

Public Notice

U S Army Corps
of Engineers
Huntington District

In reply refer to Public Notice No. **200600760**

Issuance Date:

September 28, 2006

Stream: **Un Trib Paynter Branch**

Closing Date:

October 27, 2006

Please address all comments and inquiries to:

U.S. Army USACE of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5710

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (USACE) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the USACE Regulatory Program.

SECTION 10: The USACE is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The USACE is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the USACE request to the West Virginia Department of Environmental Protection (WVDEP) to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Paynter Branch Mining, Inc.
400 Patterson Lane
Charleston, WV 25311

LOCATION: The proposed project area is located on the Oceana USGS quadrangle at latitude 37° 42'41" and longitude 81° 41'36" in the Oceana District of Wyoming County, West Virginia. The proposed project would result in impacts to unnamed tributaries to Paynter Branch of Huff Creek. Huff Creek is a tributary to the Guyandotte River, a navigable water of the United States.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to discharge dredged and/or fill material into 26,541 (3.47 acres) of waters of the U.S in conjunction with the construction of five valley fills and four drainage control ponds associated with the Paynter Branch South Surface Mine (Surface Mining Control and Reclamation Act Permit S-4001-06). Access to the permit would be provided through existing permit area S-4008-96.

The Paynter Branch South Surface Mine is a proposed contour and area mining operation that would recover identified reserves in the Lower Chilton, Hernshaw, Dingess, Williamson A, Williamson B, Cedar Grove, Lower Cedar Grove A, Lower Cedar Grove B, Lower Cedar Grove C, Alma A and Alma seams. Surface disturbance associated with the WVDEP Surface Mine Application (SMA), currently under review, is 502.64 acres. The proposed mine plan would be implemented over a period of seven years.

Permanent impacts associated with valley fill construction would total 16,985 linear feet (2.25 acres) of stream to dispose of approximately 51,650,973 cubic yards of spoil material. Construction of the temporary sediment control ponds would impact 832 linear feet (0.16 acre) of stream. Temporary impacts associated with the project, including sediment pond construction, would total 9,556 linear feet (1.22 acres). The distance between the toe of the valley fills and the sediment pond pools serving as sediment transport would total approximately 5,842 linear feet (1.19 acre). Four streams would be temporarily isolated during mining totaling 1,880 linear feet (0.18 acre). Total stream impacts including primary and secondary total 34,263 linear feet (4.84 acres). For details regarding the proposed stream impacts please reference the attached table.

Plans for the proposed facility are attached to this public notice.

ALTERNATIVE ANALYSIS: This project is not considered to be water dependent; therefore, the applicant is required to show that other less damaging practicable alternatives are not available that would achieve the overall project purpose. No permit will be issued until our review of the alternative analysis clearly shows that upland alternatives are not available to achieve the overall project purpose.

MITIGATION PLAN: The applicant proposes to provide compensatory mitigation by restoring temporarily impacted channels on-site, creating ephemeral and intermittent stream channels within the post-mining permit area, and by enhancing physical habitat on sections of intermittent and perennial stream.

The mitigation plan includes the reconstruction of 9,556 linear feet of streams temporarily impacted during mining, including sediment pond removal. These streams would be restored to their approximate original contours and would be reconstructed using instream structures for habitat diversity and would include the establishment of vegetated buffers. The 5,842 linear feet of stream temporarily impacted by sediment transport would be restored by removing excess sediment. Approximately 1,880 linear feet of streams that would be temporarily isolated during mining would be reconnected through replaced stream segments downstream.

To compensate for the permanent loss of approximately 2,086 linear feet of ephemeral stream, 2,821 linear feet of ephemeral channels would be established along the perimeter of the surface mine using on-site drainage control structures subsequent to mining. The water sources would be from both ground and surface water run-off into the channels on the down-dip side of the reclaimed permit area.

To compensate for the permanent loss of 14,899 linear feet of intermittent stream, approximately 17,032 linear feet of Paynter Branch, unnamed intermittent tributaries to Paynter Branch, Cub Trace, Elk Trace, an unnamed intermittent tributary to Elk Trace in the Paynter Branch Watershed would be repaired/enhanced. In addition, perennial portions of Huff Creek and Dry Branch would also be enhanced by stabilizing stream banks, restoring the riparian corridor, and enhancing bedform diversity in select locations through the addition of in-stream and bank placed structures, including cross vanes. Large excess woody debris and garbage causing channel alterations and depositions would be removed.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the WVDEP.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. A copy of this public notice will be sent to the SHPO for their review. Additional comments concerning archeological sensitivity of a project area should be based upon collected data.

ENDANGERED/THREATENED SPECIES REVIEW: The federally listed Indiana bat (*Myotis sodalis*) may occur within the project area. A Mist-net survey was completed within the proposed project area during June of 2005. No Indiana bats were captured during the survey efforts. The proposed project area was investigated for the presence of open, abandoned portals or other features that could provide winter hibernacula for the Indiana bat. No portals or other features were identified within the proposed project area that provide habitat for these endangered bats. This public notice serves as a request to the Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the ESA Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest, which may be adversely affected, and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the USACE, and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit

benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The USACE is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the USACE to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Ms. Tammy Fudge, Project Manager, South Regulatory Section, CELRH-OR-FS, USACE Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070 or by email at tammy.r.fudge@usace.army.mil. Please note names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources.


for
Ginger Mullins, Chief
Regulatory Branch

(W)

*Application for
Individual Water Quality State 401 Certification
State of West Virginia*

PART VII-B PROJECT INFORMATION

B. Complete and submit the "Project Information Tables No.1, 2, & 3" for the stream(s) being impacted or project(s) (fill, culvert, stream crossing, etc.) being proposed.

TABLE VI-B-1

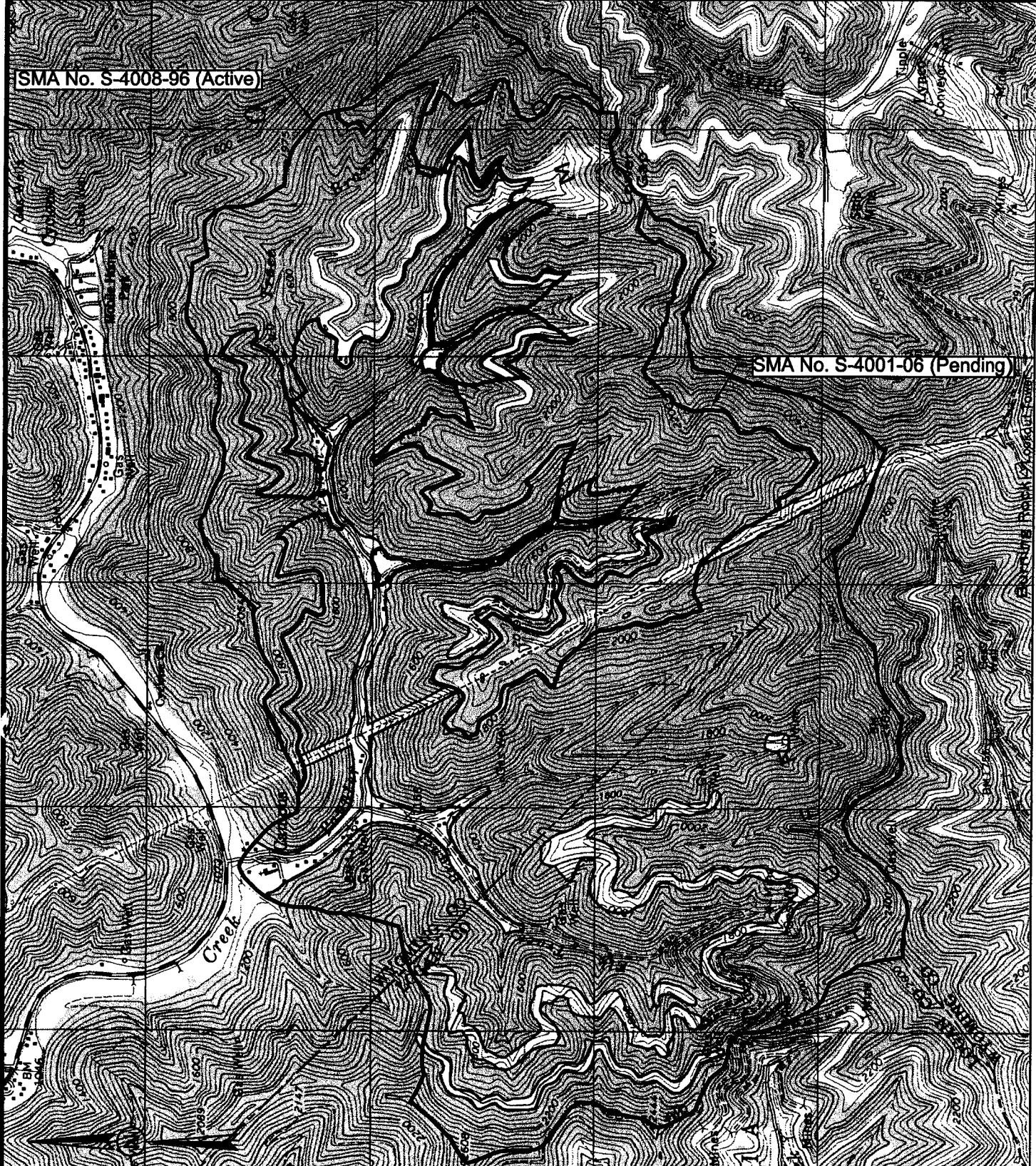
Name of Applicant:	Paynter Branch Mining, Inc.	Project or Facility Name: Paynter Branch South Surface Mine					
County(ies):	Wyoming	Description of Location: 1.59 miles southwest of Cyclone, West Virginia					
Nearest Township:	Cyclone						

