Coal Permitting

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Location:
Magoffin County, Kentucky

Client:
Middle Fork Development Corp

Dates:
2007 – Present

Present Status:
Under final review with USACE Louisville District

Project Type:
Permit

Major Project Elements:
Jurisdictional Determination
Benthic Macroinvertebrate Survey
Endangered Species Survey
Mitigation Plan
Cumulative Impact Assessment

Middle Fork Development Permit Number 877-0191

Middle Fork Development Corporation proposed a mining operation (permit 877-0191) for a 247-acre surface coal mine. In order to obtain the mining permit, Jackson Group was contracted to identify the extent of all potential jurisdictional waters, which include navigable waters, associated tributaries and wetlands; assess the habitat quality of respective streams, and to provide compensatory mitigation to offset impacts to jurisdictional waters, as well as assess potential impacts to endangered bat species and water quality.

A KPDES Permit Application to Department of Environmental Quality and a Section 404 and 401 of the Clean Water Act Permit Application to the United States Army Corps of Engineers and Kentucky Division of Water was prepared for this 247-acre surface coal mine and through innovative designs in mining and storm water treatment as well as successful design implementation, Permit 877-0191 is the only coal mining operation that has been able to comply with new DOW and EPA standards. Subsequently, Middle Fork Development has retained Jackson Group services on additional coal permitting activities that are similar in scope.

A mitigation plan for the proposed mining activities was prepared to provide mitigation for temporary and permanent loss, as well as losses related towards any indirect impacts to ephemeral and/or intermittent stream channels. A plan on how to offset these losses was also completed. There were 6,308 ft of impacts to jurisdictional waters resulting from mining activities offset, which was made possible by restoring approximately 9,607 ft of intermittent stream channels.

A Cumulative Impact Assessment, as well as a Benthic Macroinvertebrate Survey and an endangered species survey which established the presence or probable absence of Indiana bats in the project area was also conducted.