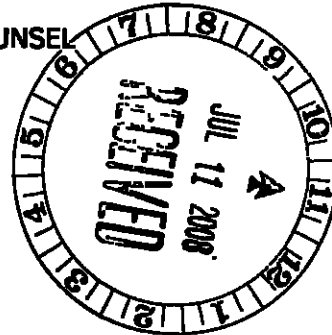




GOVERNOR'S OFFICE OF GENERAL COUNSEL

July 10, 2008

The Honorable Anne Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001



RE: R.J. Corman Railroad Company/Pennsylvania Lines, Inc. – Construction and
Operation Exemption, Centre and Clearfield Counties, Pennsylvania –
Finance Docket No. 35116 – 222878

R.J. Corman Railroad Company/Pennsylvania Lines, Inc. – Acquisition and
Operation Exemption, Line of Norfolk Southern Railway Company – 222877
Finance Docket No. 35143

Conrail Abandonment of the Snow Shoe Industrial Track in Center and Clearfield
Counties, Pennsylvania – Docket No. AB-167 (Sub No. 1004N) – 222870

Dear Acting Secretary Quinlan:

Please enter an appearance for the undersigned on behalf of the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources ("DCNR") in connection with the pending Surface Transportation Board proceedings in the above captioned dockets. Also please consider this letter a Notice of Intent to Participate filed on behalf of DCNR in connection with those same proceedings.

Enclosed for filing in the above-captioned dockets, please find the original and ten copies of DCNR's Statement of Support of the Petition to Hold Proceedings in Abeyance filed by People Protecting Communities. Copies of this letter and the enclosed statement have been served on all parties of record.

Sincerely,

Kimberly A. Hummel
Chief Counsel for the Department of
Conservation and Natural Resources

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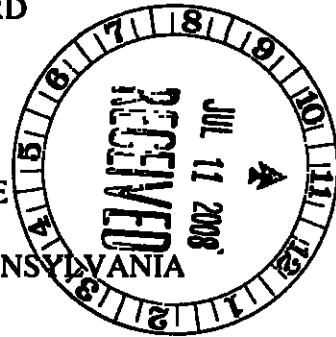
Enclosures

c: Kathryn H S Pett, Esq.
Ronald A. Lane, Esq.
Richard R. Wilson, Esq.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-167-1004

CONRAIL ABANDONMENT OF THE
SNOW SHOE INDUSTRIAL TRACK
IN CENTRE AND CLEARFIELD COUNTIES, PENNSYLVANIA



FINANCE DOCKET NO. 35116

R.J. CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES INC.,
CONSTRUCTION AND OPERATION EXEMPTION
IN CENTRE AND CLEARFIELD COUNTIES, PENNSYLVANIA

FINANCE DOCKET NO. 35143

R.J. CORMAN RAILROAD COMPANY/PENNSYLVANIA LINES INC.,
ACQUISITION AND OPERATION EXEMPTION
LINE OF NORFOLK SOUTHERN RAILWAY COMPANY

STATEMENT BY THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
IN SUPPORT OF THE
PETITION TO HOLD PROCEEDINGS IN ABEYANCE

Kimberly A. Hummel, Esq.
Commonwealth of Pennsylvania
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Date: July 10, 2008

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-167-1004

CONRAIL ABANDONMENT OF THE
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STATEMENT BY THE COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
IN SUPPORT OF THE
PETITION TO HOLD PROCEEDINGS IN ABEYANCE

Pursuant to 49 C.F.R. § 1104.13, as amended, People Protecting Communities filed a Petition to Hold Proceedings in Abeyance on June 13, 2008 (hereinafter referred to as the "PPC Petition") with respect to certain actions requested by R.J. Corman Railroad Company/ Pennsylvania Lines Inc. ("Corman") in the above-captioned proceedings pending the completion of a legally sufficient environmental review pursuant to the National Environmental Policy Act. The Commonwealth of Pennsylvania Department of Conservation and Natural Resources ("DCNR") hereby submits this statement in support of the PPC Petition.

SUMMARY OF PENDING ACTIONS

Corman filed the following documents with the Surface Transportation Board (“STB” or the “Board”) on May 20, 2008, to obtain authorization to proceed with the acquisition, construction and operation of 19 miles of new rail line in Clearfield and Centre Counties, Pennsylvania, which would provide access to a remote and largely inaccessible tract of land that has been proposed for development as a landfill and other possible industrial facilities:

- Verified Notice of Exemption for Corman’s acquisition of the residual common carrier rights held by Norfolk Southern Railway Company in a 19-mile rail-banked line in Clearfield and Centre Counties, Pennsylvania (referred to as the Snow Shoe Industrial Track), currently used as a recreational trail by Headwaters Charitable Trust pursuant to a Certificate of Interim Trail Use (*see* Finance Docket No. 35143);
- Petition to vacate the Certificate of Interim Trail Use for 9.3 miles of the rail-banked Snow Shoe Industrial Track currently operated as a recreational trail by the Headwaters Charitable Trust (Docket No. AB-167-1004); and
- Petition to exempt Corman from prior approval requirements of 49 U.S.C. § 10901 to construct and operate a rail line on the previously abandoned 10.8-mile segment extending westward from the Snow Shoe Industrial Track (referred to as the “Western Segment”) and the 9.3-mile segment of the rail-banked Snow Shoe Industrial Track currently being used by the Headwaters Charitable Trust as a recreational trail (referred to as the “Eastern Segment”) (*see* Finance Docket No. 35116).

According to Corman’s filings, Resource Recovery, LLC (“Resource Recovery”) will fund Corman’s construction of the new 19-mile rail line and Corman will operate the line to provide access to a new landfill that Resource Recovery plans to construct and operate. As explained in detail in the PPC Petition, Resource Recovery has not received approval to construct the proposed landfill. In fact, review of the landfill project has been suspended by the Pennsylvania Department of Environmental Protection because Resource Recovery has proposed to locate the landfill in an area that does not have existing transportation infrastructure sufficient to support such a project (PPC Petition, Declaration of Joanne Gillette, Exhibit 12).

Resource Recovery sought to acquire approval to construct a new interchange on Interstate 80, which is located just south of the proposed landfill site¹. However, the Federal Highway Administration has advised Resource Recovery that it cannot proceed with environmental review and consideration of the proposed interchange because the project is not part of the local long-range transportation planning documents (PPC Petition, Declaration of Joanne Gillette, Exhibit 9). Resource Recovery is now seeking approval from the STB to provide access to the site via the 19-mile rail line that Corman is seeking approval to construct. Construction of this line will require reactivation of 9.3 miles of rail-banked line (the Eastern Segment) that is currently used by Headwaters Charitable Trust as a recreational trail.

ENVIRONMENTAL REVIEW REQUIREMENT

For the reasons set forth in the PPC Petition, as well as the additional information provided in this statement, DCNR requests that the Board refrain from taking action to vacate the Certificate of Interim Trail Use on the 9.3-mile Eastern Segment, or to allow construction on either the Eastern Segment or the Western Segment of the new 19-mile rail line, until the Board has completed a comprehensive environmental review in accordance with the National Environmental Policy Act ("NEPA") and its implementing regulations. Moreover, DCNR requests that the Board prepare an environmental impact statement ("EIS") to ensure that a full range of alternatives is considered and that environmental concerns are given adequate scrutiny in advance of any decision-making that would impact the Snow Shoe Rail Trail. Because the proposed 19 miles of new rail line would terminate in a currently undeveloped and otherwise largely inaccessible area of Centre County, Pennsylvania, DCNR further requests that the STB carefully consider as part of the EIS process the significant change in local land use that the

¹ See <http://resourcerecoveryllc.com/masterplan.pdf>

proposed project will facilitate and the impact of those changes on nearby public lands managed by DCNR as state forest and state park lands.

STATEMENT OF ADDITIONAL FACTS

In addition to the Statement of Facts provided in the PPC Petition, DCNR requests that the Board consider the following information in its review of the pending Corman filings and the PPC Petition

1. The Commonwealth of Pennsylvania owns extensive public natural resources in a 12-county area in north central Pennsylvania known as the Pennsylvania Wilds. These public resources include:

- More than 1.6 million acres of state forest and game lands;
- 27 state parks;
- 8 wild areas, and 24 natural areas that cover about 150,000 acres;
- The largest elk herd in the Northeast;
- Hundreds of miles of backpacking trails, bike paths, trout fishing streams; and
- The darkest skies in the East at Cherry Springs State Park.

The Pennsylvania Wilds also includes the 500,000-acre Allegheny National Forest

2. DCNR has launched a major initiative to increase outdoor recreation and heritage tourism as a model for sustainable economic development in the Pennsylvania Wilds. As part of

this initiative, DCNR has worked collaboratively with local community leaders and citizens to develop a system-wide outdoor recreation plan for its parks and forests within the Pennsylvania Wilds. This recreation plan, the executive summary of which is attached hereto as Exhibit A, was published in May 2006. The full report, including the appendices, is available on DCNR's website at <http://www.dcnr.state.pa.us/info/pawilds/recplan.aspx>.

3. The 19-mile rail line that Corman is seeking to construct and the proposed landfill site that the rail line is intended to serve would be located in the southern portion of the Pennsylvania Wilds. The Moshannon State Forest, one of the public natural resources located within the Pennsylvania Wilds, consists of over 185,000 acres. Several miles of the proposed new rail line travel along Moshannon Creek, which borders Moshannon State Forest land. This section of the proposed rail line is part of the 9.3-mile Eastern Segment that is currently rail-banked and operated as a recreational trail. This trail, known locally as the Snow Shoe Rail Trail, is an important recreational resource that compliments the trail system within Moshannon State Forest and the nearby Black Moshannon State Park. The remote and natural beauty of the Moshannon Creek valley as experienced from the Snow Show Rail Trail is a unique and valuable outdoor experience.

4. DCNR has invested over \$75,000,000 since 2002 within the Pennsylvania Wilds to enhance recreational and tourism opportunities and foster sustainable economic growth. DCNR and the Pennsylvania Department of Transportation have provided grant funds totaling more than \$800,000 for development of the Snow Shoe Rail Trail, including projects to rehabilitate six bridges and one tunnel. A significant portion of these funds were made available to the

Commonwealth through the federal Transportation Enhancements Program and the federal Pennsylvania Recreational Trails Program, both administered by the Federal Highway Administration. DCNR also has two grant applications currently pending for further improvements to the trail.

5. During the time that Headwaters Charitable Trust was undertaking activities to develop the Snow Shoe Rail Trail, including restoring Peale Tunnel, the Commonwealth became aware of the Resource Recovery project and the possibility that the company might seek to reactivate the portion of the Snow Shoe Rail Trail. As a result, the Pennsylvania Department of Transportation and Headwaters Charitable Trust executed a supplemental agreement that provided additional terms and conditions addressing repayment of the funds for the trail development upon reactivation of the rail line. A copy of this supplemental agreement is attached hereto as Exhibit B. Under this agreement (§ 3), Headwaters Charitable Trust agreed to be responsible for making such arrangements as it deemed appropriate with Resource Recovery for financial guarantees to repay the federal funds being provided to develop the recreational trail in the event of reactivation of the rail line. The Commonwealth acknowledged that Headwaters Charitable Trust planned to enter into an agreement with Resource Recovery. Prior to execution of the supplemental agreement, Resource Recovery and Headwaters Charitable Trust had executed a letter of understanding, a copy of which is attached hereto as Exhibit C, in which Resource Recovery indicated its willingness to hold Headwaters Charitable Trust harmless from any demands by a governmental agency to repay funds expended on the Snow Shoe Rail Trail upon its conversion to railroad use (§ 3). Resource Recovery and Headwaters Charitable Trust have not entered into any specific agreements to effectuate the letter of understanding.

6. While DCNR understands that any rail-banked line has the potential to be reactivated, the Snow Shoe Industrial Track was constructed in the late 1800s and was used primarily to transport coal from the region.² With the depletion of the coal, the recovery of the area's forest resources and the state and local efforts to foster economic growth based on sustainable use of the area's natural resources, DCNR determined that investment in the Snow Shoe Rail trail was appropriate and the risk of reactivation was considered low. The proposed landfill that the new Corman rail line is intended to serve has significant local opposition in part because the proposed use is viewed as inconsistent with the type of sustainable development envisioned for the Pennsylvania Wilds. This concern is reflected in several letters from state and local officials that have been submitted to the STB as part of the environmental review scoping process, copies of which are attached hereto as Exhibit D.

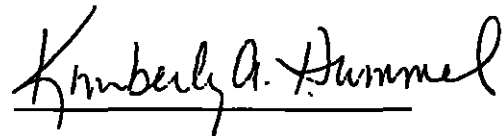
CONCLUSION

A Board decision to approve Corman's request to construct 19 miles of new rail line will stop further use and development of 9.3 miles of the Snow Shoe Rail Trail and facilitate development in an area of the Pennsylvania Wilds that is currently remote and largely inaccessible. Therefore, DCNR requests that the STB refrain from taking any action to reactivate any portion of the rail-banked Snow Shoe Industrial Track, or to approve Corman's petition to construct 19 miles of new rail line, until a full NEPA analysis of the environmental impacts associated with the new rail line and the development it will facilitate has been completed. DCNR further requests that any approval by the Board to reactivate the rail-banked

² See http://go.owu.edu/~jbkrygic/krygier_html/pealc/pealc_bc.html

Snow Shoe Industrial Track following the NEPA environmental review be conditioned upon measures that protect the Commonwealth's investments in the Snow Shoe Rail Trail and ensure that future support of rail trail development in Pennsylvania can proceed in a sound and effective manner.

Respectfully submitted,

A handwritten signature in black ink, reading "Kimberly A. Hummel", written over a horizontal line.