Name of Stream or Stream Section	Permanent Impact			Temporary Impact			Temporary Impact		
	Intermittent/Perennial	Ephemeral	Acreage	Intermittent/Perennial	Ephemeral	Acreage		Sediment*	Isolated Waters ^b
	Length (ft)	Acreage	Length (ft)	Length (ft)	Acreage	Length (ft)	Acreage	Length (ft)	Acreage
Valley Fill No. 1 (Stream HF5)	635	0.08	1517	0.20	733	0.14	862	0.06	
Valley Fill No. 2 (Stream HF4)	3414	0.40		435	0.05	599	0.04	1358 (I)	0.25
Valley Fill No. 3 (Stream HF2)	2586	0.44	47	0.00	73	0.00	784	0.08	392 (I)
Valley Fill No. 4 (Stream HF1)	6482	0.89	339	0.01	2277	0.27	1189	0.09	1256 (I)
Valley Fill No. 5 (Stream HF3)	1782	0.22	183	0.01	153	0.01	19	0.00	413 (I)
Mineral Removal Area							839	0.10	
Pond No. 1 (Associated with Valley Fill No. 1)									
Pond No. 2 (Associated with Valley Fill No. 3 and Valley Fill No. 5)									
Pond No. 3 (Associated with Valley Fill No. 3 and Valley Fill No. 4)									
Pond No. 4 (Associated with Mineral Removal Area)									
Cumulative Total Stream Impact	14,899	2,03	2,086	0.22	5,264	0.85	4,292	0.37	5,842

(E) = Ephemeral Isolated Waters. (I) = Intermittent Isolated Waters

SMA No. S-4008-96 (Active)

SMA No. S-4001-06 (Pending)



LEGEND

DRAINAGE AREA =	(2650.06 ACRES)	(ac)	(% CI)
ADJACENT MINING LOCATIONS =	311.39 ACRES	11.75%	
PAYNTER BRANCH SOUTH AREA =	502.64 ACRES	18.97%	
NONFORESTED/DISTURBED =	222.76 ACRES	8.41%	
FORESTED UNDISTURBED =	1613.27 ACRES	60.87%	

2000' 0 2000' 2650.06 ACRES 100.00%

Scale bar: 0 to 2000' with a checkerboard pattern.

Prepared By:



YD105 03/08 RHMU
cumulative Impact_paynter_branch.dwg

Marshall Miller and Associates

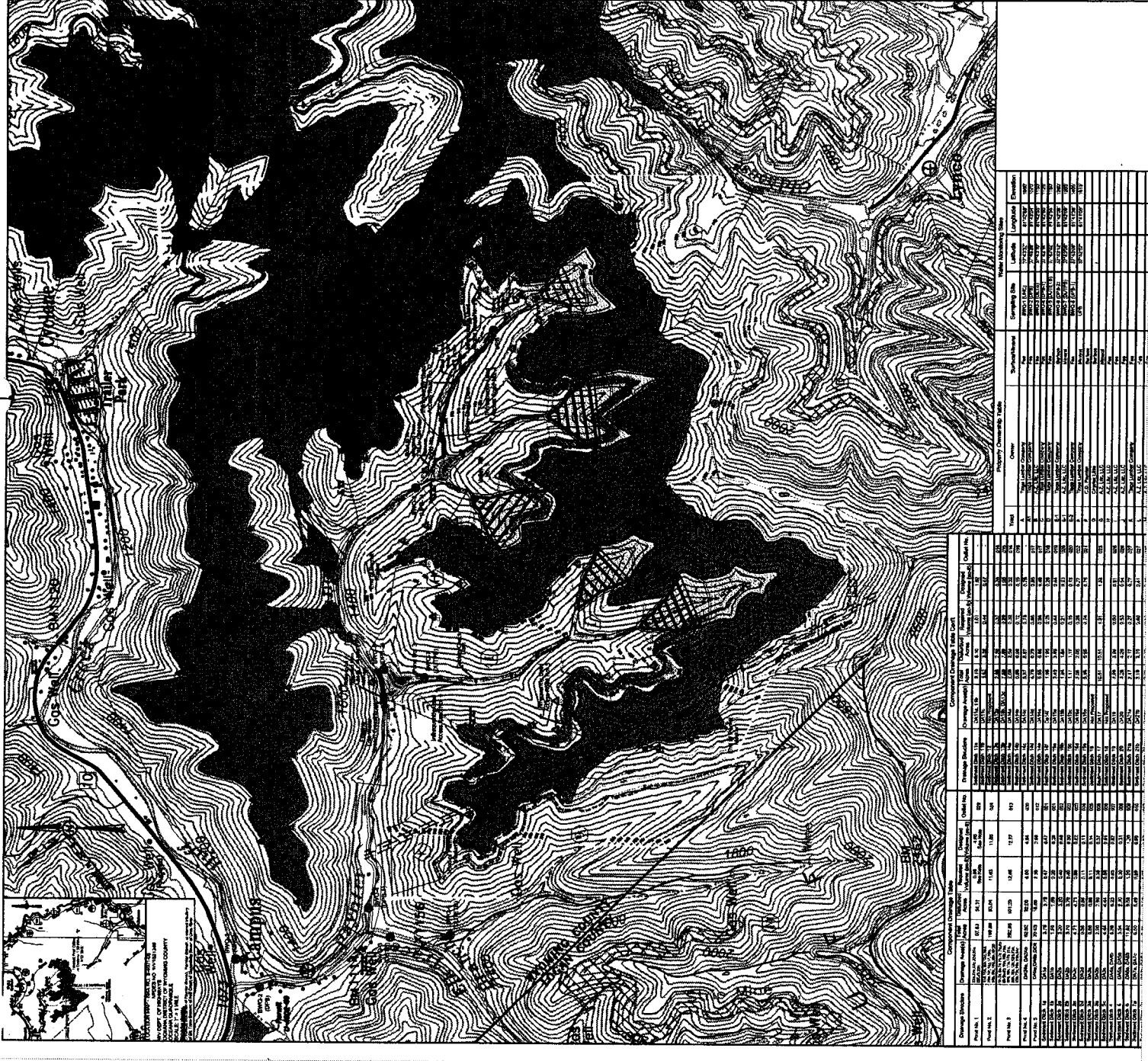
Geology, Environmental Sciences & Engineering, Geophysics

- Bluefield, VA • □ Lexington, KY • □ Raleigh, NC
- Richmond, VA • □ Charleston, WV • □ Harrisburg, PA
- Kingsport, TN • □ Kansas City, KS • □ Shreveport, LA
- Beckley, WV

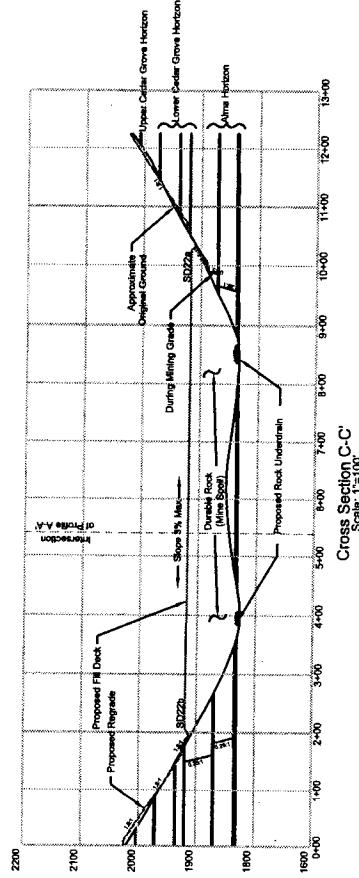
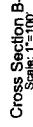
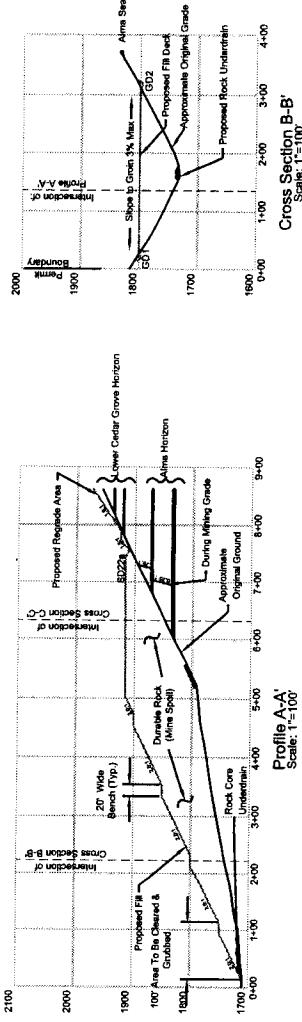
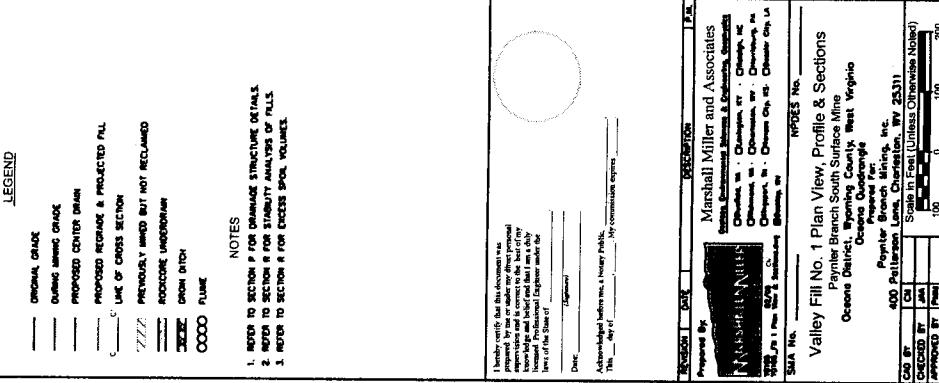
Figure 1
Cumulative Impact Assessment Map
404 Permit Application
(Paynter Branch Drainage Area - Wyoming County, West Virginia)

Prepared For:

