



## BIOLOGICAL SYSTEMS CONSULTANTS, INC.



**Nally & Hamilton Enterprises, Inc.  
2011 Mitigation Monitoring Report  
LRL-2008-751, KDNR 866-0311  
USACE Louisville District  
BSC # 211046**

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**P.O. Box 54954  
Lexington, KY 40555  
(859)263-4142**

**US Army Corp of Engineers  
CWA Section 404  
2011 Mitigation Monitoring Report**

**Prepared For:**

**Nally & Hamilton Enterprises, Inc.  
P.O. Box 2323  
London, KY 40741**

**Applicable To:**

**USACE # LRL-2008-751  
Kentucky Department for  
Natural Resources SMCRA Permit # 866-0311**

**November 10, 2011**

**By:**

**Biological Systems Consultants, Inc.  
P.O. Box 54954  
Lexington, KY 40555-4954**

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## 1.0 Project Overview

LRL-2008-751, KDNR 866-0311 has been assessed by Biological Systems Consultants, Inc. on behalf of the permittee, Nally & Hamilton Enterprises Inc., for the purposes of providing mitigation status to the U.S. Army Corps of Engineers (USACE) of the referenced permit. The permit application was submitted to USACE on September 15, 2008 and authorized on January 21, 2009. The permit was necessary for the purpose of coal resource extraction. The permit proposed that two excess spoil disposal fills, HF-2 to permanently impact 529 linear feet of NON-RPW and HF-3 permanently impacting 531 linear feet of RPW-S. In addition, Pond 2, 3, and 47 would temporarily impact 350 linear feet of NON-RPW and 850 linear feet of RPW-S. All impacts would result in a loss of 556.52 EIU's. The proposed mitigation was for creation and enhancement of 775 linear feet in the DC-3 area and pond 2, 3, 47 area restoration to result in 755.04 EIU's.

The site can be located on the Helton USGS Quadrangle; the center coordinates to the site are 36.9297624/83.9297624. The mitigation areas are delineated on the mitigation monitoring map (Appendix B). The site located near the town of Spruce Pine, KY, the nearest road intersection being KY 1850 and KY 1780.

The mitigation areas are still being used for sediment control from the mining operation. These areas have not reached the mitigation construction stage; therefore mitigation could not be monitored. This permit will continue to be monitored annually and corrective action will be taken if needed.

## 2.0 Requirements

The mitigation plan submitted by Biological Systems Consultants, Inc. in September 2008 proposed mitigation of 350' of Non-RPW in Pond 2 area, 500' of RPW-S in Pond 3 area, 350' of RPW-S in Pond 47 area, and 775' of RPW-S in DC-3 area. A summary of the EIU targets for mitigation are shown in Table 1. Ponds are currently in place and pond removal is projected as shown in Table 2. The mitigation has a purpose of achieving no net loss of stream function and is projected with a 25 year maturity life.

**Table 1.** Summary of Baseline, 2011 and Target stream function ratings based on EKSAP protocol

<b>MONITORING SITE</b>	<b>BASELINE EIU's</b>	<b>2011 EIU's</b>	<b>TARGET EIU's</b>
HF2	254	N/A	0
Pond 2	168	N/A	137
HF3	53	N/A	0
Pond 3	50	N/A	245
Pond 47	67	N/A	172
DC-3*	78	N/A	380

\* Mitigation Only Area

**Table 2.** Status of Pond Construction

<b>POND #</b>	<b>STATUS</b>
2	Constructed/ proposed removal in 2016
3	Constructed/ proposed removal in 2016
47	Constructed/ proposed removal in 2016

### **3.0 Conclusions**

This is the second year of mitigation monitoring for LRL-2008-751, KDNR 866-0311 as with all mitigation sights there are natural environment issues that are dynamic. On-going monitoring is important to the changing of mitigation plans.

Currently, the project is on schedule as described in the original mitigation plan. Monitoring will continue on an annual basis and corrective action will be taken if needed.