Kimberly A. Hummel, Esq.
Commonwealth of Pennsylvania
Office of General Counsel
Chief Counsel for the Department of
Conservation and Natural Resources
P.O. Box 8767
400 Market Street
Harrisburg, PA 17105
(717) 772-4171

Date: July 10, 2008

EXHIBIT A

A Recreation Plan for the State Parks and State Forests In the Pennsylvania Wilds

**Executive Summary
May 2006**



A Recreation Plan for the State Parks and State Forests in the Pennsylvania Wilds



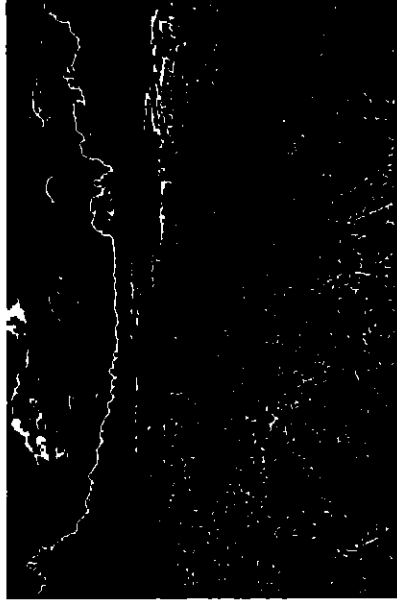
Prepared for the Pennsylvania
Department of Conservation
and Natural Resources

Executive Summary
May 2006



FERMATA
Prepared by Fermata, Inc.
of Austin, Texas

Summary of the Plan Process



Black Moshannon State Park, Ted Lee Eubanks/Fermata, Inc

Governor Edward G. Rendell launched the Pennsylvania Wilds Initiative to grow outdoor recreation and heritage tourism across north central Pennsylvania consistent with responsible stewardship of the region's public lands. The Department of Conservation and Natural Resources (DCNR) plays a lead role in the effort by providing outdoor recreation opportunities on the 27 state parks and 13 million acres of state forests in the Wilds

In August 2004, DCNR established a process to develop a system-wide outdoor recreation plan for its Pennsylvania Wilds parks and forests. The goal is to improve access to recreation opportunities while maintaining stewardship responsibilities. Fermata, Inc. of Austin, Texas was retained to develop the

plan in conjunction with a group of professionals from the agency. The planning process included

- an inventory of the recreational assets and natural features of state parks, state forests, state gamelands, Allegheny National Forest, and the major Corps of Engineer facilities in the region,
- an assessment of recreational experiences on key locations on state parks and state forests,
- an analysis of the outdoor recreation activity trends in Pennsylvania and the five surrounding states;
- special studies of Cherry Springs State Park and the Pine Creek Valley,
- public outreach and feedback through a project website, and a series of public meetings, and
- development of recommendations for staffing and organization, customer service and information, and infrastructure investments.

This document summarizes the most important findings and recommendations of the planning study. The full report including all the appendices and early action reports is available at www.dcnr.state.pa.us Click on PA Wilds

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The Pennsylvania Wilds

A LEGACY OF CONSERVATION

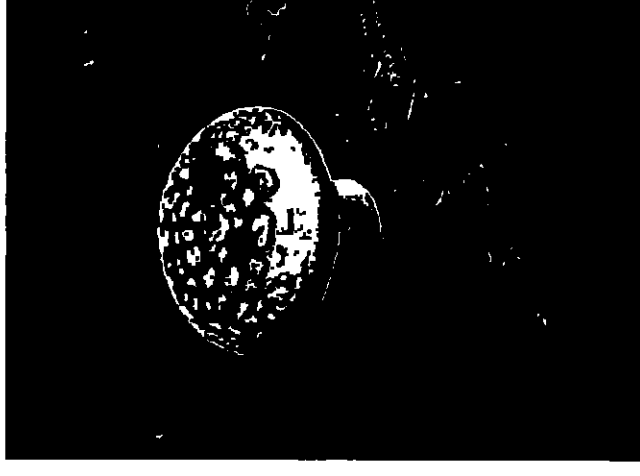
At the dawn of the 20th Century, the unbroken forests of eastern America were laid to waste. The "Big Cut" stripped much of the northeastern U.S. of its forests by the late 1800s, leaving behind heaps of burning debris, blighted mountain slopes, and sediment-choked streams. Pennsylvania forests were fated as well. But today, a modern traveler enters north central Pennsylvania to find a magnificent hardwood forest with elk, bear, white-tailed deer, turkey, and bald eagles. A century of conservation investments and efforts, spurred by the leadership of Pennsylvanians such as Gifford Pinchot, Joseph Rothrock, Myra Lloyd Dock, and Maurice Goddard, resurrected these forests and restored the region that has come to be known as the Pennsylvania Wilds.

For nearly a century, these efforts of Pennsylvanians have primarily focused on re-establishing the integrity and diversity of Pennsylvania's natural patrimony. Professionals from the Pennsylvania Department of Conservation and Natural Resources (DCNR) and other resource agencies have spent their entire careers furthering this cause. The effort has been supported by conservation organizations, sportsmen's clubs, and private landowners. Yet most Americans are unaware of these achievements of the past century, and these restored forests remain generally out of sight and thought, even among Pennsylvanians.

Today, the abundant natural resources within this region present DCNR and other public resource agencies with an unparalleled opportunity to grow and diversify the agency's recreational offerings. The 2.1 million acres of public land in the Pennsylvania Wilds provide significant prospects to expand and strengthen public involvement in conservation through education and recreation programming.

Expected increases in recreational travel offer communities in the region the opportunity to expand and diversify their local economies. In addition, the Commonwealth is supporting local planning efforts to maintain the quality of life for area residents and the character and charm of their communities.

The goal of the Pennsylvania Wilds initiative is to capitalize on the achievements of the past century and to put these remarkable natural resources to work for all of the Commonwealth's citizens. The public lands within the Pennsylvania Wilds are comparable in extent to Yellowstone National Park, yet the recreations these lands currently support are limited and constrained. The strategy detailed in this plan represents an opportunity for DCNR to provide high quality outdoor recreation experiences that match the quality and capacities of the exceptional natural resources of this region's state parks and state forests.



Mushroom, Joel Flewelling

Today, the abundant natural resources within this region present DCNR and other public resource agencies with an unparalleled opportunity to grow and diversify the agency's recreational offerings.

The Public Lands & Natural Resources of the Pennsylvania Wilds

A TREMENDOUS OUTDOOR RECREATION ASSET



Wild blueberry, Rob Tizard/Fermata, Inc

With 65% of the state's natural and wild areas, this region has Pennsylvania's greatest concentration of unique and protected landscapes and regionally or nationally significant ecosystems, like boreal bogs and old growth forests.

The core of the 12-county Pennsylvania Wilds market region is its outstanding natural resource base and its 21 million acres of public lands – the largest block of public land between New York City and Chicago. The region is close and accessible to the major population centers of the East with nearly 50 million Americans living within a six-hour drive. But perhaps most important, this is a landscape dominated by nature, with the state's greatest concentration of specially designated lands, streams, and rivers

The amount and variety of special designated areas speaks to the quality of the experiences available in the Pennsylvania Wilds. With 65% of the state's natural and wild areas, this region has Pennsylvania's greatest concentration of unique and protected landscapes and regionally or nationally significant ecosystems, like boreal bogs and old growth forests. The success of conservation in the Pennsylvania Wilds is evidenced by the reintroduction and subsequent flourishing of extirpated species, the designation of scenic rivers that were once polluted, and the recognition from private organizations, like Audubon, that these public lands provide critical habitat for wildlife species

Natural Assets in the Pennsylvania Wilds

Site Type	Amount	Unit
Important Bird Areas	192,191	acres
National Historic Register	13	sites
National Recreation Area	23,001	acres
National Recreation Trail	19	miles
National Scenic Trail	107	miles
National Wild & Scenic Rivers	139	miles
State Scenic Rivers	46	miles
Pennsylvania Byways	131	miles
National Scenic Byway	29	miles
National Natural Landmarks	5,293	acres
State Natural Areas	42,879	acres
State Wild Areas	100,084	acres
Federal Wilderness Areas	8,940	acres

Opportunities for viewing wildlife are abundant and varied. The Pennsylvania Wilds supports the largest herd of wild elk in the Northeast, and visitation by elk watchers has increased significantly in recent years. Bald eagles nest in many corners of the region and Audubon has designated almost 200,000 acres as Important Bird Areas. River otters and

fishers have been successfully re-introduced to the region. The water resources are outstanding and include many of the state's finest headwaters, and 690 miles (65%) of its Class A Wild Trout Streams. Wild and scenic rivers include the Allegheny, Clarion, and Pine Creek. Lakes in this area are man-made and range in size from less than an acre to the Allegheny Reservoir's 8,000+ acres. The Reservoir is known as a trophy fishery for northern pike, walleye, and muskellunge, and its coldwater discharge supports a great trout fishery downstream.

About 80% of the region's six million acres is forestland including some of the best hardwood forests in the world. It supports a vibrant forest products industry, and is especially known for the world's finest black cherry timber. The Pennsylvania state forests support multiple uses based on the principles of ecosystem management. It has been certified as managed in an environmentally responsible manner consistent with the sustainable forest management principles of the Forest Stewardship Council. It is the largest tract of certified public forestland in North America.

Public Lands for Recreation

Of the approximately two million acres of public land in the Pennsylvania Wilds, more than half is state forest, managed for multiple uses and offering a primitive to semi-developed recreational experience in a forested landscape. The 500,000-acre Allegheny National Forest provides a range of experiences from primitive to developed settings. State game lands are dispersed and undeveloped,

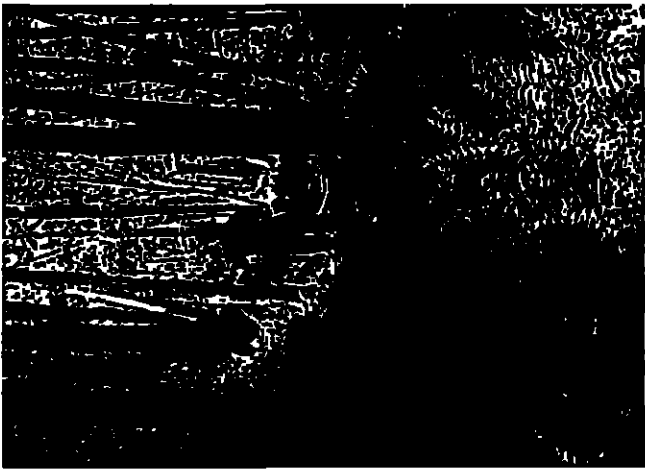
emphasizing wildlife management to support hunting enthusiasts. State parks offer a semi-primitive to developed experience in a setting that ranges from natural ecosystem to landscaped grounds. At Corps of Engineers lakes, the experience is primarily developed in a landscaped setting.

Trails are the Region's Key Link to the Outdoors

There are over 3,836 miles of recreational trails in the Pennsylvania Wilds, and over 75% are on DCNR lands. These trails are a significant recreational asset for the region and provide access to the interior of the Wilds for visitors of nearly every interest and ability. Snowmobile enthusiasts enjoy the most extensive trail system totaling 1,837 miles, with hiking opportunities following with 1,628 miles.

Many of the state parks serve as trailheads for the major hiking, equestrian, and snowmobile trails on state forests, such as:

- Black Moshannon State Park- Allegheny Front Trail
- Hyner Run State Park Donut Hole Trail
- Kettle Creek State Park Kettle Creek Equestrian Trail
- Little Pine State Park Mid-State Trail
- Ole Bull State Park Susquehannock Trail



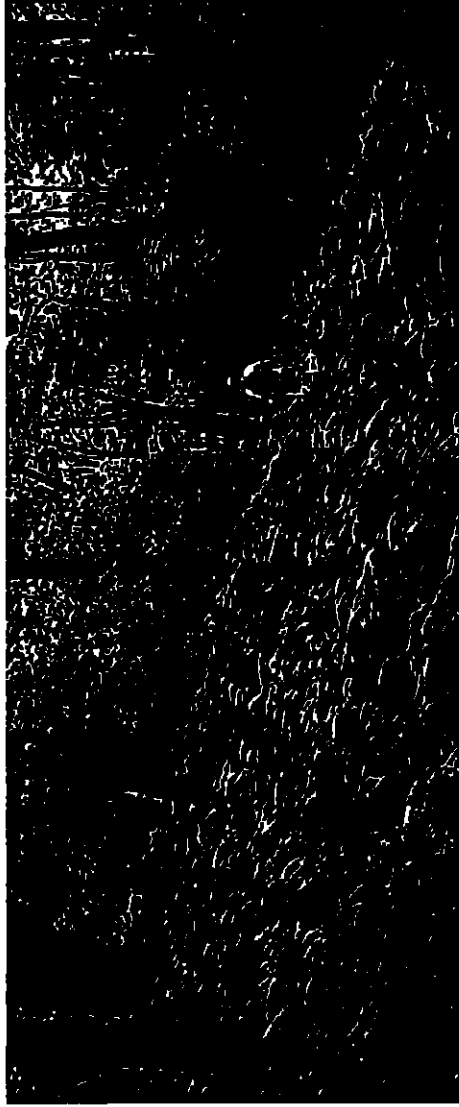
Beartown Rocks Trail Kittanning State Forest, Brenda Adams-Weyant/Permalta, Inc

Opportunity by Trail Type

Trail Type	Miles
Accessible	81.66
ATV	267.53
Backpack	683.72
Bicycle	938.09
Equine	539.72
Hike	1628.25
Interpretive	15.17
Snowmobile	1837.70
Cross-country Ski	642.47

Recreation Trends

A CHANGING PATTERN OF DEMAND



Chuck Keiper Trail, Spruce State Forest,
Brenda Adams-Weyant/Fernalta, Inc

Since about 50% of outdoor recreationists are only passively involved or engaged... attracting these individuals will require additional visitor support in terms of information, visitor services, signage, and recreational programming.