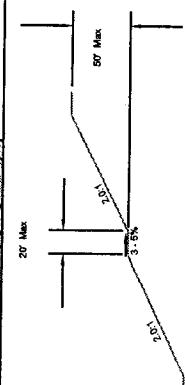
Paynter Branch Mining, Inc.
400 Patterson Lane, Charleston, WV 25311



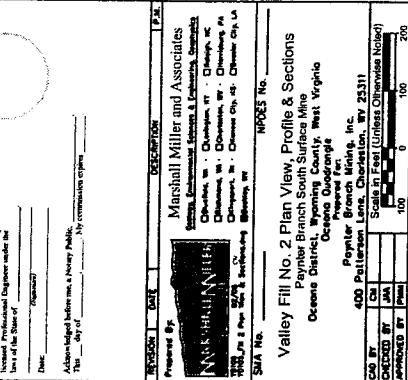
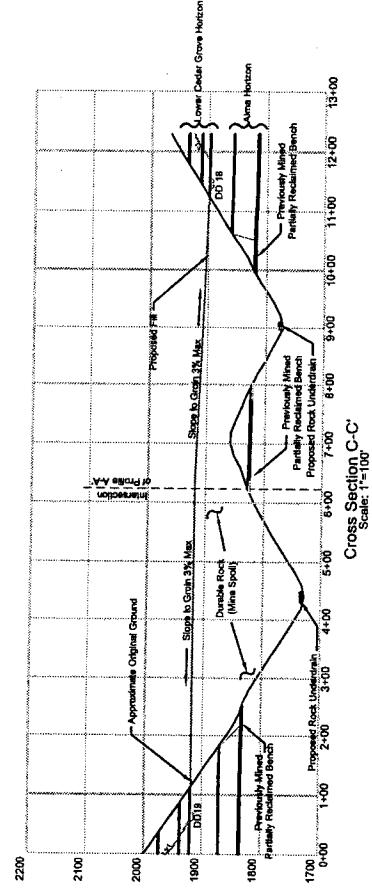
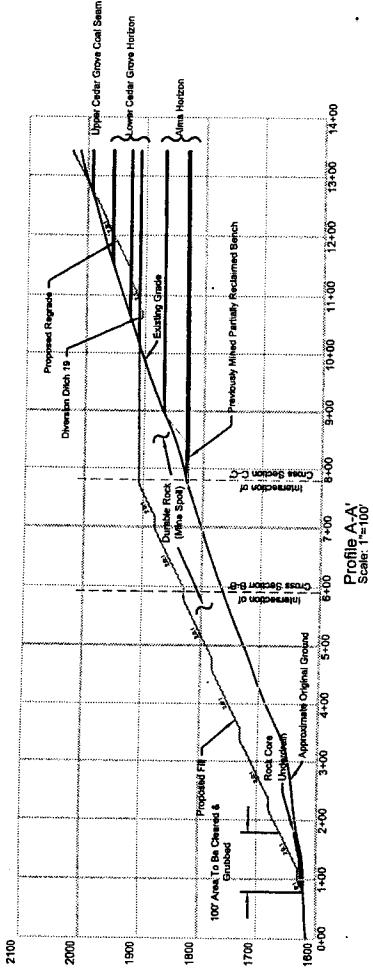
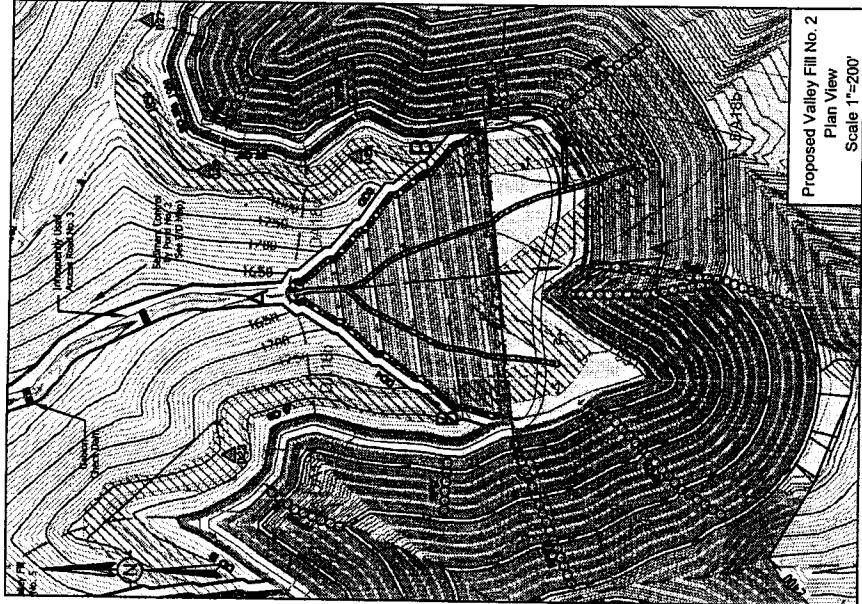
Detailed map of Marion, Indiana, showing State Street and Main Street. The map includes labels for the Marion County Courthouse, Marion City Hall, Marion High School, Marion Public Library, Marion YMCA, Marion City Park, Marion City Cemetery, and several churches. It also shows the Wabash River and various residential and commercial areas.



Proposed Valley Fill No. 1
Plan View
Scale 1" = 200'



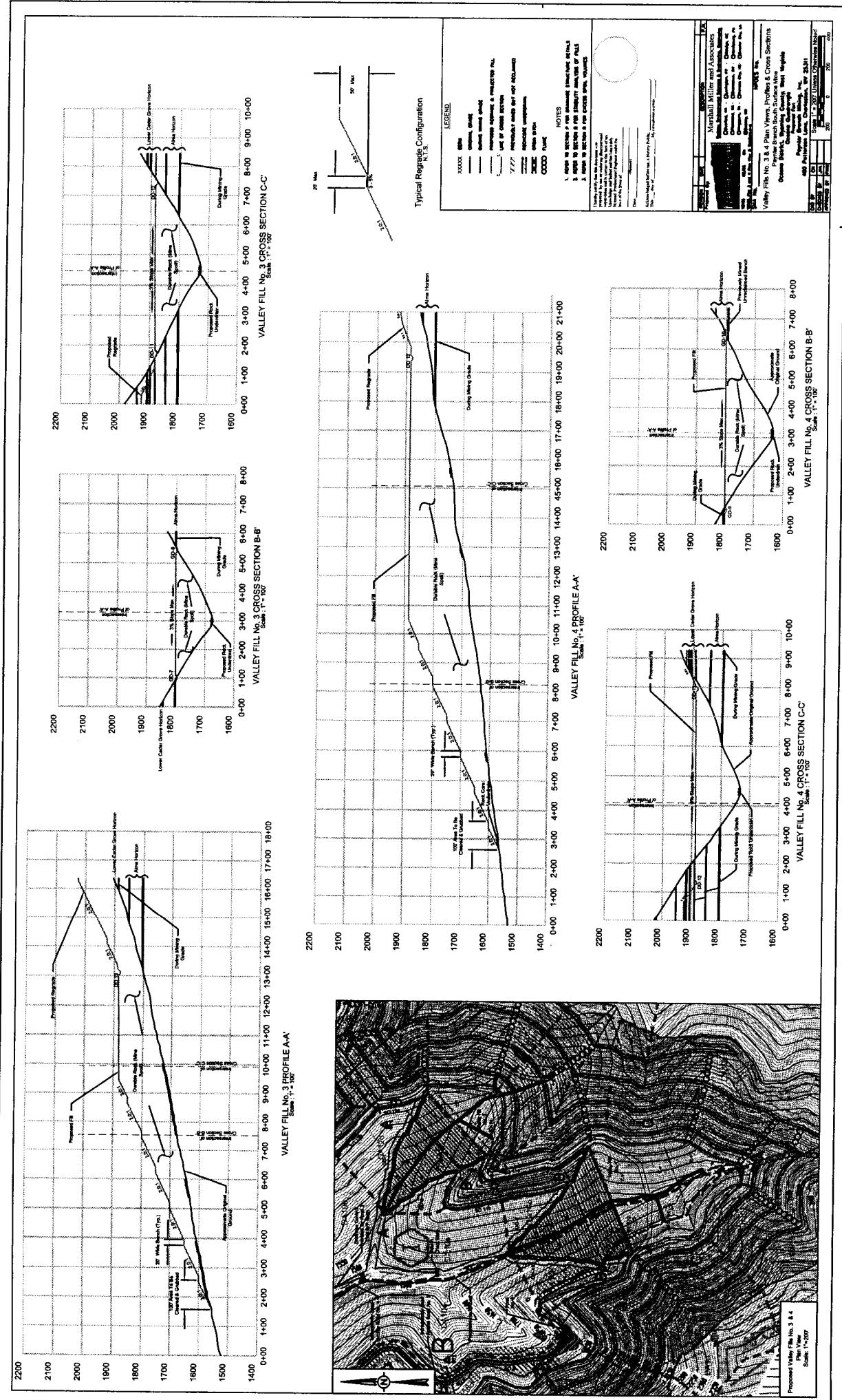
Typical Regrade Configuration
N.T.S.

