

ED-1045
KB



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

August 22, 2008

Mr. John Doe
Agency X
112 Maple Avenue
MC:1A
Festive City, WV

Addresses attached

Re: Request for Project-Related Comments and Information

STB Finance Docket No. 35131 - Vaughan Railroad Company, Construction and Operation of a Line of Railroad to a new coal mine to be located in Monongalia County, West Virginia

Dear Mr. Doe:

On June 3, 2008, Vaughan Railroad Company (Vaughan or the applicant), a subsidiary of CONSOL Energy, Inc. (CONSOL), filed a petition with the Surface Transportation Board (Board) pursuant to 49 U.S.C. 10502 for authority to construct and operate a new rail line in Monongalia County, West Virginia (WV). The project would involve the construction of an approximately 5.6-mile rail line to provide rail service to a new coal mine which another CONSOL subsidiary, Wolfpen Knob Development Company (Wolfpen) plans to develop. The proposed rail line would connect with an existing Norfolk Southern Railroad (NS) rail line. Pursuant to the National Environmental Policy Act (NEPA) and the Board's environmental rules, the Board's Section of Environmental Analysis (SEA) will prepare an environmental document that evaluates the potential environmental impacts of the proposed project. SEA is beginning the process of gathering information on the project area and project-related issues and concerns. Information collected will assist SEA in the preparation of the appropriate NEPA document for the proposed project.

Coal would be the primary commodity carried over the proposed rail line. However, the rail line would be operated as a common carrier rail line and other shippers on the line would be able to request rail service, as applicable.

Vaughan's proposed 5.6-mile rail line is shown as Route A on the attached maps. Route A would begin at milepost 0.55 of NS's Wana Spur just south of the Pennsylvania-West Virginia border. From that point the rail line would extend in a southwesterly direction along the West Virginia Fork of Dunkard Creek to a point just northeast of Wadestown, then turn northwest to reach a loading loop track that would be adjacent to the new mine. Route A would be located entirely within Monongalia County, WV.

Vaughan has identified an alternative route for rail access to the new coal mine, shown as Route B on the attached maps. Route B would be 5.74 miles in length and would begin in Greene County, Pennsylvania, at a point approximately 1,400 feet north of the Pennsylvania-West Virginia border, at milepost 19.81 of NS's line north through Waynesburg, PA. From that point the rail line would extend in a generally westerly direction along the Pennsylvania Fork of Dunkard Creek. Near the small community of Hero, Route B would turn southwest to enter West Virginia and proceed along White Creek until reaching a loading loop track that would be built at the end of the route. Route B would be located in Greene County, PA, and Monongalia County, WV.

Rail operations over the proposed line for the first two or three years of operations would be approximately two round trips/day (a total of four train movements), 300 days/year. Vaughan expects that, as the production capacity of the mine increases, there could be six round trips/day (a total of twelve train movements), 300 days/year, over the proposed rail line.

The environmental document will evaluate Routes A and B, as well as the no action alternative and any other reasonable and feasible alternatives that might be identified during the course of STB's environmental review. Issues typically of concern in the environmental analysis of a rail construction and operation include impacts on safety, land use/economic development, water resources, wildlife, transportation, air quality, noise, cultural resources, environmental justice, and recreation.

This letter begins the process by which SEA will assess the potential environmental effects, both positive and negative, that may be associated with the proposed rail line construction and operation. We appreciate your assistance in identifying whether resources of concern to your agency may be affected by the proposed project. We request your response by September 22, 2008, so that we may be able to schedule any meetings, site visits, or surveys, conduct necessary follow-up activities, and incorporate your response into the scope of the study, as appropriate.

Dawkins Environmental Consulting is serving as SEA's independent third-party consultant in this proceeding, and will assist SEA in the preparation of the environmental document. Please send your comments to:

Ms. Jo Carole Dawkins
Dawkins Environmental Consulting
P.O. Box 845
Springville, Alabama 35146

SEA will prepare either an environmental assessment (EA) or an environmental impact statement (EIS). Under NEPA and applicable rules of the Board and the Council on Environmental Quality, an EIS will be required if the proposed project would have significant environmental impacts. If the proposed project appears unlikely to have significant environmental impacts, then an EA may be prepared instead. SEA's decision on whether to prepare an EA or EIS will be based in part on comments received in response to this agency consultation letter. SEA will make the environmental document available for review by agencies and the public as required by NEPA and the Board's environmental rules (49 CFR 1105). In reaching its decision on Vaughan's petition, the Board will consider SEA's environmental review and all environmental comments that are received.

I appreciate your assistance on this project. If you have any questions, please do not hesitate to contact Jo Carole Dawkins of Dawkins Environmental Consulting at (205) 266-7075 or Ken Blodgett of my staff at (202) 245-0305. Thank you for your assistance.

Sincerely,



Victoria Rutson
Chief
Section of Environmental Analysis

Attachment

Mr. David Densmore
U.S. Fish & Wildlife Service
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, PA 16801-4850

Mr. Allen Edriss
Department of the Army
Pittsburgh District Corps of Engineers
William S. Moorhead Federal Building
1000 Liberty Avenue, Suite 2200
Pittsburgh, PA 15222

Mr. Donald S. Welsh,
Regional Administrator
U.S. Environmental Protection Agency
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Philadelphia 19103-2029

Mr. Craig Derickson, State Conservationist
Natural Resources Conservation Service
1 Credit Union Place, Suite 340
Wildwood Center
Harrisburg, PA 17110-2993

Regional Director
National Park Service
NE Region
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200 Chestnut St., Suite 502
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Pennsylvania Department of Transportation
Bureau of Rail Freight, Ports and Waterways
P.O. Box 2777
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Ms. Jean Cutler, Director
Pennsylvania Bureau for Historic Preservation
Commonwealth Keystone Building, Second Floor
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Mr. Michael DiBerardinis, Secretary
Pennsylvania Department of Conservation and Natural Resources
Rachel Carson State Office Building
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Mr. Joseph R. Powers, Acting Secretary,
Pennsylvania Department of Environmental Protection
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Pennsylvania Fish & Boat Commission
PO Box 67000
Harrisburg, PA 17106-7000

Ms. Pam Snyder, Chairman
Greene County Commission
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Waynesburg, PA 15370

Greene County Planning Commission
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49 South Washington Street
Waynesburg, PA 15370

Southwestern Pennsylvania Commission
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Gilmore Township
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New Freeport, PA 15352

Mr. Tom Chapman
U.S. Fish & Wildlife Service
West Virginia Field Office
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Mr. Kevin Wickey, State Conservationist
Natural Resources Conservation Service
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Morgantown, WV 26505

West Virginia Community Development Division
West Virginia Development Office
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Charleston, WV 25305

Ms. Susan Pierce
Historic Preservation Office
West Virginia Division Culture and History
Cultural Center
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Charleston, WV 25305-0300

Mr. Randy Huffman, Secretary
West Virginia Department of Environmental Protection
601 57 Street
Charleston, WV 25304

Mr. Randy Moore
West Virginia Department of Environmental Protection
105 South Railroad St.
Philippi, WV 26416

Mr. Dennis Phipps
West Virginia Department of Environmental Protection
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Division of Natural Resources
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West Virginia Department of Transportation
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West Virginia Geological & Economic Survey
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West Virginia Conservation Agency
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Region VI
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Mr. Bob Bell, President
Monongalia County Commission
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