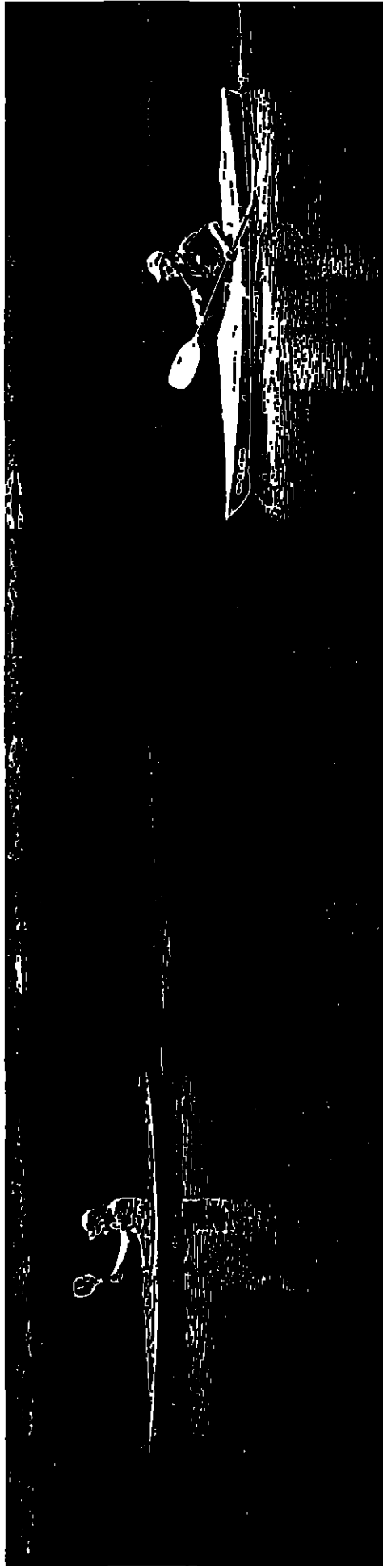
The trends in outdoor recreation in Pennsylvania and the surrounding five states (the market region) indicate shifting demands and desires on the part of the recreational public. These changes will challenge how DCNR strives to serve its traditional customers as it reaches out to accommodate new visitors

The plan researched recreational trends in Pennsylvania and the surrounding states - New York, New Jersey, Ohio, Maryland, and West Virginia - through a special analysis of the data contained in the National Survey of Recreation and the Environment, 1995-2004. The chart on page 7 summarizes the size and growth trends for the key outdoor recreation activities appropriate for the Pennsylvania Wilds

Regional Recreation Preferences

The recreational public within the six-state Pennsylvania market region is much more urban than the traditional customer base of the public lands in the Pennsylvania Wilds. As the marketing of the Pennsylvania Wilds expands beyond its traditional base, more of these urban recreationists will be introduced to the region. In order to provide quality outdoor recreation experiences to these uninitiated visitors from urban areas, DCNR will need to improve its facilities, visitor information, public outreach efforts, and customer service.

Since about 50% of outdoor recreationists are only passively involved or engaged, (a group which represents an important target audience for conservation education) attracting these individuals will require additional visitor support in terms of information, visitor services, signage, and recreational programming. The other half of outdoor recreationists is generally committed to one or more outdoor recreation pursuits. They include those groups preferring nature pursuits; water-based activities; hunting, fishing, and motorized activities; backcountry hiking and camping. These "specialists" have high information demands based on their specific recreation of choice, and if satisfied, many will find the Pennsylvania Wilds provides an excellent location for their sport.



Claron River, Ted Lee Eubanks/Ferriata, Inc

Size and Growth of Key Outdoor Recreation Activities, Pennsylvania and Surrounding States

Recreation	Size (millions) *	Growth (95-04)
Developed camping	97	33%
Primitive camping	52	18%
Visiting historic sites	211	8%
Visit prehistoric/archaeological sites	8.3	18%
Big game hunting	3.4	17%
Small game hunting	2.6	8%
Migratory bird hunting	0.5	-8%
Off-Road Driving	6.9	24%
Visiting an Interpretive Center	24.6	8%
Driving for pleasure	23.6	NA
Sightseeing	22.7	-5%
Road biking	16.8	37%
Day hiking	13.7	37%
Backpacking	3.7	23%
Visiting a wilderness or primitive area	12.6	NA
Mountain Biking	9.1	NA
Horseback riding	2.6	NA

* Based on data collected from 2000-2004. Source: National Survey on Recreation and the Environment (NSRE)

Recreation	Size (millions) *	Growth (95-04)
View/photograph other wildlife	20.1	47%
View/photograph natural scenery	26.9	NA
View/photograph wildflowers, trees	19.9	NA
View/photograph birds	14.9	27%
View/photograph the sky (stargazing)	NA	NA
View/photograph fish	10.2	86%
Visiting a waterside	10.4	3%
Coldwater fishing	5.3	24%
Canoeing	4.0	24%
Kayaking	1.4	169%
Swimming in natural waters	18.3	4%
Warmwater fishing	8.2	10%
Snowmobiling	2.2	21%
Cross-country skiing	1.5	-1%
Sledding	8.2	26%
Ice fishing	0.6	24%
Snowshoeing	0.4	NA



Hal Korber

The challenge for DCNR will be in diversifying its recreational constituency and audience without alienating traditional public land users such as hunters and anglers. Fortunately, this immense public landscape offers the agency the opportunity to accommodate a diversity of recreational interests and activities.

New visitors attracted to the Pennsylvania Wilds are likely to include those from the largest recreational activity groups, dominated by urban residents. Many of these prefer look-and-learn activities that require limited physical exertion. The plan recommends a special emphasis to develop programs for these activity groups

- visiting nature/interpretive centers
- sightseeing/scenic driving
- biking (mountain, rail-trail and road)
- hiking, backpacking, primitive camping
- viewing and photographic activities (birds, wildlife, natural scenery)
- canoeing/kayaking

Legacy Recreations (Hunting and Fishing)

Legacy activities (those outdoor recreations that are traditional in the U.S.) such as hunting, fishing, hiking, and camping remain strong interests within Pennsylvania and the adjacent five states, although their growth rates are generally sluggish. These legacy recreations have traditionally connected man to this land. The challenge for DCNR will be in diver-

sifying its recreational constituency and audience without alienating traditional public land users such as hunters and anglers. Fortunately, this immense public landscape offers the agency the opportunity to accommodate a diversity of recreational interests and activities

DCNR currently provides an impressive variety of public hunting and fishing opportunities. Across the Commonwealth, the agency provides public access to 2.4 million acres of DCNR land for hunting and fishing; leases 3,000 sites for hunting camps and cabins, opens an additional 500 miles of state forest roads during hunting season; and maintains important habitat for game species through food plots and other forms of habitat management.

Yet there are additional opportunities, particularly within the Pennsylvania Wilds, to expand public hunting and fishing opportunities while elevating the quality of the recreational experience itself. Fishing, in particular, has demonstrated an ability to adapt to the changing social environment, and specialties such as fly-fishing may be important sources of expansion and recruitment. This will require a cooperative effort with the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission, the agencies that have primary responsibility for hunting and fishing in the Commonwealth.

DCNR's Key Recreational Assets

MODEL AND SIGNATURE SITES

The plan included a substantial inventory and assessment process in order to recommend the best sites that support the recreational activities appropriate for the DCNR parks and forests of the Pennsylvania Wilds. These sites are recommended as priorities for investment as well as promotion.

The process involved all 27 state parks and eight forest districts administered by DCNR in the region, and began with interviews of the key field staff managing these lands. It also included the development of a comprehensive inventory of all outdoor recreation sites, trails, and facilities. (This general inventory also included lands, trails, and recreational facilities of the Allegheny National Forest, State Gamelands, facilities of the Army Corps of Engineers, and Special Regulation Waters of the Pennsylvania Fish and Boat Commission).

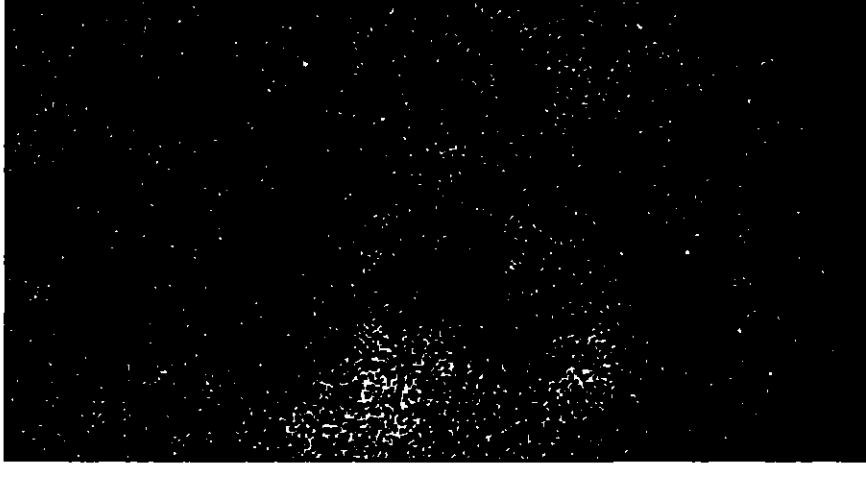
Site assessments were conducted at 64 locations selected in consultation with DCNR field and central office staff. The intent was to include several candidate locations for each recreational activity determined to be appropriate for the DCNR lands in the region.

Fermata staff conducted the site assessments using its Applied Site Assessment Protocol™ (ASAP) as a guide. This protocol assesses the value of any

specific natural location as a nature tourism destination, using a scoring system to rank sites relative to their tourism, rather than ecological, value. The result of the process is a set of recommendations identifying those locations considered to be *Signature Sites* where the resources are best suited for specific recreations. In addition, the process recommends some of the signature sites be developed as *Models*, and receive immediate attention and or investment. These *Model Sites* will serve as examples of the best in outdoor recreation that the Commonwealth has to offer in the Pennsylvania Wilds. The *Model Sites* are recommended as a priority for implementation and will serve as examples to guide the design and implementation of other *Signature Sites* (see table on pages 10 & 11).

The plan includes recommendations that would upgrade the quality of the facilities at *Model Sites* to provide the highest quality recreational experience for visitors.

A critical attribute of most of these *Model Sites* is the connection to surrounding communities. For example, the Pine Creek Rail Trail is a tremendous opportunity to connect downtown Wellsboro and Jersey Shore to a premier outdoor recreation experience. The Cherry Springs Dark Skies does the same for Galeton and may now influence the borough's lighting regulations in order to protect



Dave Wymer

Model and Signature Sites

Recreation	Model Site	Signature Sites			
Developed Camping	Black Moshannon SP	Ole Bull SP	Clear Creek SP	Hills Creek SP	Little Pine SP
Visit Historic Sites	Implement Lumber Heritage Region Interpretive Plan				
Visit Prehistoric, Archaeologic Sites	Sinnemahoning SP Portal				
Visit Interpretive Centers	SB Elliott SP Gateway	Cherry Springs SP Portal	Leonard Harrison SP Portal	Cook Forest SP Portal	
	Rocky Mountain Elk Foundation Center at Benezette (tentative)				
Driving for Pleasure	Elk Scenic Drive	Bucktail Scenic Byway	PA 44/144 Scenic Byway Proposal	Clarion River Byway Proposal	US Route 6
Sightseeing	Implement Lumber Heritage Region Interpretive Plan				
Day Hiking	Cook Forest SP	Mount Brodhead Trail Susquehannock SF	Fred Woods Trail Elk SF	Ole Bull SP	Black Moshannon SP
		Clarion River Trail Allegheny NF			
Backpacking	Quehanna Trail Elk and Moshannon SFs, Parker Dam SP	North Country National Scenic Trail' Cook Forest SP, Kittanning SF	West Rim Trail Tioga SF	Black Forest Trail Tadaughton SF	Chuck Keiper Trail, Sproul SF
		Susquehannock Trail Susquehannock SF	Allegheny Front Trail Moshannon SF		
Visit a Wilderness or Primitive Area	Hammersley Wild Area Susquehannock SF	Quehanna Wild Area Moshannon & Elk SFs	Letterman & Burns Run Wild Areas Sproul SF	Pine Tree Trail Natural Area Elk SF	Tamarack Swamp Natural Area Sproul SF
Mountain Biking	Eagleton Mine Camp Trail Sproul SF				
Railtrail Biking	Pine Creek Rail-Trail				

this resource Ridgway is now involved in a riverfront strategic planning effort to enhance its connections to the Clarion River. These connections to communities give DCNR an opportunity to partner with citizens, businesses, and local governments to stimulate the renewal of communities across the Pennsylvania Wilds.

Trails are the critical connection between recreations and resources in the Pennsylvania Wilds. The plan recommends that recreational trails receive a priority for investment and that they be strategically examined to identify opportunities for additional links to communities throughout the region

The Model Sites are recommended as a priority for implementation and will serve as examples to guide the design and implementation of other Signature Sites.

Model and Signature Sites (continued)

Recreation	Model Site	Signature Sites		
Horseback Riding	Kettle Creek Equestrian Trail Sproul SF and Kettle Creek SP	Thunder Mountain Equestrian Trail Elk SF	Keystone Mountain Country Trail System Tioga, Triadaghton, Susquehannock & Sproul SFs	
View/Photograph Other Wildlife	Sinnemahoning SP	Hills Creek SP	Bald Eagle SP	Elk Scenic Drive
View/Photograph Natural Scenery	Hyner View SP	Beartown Rocks Kittanning SF	Leonard Harrison SP	Colton Point SP
View/Photograph Wildflowers, Trees	Forest Cathedral Natural Area Cook Forest SP	Bald Eagle SP		
View/Photograph Birds	Bald Eagle SP	Cook Forest SP	Sinnemahoning SP	Black Moshannon SP
View/Photograph the Sky	Cherry Springs SP	Fish Dam Overlook Sproul SF		
Visit a waterside	Black Moshannon SP	Wykoff Run Road Elk SF	Pine Creek and tributaries	Rattlesnake Rock Tioga SF
Coldwater Fishing	Kettle Creek	Pine Creek and tributaries	Fishing Creek (Clinton County)	Clarion River
Flatwater Paddling	Clarion National Wild & Scenic River	Pine Creek State Scenic River	Allegheny Wild & Scenic River	West Branch Susquehanna River
Whitewater Paddling	Pine Creek State Scenic River			
Swimming in Natural waters	Parker Dam SP	Bald Eagle SP	Chapman SP	Hills Creek SP
Warmwater Fishing	Sayers Lake Bald Eagle SP	Hills Creek SP		
Cross-country Skiing	Denton Hill Cross-country Trail Susquehannock SF	Black Forest Area Cross-Country Ski System Triadaghton SF	Quehanna Cross-Country Ski Trail System Elk and Moshannon SFs	
Winter Activities	Chapman SP			

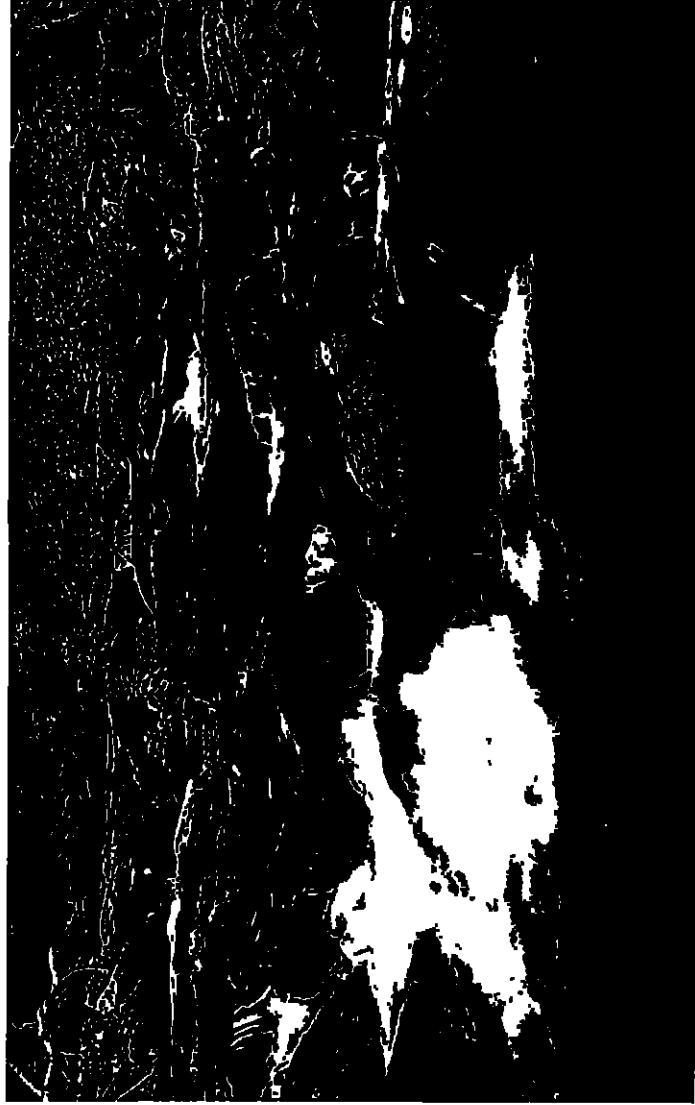


Camping at West Branch Spourn, Ted Lee Eubanks/Permata Inc

Site assessments were conducted at 64 locations selected in consultation with DCNR field and central office staff. **The Intent was to include several candidate locations for each recreational activity** determined to be appropriate for the DCNR lands in the region.