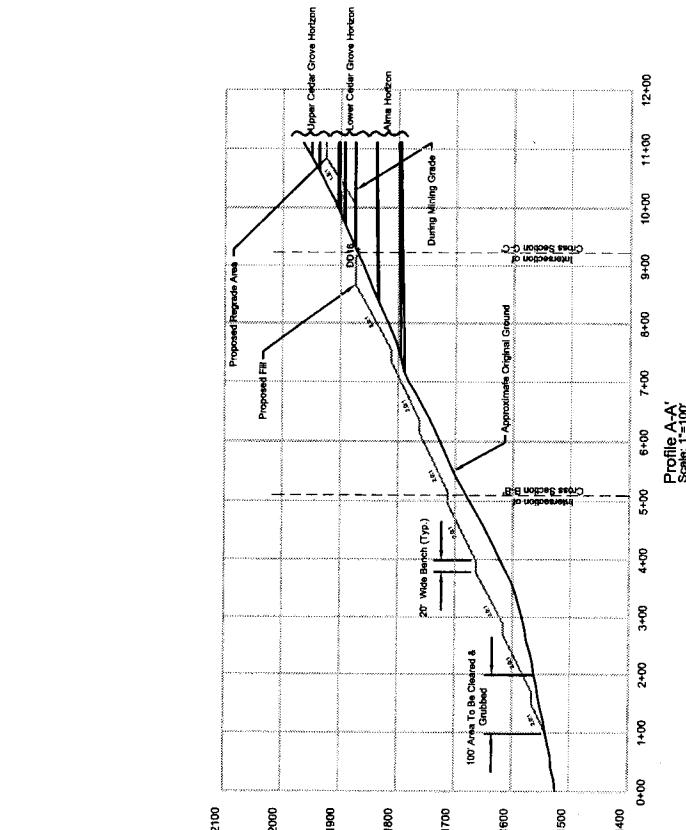
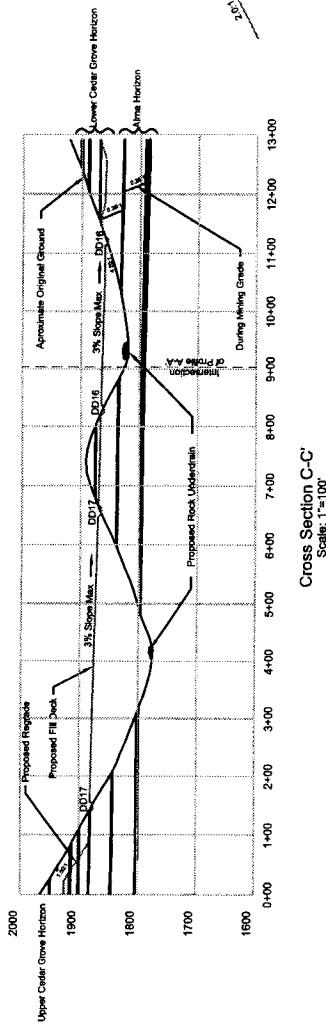
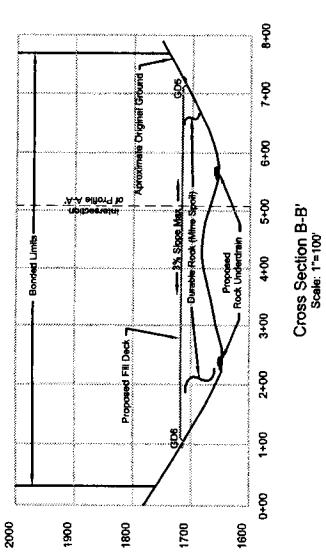


represented by me or under my direct personal supervision, it is correct to the best of my knowledge and belief that I can in a duly executed Professional Engagemeⁿt under the laws of the State of _____
Date: _____
[Signature] _____
Attest in behalf before me a Notary Public.
This _____ day of _____, My recd.

P.E. **REG#** **PP-1** **PP-1 View, Profile & Sections**
Marshall Miller and Associates
Structural Engineers, Architects, Consultants
Charleston, W. Va. - Cincinnati, OH - Cleveland, NC
Charleston, W. Va. - Cincinnati, OH - Pittsburgh, PA
Charleston, W. Va. - Cincinnati, OH - Cleveland, OH -
Bethel, WV
NPIPS No. _____

Poynter Branch Mining, Inc.
400 Patterson Lane, Charleston, WV 25311
Scale in Feet (Unless Otherwise Noted)





Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

NOTES
1. REFER TO SECTION P FOR DRAKE'S STRUCTURE DETAILS
2. REFER TO SECTION R FOR STABILITY ANALYSIS OF FILLS
3. REFER TO SECTION S FOR EXCESS SPIL VOLUMES

Heavy traffic will be experienced over the entire area during construction. All drivers must exercise caution and drive slowly. Knowledge of the terrain and road conditions is required. Engineering studies have been made by the State of West Virginia and the U.S. Army Corps of Engineers.

Date _____
After-graded before and after public use _____ Any construction expense _____

Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

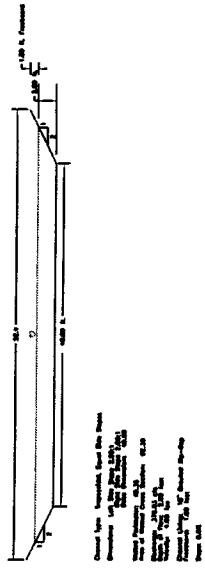
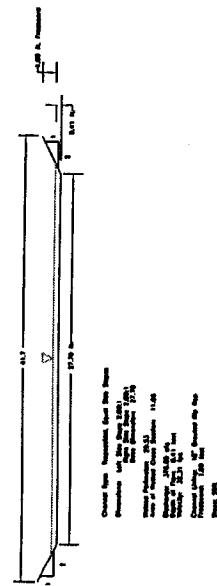
Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

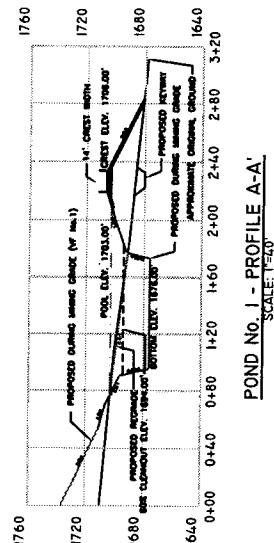
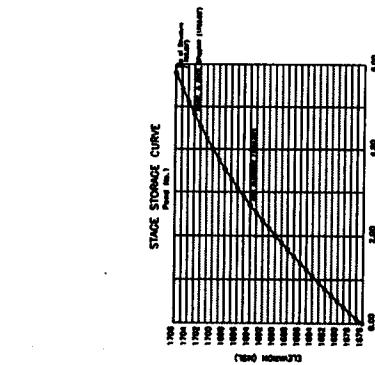
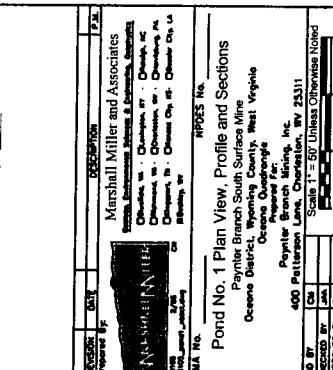
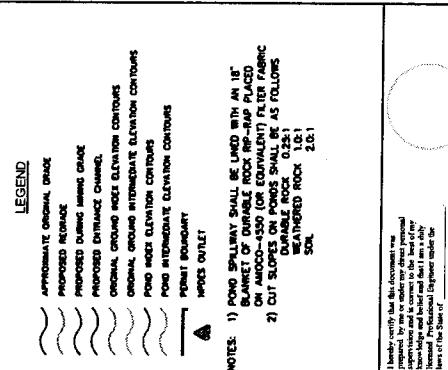
Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

Scale in Feet (Unless Otherwise Noted)	0	100	200
Approved By:			
Checked By:			
Date:			

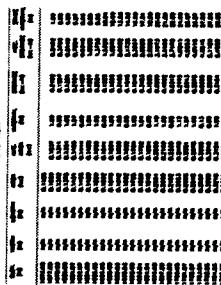
**Proposed Spillway
Level Control Section NTS**



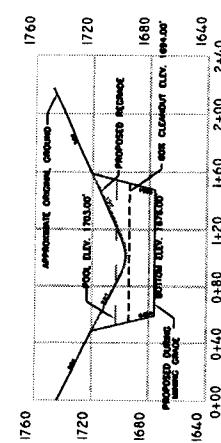
Required Sediment Control Capacity = 0.88 ac-ft
Sediment Control Capacity Provided = 4.85 ac-ft



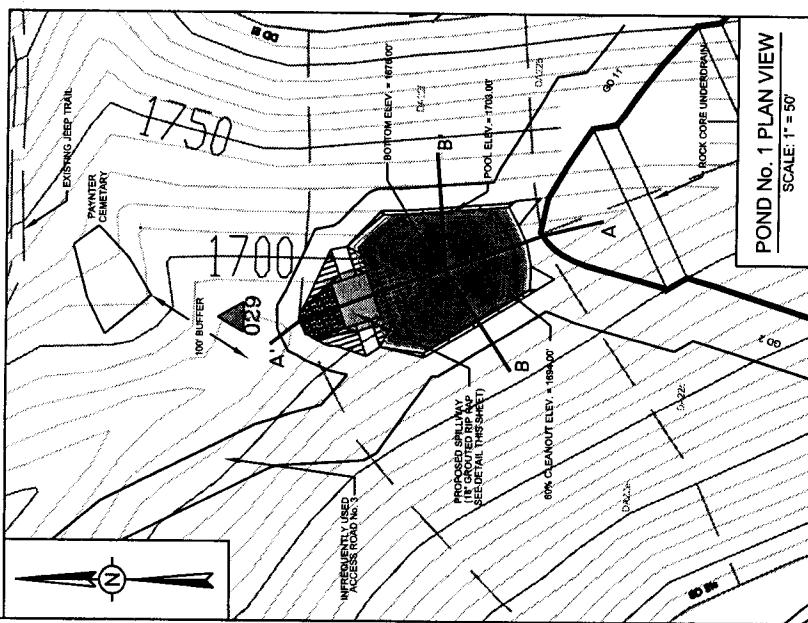
POND No. 1 - PROFILE A-A'

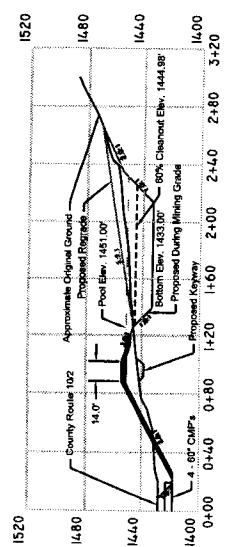


APPENDIX No. I - SECTION B-B'



