



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

EI-16141

KB

September 22, 2008

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

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 Ms. Dawkins,

The Environmental Protection Agency (EPA) Region III received a letter of August 22, 2008 from Ms. Victoria Rutson, Section Chief of Environmental Analysis, Office of Economics, Environmental Analysis and Administration, Surface Transportation Board. The letter explained that approximately 5.6-miles of proposed rail line are being evaluated to serve a planned new coal mine in Monongalia County, West Virginia. There is a request that EPA assist in identifying resources of concern in the study area.

EPA appreciates the early consultation on scoping the environmental impact statement (EIS) or Environmental Assessment (EA) required under the National Environmental Policy Act (NEPA). EPA is unable to provide specific data on natural resources in the study area. In review of the suggested topics to be considered in the EIS development, it appears they are generally summarized. More specifically, it is recommended that evaluation additionally consider wildlife passage, resource fragmentation, rare, threatened and endangered species, potential for invasive species, and secondary and cumulative effects. It is clear that impacts to tributary streams and floodplains are likely; any aquatic resources including wetlands in the study area will need thorough evaluation. All measures for avoidance of impacts to aquatic resources should be considered.

As preparation of the environmental document proceeds, EPA would be pleased to review preliminary sections including alternatives analysis, affected environment/environmental consequences, secondary and cumulative impacts analysis, or the preliminary draft document. As it appears this railroad spur would not be needed except for the development of the planned new mine (we believe this to be the Mason-Dixon mine), impacts of both projects will need to be considered in sufficient detail. When a resource inventory has been collected and impacts of alternatives are being assessed, and a decision on the document type (EIS or EA) is being determined, it might be prudent to discuss the status and thinking at the time regarding documentation with the resource agencies including EPA.

EPA is pleased to be have been contacted regarding the Vaughan Railroad Company project. If there are any further questions, please do not hesitate to call or email Ms. Barbara Rudnick at (215) 814-3322 or [rudnick.barbara@epa.gov](mailto:rudnick.barbara@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'William Arguto', with a long horizontal stroke extending to the right.

William Arguto  
NEPA Team Leader