Staffing and Recreational Programming

RECOMMENDATIONS



Sprout State Forest, Ted Lee Eubanks/Fermata, Inc.

Fermata recommends organizing on two levels: a region-wide planning and administration team, and an operations and maintenance team at a multi-unit level.

Fermata has studied staffing levels and requirements in all of the state forests and parks within the Pennsylvania Wilds. The results of these studies have been incorporated into the full report. However, one fact derived from this research stands out above the rest: For DCNR and the Pennsylvania Wilds to expand, diversify, and offer the highest quality recreational opportunities, existing staff will need to be augmented.

Fermata is recommending the formation of recreation units (aggregations of existing state forests and parks) as a cost-effective approach to support and coordinate recreational activities in the region. In addition, recreational units will allow the agency to begin to view recreation and public use across bureau and unit boundaries.

Yet Fermata also believes that DCNR should be prepared to act on these recommendations in advance of significant staff increases. Additional resources already have been invested by the state in the Pennsylvania Wilds (such as the Pennsylvania Wilds Recreation Team referenced below). With the cooperation of regional staff, opportunities exist to better allocate personnel and resources.

Fermata also recommends placing recreation professionals at all levels of the organization to improve the level of recreational service. The team structure Fermata recommends organizing on two levels: a region-wide planning and administration team, and an operations and maintenance team at a multi-unit level.

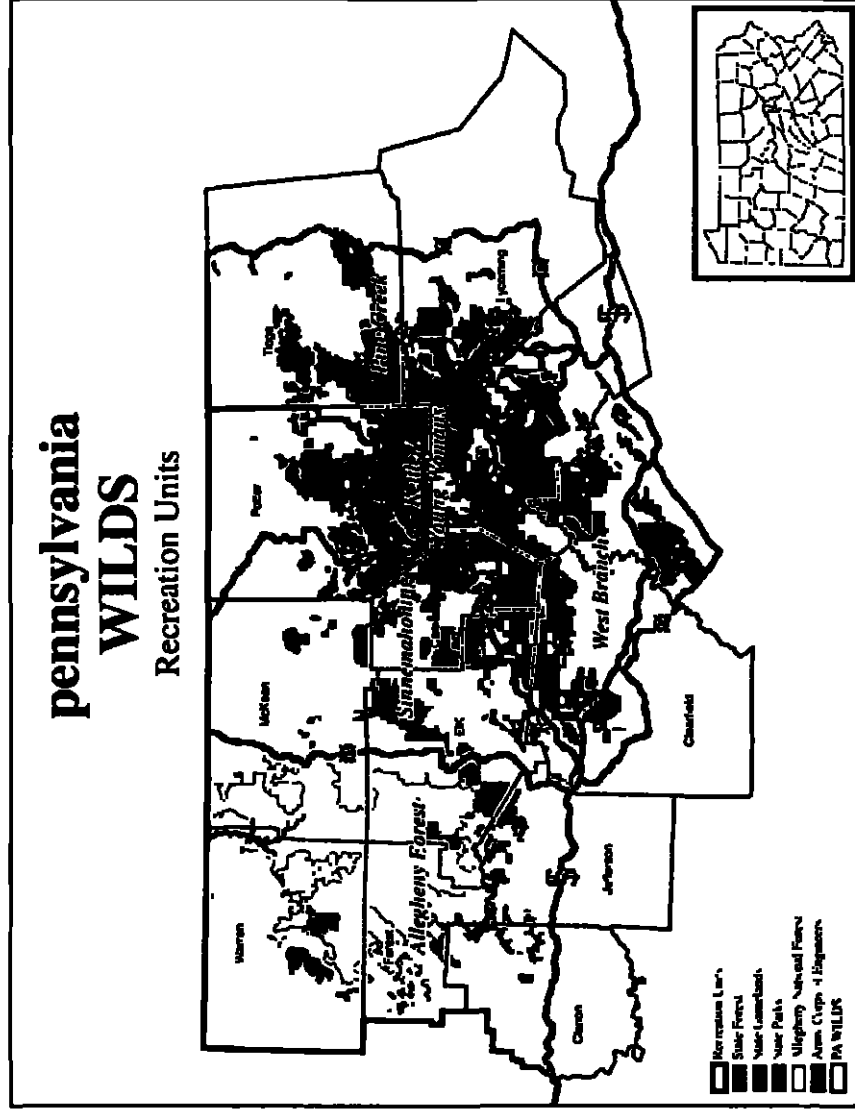
Wilds Recreation Team

The DCNR Wilds Recreation Team (Team) should be comprised of planning, design, and interpretive staff with experience within all levels of the agency - central office, region, and units. This five-person

team is currently being created by DCNR and will be charged with the primary responsibility to insure implementation of the plan's recommendations in the field. The Team will provide interpretive planning, and coordinate improvement to visitor services, public information, and recreational programming. The Team will work to insure that service is customer focused; that policies protect resources without being overly restrictive, that information meets user needs as well as communicating agency messages, and that recreation is considered when other land uses are discussed. The end goal is to permeate the agency with a commitment to service quality. The Team should also develop service quality guidelines, insure the consistent application of the guidelines, evaluate the appropriateness of new recreations on public land; draft and recommend recreation and public use rules, and help prioritize capital investments.

Wilds Recreation Unit Teams

Interpretive, operations, and maintenance staff are recommended to be coordinated as part of a support network within a specific Recreation Unit, defined for the purpose of this report as one landscape-scale resource (such as a watershed) with associated state parks and forests. Expected operational duties are those typical of any recreational facility, such as taking reservations, law enforcement, trail patrols, snowmobile trail grooming, lifeguarding, cleaning, and mowing.



The five recreational units recommended for the DCNR facilities in the Pennsylvania Wilds are shown in the map above

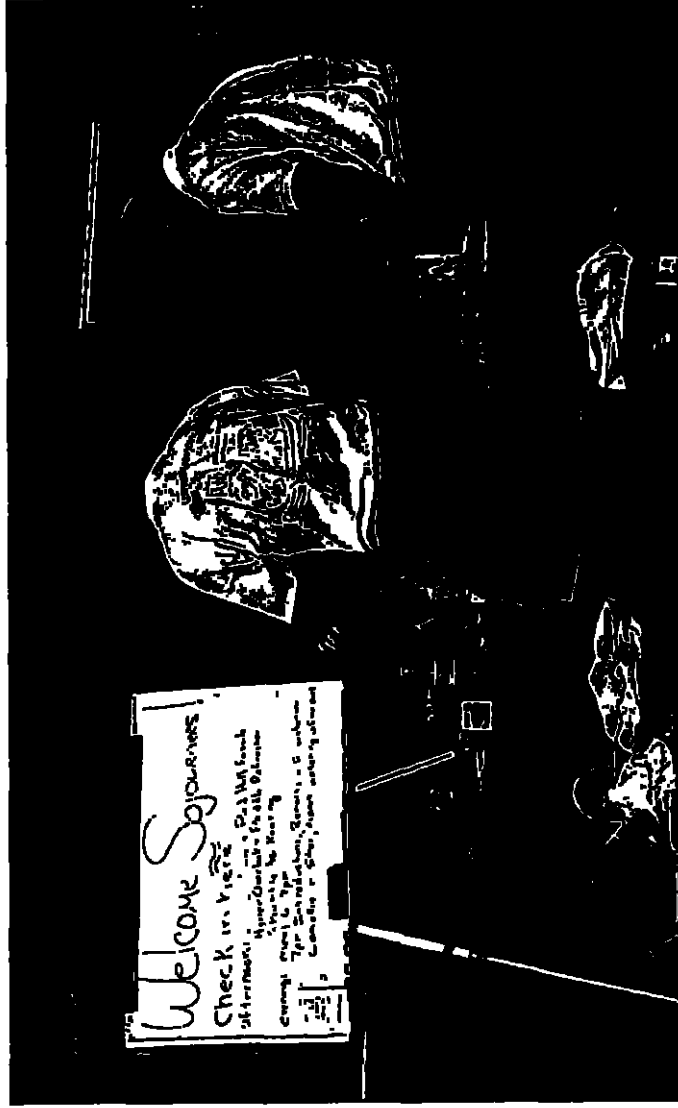
These networks will be especially helpful to DCNR to provide technical support to make existing staff more effective. For example, state parks currently have staffing in place that is experienced in managing

The end goal is to permeate the agency with a commitment to service quality.

Recreational Programming in the Pennsylvania Wilds

In order to reach out to a more uninitiated population, which is expected to grow across the region, DCNR will need to offer a wide range of recreational programming at its state parks and forests. Facilitation and nurturing of the recreational experience will be required to attract these underrepresented and underserved segments of the population to the Pennsylvania Wilds. Fermata suggests that DCNR develop programming with its own staff, with the private sector, and in partnership with non-profit organizations and the public recreation sector. Programming should range from basic skills training (how to pitch a tent, how to tie a fly) to offering more intensive long-distance hikes and canoe trips

Expanded recreational programming should be pursued for traditional activities like hunting and fishing. Partnerships with sister agencies such as the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission would be important in developing such programming. In addition, area sportsmen's clubs (as represented by organizations such as the Pennsylvania Federation of Sportsmen's Clubs) as well as not-for-profits such as the Rocky Mountain Elk Foundation and Trout Unlimited should be invited to participate in developing additional programming and training.



West Branch Solourn, Ted Lee Cubanks/Fermata, Inc

ing recreation and these skills should be transferable to state forest settings as well. The recreation staff within each Recreation Unit should supply technical and labor support for field issues such as providing consistent approaches to law enforcement problems; identifying common maintenance problems and brainstorming solutions, sharing specialized equipment, advising agency staff on managing problem areas, assisting with storm damage cleanup; concentrating efforts to maintain trails; coordinating office hours to cover high use periods; and cross-training reception personnel to answer common questions within the Recreation Unit

- DCNR will need to offer a wide range of recreational programming at its state parks and forests
- **Facilitation and nurturing of the recreational experience will be required to attract these underrepresented and underserved**
- segments of the population to the Pennsylvania Wilds

Communications and Information

The connection between resource and recreation is communications. Without an effective communication strategy, the Pennsylvania Wilds will never achieve its full potential. However, to expand the recreational population traveling to the Pennsylvania Wilds, particularly among uninitiated urbanites, will require a more sophisticated and broad-based communications strategy.

The development of a high-quality communication and outreach program is far easier today with the technologies that are now available. The Internet, real-time imagery, pod casts, and blogs are all examples of high-tech tools that are at the agency's disposal. However, there is little use in speaking if no one is listening, and an effort is needed to raise the profile of the Pennsylvania Wilds, the public lands of DCNR, and the agency itself. Therefore, the plan recommends a high priority on the development of a diverse set of informational tools and products.

Interpretation

All DCNR recreational programming within the Pennsylvania Wilds should include an interpretive component. Interpretation is the communication process that links meanings of resources to the experience and background of visitors in order to provoke a deeper understanding and appreciation

of those resources. Interpretation services are either personal (naturalist programs) or non-personal (exhibits or panels). Providing both will serve a wider diversity of visitors, as some people will seek out facilitated experiences and others will prefer independence. Regardless of their preference, there are many conservation messages that need to be communicated to visitors to increase their awareness, influence their behaviors, and enhance their experience.

There is no single Fermata recommendation that would have more immediate impact on the public than the development of comprehensive interpretive plans at the recreation unit level. A key component in any such strategy will be the development

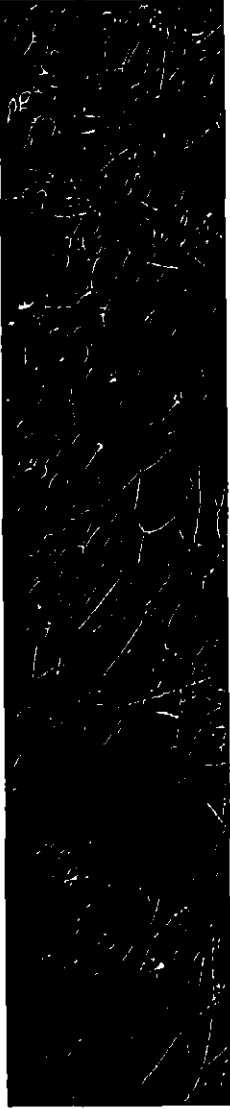
and installation of interpretive signs that deliver a consistent and concise set of DCNR messages. At present, there are few interpretive signs on DCNR lands and in the absence of interpretive staff, visitors are left to their own devices.