### **3.0 Conclusions**

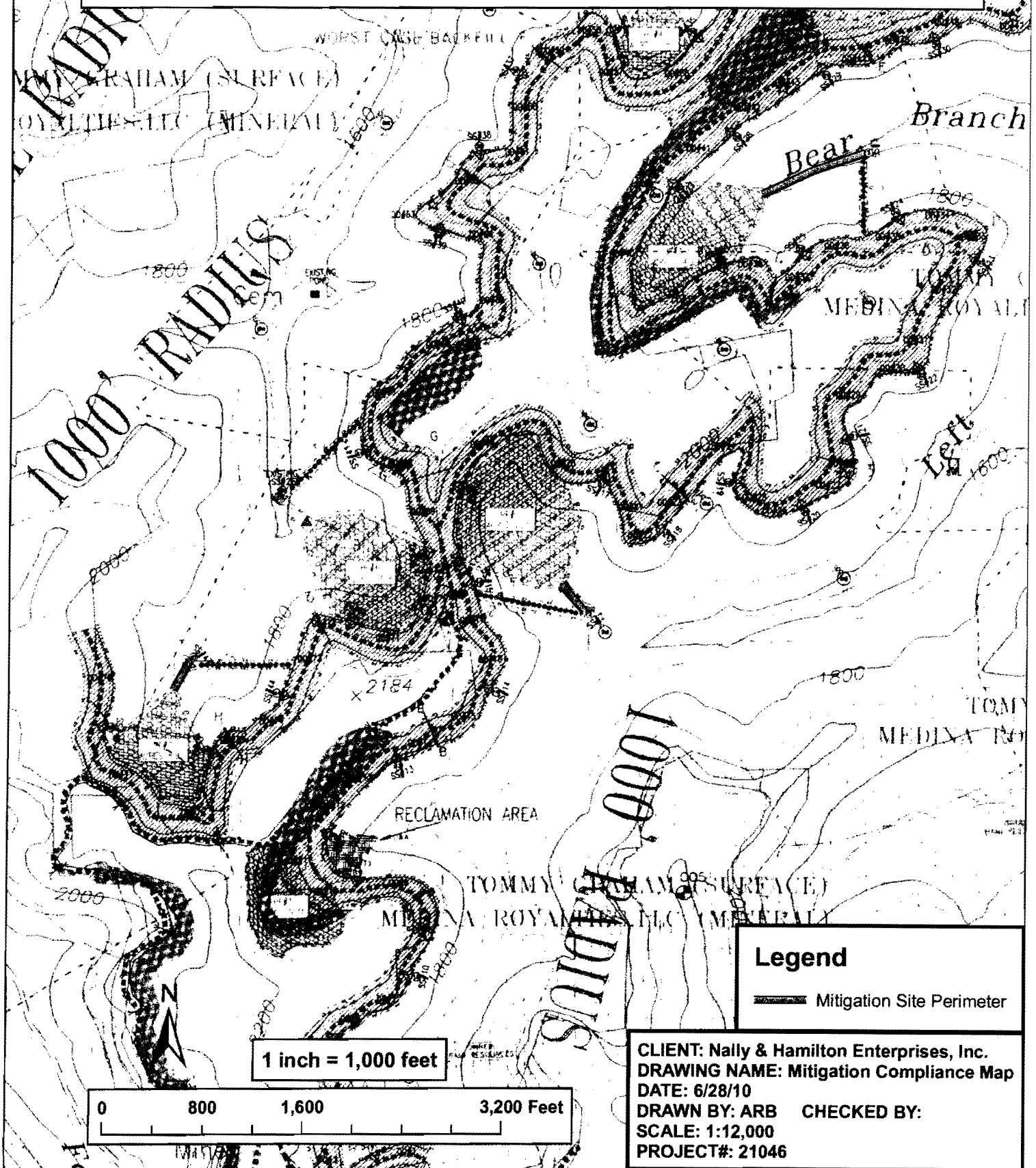
This is the second year of mitigation monitoring for LRL-2008-751, KDNR 866-0311. The sites described in this document will be monitoring annually until 5 years of monitoring are complete after pond removal.

Currently, the project is on schedule as described in the original mitigation plan. Monitoring will continue on an annual basis and corrective action will be taken if needed.

