



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

November 12, 2009

Ms. Pamela Shellenberger
U.S. Fish and Wildlife Service
315 South Allen Street, Suite 322
State College, Pennsylvania 16801

Re: Finance Docket No. 35116, R.J. Corman Railroad Company/Pennsylvania Lines Inc.—Construction and Operation Exemption—in Clearfield County, PA;
Beech Creek Branch Line Build Alternative

Dear Ms. Shellenberger:

This letter is provided in response to your October 26, 2009 correspondence (see Attachment A) in which you request additional project information in order to determine whether the proposed project would affect the Indiana bat (*Myotis sodalis*), a species that is federally listed as endangered. Specifically, you request site plans and a detailed project description describing how much forest disturbance would occur. While detailed engineering site plans are not available at this preliminary stage of the project, we believe that the following information should prove adequate to make a project determination relevant to potential affects to the Indiana bat.

Railroad's Proposal/Previous Correspondence

On May 20, 2008, R.J. Corman Railroad Company/Pennsylvania Lines Inc. (RJCP) filed a petition with the Surface Transportation Board (Board) pursuant to 49 U.S.C. 10502 for authority to reconstruct and operate an abandoned 10.8-mile rail line between Wallacetown Junction and Winburne in Clearfield County, Pennsylvania (the Western Segment), and to rebuild the track on a connecting 9.3 miles of currently rail-banked line between Winburne and Gorton in Clearfield and Centre Counties, Pennsylvania (the Eastern Segment). In total, the proposed project would involve the construction or rebuilding, and operation, of approximately 20 miles of the former Beech Creek Railroad (shown in yellow on the enclosed Project Location Map) to serve a new quarry, landfill, and industrial park being developed by Resource Recovery, LLC near Gorton, Pennsylvania.

As part of the NEPA process, the Board conducted a public scoping meeting for this project on February 10, 2009. As a result of this public scoping meeting, a potential alternative route was identified for a portion of the Western Segment. Specifically, this alternative route involves reconstructing an approximate 7.0-mile segment of abandoned rail line, referred to as the Philipsburg Industrial Track, located adjacent to the Moshannon Creek between Philipsburg and Munson in Clearfield County, Pennsylvania (shown in orange on the enclosed Project Location Map). Associated with this alternative route would be the construction of approximately 2,500 feet of new track (shown in purple on the enclosed Project Location Map) to connect with RJCP's existing Wallacetown Subdivision Line. From Munson eastward to Gorton, the proposed rail reactivation corridor would remain unchanged. Attachment A contains copies of all previous correspondence from your office relative to this project.

Railroad Construction

If approved by the Board, R.J. Corman Railroad Group's own construction crew would construct the proposed Beech Creek Branch Line. RJCP estimates that construction of the line would take approximately 12 to 18 months to complete. The line would be constructed on a 66-foot right-of-way owned/controlled or to be owned/controlled by RJCP. Figure 2-2 shows the 24-foot typical section of the single-track line proposed to be constructed.

The rails and ties would be shipped to the construction site by combination of both railroad and truck, and staged along the line as construction proceeds. The roadbed itself would require only a minimal amount of grading, sub-grade, and sub-ballast as much of the abandoned roadbed is still intact (see photographs 1 - 4). RJCP anticipates that the ballast would be brought in by train and spread as the track is installed. A general outline of proposed construction activities includes:

1. Brush cutting and clearing the abandoned roadbed, as necessary, to provide access for the construction activities;
2. Grading of the roadbed, as necessary, to prepare it for the installation of new tracks. This would include removal of former ties and rails in certain locations. New sub-grade and sub-ballast would be installed as needed. Erosion and sediment control would be established as grading proceeds;
3. All culverts would be cleaned out or replaced, as needed;
4. All existing bridges would be repaired, as needed;
5. Two new bridges would be constructed at Laurel Run and Casanova Road;
6. All road crossings would be brush cut, cleared out, tracks reinstalled, lights and/or cross bucks and advance warning signs installed. Roadways would be temporarily closed and detoured, as necessary to construct the crossings;
7. Relocation of utilities as needed; and
8. Installation of new tracks consisting of crossties, ballast and either relay or new rail and components.

Railroad Construction Impacts

In general, the Beech Creek Branch Line corridor east of Winburne is a largely undeveloped tract of forest interior habitat containing a portion of the Moshannon State Forest and several large private landholdings along the Moshannon Creek and Black Moshannon Creek drainages. Significant portions of this area have been subject to previous mining and logging operations and are now undergoing various stages of successional growth. Conversely, the Beech Creek Branch Line corridor west of Winburne consists of a diverse and scattered mixture of urban developed areas (i.e., Munson, Allport, Morrisdale, Hawk Run, Troy and Wallacetown), small woodlots, and active/previous mining areas. One notable exception to this generalized description is the large wetland-riverine complex associated with the Moshannon Creek floodplain from Munson to Philipsburg.

Regarding the construction impacts of the proposed project, the Board notes that the vast majority of project impacts would be in the form of minor brush clearing within the footprint of the former roadbed (see photographs 1-4 attached). However, the Board recognizes that reconstruction of track and the subsequent operation of trains over the track would require the clearing of tree and shrub vegetation located immediately adjacent to the 24-foot typical track section. Thus, the Board used the 24-foot typical track section combined with a 10-foot buffer on each side to calculate a potential acreage impact to adjacent vegetation. Over the 20-mile project length, the Board estimates that approximately 30 to 40 acres of adjacent tree/shrub vegetation could be impacted depending on which alternate route to Munson is selected for the Western Segment. This 30-40 acre impact would consist of the clearing of trees and shrubs that have grown up within ten feet of the active railroad bed over its entire 20-mile length. The attached photographs depict the typical type and size of adjacent vegetation that would be cleared as a result of this project. Additionally, a woodland bat survey involving mist net sampling was conducted by Bat Conservation and Management, Inc. in 2005 near the vicinity of this proposed rail line reactivation. This multi-night survey did not result in the capture of any Indiana bats (see attached copy of the survey). Based on the narrow strip of tree and shrub removal along the existing graded corridor of a former railroad line, the Board does not anticipate that the proposed project would result in any impacts to the Indiana bat.

Request for Response

We appreciate your assistance in this matter and request your response by December 11, 2009 so that we can incorporate your response into the Draft EIS, as appropriate. Please send your comments to:

Mr. Kevin Starner
Skelly and Loy, Inc.
449 Eisenhower Boulevard, Suite 300
Harrisburg, PA 17111

If you have any questions, please contact Kevin Starnier, Project Manager for Skelly and Loy, at 717-232-0593, or Danielle Gosselin, SEA Project Manager, at 202-245-0300. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with a large initial "V" and a stylized "R".

Victoria Rutson
Chief
Section of Environmental Analysis