Fermata recommends developing a series of interpretive messages through both personal and



Interpretive kiosk at Hicks Run, Rob Tizard/Fermata, Inc.

to expand the recreational population traveling to the Pennsylvania Wilds, particularly among uninitiated urbanites, will require a more sophisticated and broad-based communications strategy.



Wood sorrel, Ted Lee Eubanks/Fermata, Inc

non-personal interpretation that communicate the critical role that DCNR and its predecessors played in the restoration and renewal of the Pennsylvania Wilds. Current visitors to the public lands in the region may well believe that the lands there are "wilderness" rather than the result of a century of conservation effort. Pennsylvania can certainly claim to be the "cradle of conservation" in American history, and the Pennsylvania Wilds represents the finest example of that concept. The development and installation of a universal interpretive sign detailing the agency's history, its ethic, and its responsibilities is a simple, cost-effective approach and should be given a high priority

DCNR Website

The plan recommends that the DCNR website be enhanced to provide more detailed information on specific recreation facilities and experiences available on public lands within the Pennsylvania Wilds. The objective is to provide detailed information that would not only entice people to visit but to facilitate and nurture their travel as well. The website should also provide the kind of detailed information that would satisfy the needs of the more experienced and committed recreationist for particular information about conditions, locations, trailheads, etc. An effective website should incorporate redundancy that guarantees that viewers will find what they are looking for regardless of the way they search.

Fermata recommends DCNR:

- structure the entire website by recreational activities as well as by park and forest units. Information about state park recreational opportunities presently can be obtained by either identifying the park or the activity (for example, the "find some fun" feature). The state forest website should mirror this structure and the activity component should encompass all DCNR activities and not be separated by bureau
- expand the state forest pages that describe hiking opportunities. Each trail system should have its own page (backpack trails, ATV trails, equestrian trails, snowmobile trails, cross-country ski trails, and State Forest hiking trails). Likewise, each state park should have a page that provides details about each trail in the park
- display similar information with similar detail for all state forests. Consistency will be critical in meeting the expanded demands and expectations of travelers to the region. The following general categories of information should be provided for each state forest history, recreational activities, accessibility, wild and natural areas, resource management, and a selection of state forest maps
- provide the same kinds of information at the same level of detail for all parks (consistency is the key)
- provide links to private outfitters and guides as an important customer service. If the agency is

restricted to listing private businesses that have an agreement or permit, work with the local tourist promotion agency or Pennsylvania Wilds Corp to link to a website that lists outfitters and guides services that includes as much detail as possible. This will be particularly important as the Wilds Recreation Team begins to implement additional recreational programming in partnership with the private sector

State Forest Public Use Maps

The plan recommends that DCNR improve the quality of these maps and.

- use larger scale maps to reduce clutter and provide more detail
- display all roads and designated trails on maps Recreationists are challenged to navigate through state forests if important roads and trails are absent from maps
- use road and trail names on maps, and insure that they agree with on-the-ground signage.
- provide detailed information on what to expect within state forests Many visitors arrive with expectations that cannot be met
- provide interpretive information on local history, land management, and conservation practices
- use consistent language in referencing specific types of trails, employing the four designations of

trails National Scenic, State Forest Hiking Trails, local district trails, and interpretive trails

- remove trails from state forest public use maps that are no longer visible (or viable) on the ground

State Park Maps

The plan recommends that DCNR

- use a larger map format because it provides more detailed information on specific trails and resources.
- use a stand-alone, larger scale trail map for parks with extensive trail networks
- insure that maps provide interpretive information on local history, land management, and conservation practices.

Visitor Information at Local Offices

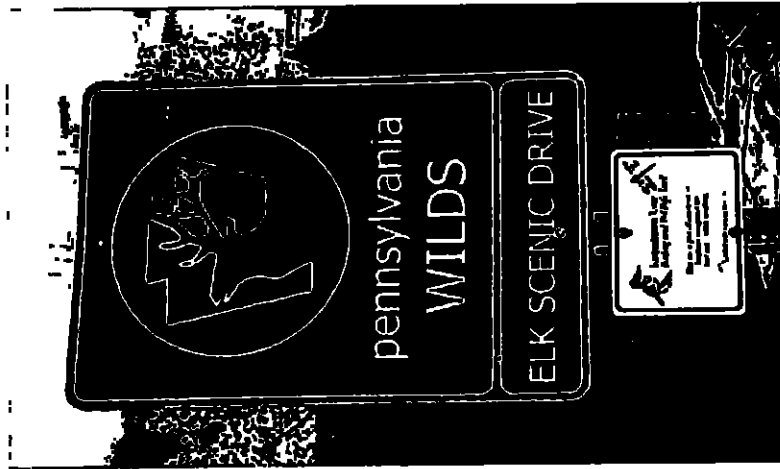
Fermata recommends aligning hours of operation at recreational unit visitor offices with customer expectations, particularly during high-use seasons For example, most recreational use is focused on the weekends, days when most state forest offices are closed. By establishing a single visitor service center for each recreational unit, not all DCNR offices will be required to be accessible during these same periods.

Fermata believes it is critical for reception employees, for many the public face of DCNR, to have excellent customer service skills and be well informed of recreation opportunities in the region Not all



Clarion River, Ted Lee Eubanks/Fermata, Inc

Fermata believes it is critical for reception employees, for many the public face of DCNR, to have excellent customer service skills



Pennsylvania Wilds Directional Sign,
Ted Lee Eubanks/Fermata, Inc.

many new travelers need
signage to help them face the
challenge of navigating through
this relatively remote area.

visitors will research their opportunities prior to their visit and many will rely on stopping by the office to obtain the necessary information. In truth, many visitors look forward to talking to the "ranger." For many visitors to DCNR land, this may be the only interaction they have with an employee.

Fermata recommends the co-location of unit visitor offices with local tourist promotion agencies (TPAs) where feasible to minimize cost and meet most visitor needs. The TPA staff will also know about private services in the area and can answer many of the visitor's travel-related questions. Fermata recommends that DCNR provide a kiosk or service center outside the office with maps and pamphlets for visitors who are looking for information after hours. Such service centers should be lit at night and provide a pay telephone if cell service is not available in the area (as it often is not).

The Pennsylvania Wilds Recreation Team should develop DCNR Pennsylvania Wilds information packets for TPAs and local establishments. These partners will need assistance in adapting to new recreation populations that will be attracted to the Pennsylvania Wilds. The development and provision of these packets insures that the DCNR conservation message will be consistently and accurately communicated at the local level.

Signage

Signage, whether oriented to motorists on a road or hikers on a trail, is a critical and cost-effective component in enhancing the recreational experiences

of visitors to the Pennsylvania Wilds. The signs that greet and inform visitors may well be the only DCNR "voice" that visitors hear. As stated before, DCNR must facilitate and nurture recreation in the region if it wishes to expand and diversify its audience. In addition, many new travelers need signage to help them face the challenge of navigating through this relatively remote area.

The plan recommends developing sign plans for each Pennsylvania Wilds recreation unit. The wayfinding signs developed and installed by PENNDOT for the Elk Scenic Drive provide an excellent model for directional signage. Planning at the unit level will insure that signage programs will transcend bureau boundaries. In addition, unit-level signage plans will insure consistency in graphics and design throughout the region.

Visitor Information Boards should provide essential detailed information to minimize the need for information signs elsewhere. These information boards should focus necessary information to a single location where visitors can be oriented to using the specific forest or park. Recreation activity information to be displayed includes registration requirements (if appropriate), environmental messages (Leave No Trace), user etiquette, program or event schedules, regulations, and safety and emergency information.

DCNR should develop regulatory signs that address common regulatory problems with a positive tone that are posted at Visitor Information Boards but not throughout the site. When space permits, explain the reasons for protecting the area. Use

graphics to support the friendly tone Use signs specific to an issue at problem sites Signs with a short, clear message have a greater chance of being read and complied with than the fine-print posters

Trail Signing is another important element to identify trail routes and communicate their designated uses The Wilds Recreation Team should discuss designation and how trail signage should be used to demarcate that designation. The Pennsylvania Wilds offers a wide variety of trails and roadways, many of which have never been designated as such by the agency It is important to note that once a trail has been designated, DCNR quality guidelines should apply to ensure a rewarding and safe experience

Information for the Specialized Outdoor Recreationist

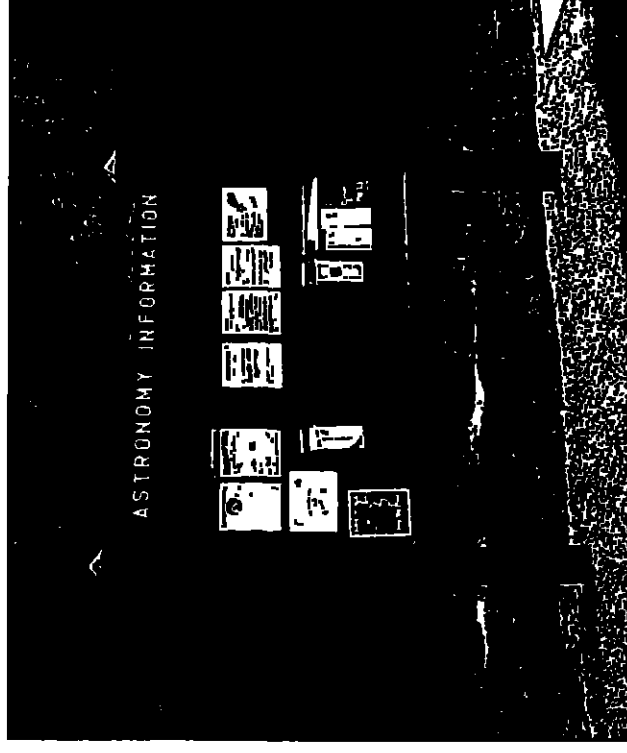
Collateral materials provide essential information for trip planning, will enhance the visitor's experience during their visit, and can memorialize their visit once they return home Fermata recommends that DCNR develop an online store where visitors can purchase maps and guides specific to the DCNR units including

- detailed trail maps and guides with a consistent style across DCNR recreation units Consider a set of detailed topographic maps that span the Pennsylvania Wilds and include all hiking trails Maps should be available on waterproof, durable paper Fermata also recommends that DCNR closely monitor emerging technologies and offer maps in a variety of media (DVD, I Pod, GPS),

- wildlife checklists for each state park and forest (based on actual sightings, breeding bird surveys, etc) These checklists should form the basis for a wildlife-watching guide for the Wilds The guide should include viewing techniques, explain common species by habitat type, describe rare and unique habitats, and explain how viewing opportunities vary by season, and

- expanded recreation guides, modeled after the Elk Scenic Drive Guide, that cover byways, old growth tours, U S Route 6, state parks, natural areas, and wild areas. These explorer's guides should provide details on flora and fauna, historic sites, unique natural features, and interesting local lore

Fermata believes it critical that DCNR be aware of emerging technologies More importantly, we recommend that the agency become "early adopters" in putting these new technologies to work. For example, we recommend enlisting the help of Pennsylvania public television in developing programs specific to the Wilds Such programming can be made available through a variety of media (for example, as DVDs available in a local gift shop)



Cherry Springs State Park, Mary Jeanne Packer

information boards should focus necessary information to a single location where visitors can be oriented to using the specific forest or park

Key Infrastructure Investments



Yellow Warbler, Ted Lee Eubanks/Fermata, Inc

This section summarizes the significant infrastructure investments the plan recommends on the state parks and forests in the Pennsylvania Wilds. These have been developed throughout the series of studies that have been conducted for the initiative. DCNR has already begun the site specific planning and design of many of these key facilities.

These proposed facilities and enhancements would expand DCNR service to reach both its traditional customer base, as well as the expected growing visitation of urban recreationists. Many of these new visitors may not be familiar with the outdoors or the rural character of the Pennsylvania Wilds, and these improvements will facilitate and nurture the experiences of those who are approaching the outdoors for the first time. They will also insure that those who experience the Pennsylvania Wilds leave with a clear understanding of the conservation and resource management challenges in the region and the role of DCNR in meeting these challenges.

Gateway to the Pennsylvania Wilds at S.B.

Elliott State Park

S B Elliott State Park, located at the intersection of Interstate 80 and PA Route 153, is perfectly situated to function as a front door or gateway to the Pennsylvania Wilds. The proposed S B Elliott Gateway is

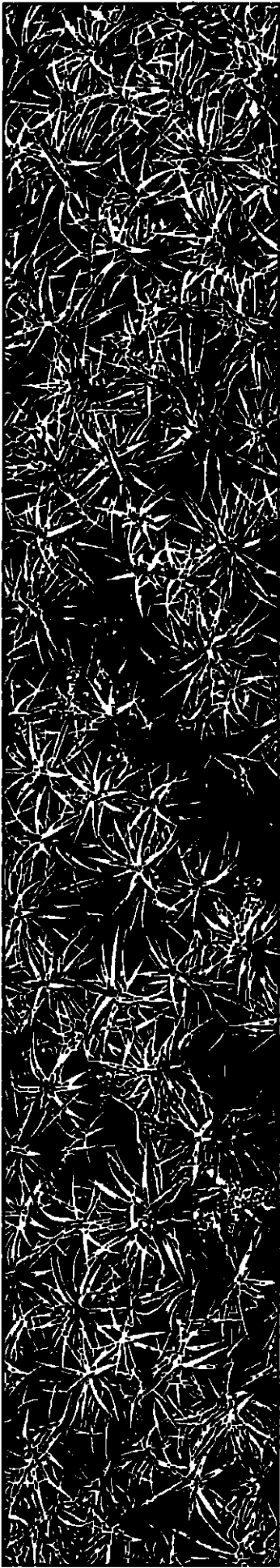
being designed to facilitate and nurture recreational travel into the region, and would include a combined welcome/nature center and a nature lodge. The objectives of the gateway are to connect visitors with the region's exceptional outdoor recreation opportunities on a "real-time" basis; interpret its great conservation and lumber heritage, and to provide accommodations that allow direct access to the trails and other resources of the area. The building's design will emphasize energy conservation and use Pennsylvania forest products in all visible wood components.

The Gateway would work in concert with the new facilities discussed below to facilitate and interpret outdoor recreation in the region. The facilities would be interlinked through the Internet, allowing visitors to any facility to see precisely what the recreational opportunities might be in the Pennsylvania Wilds at that moment in time. This system of interpretive and visitor centers will reach out to encourage the uninitiated recreationists to visit the Pennsylvania Wilds, rather than vacationing in more familiar surroundings.

