



BUREAU OF FORESTRY

November 29, 2010

PNDI Numbers: 20406, 19648, and 20163

Karen Johnston
 Skelly and Loy, Inc.
 449 Eisenhower Boulevard, Suite 300
 Harrisburg, PA 17111-2302

Re: RJ Corman Railroad Co., Proposed Beech Creek Branch Line Construction and Operation between Wallacetown and Gorton, PA
 Various Townships, Clearfield and Centre Counties,

Dear Ms. Johnston,

Thank you for submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Numbers **20406, 19648, and 20163** for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources of concern under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

Project History

This project has three alternatives: the original railroad alternative (PNDI 19648, submission dated 4/17/08); the "Proposed Minimization Alternative" or the "new railroad alternative" (PNDI 20163, submission dated 5/06/09); and the "Local Road System Upgrade Alternative" (PNDI 20406, submission dated 9/30/09).

19648—Original Railroad Alternative

The original version of this project was received in our office in April of 2008 from the Surface Transportation Board. On May 15, 2008, Environmental Reviewer Rebecca Bowen responded with an information letter including the names of six species known in the area (*Sparganium angrocladum*, *Prunus alleghaniensis*, *Polygonum careyi*, *Stellaria borealis*, *Gaultheria hispidula* and *Lonicera villosa*) and noted that if earth disturbance was planned, to please coordinate further with our office. We subsequently received a survey report from Skelly & Loy dated Nov. 12, 2008. We responded with a follow-up letter dated Dec. 2, 2008 requesting a confirmation of identification of *Sparganium angrocladum*, and *Polygonum careyi*. We agreed with Skelly & Loy's assessment that no impact would be anticipated to *Prunus alleghaniensis*, *Stellaria borealis*, *Gaultheria hispidula* and *Lonicera villosa* for the original railroad alternative. The follow-up of the *S. angrocladum* and *P. careyi* are discussed below.

20163—Proposed Minimization Alternative or New Railroad Alternative

This version of the project was received in our office May 7, 2009 from the Surface Transportation Board and referred to as the new alternative. Environmental Reviewer Andrew Rohrbach responded with a survey request for the six species noted previously—*Sparganium angrocladum*, *Prunus alleghaniensis*, *Polygonum careyi*, *Gaultheria hispidula* and *Lonicera villosa*. This letter also noted the request for confirmation of *Sparganium* and *Polygonum* from the previous letter.

A combined follow-up survey report was received from Skelly & Loy on December 4, 2009. For the new railroad alternative, no impact was anticipated as per the survey conducted for *Prunus alleghaniensis*, *Polygonum careyi*, *Stellaria borealis*, *Gaultheria hispidula* and *Lonicera villosa*. A *Sparganium* specimen was observed, but it was not identifiable to the species level. DCNR requested a follow up survey for *Sparganium* if the new railroad alternative was to be pursued.

The draft Environmental Impact Statement was received in our office in July of 2010 and we responded in August of 2010. This EIS noted that the only species left to identify was *Sparganium angrocladum*, and that all other potential impacts were cleared. It was also determined that a follow-up survey for *S. angrocladum* would be appropriate. Our office agreed with the EIS.

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The most recent survey report from Skelly & Loy was received in our office on October 13, 2010. The sites along the new railroad alternative where the unidentified *Sparganium* was previously found were revisited in July and September of 2010. It was determined that the species of *Sparganium* present was *S. americanum* and not *S. androcladum*. However, potential habitat is present and the known population of *S. androcladum* upstream led Skelly & Loy to conclude that the area should be resurveyed prior to permitting to assure that no plants have colonized the Laurel Run crossing area. DCNR agrees with the suggestion of a resurvey of the proposed crossing of Laurel Run, the other wetlands along Hawk Run and the Wallaceton Pond and, if possible, to survey the areas to which Skelly & Loy were not granted access by the landowners previously.

20406—Local Road Upgrade Alternative

This version of the project was received in our office October 2, 2009 from the Surface Transportation Board and was referred to as the "Local Road System Upgrade Alternative" or the "Road Upgrade." This project was reviewed by Environmental Reviewer Joy VanDervort-Sneed and a survey was requested, if disturbance was anticipated, for *Polygonum careyi* and *Prunus alleghaniensis*.

A combined follow-up survey report was received from Skelly & Loy on December 4, 2009. Our response on February 4, 2010 stated that, according to Skelly & Loy's assessment, potential habitat was observed for all six species and follow-up surveys should be conducted if this alternative was to be pursued.

The most recent survey report from Skelly & Loy is dated October 13, 2010. This notes that the **Local Road Upgrade Alternative has been dropped from consideration and no further botanical surveys have been conducted in that area. If this alternative is revived in the future, further coordination is requested with our office.**

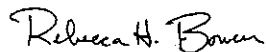
Summary

- No impact is anticipated to *Prunus alleghaniensis*, *Stellaria borealis*, *Gaultheria hispidula*, *Lonicera villosa* and *Polygonum careyi* for the new railroad alternative and the original railroad alternative as per surveys conducted by Skelly & Loy.
- *Sparganium androcladum* was not identified along the original railroad alternative/new railroad alternative. However, since Skelly & Loy determined that potential habitat exists in the project area, and that *S. androcladum* populations exist upstream, it is possible that the species may colonize the area. Therefore, DCNR agrees with Skelly & Loy's assessment that a survey should be conducted of the Laurel Run crossing, wetlands along Hawk Run and at Wallaceton Pond prior to permitting.
- The Local Road Upgrade Alternative has been dropped from consideration; therefore the surveys which have been requested have not been completed. If this plan is revived, please coordinate further with our office.

This response represents the most up-to-date summary of the PNDI data files and is valid for one (1) year from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on-site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered. Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map).

This finding applies to impacts to DCNR only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure the U.S. Fish and Wildlife Service, PA Game Commission, and the Pennsylvania Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,



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