/Photographs Section for Topographic, Critical Habitat and Wetland Maps as well as a copy of Schoel Engineering's Pre-Construction Notification and U.S. Steel's Army Corps of Engineers Nationwide Permit No.39.

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, the majority of the initial phases of the 105 acre site was recently timbered and no trees of suitable diameter with scaling bark are present in the initial phases of proposed project areas. The project area adjacent to Rex Lake Road is still forested but any additional tree removal in the southeast phases of the proposed

project will be conducted from October-March, 2018-2019, to minimize disturbance of bat maternal roosting habitat, and no trees would be impacted by construction of the previously referenced developments. For this reason, it is AML's opinion that neither the Gray, Indiana nor Northern Long-Eared Bat would likely be significantly 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 construction contractor 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 un-reclaimed mine spoil that was recently de-forested. 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 105-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 construction contractor 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 re-located Southern Museum of Flight.

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. Visitors to Barber Motorsports Park 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 multi-phase development in cooperation with U.S. Steel, the City of Birmingham, and the AML Pilot Program will draw developers interested in locating industrial/research and light manufacturing facilities to the Technology Park as well as complementary projects such as hotels and restaurants to serve any new residential properties in the area. Further development of schools, transportation amenities and other features of the Grand River Technology Park 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 over 1,200 jobs new employment opportunities and an estimated \$85 million in new wealth in the Birmingham Metro area.

11. Cumulative Impacts

The proposed development strategy for the Grand River Project includes the relocation of the Southern Museum of Flight (the "Museum"). The Museum plans to double the size of its current facility, and build a new 110,000-square-foot facility on a site of approximately 25 to 30 acres in the Grand River Technology Park. The Museum expects that a new location in the Park will provide easy access and attract more visitors from out of town, particularly in light of the fact that it would be in close proximity to the Barber facility. Currently, the Museum serves approximately 60,000 people, including visitors to its museum and a variety of educational services and aviation-related events.

The Museum is owned, controlled and partially staffed by the City of Birmingham, and is therefore exempt from taxes (income, sales and property). The museum's operations are supplemented by a network of over 60 volunteers. The balance of the Grand River Technology Park will be developed to attract niche manufacturers (small, specialty products related to the auto/transportation industry) and industrial research companies, which employ engineers and technology professionals. Other Jefferson County industrial and business park developments were used as proxies to derive the assumptions for this study. The study assumes that the total employment in the Park will be 415 people, with the mix of employees as follows: 5 new employees at the Museum, 210 at the industrial research companies, and 200 at the niche manufacturers. These are combined figures. They may be spread among as many as seven companies, or a greater or smaller number of companies. The total capital investment, which is also based on per-acre averages for other developments in Jefferson County, are spread among the types of businesses in this study as follows: \$8 million at the Museum; \$10 million at the industrial research businesses (the estimated cost of two office buildings, with each housing approximately 105 employees); and a total of \$72 million invested in the niche manufacturing companies (estimated four companies with 50 employees and capital investment of \$18 million each). An additional 151-acre phase for a future Grand River Residential development will be an approximately 229-home residential development in the City of Leeds, Alabama, and will be located in the Jefferson County portion of Leeds, adjacent to the Grand River Technology Park. 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.

Alternative 2: [No action]

Taking no action would result in the proposed development still proceeding with

the other cooperating partners but the scope of the development and economic impact would be drastically reduced.

G. SUMMARY

Implementation of the Grand River Technology Park Pilot Program Project would have the potential for tremendous benefit to the citizens of the Cities of Birmingham and Leeds, Alabama respectively as well as, Jefferson County overall. The proposed project provides a litany of long-term, beneficial socioeconomic impacts to residents' public physical and mental health by providing recreational opportunities, 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 Grand River Technology Park 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 Birmingham Public Library, Eastwood Branch in Birmingham, Alabama, and

the Jane Culbreth Public Library, in Leeds, Alabama for a period of at least 14 days to allow for public/shareholder review and input.

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FOR ALABAMA DEPARTMENT OF LABOR:



1/30/19

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Date

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