Elk Watching and Wildlife Education Center

This project will provide elk viewers a high quality opportunity to see Pennsylvania's wild elk and to learn about their life history, their restoration in the state, and the habitats they depend on. Currently,

S.B. Elliott State Park, located at the intersection of Interstate 80 and PA Route 153, is perfectly situated to function as a front door or gateway to the Pennsylvania Wilds.



Moss, Cook Forest State Park, Ted Lee Eubanks/Fermata, Inc

elk watchers have traditionally gone to Benezette and Winslow Hill, and with no interpretive facilities available, elk watching has evolved as a “drive by” experience

A new Elk Watching and Wildlife Education Center, near Benezette at Winslow Hill, is proposed as a co-operative partnership between DCNR and the Rocky Mountain Elk Foundation (RMEF). The proposed facilities include an interpretive center, year-round public restrooms, exhibits, and a series of trails to viewing platforms and blinds to provide high quality viewing and photography. When completed, this facility will be the only interpretive center of its kind east of the Mississippi River.

Sinnemahoning State Park Wildlife Watching Center and Trail

An additional portal is being developed at Sinnemahoning State Park that will focus more broadly on the general wildlife watching and nature tourism experiences in the region. DCNR is developing a new visitor’s center at the park, as well as constructing a wildlife-watching trail. The center and wildlife trail will provide opportunities for visitors to experience the exceptional habitat of the park that supports a

small population of elk, nesting bald eagles, beaver, coyotes, and a variety of songbirds and waterfowl. A unique feature at Sinnemahoning State Park will be the capacity of the new center to house several small nature tourism-related businesses and to conduct training workshops for those in the private sector interested in taking advantage of the growth in nature tourism and outdoor recreation in the region.

Pine Creek Valley

The Pine Creek Valley and the surrounding state forests and state parks provide a stunning natural landscape for outdoor recreation. The Pine Creek Valley extends from Ansonia at U S Route 6 to Jersey Shore, where the creek flows into the West Branch of the Susquehanna River.

The plan recommends a number of actions to improve the quality of the Pine Creek recreational experience and maintain the relatively undeveloped character of the Valley. The key recommendations include

- complete the sections of the trail on DCNR lands and work with Jersey Shore and Wellsboro to

A unique feature at Sinnemahoning State Park will be the capacity of the new center to house several small nature tourism-related businesses and to conduct training workshops for those in the private sector interested in taking advantage of the growth in nature tourism and outdoor recreation in the region



2004 Black Forest Star Party.
Cherry Springs State Park/Greg Granville

The plan recommends a series of improvements and management actions to improve Cherry Springs State Park as one of the most significant dark sky facilities in the eastern U.S.

extend the trail into their downtown areas. This is intended to support the growth of development and service opportunities in these towns,

- improve directional and interpretive signage to improve the visitor experience and interpret the exceptional conservation history and natural resources of the region, and

- disperse and diversify visitation by a coordinated promotion and management program for all of the recreational opportunities on nearby state forest trails and state parks

Cherry Springs State Park Dark Skies Program

The plan recommends a series of improvements and management actions to improve Cherry Springs State Park as one of the most significant dark sky facilities in the eastern U.S. Discovered in the early 1990s by amateur astronomers searching for dark sky sites in the East, the park has now become a well-recognized destination among a small cadre of regional sky-watchers. In April 2000, DCNR recognized the importance of this resource and designated Cherry Springs as the first Dark Sky Park.

Recommendations for the park to improve its service as a sky-watching destination include

- installation of low-level lighting and concrete pads for telescopes with electrical connections,

- improved parking areas, roads, and restroom facilities,

- construction of all weather observatory domes for four season star gazing, and

- addition of a full-time interpretive staff to conduct dark skies programs throughout the year

Cook Forest State Park and the Clarion River

Cook Forest State Park, which sits along one of the most beautiful stretches of the Wild and Scenic Clarion River, is known throughout the U.S. for its relict old growth forest. The primary attraction in the park is the Longfellow Trail through the Cathedral Forest, a National Natural Landmark. The trail is the primary way visitors experience the park's ancient white pines and hemlocks. The condition of the Longfellow Trail, however, has become degraded through decades of use.

The plan recommends that DCNR rehabilitate the trail to provide a quality hiking experience and to protect the precious trees on the site. In addition, the plan recommends development of an interpretive plan and interpretive signage, which portrays the history of the forest and the value of these ancient trees to today's visitors.

Fermata also recognizes the importance of connecting visitors to nearby communities and recom-

mends the establishment of a scenic byway along the Clarion from Cook Forest State Park to Ridgway This would complement efforts underway in that community to revitalize its riverfront through a comprehensive riverfront redevelopment plan and to improve public access to the river's resources

Kinzua Bridge State Park

The most pressing matter for this state park relates to the destruction of the primary draw to the facility - the Kinzua Viaduct. The historic railroad bridge collapsed during severe weather on July 21, 2003 The woodlands surrounding the bridge were also severely damaged by the tornado Combined with the loss of the Knox-Kane excursion train, McKean County has suffered a severe blow to its tourism base

The plan recommends that DCNR work with local interests in the development of a new approach for the park. The stabilization of the remaining bridge and the development of a new visitor's center are components that have already been funded Additional aspects of the strategy being considered include opportunities for hikers, bikers, snowmobilers, cross-country skiers, and those visitors who simply wish to experience the exceptional scenery of the area

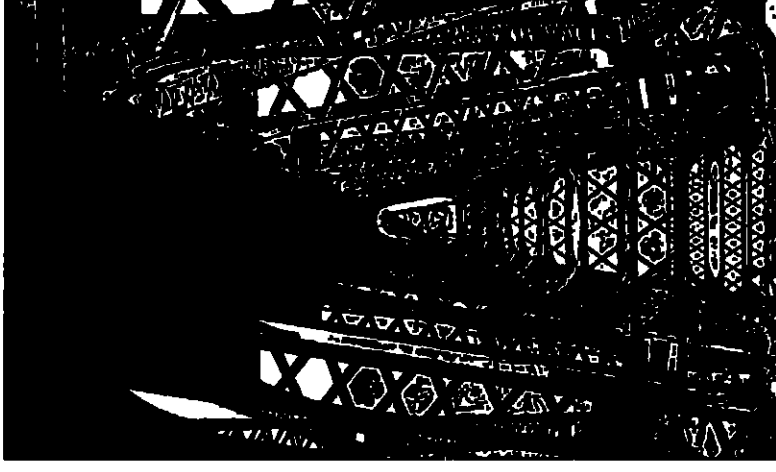
Other DCNR Investments in the Pennsylvania Wilds

In addition to the investments recommended above, DCNR will be making significant investments in the

infrastructure on the state parks and state forests in the Pennsylvania Wilds over the next five years. These investments are made possible through the funds available under Governor Rendell's Growing Greener II Initiative These will include upgrades to restroom facilities at most full-service state parks, improved visitor centers at key locations, reconstruction of state forest roads and bridges, rehabilitation of sewer and water systems, improved parking areas, and reconstruction/repair of dam structures, boat docks, and spillways. These investments will be an important aspect of creating a quality experience for visitors and residents alike across the region

A Final Note

The DCNR public lands in the Pennsylvania Wilds represent a once-in-a-generation opportunity to connect the public to the conservation ethic espoused by this agency. In 21st century America, the pathway of choice for people finding nature is recreation People use what they understand or know (such as the recreational opportunities present in the region), and they value what they use. The DCNR lands in the Pennsylvania Wilds offer this agency a unique opportunity to invite the public into an intimate relationship with the world outside Through this relationship, the public will gain an appreciation for the agency's responsibilities and challenges More importantly these public lands, once tangential, will become primary contributors to each individual's quality of life The lands, once discounted, will be seen as having irreplaceable value



Kinzua Bridge. Ted Lee Eubanks/Fermata, Inc



Pennsylvania Department of
Conservation and Natural Resources
Rachel Carson State Office Building

PO Box 8767
Harrisburg, PA 17105-8767
717.772.9087, www.dcnr.state.pa.us



FERMATA

Fermata, Inc.
P.O. Box 5485
Austin, TX 78763
512.472.0052
www.fermatainc.com

EXHIBIT B

**Transportation Enhancements Program
Supplemental Federal-Aid Reimbursement Agreement
Between the
Pennsylvania Department of Transportation
And
Headwaters Charitable Trust**

EFFECTIVE DATE 3, 3/05
DEPARTMENT WILL INSERT,

AGREEMENT NO. 02B991C
FEDERAL ID NO 32-005644B
SAP VENDOR NO 187062

COUNTY Centre
MUNICIPALITY Snow Shoe Township
MPMS NO. 50651

TRANSPORTATION ENHANCEMENTS PROGRAM
SUPPLEMENTAL FEDERAL-AID REIMBURSEMENT AGREEMENT
(PRIVATE SPONSORS)

THIS THIRD SUPPLEMENTAL AGREEMENT is made and entered into by and between the Commonwealth of Pennsylvania, acting through the Department of Transportation ("COMMONWEALTH"),

a n d

Headwaters Charitable Trust, a Pennsylvania nonprofit corporation, with offices at 478 Jeffers Street, DuBois, Pennsylvania 15801 ("SPONSOR").

W I T N E S S E T H:

WHEREAS, the parties entered into an agreement dated February 10, 2000 and designated as Agreement No. 02B991 ("Original Agreement"), setting forth their respective responsibilities with regard to the COMMONWEALTH's reimbursement of the SPONSOR, with federal Transportation Enhancements Program funding received from the United States Department of Transportation, Federal Highway Administration ("FHWA"), for the design, right-of-way acquisition and construction of the Snow Shoe Rail Trail Development Project ("Project"), involving a

pedestrian trail and bikeway in Centre and Clearfield Counties,
and,

WHEREAS, the particular portion of the trail for which
Project funding is being provided is situated in Rush Township,
Centre County; and

WHEREAS, the parties, by Supplemental Agreement No.
02B991A, dated January 2, 2004, amended the Original Agreement
to increase the amount of federal funding being made available
for the Project and to revise the Disadvantaged Business
Enterprise Provision (Paragraph 18); and,

WHEREAS, the parties, by Supplemental Agreement No.
02B991B, dated July 13, 2004, amended the Original Agreement to
change the SPONSOR's Federal Tax Number as listed on the
Agreement; and,

WHEREAS, the Original Agreement, Supplemental Agreement No.
02B991A and Supplemental Agreement No. 02B991B are hereafter
collectively referred to as the AGREEMENT; and,

WHEREAS, the Project is being constructed in the right-of-
way of the former Snow Shoe Industrial Track; and,

WHEREAS, the parties acknowledge the possibility that this
right-of-way may be reactivated for rail service at some time
after completion of the Project, because, under the provisions
of 16 U.S.C. § 1247(d), Consolidated Rail Corporation did not
abandon the right-of-way when it conveyed it to the SPONSOR;
and,

WHEREAS, instead of being abandoned, the right-of-way was retained as part of a national rail transportation system for use on an interim basis for recreational trail purposes subject to restoration and reconstruction of the line for railroad purposes, under the Notice of Interim Trail Use issued by the Interstate Commerce Commission; and,

WHEREAS, Resource Recovery, LLC has advised the SPONSOR that it plans to invoke the rail restoration provisions of 16 U.S.C. § 1247(d) and to acquire a portion of the right-of-way where the Project will be located, to provide rail service to facilities that it is developing in Rush Township, Centre County; and,

WHEREAS, the SPONSOR intends to proceed with the Project, utilizing the Transportation Enhancements Program funding made available through the COMMONWEALTH from the FHWA, because conversion of the trail to railroad use is currently projected to occur no earlier than 2008 and the National Trail Systems Act legally obligates the SPONSOR to maintain right-of-way structures for interim trail and future rail use; and,

WHEREAS, the FHWA requires repayment of the funding provided under this AGREEMENT if rail service is reactivated before the end of the estimated useful life of the completed Project improvements; and,

WHEREAS, the COMMONWEALTH and the SPONSOR are entering into this Supplemental Agreement to provide for the repayment of the federal funding in that eventuality.

NOW, THEREFORE, for and in consideration of the foregoing premises and the mutual promises set forth below, the parties, with the intention of being legally bound, agree to amend the AGREEMENT further as follows:

1. The foregoing recitals are incorporated by reference as a material part of this Third Supplemental Agreement.

2. The parties agree that the estimated useful life of the completed Project improvements is twenty (20) years and that the federal funding provided under this AGREEMENT shall be amortized over the estimated useful life of the Project improvements in equal amounts annually. In the event that rail service is reactivated before the expiration of the estimated useful life of the Project improvements, so as to terminate their continued use for the purposes for which the federal funding has been approved and is being provided, the SPONSOR shall take one of the following actions:

- (1) Replace the Project improvements, without financial participation from the COMMONWEALTH or the FHWA, with an equivalent group of improvements, as determined and approved by the COMMONWEALTH and the FHWA, or
- (2) Repay the COMMONWEALTH for return to the FHWA the unamortized amount of federal funding provided under this AGREEMENT. The amount to be repaid shall be calculated by taking the total amount of federal funding reimbursed to the SPONSOR pursuant to this AGREEMENT and any future supplements, including all FHWA funds paid to the COMMONWEALTH for work performed

on the Project; dividing the amount by 20, and then multiplying the result by the number of years of estimated useful life remaining on the Project at the time of reactivation of rail service

3. The SPONSOR shall be responsible for making such arrangements as it deems appropriate with Resource Recovery, LLC for financial guarantees to cover the SPONSOR's obligation to repay the federal funds; and the COMMONWEALTH acknowledges that the SPONSOR is entering into an agreement to that effect with Resource Recovery, LLC. The COMMONWEALTH shall not be a party to such agreement.

4. The Audit Clause, dated September 8, 1997, referenced in Paragraph 12(b) of the Original Agreement, and attached to it as Exhibit "D," is hereby replaced in its entirety with a revised version dated December 3, 2003, attached to and made part of this Supplemental Agreement as Exhibit "DD."