POUND No. 1 PLAN VIEW

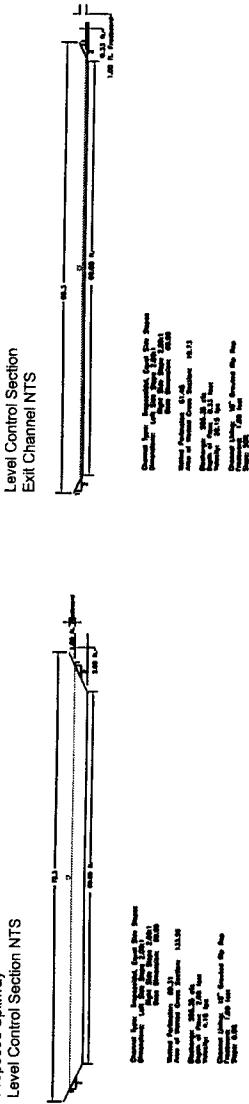




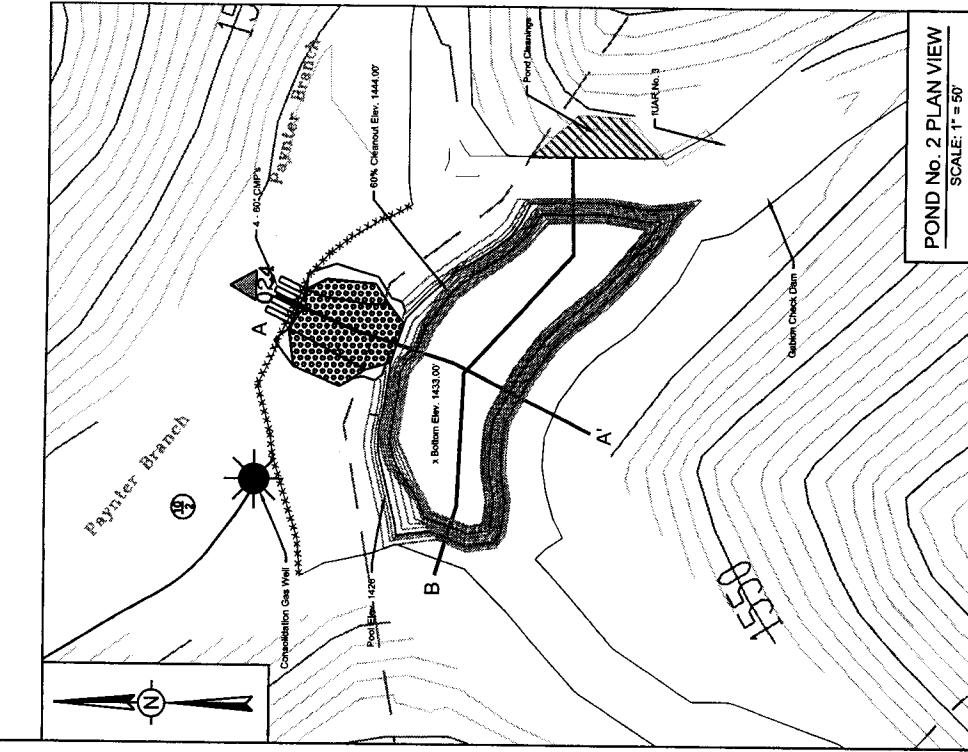
Pond No. 2 Profile A-A'

Scale: 1" = 40'

Proposed Spillway
Level Control Section NTS



Level Control Section
Exit Channel NTS



CONSTRUCTION NOTES:
1. TRENCHES ARE TO BE DUG AS SHOWN AND THE BOTTOMS OF THE TRENCHES
2. CUT OFF TRENCHES ARE TO BE DUG AS SHOWN AND THE BOTTOMS OF THE TRENCHES
3. TRENCHES ARE TO BE DUG AS SHOWN AND THE BOTTOMS OF THE TRENCHES
4. MINEFILL IS TO BE PLACED IN THE TRENCHES AS SHOWN

Required Sediment Control Capacity = 11.63 ac-ft
Sediment Control Capacity Provided = 11.95 ac-ft

LEGEND

- ~ APPROXIMATE ORIGINAL GRADE
- PROPOSED RETARD
- PROPOSED DURING MINING GRADE
- PROPOSED ENTRANCE CHANNEL
- ORIGINAL GROUND / HIGH ELEVATION CONTOURS
- POND / HIGH ELEVATION CONTOURS
- POND / INTERMEDIATE ELEVATION CONTOURS
- POND / BOUNDARY
- PROPOSED SEEP FORCE
- CONTAINMENT GAS WELL & LINE
- INCHES OUTLET

NOTES: 1) POND SPILLWAY SHALL BE LINED WITH AN 18" BLANKET OF DURABLE ROCK RIP-RAP PLACED ON AMOD-450 (OR EQUIVALENT) FABRIC.
2) CUT SLOPES ON PONDS SHALL BE AS FOLLOWS:
DURABLE ROCK 12:1
WEATHERED ROCK 1.0:1
SOIL 2.0:1