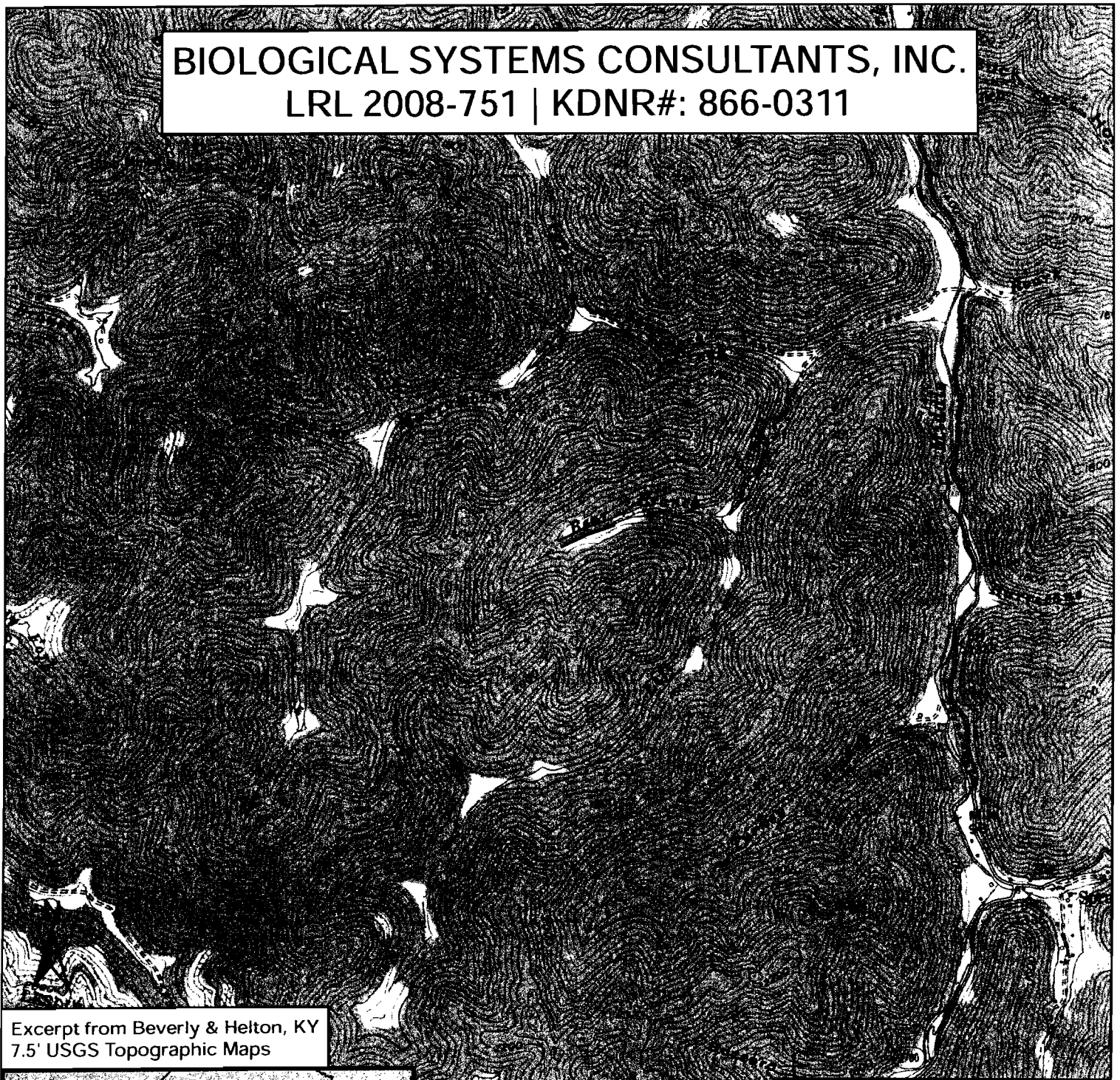
## **APPENDIX A: MITIGATION MONITORING LOCATION MAPS**



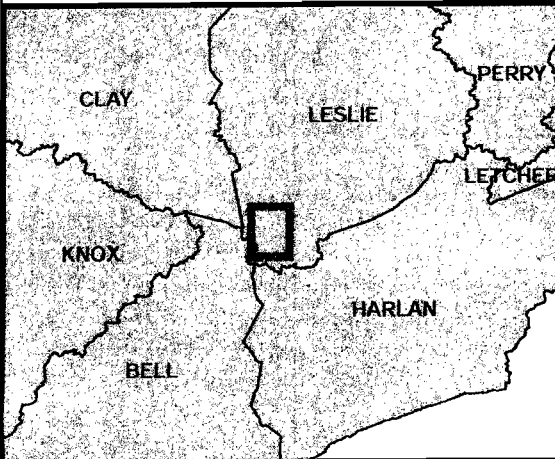
**BIOLOGICAL SYSTEMS CONSULTANTS, INC.**  
**LRL 2008-751 | KDNR#: 866-0311**




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Excerpt from Beverly & Helton, KY  
7.5' USGS Topographic Maps



Legend

 Mitigation Site Perimeter

0 0.25 0.5 1 Mile

CLIENT: Nally & Hamilton Enterprises, Inc.  
DRAWING NAME: Location Map  
DATE: 7/1/10  
DRAWN BY: ARB CHECKED BY:  
SCALE: 1:24,000  
PROJECT#: 21046

1 inch = 2,000 feet



P.O. Box 54954  
Lexington, KY 40555-4954  
(859) 263-4142  
Shaun@BiologicalSystemsConsultants.com

November 11, 2011

(b) (6)

US Army Corps of Engineers  
Eastern Kentucky Regulatory Office  
845 Sassafras Creek Road  
Sassafras, KY 41759-8806

RE : Nally and Hamilton Enterprises, Inc. / LRL-2008-00751 / KDNR # 866-0311 / 2011  
Mitigation Monitoring Report / BSC # 211046

Dear (b) (6),

On behalf of Nally & Hamilton Enterprises, Inc., the enclosed document is the 2011 mitigation monitoring report for the referenced permit, submitted for your review. This is the second mitigation monitoring report submitted for the referenced permit.

If you have any questions, please feel free to contact me.

Sincerely,

Invalid signature

X 

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Shaun Laungani  
Project Scientist