5. All other terms and conditions of the AGREEMENT, which have not been modified by this Third Supplemental Agreement, remain in full force and effect and are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties have executed this Second Supplemental Agreement the date first above written.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

BY Chad Smith 2/22/05
for District Engineer DATE

ATTEST:

HEADWATERS CHARITABLE TRUST*

BY Ed Kosa 1/20/05
Title: _____ DATE

BY Ed Kosa 1/20/05
Title: _____ DATE

DO NOT WRITE BELOW THIS LINE--FOR DEPARTMENT USE ONLY
02B991C

APPROVED AS TO LEGALITY AND
FORM

FUNDS COMMITMENT DOCUMENT
NO. _____

CERTIFIED FUNDS AVAILABLE

UNDER SAP NO. _____

SAP COST CENTER _____

GL ACCOUNT _____

AMOUNT NON-ENCUMBERED

BY Michael J. Levine 2-24-05
for Chief Counsel DATE

BY Allen Reading 3-3-05
for Comptroller DATE

Preapproved Form:
OGC No. 18-K-2691
Approved OAG 5/29/02

*Unless the individuals signing this Agreement on behalf of the SPONSOR are authorized to do so by statute or regulation, the SPONSOR's resolution authorizing execution and attestation must accompany this Agreement; please indicate the signers' titles in the blanks provided and date all signatures.

Agreement No. 02B991C is split 100%, expenditure amount of \$ 555,195.00 for federal funds and 0%, expenditure amount of \$0.00, for state funds. The related federal assistance program name and number is Highway Planning and Construction (Highway Bill); 20.205 The state program name and number is N/A; N/A This paragraph does not affect the costs to the SPONSOR.

**AUDIT CLAUSE TO BE USED IN AGREEMENTS WITH SUBRECIPIENTS
RECEIVING FEDERAL AWARDS FROM THE COMMONWEALTH**

AUDIT REQUIREMENTS.

The [NAME OF SUBRECIPIENT] must comply with all federal and state audit requirements including the *Single Audit Act*, as amended 31 U S C 7501 et seq, Office of Management and Budget (OMB) *Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations* as amended, and any other applicable law or regulation and any amendment to such other applicable law or regulation which may be enacted or promulgated by the federal government

If the [NAME OF SUBRECIPIENT] is a local government or non-profit organization and expends total federal awards of \$500,000 or more during its fiscal year, received either directly from the federal government or indirectly from a recipient of federal funds, the [NAME OF SUBRECIPIENT] is required to have an audit made in accordance with the provisions of OMB *Circular A-133*

If the [NAME OF SUBRECIPIENT] expends total federal awards of less than \$500,000 during its fiscal year, it is exempt from these audit requirements, but is required to maintain auditable records of federal awards and any state funds which supplement such awards, and to provide access to such records by federal and state agencies or their designees.

SUBMISSION OF AUDIT INFORMATION TO THE COMMONWEALTH.

The [NAME OF SUBRECIPIENT] must submit copies of the audit report package to the Commonwealth, which shall include:

- 1 Data Collection Form.
2. Financial statements and schedule of expenditures of federal awards.
3. Auditor's reports on the financial statements and schedule of expenditures of federal awards, internal control and compliance as well as a schedule of findings and questioned costs.
- 4 Summary schedule of prior audit findings
5. Corrective action plan.
6. Management letter comments.

EXHIBIT "DD"

The number of copies to be submitted shall equal one for the Bureau of Audits (archival copy) plus one for each Commonwealth agency which provided federal pass-through awards to the entity as reflected in the entity's Schedule of Expenditures of Federal Awards. The audit report package should be submitted to the

Office of the Budget/Bureau of Audits
Division of Subrecipient Audit Review
Verizon Tower - 6th Floor
303 Walnut Street Harrisburg, PA 17101
Phone (717) 783-9120
Fax (717) 783-0361

In instances where a federal program-specific audit guide is available, the audit report package for a program-specific audit may be different and should be prepared in accordance with the audit guide and OMB Circular A-133

GENERAL AUDIT PROVISIONS.

The [NAME OF SUBRECIPIENT] is responsible for obtaining the necessary audit and securing the services of a certified public accountant or other independent governmental auditor. Federal regulations preclude public accountants licensed in the Commonwealth of Pennsylvania from performing audits of federal awards.

The Commonwealth reserves the right for federal and state agencies or their authorized representatives to perform additional audits of a financial or performance nature, if deemed necessary by Commonwealth or federal agencies. Any such additional audit work will rely on work already performed by the [NAME OF SUBRECIPIENT]'s auditor, and the costs for any additional work performed by the federal or state agencies will be borne by those agencies at no additional expense to the [NAME OF SUBRECIPIENT].

Audit working papers and audit reports must be retained by the [NAME OF SUBRECIPIENT]'s auditor for a minimum of three years from the date of issuance of the audit report, unless the [NAME OF SUBRECIPIENT]'s auditor is notified in writing by the Commonwealth or the cognizant or oversight federal agency to extend the retention period. Audit working papers will be made available upon request to authorized representatives of the Commonwealth, the cognizant or oversight agency, the federal funding agency, or the General Accounting Office.

EXHIBIT "DD "

EXHIBIT C

Letter of Understanding between Resource Recovery, LLC and Headwaters Charitable Trust

RICHARD R. WILSON, P.C.

Attorney at Law

A Professional Corporation

127 Lexington Avenue, Suite 100

Altoona, PA 16601

(814) 944-5302

(888) 454-3817 (Toll Free)

(814) 944-6978 FAX

rrwilson@atlanticbnn.net

Of Counsel to

Vuono & Gray LLC

2310 Grant Building

Pittsburgh, PA 15219

(412) 471-1800

(412) 471-4477 FAX

851 Twelfth Street

Oakmont, PA 15139

November 17, 2004

Mr. Ed Abel

Resource Recovery, LLC

3925 Columbia Avenue

Mountville, PA 17554

Mr. Ed Kosa, Chairman

Headwaters Charitable Trust

478 Jeffers Street

DuBois, PA 15801

**Re Letter of Understanding – Reactivation of the Snow Shoe Industrial Track Right of Way
for Railroad Service**

Dear Gentlemen.

The purpose of this letter is to confirm the understanding between representatives of Resource Recovery, LLC and the Headwaters Charitable Trust with respect to the potential future reactivation of the former Snow Shoe Industrial Track for rail service to Resource Recovery, LLC facilities to be located in Rush Township. As you are aware, the former Snow Shoe Industrial line was conveyed to Headwaters Charitable Trust by Consolidated Rail Corporation on September 24, 1993 pursuant to a Notice of Interim Trail Use issued by the ICC in a decision and certificate dated February 15, 1990 in ICC Docket No. AB-167(Sub No. 1004N) and the ICC Decision and Notice dated November 2, 1993 in ICC Docket No. AB-167 (Sub No. 1004N). Under the provisions of 16 U.S.C. §1247(d) the Snow Shoe Industrial line was not abandoned by Consolidated Rail Corporation but under the Notice of Interim Trail Use issued by the ICC was retained as part of a national rail transportation system for use on an interim basis for recreational trail purposes subject to restoration and reconstruction of the line for railroad purposes.

Resource Recovery, LLC has advised Headwaters Charitable Trust that it plans to invoke the rail restoration provisions of §1247(d) and offers to acquire a 9.3 mile section of the Snow Shoe line in accordance with the following commitments to which Resource Recovery, LLC and the Headwaters Charitable Trust have agreed

1. Headwaters Trust would proceed with its grant approval and funding for the Peale Tunnel repairs and other trail improvements given the fact that conversion of the trail to railroad use is presently projected to occur no earlier than 2008 and under the National Trail Systems Act, the Trust has a legal obligation to maintain right of way structures for interim trail and future rail use

2 Headwaters Trust will provide Resource Recovery with allocations of public grant obligations, in kind endeavors, and management, development and overhead expenditures for the 9.3 mile segment of the Snow Shoe line from Milepost 64.5 to Milepost 55.2 at Gorton Road. Headwaters Trust will also make available to Resource Recovery all engineering reports on trail improvements and permit Resource Recovery to confer with its consulting engineers regarding improvements to be made to the 9.3 mile segment to ensure that those improvements are consistent with future rail use of that portion of the line.

3. Resource Recovery, LLC will hold Headwaters Trust harmless from any demands by a governmental agency or other nonprofit entity to repay funds expended by Headwaters Trust allocable to the 9.3 mile segment of the Snow Shoe line upon its reconversion to railroad use. Resource Recovery will also make Headwaters Trust whole for all costs incurred by Headwaters Trust in connection with expenditures undertaken in connection with development of the 9.3 mile section of the Snow Shoe line as a recreational trail in the event that Resource Recovery elects to reconvert the 9.3 mile line segment to railroad use.

4 Upon request of Resource Recovery, Headwaters Trust will convey a suitable interest (to be determined at Resource Recovery's sole discretion) in the Snow Shoe line from Milepost 64.5 to Milepost 55.2 at Gorton Road to be reconverted to common carrier rail use upon 12 months prior written notice by Resource Recovery to Headwaters Trust.

5. Prior to conversion of the 9.3 mile line segment to railroad use, Resource Recovery will build and lease to Headwaters Trust for \$1 per year an alternative recreational trail loop to be designed and constructed at Resource Recovery's sole cost on the Resource Recovery site with the advise and assistance of Headwaters Trust. The alternative trail loop will be leased to Headwaters Trust for as long as the Snow Shoe line is used for railroad purposes and Headwaters Trust will be responsible for maintenance and repair of the alternative recreational trail loop as lessee.

6. Upon termination and abandonment of rail service over the Snow Shoe line, Resource Recovery will provide Headwaters Trust the option of deciding whether or not to reacquire title to the railroad right-of-way. Should the Trust decide that it does not wish to reacquire the railroad right-of-way for recreational purposes, Resource Recovery and the Trust would then agree on an arrangement for the Trust to retain use of the loop trail.

7 Resource Recovery will provide Headwaters Trust with a financial guarantee in the form of a bond or letter of credit satisfactory to the Trust which would assure the refund of private or public grant monies if such refunds can be required. The bond or letter of credit would become effective upon the conversion of the right-of-way to railroad purposes evidenced by the issuance of an exemption notice or a certificate of public convenience and necessity issued by the Surface Transportation Board.

Ed Abel
Ed Kosa
Page 3
November 17, 2004

It is the understanding of the Headwaters Trust and Resource Recovery, LLC that these provisions will facilitate the receipt and expenditure of various grants funded through the Pennsylvania Department of Transportation or other agencies which would be used to repair and improve right of way structures, including the Peale Tunnel. These repairs and improvements are necessary in order to make the right of way safe for recreational trail purposes and to ensure its continued preservation and maintenance in accordance with the obligations assumed by the Headwaters Trust under the Notice of Interim Trail Use.

It is the understanding of Resource Recovery, LLC and the Headwaters Charitable Trust that this letter will provide the basis upon which the parties will enter into specific agreements to effectuate the understanding set forth herein. In the meantime, the parties may use this Letter of Understanding to inform governmental agencies, private groups and the public regarding future disposition and use of the Snow Shoe line and the alternative recreational trail facilities that will be made available to Headwaters Charitable Trust in the event the 9.3 mile section of the Snow Shoe line is reconverted to railroad use.

To indicate your agreement with this Letter of Understanding, please execute this letter on the signature lines provided below.

Very truly yours,

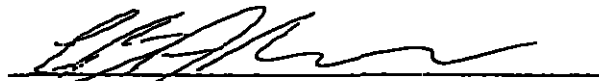
RICHARD R. WILSON, P.C.



Richard R. Wilson, Esq.
Attorney for Resource Recovery, LLC

RRW/bab

xc: Jake Meyer, Esq.
Ms. Karen Brady


Resource Recovery, LLC

Headwaters Charitable Trust

Ed Abel
Ed Kosa
Page 3
November 17, 2004

It is the understanding of the Headwaters Trust and Resource Recovery, LLC that these provisions will facilitate the receipt and expenditure of various grants funded through the Pennsylvania Department of Transportation or other agencies which would be used to repair and improve right of way structures, including the Peale Tunnel. These repairs and improvements are necessary in order to make the right of way safe for recreational trail purposes and to ensure its continued preservation and maintenance in accordance with the obligations assumed by the Headwaters Trust under the Notice of Interim Trail Use.

It is the understanding of Resource Recovery, LLC and the Headwaters Charitable Trust that this letter will provide the basis upon which the parties will enter into specific agreements to effectuate the understanding set forth herein. In the meantime, the parties may use this Letter of Understanding to inform governmental agencies, private groups and the public regarding future disposition and use of the Snow Shoe line and the alternative recreational trail facilities that will be made available to Headwaters Charitable Trust in the event the 9.3 mile section of the Snow Shoe line is reconverted to railroad use.

To indicate your agreement with this Letter of Understanding, please execute this letter on the signature lines provided below.

Very truly yours,

RICHARD R. WILSON, P.C.



Richard R. Wilson, Esq.

Attorney for Resource Recovery, LLC

RRW/bab

xc Jake Meyer, Esq.

Ms. Karen Brady

Resource Recovery, LLC



Headwaters Charitable Trust

EXHIBIT D

Letter from the Honorable State Representative Camille "Bud" George

Letter from the Honorable State Senator Jake Corman

Letter from Robert B. Jacobs, Director,

Centre County Planning and Community Development Office

CAMILLE "BUD" GEORGE, MEMBER
SPEAKER PRO TEMPORE
ROOM 388 MAIN CAPITOL BUILDING (EAST WING)
P.O. BOX 202074
HARRISBURG, PENNSYLVANIA 17120-2074
PHONE: (717) 787-7318

275 SPRING STREET
HOUTZDALE, PENNSYLVANIA 18851
PHONE: (814) 378-6278

HOME PAGE ADDRESS:
www.pahouse.net/george

E-MAIL ADDRESS:
ogearge@pahouse.net



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

ENVIRONMENTAL RESOURCES AND ENERGY
COMMITTEE, DEMOCRATIC CHAIRMAN
ENVIRONMENTAL QUALITY BOARD
PENNSYLVANIA INFRASTRUCTURE
INVESTMENT BOARD
JOINT LEGISLATIVE AIR AND WATER
POLLUTION CONTROL AND
CONSERVATION COMMITTEE
WILD RESOURCE CONSERVATION BOARD
RULES COMMITTEE

April 28, 2008

Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Dear Ms. Rutson:

Please consider my request that a full environmental analysis and environmental impact study be commissioned to study the effects of the proposed rail line construction and operation by the RJ Corman Railroad Co. between Wallacetown and Gorton in Clearfield and Centre counties, Pa. (Finance Docket No. 35116).