XXXXX

██████

███

██

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

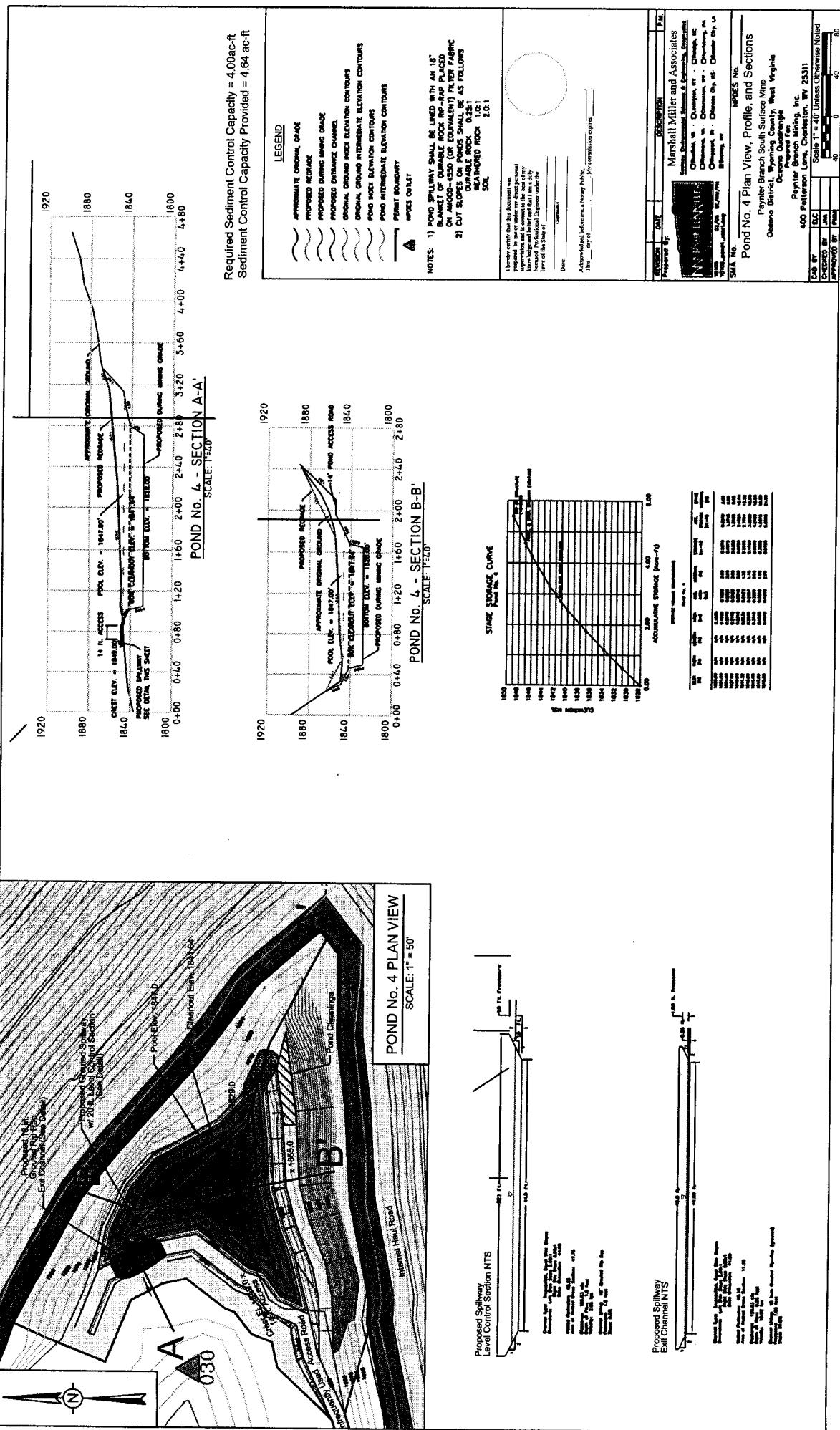
—

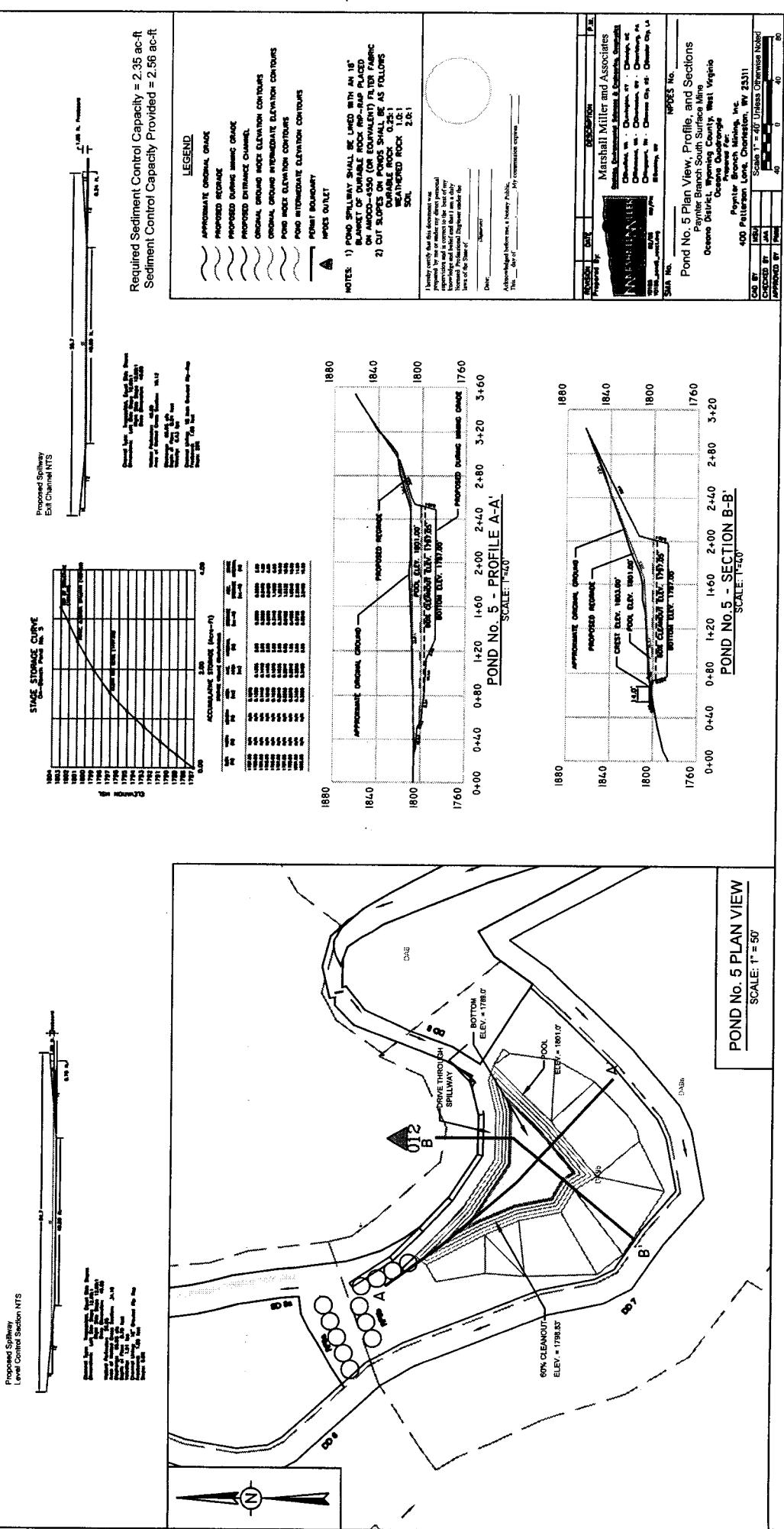
—

—

—

—</





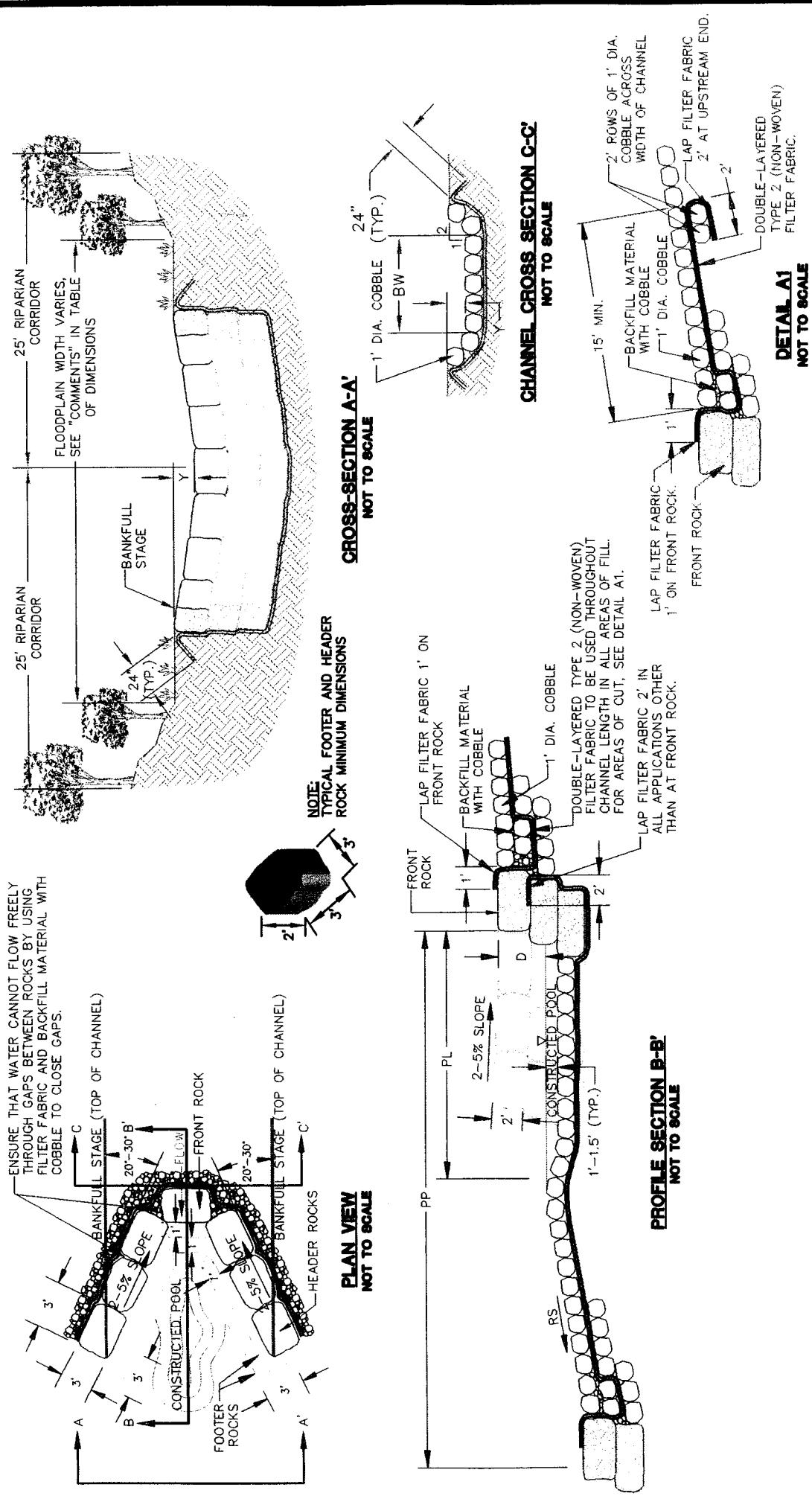
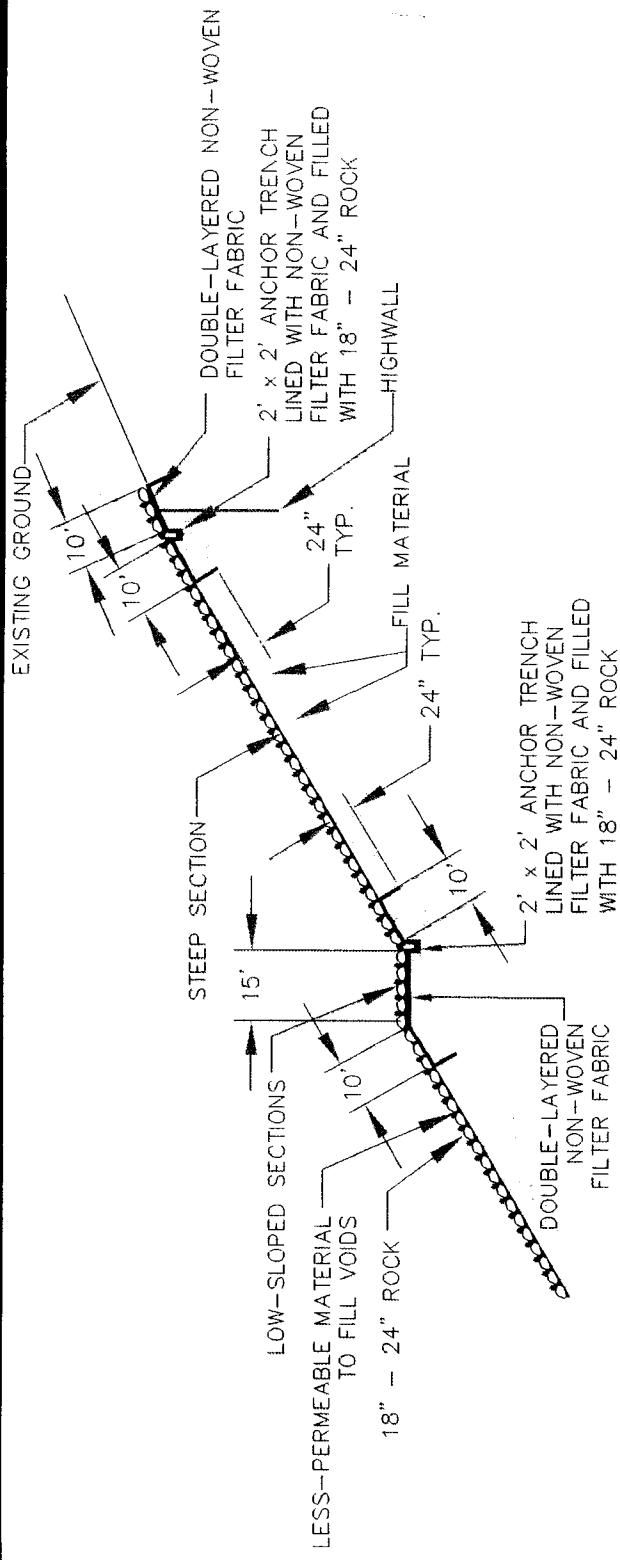


