



KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Rich Storm
Commissioner

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Gabe Jenkins
Deputy Commissioner

April 24, 2026

Mr. Ryan Howell
Division of Abandoned Mine Lands
300 Sower Blvd.
Frankfort, KY 40601
Sent via e-mail

RE: Project Id. # 25017SAP
AML Reclamation Project
Clay County, Kentucky

Dear Mr. Howell:

The Kentucky Department of Fish & Wildlife Resources (KDFWR) has reviewed the proposed reclamation project located in Clay County, Kentucky and provides the following review and comments.

Listed Species

Our records¹ indicate that the following federally listed species², state-listed³, and SGCN⁴ species may occur within and/or near the proposed project area(s). Be advised that the

¹ Be advised that the KDFWR database is updated annually. The database is dynamic and only represents the Department's current knowledge of various species distributions. The database is a compilation of collection records made available by individuals and resource agencies and therefore does not conclusively determine that a listed species is present/absent at a given location.

² Federal status designations are as follows: *N=None*, *C=Candidate*, *T=Threatened*, *E=Endangered*, *PT=Proposed Threatened*, *PE=Proposed Endangered*.

³ State-listed species are assigned status designations by the Office of Kentucky Nature Preserves (OKNP). Designations are as follows: *N=None*, *E=Endangered*, *T=Threatened*, *S=Special Concern*, *H=Historic*, *X=Extirpated*. While state-listed species are not afforded specific protections, the KDFWR asks that proper measures be taken to reduce impacts to these species.

⁴ The KDFWR recently updated the Kentucky State Wildlife Action Plan (SWAP) under a federal grant from the U.S. Fish and Wildlife Service. The updated SWAP is a user-friendly guide for conservation of species of greatest conservation need (SGCN) in the state. The KDFWR invites you to review the updated SWAP on its website (<https://app.fw.ky.gov/kyswap/>). Species experts from the public and private sectors helped develop the SWAP by determining which species were rare, vulnerable, declining in population, or for which there was not enough information to determine status, and therefore had the greatest need for conservation actions. The SWAP is intended to provide guidance to developers, regulators, resource agencies, the public, and other stakeholders to conserve SGCN by prioritizing threats and recommending conservation actions for each species. The KDFWR is promoting the use of the SWAP to prevent declines in SGCN thereby preventing the need to list them in the Endangered Species Act. SGCN status does not invoke regulatory restrictions or requirements. However, the KDFWR encourages project sponsors to consider

KDFWR does not have the authority to confirm compliance with the Endangered Species Act. Please coordinate with the U.S. Fish and Wildlife Service for specific recommendations and compliance requirements for federally listed species.

Scientific Name	Common Name	Class	Federal Status	State Status	SGCN Species
<i>Chrosomus cumberlandensis</i>	Blackside Dace	Actinopterygii	T	T	Yes
<i>Etheostoma spilotum</i>	Kentucky Arrow Darter	Actinopterygii	T	T	Yes
<i>Epioblasma triquetra</i>	Snuffbox	Bivalvia	E	E	Yes
<i>Obovaria subrotunda</i>	Round Hickorynut	Bivalvia	T	T	Yes
<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	Mammalia	E	E	Yes
<i>Perimyotis subflavus</i>	Tricolored Bat	Mammalia	PE	T	Yes
<i>Sylvilagus obscurus</i>	Appalachian Cottontail	Mammalia	N	N	Yes

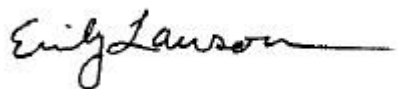
KDFWR Comments and Guidance:

KDFWR asks that you coordinate tree removal activities with the U.S. Fish and Wildlife Service Kentucky Field Office. Due to the presence of federally listed bat species near the project site, the USFWS may have seasonal requirements for removing trees, especially those greater than 3" dbh. Removing these trees during the winter months may reduce possible direct impacts to tree-roosting bat species

Given the nature and location of the proposed project and the BMPs that will be implemented, KDFWR does not have any additional concerns regarding the listed species near the project areas.

Thank you for coordinating with the KDFWR. Please contact me at emilym.lawson@ky.gov if you have any questions.

Sincerely,



Emily Lawson
Environmental Coordinator

actions that provide conservation benefits to these species such as minimization of habitat encroachment, using buffer areas near projects to provide habitat, or other measures.