The proposed route would terminate a highly successful rail-to-trails route that has been operating since the mid-1990s. The rails-to-trails is a major ingredient to the Pennsylvania Wilds tourism-promotion effort that has been helping to rejuvenate the central Pennsylvania area. Numerous businesses – from restaurants to sporting goods and outdoor travel agencies – have emerged to take advantage of the natural beauty of the area. Hundreds of homesteads and campsites – built to take advantage of the area's natural resources -- are located within the project area. The Moshannon Forest Property Owners Association is one of many local groups opposed to this project.

Pennsylvania has invested taxpayers' dollars in promoting the region's tourism and outdoor potential, including:

- The Pa. Department of Conservation and Natural Resources awarded \$65,000 in 1999 to the Headwaters Charitable Trust to rehabilitate structures on the Snow Shoe Rail Trail in Cooper Township, Clearfield County, and Rush and Snow Shoe townships, Centre County.
- A \$300,000 Growing Greener grant in 1999 through the Pa. Department of Environmental Protection to the Beech Creek Watershed Association for the Jonathan run acid mine drainage restoration.

- A \$90,000 Growing Greener grant in 2000 through the Pa. Department of Environmental Protection to the Beech Creek Watershed Association for Tributary "K" and Contrary Run sub watershed assessment and restorative design.

Perhaps the most compelling reason this project requires the most stringent environmental assessment and impact review is the region's unique and complicated geology.

According to a geological study of the area ["Influence of geology on postmining water quality: Northern Appalachian Basin"], "mines in the brackish areas of Clearfield County are notorious for producing acid mine drainage..."

The report highlighted the complexities:

Glass et al. (1977) dedicated their report to George Hall Ashley (1866-1951) a former State Geologist of Pennsylvania and "life-long combatant with the perplexing rocks of southeastern Clearfield County." They point out that their work is built upon his foundation and that "(t)he geology was not as difficult as you thought, Dr. Ashley - it was worse!"

Pennsylvania is paying dearly for the lack of responsible environmental oversight in the Clearfield and Centre counties region. In 1996, a congressman from Pennsylvania erased the environmental-impact requirement in a federal spending bill that included millions for construction of nearby Interstate 99 through Centre County. When the land was excavated for the highway project, the disturbed acidic rock wreaked environmental havoc on water supplies. As of November 2007, the state's cost to remediate the pollution had hit \$79 million.

The potential liability – environmental and financial – of the proposed rail project warrants a complete environmental assessment. The proposed project runs counter to the millions of dollars spent on the region to address pollution from mining, development of suitable industries, and to promote tourism in the region.

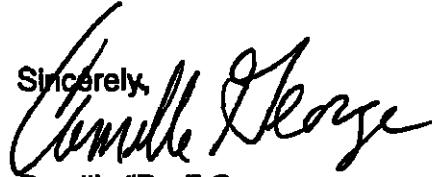
I realize you probably have little interest in the politics behind the biofuels/landfill project that is the impetus for the rail line. However, I suggest it has a strong link to the environmental effects that you are seeking input on. It is a textbook case of for-profit landfill developers from urban areas seeking rural areas with weak zoning protections to build landfills that would be unacceptable in more populated areas.

As majority chairman of the Pa. House of Representatives' Environmental Resources and Energy Committee, I can testify to how unfair this process is to rural areas, which often don't have the money, time or expertise to fight these proposals on level ground. Right now, I have three landfills proposed within 25 miles of my doorstep.

I represent a portion of the affected area, Cooper Township, and can vouch for the local opposition to this proposal. It also has been opposed by the county commissioners in both Centre and Clearfield counties and the Centre County Planning Commission.

Thank you for consideration of this request. I think any full and fair environmental analysis of this proposal would show it to be inimical to the environmental and economic best interests of the region.

Sincerely,

A handwritten signature in cursive script, appearing to read "Camille George".

Camille "Bud" George
STATE REPRESENTATIVE

CG/mjm
CC: Terri Burbidge

34TH DISTRICT
SENATOR JAKE CORMAN

236 MATCH FACTORY PLACE
BELLEFONTE, PA 16823
PHONE: 814-355-0477
FAX: 814-355-5048



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PHEAA BOARD OF DIRECTORS
1-800-422-7300
E-MAIL: jcorman@psen.gov
www.jakecorman.com

Senate of Pennsylvania

May 15, 2008

Ms. Victoria J. Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: R.J. Corman Railroad Company/Pennsylvania Lines
Rush Township Industrial Track Construction Project

Dear Ms. Rutson:

I am writing to express my thoughts regarding the proposed reactivation of some 20 miles of former Conrail lines generally east of Wallacetown, Pennsylvania. While I consider any filing on behalf of this proposed reactivation premature at this time, considering that several federal and state agencies have yet to advance any portion of this landfill/industrial development project toward a final disposition, allow me to speak to the environmental and social economic issues that this reactivation would raise.

While I am not exact as to the previous rail history on this abandoned section of Conrail properties, I do know that the communities that it traverses have changed dramatically since the days of this corridor's development and the subsequent end of the coal mining era which it last served. I am very concerned that the environmental standards of today, which were of no regard in the era when this line was originally built, require the most complete, non-partial review that can be afforded by federal law. This line will be running through a very rural, sparsely populated and pristine geographical setting.

While earlier populations were focused as a support to the coal or lumber industries, today's communities rely heavily on the recreation/tourism economy. Homes along this corridor haven't seen train traffic in many years and oftentimes, many newer homes or recreational dwellings have developed that are in very close proximity of the old line. Obviously, this will cause a good deal of concern from those who have made such investments.

Additionally, I must make note that the firm that has been retained to do the environmental review work for this project, Skelly & Loy, Inc., while a very reputable firm, is the same firm providing these services for the landfill/industrial developer, Resource Recovery, Inc. and this fact raises many concerns for my constituents who are opposed to this development. They do not see this partnership as an "independent" environmental review and are not trustworthy of the outcome. I trust that your oversight will ensure that an extensive and complete environmental review will be guaranteed.

Ms. Victoria J. Rutson

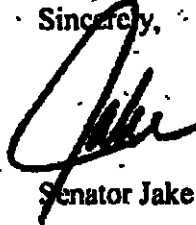
May 15, 2008

Page Two...

I must also add that this reactivation will disrupt the very successful development and operation of the Snow Shoe Rails to Trails Association, which now operates on lands owned by the Headwaters Charitable Trust, that encompass approximately one-half of the requested reactivation route. There needs to be a safeguarding of the state and private investments made into these facilities, in particular there needs to be a guaranteed replacement of the lost trail system and its associated connections and a reimbursement of the dollars invested to maintain the rail corridors existing infrastructure.

Thank you for your kind review of my comments in this important matter.

Sincerely,



Senator Jake Corman

JDC/jre

County of Centre



PLANNING AND COMMUNITY DEVELOPMENT OFFICE

BOARD OF COMMISSIONERS

JON W. EICH, *Chair*
RICH ROGERS
STEVEN G. DERSHEM

Willowbank Office Building
420 Holmes Street
Bellefonte, Pennsylvania 16823-1488
Telephone (814) 355-8791
FAX (814) 355-8681
www.co.centre.pa.us

DIRECTOR

ROBERT B. JACOBS

ASSISTANT DIRECTOR

SUSAN B. HANNEGAN

May 16, 2008

Ms. Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

RE: R.J. Corman Railroad Co. Beech Creek Branch Line Reactivation Request

Ms Rutson,

The Centre County Planning and Community Development Office appreciates the opportunity to provide comments to the Surface Transportation Board (Board) regarding the requested R.J. Corman rail line reactivation from Wallacetown, Clearfield County to Gorton, Centre County. These comments include background information, potential resources/ environmental conditions, required permits, and outstanding reviews and approvals related to the proposal that have not been addressed by the end user of the requested rail line reactivation.

The requested rail line reactivation by R. J. Corman is intended to serve a proposed landfill in Rush Township, Centre County that is to be operated by Resource Recovery LLC (RR LLC) from Lancaster, PA. The parcel intended for this use is within Rush Township and Snow Shoe Township. Currently, this use and the other industrial uses mentioned in your correspondence dated April 14, 2008 have not been approved. A brief status of this proposal is as follows:

- Host agreement between RR LLC and Rush Township - 5/04
- Zoning amendment request in Snow Shoe Township denied 6/04
- Point of Access (POA) study for I-80 Interchange deemed inconsistent with local and County planning - 7/05
- Landfill permit submittal to PA Department of Environmental Protection (PA DEP) - 5/06

- POA Study for I-80 Interchange deemed incomplete by the Federal Highway Administration (FHWA) until RR LLC compiles NEPA environmental study – 1/07
- PA DEP suspends landfill permit review until RR LLC completes NEPA environmental study as instructed by FHWA – 2/07
- RR LLC submits land development plan (landfill only) to Rush Township. Township Engineer and Centre County review plan based on Rush Township Ordinances and recommend that the plan be denied due to numerous plan deficiencies and waiver requests – 2/08

Although this brief status is not inclusive, it should provide the Board and their Section of Environmental Analysis (SEA) an indication of what is currently required of RR LLC prior to any approvals for their intended land use activity.

As part of the SEA's environmental document, the Planning Office recommends that the following items be evaluated and included in the environmental document:

Wetlands

The US Fish and Wildlife Service (USFWS) identified nearly 11 acres of wetlands on the property proposed for the landfill. The USFWS and other resource agencies such as the US Army Corps of Engineers and the PA DEP have stated that any aquatic resources be identified on the entire 5,762 acre parcel. Consistent with the FHWA requirements for the POA study, the SEA and their consultant should review the entire length of the proposed rail activation area and the property for potential impacts aquatic resources/ wetlands.

Special Protection Streams

The PA DEP identifies special protection streams in terms of their ability to support aquatic resources. These streams or cold water fisheries have various levels of importance and merit protection when they are potentially impacted by discharges and other activities. A segment of the rail line in Rush Township traverses Black Bear Run in the Moshannon State Forest. The PA DEP classifies Black Bear Run as an Exceptional Value Cold Water Fishery. This must be addressed as part of the environmental evaluation.

Centre County Natural Heritage Inventory

In 2002, the Western PA Conservancy completed a study and mapped Centre County's most significant natural places by identifying plant and animal species unique or uncommon. This study and Clearfield County's (if applicable) must be evaluated as part of the environmental evaluation.

Flood Hazard Areas

Recently, the Federal Emergency Management Agency (FEMA) revised the Flood Insurance Rate Maps (FIRMs) for Centre County. These maps were revised using aerial photography and are provided in digital format. Portions of the rail line in Rush Township are identified adjacent 100 year floodplain areas. These flood plain areas must be reviewed and included as part of the environmental evaluation.

Historic Resources

There are sections of the rail line that merit consideration and may be eligible for listing on the National Register of Historic Places. The Viaduct Bridge over the Moshannon Creek built in 1884 is 779 feet in length and 119 feet high. Constructed entirely of iron with the exception of the rail ties, this bridge known as the "Great Moshannon Viaduct" is an excellent example of advanced railroad structural engineering.

In addition to the bridge, the Peale Tunnel is another example of classic engineering constructed in 1884 from cut stone. This tunnel is 1,277 feet in length and constructed with the cut and fill technique. Consultation with Pennsylvania historic and Museum Commission regarding these unique structures is strongly recommended during the environmental evaluation.

Repaired in 2004 using over \$500,000 of federal Surface Transportation Program – Enhancement funding, there is a required repayment of the funds if the rail line is to be reactivated. Coordination with the Pennsylvania Department of Transportation (PennDOT) is required due to the specific agreements related to the recent tunnel repairs.

Recreational Facilities

The rail line impacts several recreational facilities within the County. A section of the rail line traverses the Moshannon State Forest. Consultation with the PA Department of Conservation and Natural Resources must be conducted to determine any potential impacts to this recreational area.

The other recreational resources that will receive the most impact is the Snow Shoe Rail Trail Association's (SSRTA) facility owned by the Headwaters Charitable Trust that utilizes a large portion of the identified rail line proposed for reactivation. This private association has members over 2,000 members that come from across the Commonwealth to use this facility. Economic development activity in the form of new businesses have been created due to the popularity of this trail system

It is important to note that the SSRTA is working with the PA DCNR to secure grants to develop and extend this trail facility into Clearfield County. Consultation with the PA DCNR, SSRTA, and the Headwaters Charitable Trust must be completed as a part of this environmental evaluation.

Land Use/ Zoning

The map submitted as part of the request for comments indicates that the rail line reactivation extends into Snow Shoe Township near Gorton and its intersection with Gorton Road. As mentioned above, Snow Shoe Township denied a zoning amendment requested by RR LLC in 2004. The current zoning on the property is Forest - Open Space and does not permit industrial uses and their associated activities. Although there are no specific details, it appears as though the Gorton area may be proposed as the rail terminus point where the solid waste materials will be off loaded to trucks for transport to the landfill. This activity would be deemed an industrial use - rail/ truck terminal activity and is not permitted. Prior to any determination by the Board and their SEA, this issue must be clarified.

In addition the rail terminus point as shown in Gorton is directly adjacent to existing residences along Gorton Road. The impacts from the movement of solid waste via rail and truck in this area would be detrimental to the residences. This is similar to the concerns in Clearfield County where the rail line traverses numerous communities and residences and must be addressed.

Independent Third Party Consultant

As stated in your correspondence, Skelly and Loy, Inc. was selected as the independent third party consultant that will assist the SEA in the preparation of the environmental document. Based on previous correspondence you have available for public review, it is indicated that RR LLC and R. J. Corman retained Skelly and Loy, Inc for environmental consulting services prior to being named as the SEA's third party consultant. Having read the Board's explanation of their selection process for third party consultants, it is anticipated that the development of the environmental document with complete direction and oversight by the SEA will be conducted in an un-biased manner.

The Planning Office again would like to thank the Board for requesting our comments on this proposal. Should you require additional information, please let me know.

Sincerely,



Robert B. Jacobs, AICP
Planning Director

pc: Centre County Board of Commissioners
Rush Township Supervisors
Snow Shoe Township Supervisors
Jodi Brennan, Clearfield County Planning Director

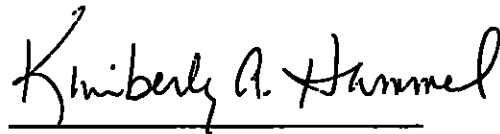
CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of July, 2008, a copy of the foregoing Statement by the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources in Support of the Petition to Hold Proceedings in Abeyance was served by first class mail upon the following:

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A handwritten signature in black ink, reading "Kimberly A. Hummel". The signature is written in a cursive style with a large initial "K".

Kimberly A. Hummel
Chief Counsel for the Department of
Conservation and Natural Resources