FIGURE 4
**TYPICAL RE-ESTABLISHED
 INTERMITTENT STREAM DETAILS**

PAYNTER BRANCH MINING, INC.
PAYNTER BRANCH SOUTH
SURFACE MINE
WYOMING COUNTY,
WEST VIRGINIA

DATE: 4-04-06
SCALE: NTS
DESIGNED: RHM
DRAWN: JBR

Prepared by **MARSHALL FIELD**



TYPICAL RE-ESTABLISHED Ephemeral STREAM PROFILE

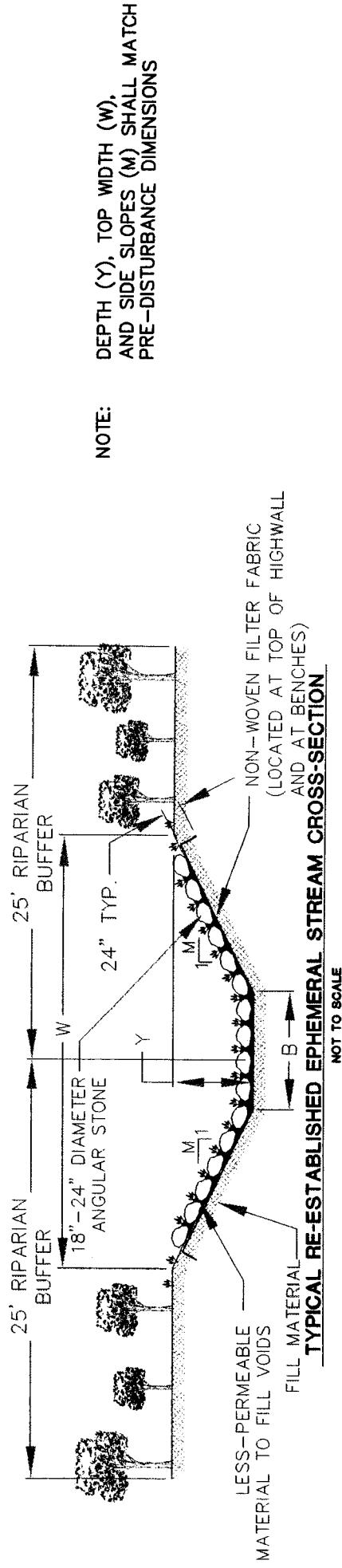
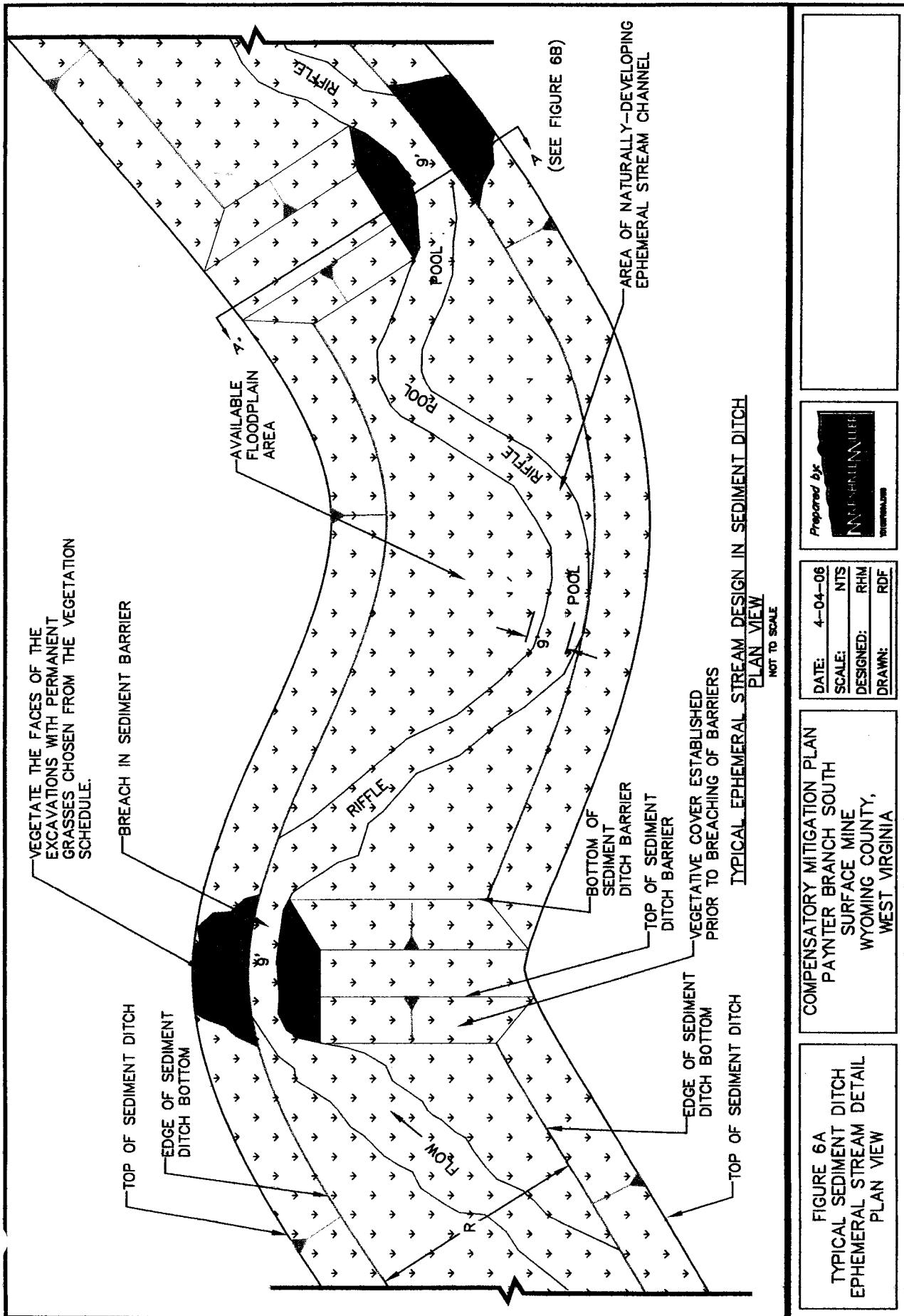


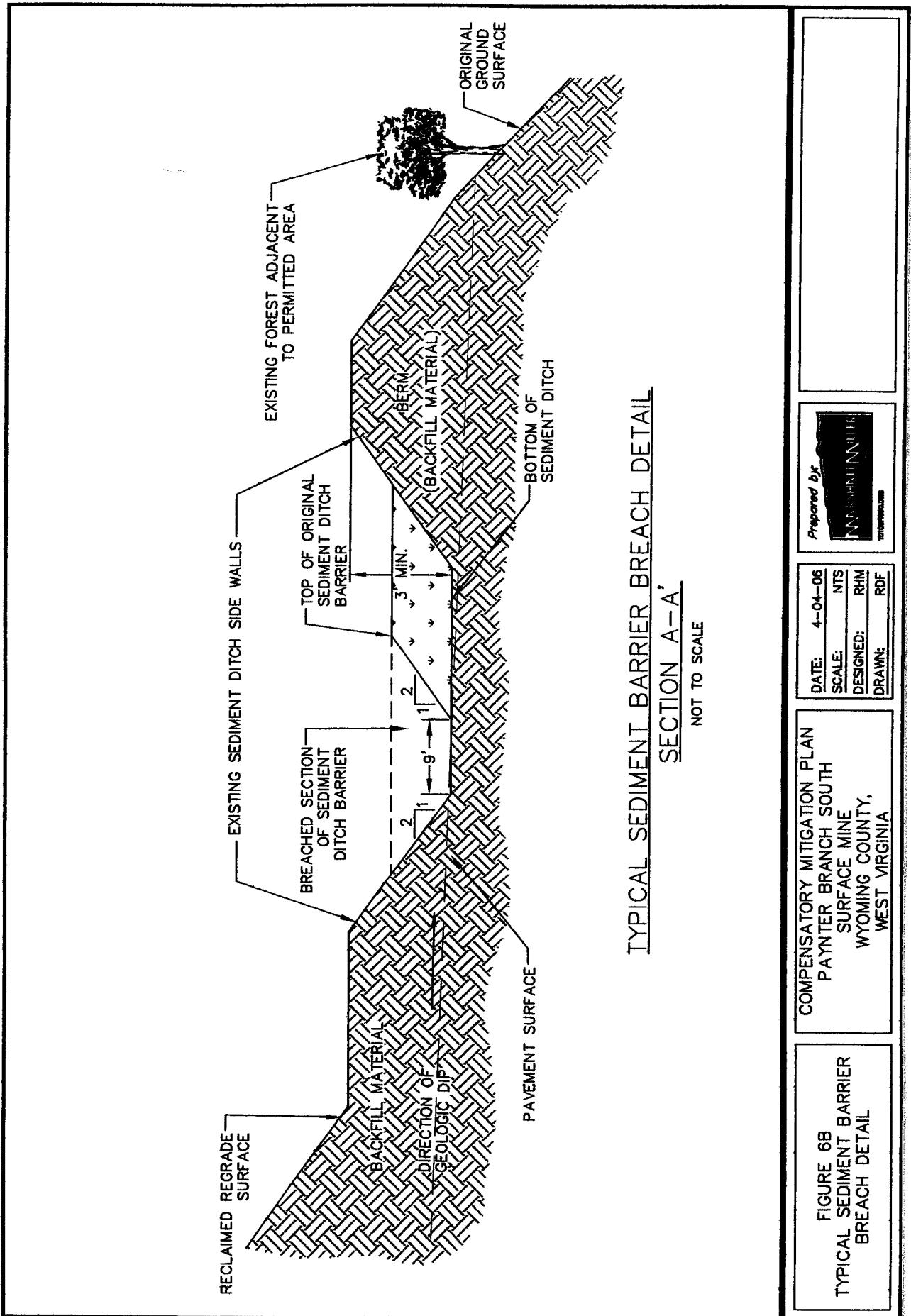
FIGURE 6
TYPICAL RE-ESTABLISHED
Ephemeral STREAM DETAILS

