



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

ET-16143
KB

September 15, 2008

Operations Division
Regulatory Branch
2008-2197

FD 35131

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

Dear Ms. Dawkins:

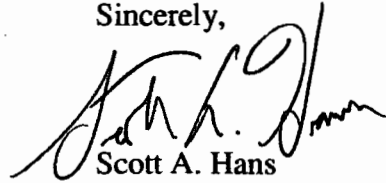
I refer to your request for project-related comments and information regarding the Vaughan Railroad Company's construction and operation of a line of railroad. The new coal mine to which the line of rail would lead is located in Monongalia County, West Virginia.

The US Army Corps of Engineers regulates any earth moving activities within streams or wetlands. This includes any placement of fill material, temporary or permanent. Due to the fact that your letter and location map do not clearly identify each aquatic resource, we recommend that you hire a qualified wetland consultant to evaluate the entire project area in order to determine if any jurisdictional streams or wetlands are present. Enclosed is a list of wetland consultants. If impacts to streams or wetlands are in fact proposed, you should again contact this office to discuss permitting requirements.

Provided the aquatic impacts are kept to a minimal, your project will likely qualify for a Nationwide Permit number 14 for Linear Transportation Projects. Every effort should be made to avoid impacts to the aquatic resources on-site. We will continue to work with you in order to protect any aquatic resources that may be present.

This project has been assigned Department of the Army Permit Number **2008-2197**. Please refer to this number in all future correspondence. If you have any questions, please contact Autumn L. Rodden at (412) 395-7159 or autumn.l.rodde@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Hans", written over the printed name.

Scott A. Hans

Chief, Regulatory Branch

Enclosure