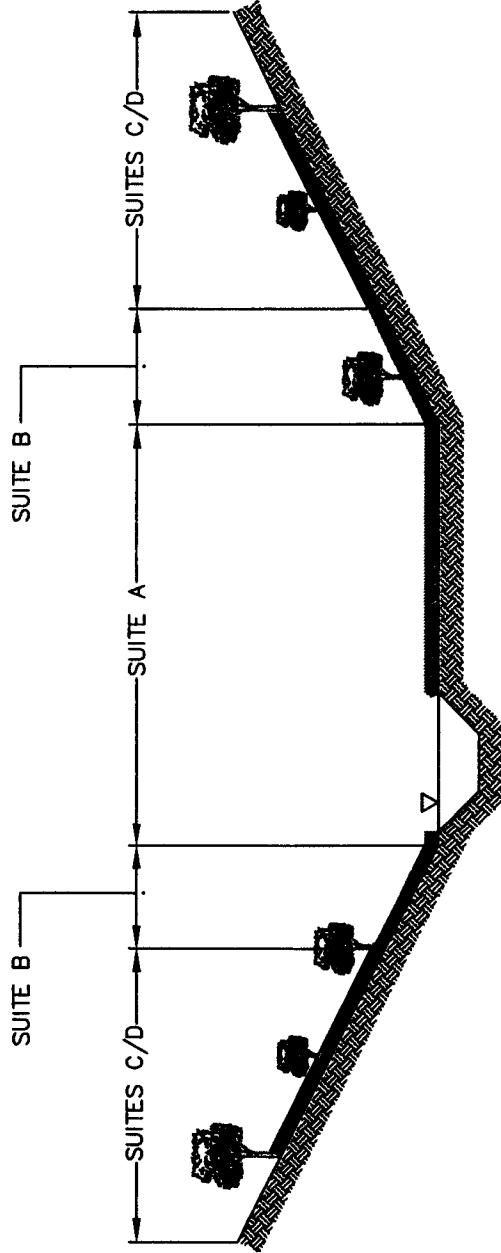
DATE:	4-04-06
SCALE:	NTS
DESIGNED:	RHM
DRAWN:	JRR

Prepared by:
NATURESCAPE
www.naturescape.com

PAYNTER BRANCH MINING, INC.
PAYNTER BRANCH SOUTH
SURFACE MINE
WYOMING COUNTY,
WEST VIRGINIA







TYPICAL PROPOSED MITIGATION STREAM SECTION

NOT TO SCALE

NOTE:
WHERE 2 SUITES ARE SPECIFIED FOR THE SAME
AREA, USE THE OPTIMAL PLANTING LOCATIONS
LISTED IN THE VEGETATION SCHEDULE TO SELECT
THE APPROPRIATE SUITE.

LEGEND

- SUGGESTED SHRUBBERY AND GRASSES
PLANTING AREA (USE AT LEAST 3
DIFFERENT SHRUB SPECIES FROM LIST.)
- ADDITIONAL AREA OF PROPOSED GRASSES
PLANTING (NO SHRUBBERY). FOLLOW
SUGGESTED PLANTING DIVERSITY ON
GRASSES TABLE.

FIGURE 11A
TYPICAL RIPARIAN
VEGETATION PLANTING DETAIL

COMPENSATORY MITIGATION PLAN
PAYNTER BRANCH SOUTH
SURFACE MINE
WYOMING COUNTY,
WEST VIRGINIA

DATE:	4-06-06
SCALE:	NTS
DESIGNED:	RHM
DRAWN:	JRR

Prepared by:
MARSHALL MILLER
WYOMING COUNTY

GRASSES/FORBS

SPECIES	SEEDING RATE (LBS./ACRE)	PH RANGE	OPTIMUM SEEDING DATES (1)	NOTES
PERMANENT				
LADINO CLOVER	3	5.5–7.5	8/15–9/15	
REDTOP CLOVER	4.5	5.5–7.5	8/15–9/15	
ORCHARD GRASS	15	5.5–7.5	3/1–6/15	TOLERANT TO SHADE
BIRDS FOOT TREFOIL	15	5.0–7.5	3/1–6/15	EROSION PROTECTION
PERENNIAL RYEGRASS	30	5.0–7.5	8/15–9/15	
TEMPORARY				
SPRING OATS	96	5.5–7.5	3/1–6/15	
WINTER RYE	168	5.5–7.5	8/15–10/15	
WINTER WHEAT	180	5.5–7.0	8/15–11/15	EROSION CONTROL

(1) PROVIDE FOR A 50% INCREASE IN SEEDING RATE WHEN SEEDING IS PERFORMED DURING THE PERIODS OF APRIL 15–AUGUST 1 AND OCTOBER 1–MARCH 1.

SHRUBS

COMMON NAME	LATIN NAME	OPTIMAL PLANTING LOCATION	NOTES
ARROWWOOD	VIBURNUM DENTATUM	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	TOLERANT TO PARTIAL SHADE
NANNYBERRY	VIBURNUM LENTAGO	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	TOLERANT TO SHADE
AMERICAN HOLLY	ILEX OPACA	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	
FLOWERING DOGWOOD	CORNUFLOR FLORIDA	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	
SILKY DOGWOOD	CORNUS CAROLINIANA	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	TOLERANT TO SHADE
AMERICAN HORNBEAM	CARPINUS CAROLINIANA	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	
ELDERBERRY	SAMBUCUS CANADENSIS	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	TOLERANT TO SHADE
SARGENTS CRABAPPLE	MALUS SARGENTII	EDGE OF FLOODPLAIN OR ABOVE FLOODPLAIN (PREFERABLE)	

*IN AREAS OF SHRUB PLANTING THE DENSITY OF 436 PLANTS PER ACRE SHALL BE COMPRISED OF TREES AND SHRUBS, WITH AT LEAST 25% OF EACH TREES AND SHRUBS.

FIGURE 11B
RIPARIAN VEGETATION SCHEDULE

COMPENSATORY MITIGATION PLAN
PAYNTER BRANCH SOUTH
SURFACE MINE
WYOMING COUNTY,
WEST VIRGINIA

Prepared by:	Natalie Shull Miller TENNECO INC.
DATE:	4-04-06
SCALE:	NTS
DESIGNED:	RHM
DRAWN:	JRR

TREES

SUITE	COMMON NAME	LATIN NAME	OPTIMAL PLANTING LOCATION	NOTES
SUITE A	AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	FLOODPLAIN	INTOLERANT TO SHADE.
SUITE A	BLACK ALDER	ALNUS RUGOSA	FLOODPLAIN AND EDGE OF FLOODPLAIN AND SURFACE MINE SPOIL BACKFILL AREAS	INTOLERANT TO INTERMEDIATE INTOLERANCE TO SHADE.
SUITE A	BLACK WILLOW	SALIX NIGRA	FLOODPLAIN	VERY INTOLERANT TO SHADE.
SUITE B	RED MAPLE	ACER RUBRUM	EDGE OF FLOODPLAIN/FLAT LOW-LYING AREA	INTERMEDIATE TOLERANCE TO SHADE.
SUITE B	TULIP POPLAR	LIRIODENDRON TULIPIFERA	EDGE OF FLOODPLAIN/FLAT LOW-LYING AREA	
SUITE C	WHITE ASH	FRAXINUS AMERICANA	DRIER SLOPES (WEST-FACING SLOPES AND FILL MATERIAL AREAS)	INTERMEDIATE TOLERANCE TO SHADE.
SUITE C	GREEN ASH	FRAXINUS PENNSylvANICA	DRIER SLOPES (WEST-FACING SLOPES AND FILL MATERIAL AREAS)	INTERMEDIATE TOLERANCE TO SHADE.
SUITE C	VIRGINIA PINE	PINUS VIRGINIANA	DRIER SLOPES (WEST-FACING SLOPES AND FILL MATERIAL AREAS)	INTOLERANT TO SHADE.
SUITE C	WHITE OAK	QUERCUS ALBA	DRIER SLOPES (WEST-FACING SLOPES AND FILL MATERIAL AREAS)	INTERMEDIATE TOLERANCE TO SHADE.
SUITE C	CHESTNUT OAK	QUERCUS PRINUS	DRIER SLOPES (WEST-FACING SLOPES AND FILL MATERIAL AREAS)	INTERMEDIATE TOLERANCE TO SHADE.
SUITE C	BLACK LOCUST	ROBINA PSEUDOACACIA	DRIER SLOPES (WEST-FACING SLOPES, FILL MATERIAL AREAS) AND SURFACE MINE SPOIL BACKFILL AREAS	INTOLERANT TO SHADE.
SUITE D	WHITE PINE	PINUS STROBUS	SURFACE MINE SPOIL BACKFILL AREAS	TOLERANT TO INTERMEDIATE TOLERANCE TO SHADE.
SUITE D	LOBLOLLY PINE	PINUS TAEDA	SURFACE MINE SPOIL BACKFILL AREAS	INTERMEDIATE TOLERANCE TO SHADE.

* TREES SHOULD BE PLANTED TO A DENSITY OF 436 PLANTS PER ACRE (CUMULATIVE DENSITY OF ALL PLANTS). SELECT AT LEAST FOUR SPECIES TO BE PLANTED. NO SPECIES SHOULD AMOUNT TO MORE THAN 40% OF THE TREES PLANTED.

**FIGURE 11C
RIPARIAN VEGETATION SCHEDULE**

COMPENSATORY MITIGATION PLAN
PAYNTER BRANCH SOUTH
SURFACE MINE
WYOMING COUNTY,
WEST VIRGINIA

DATE:	4-04-06
SCALE:	NTS
DESIGNED:	RHM
DRAWN:	JRR

Prepared by	NATIONAL ENVIRONMENTAL CONSULTANT
-------------	-----------------------------------