

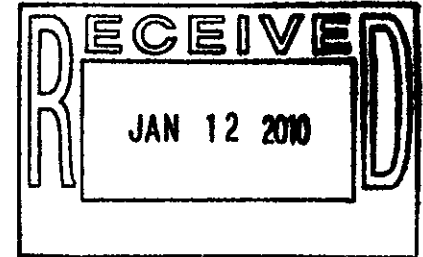


United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



January 8, 2010



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

RE: USFWS Project #2010-0012

Dear Mr. Starnier:

This is in response to your letter of November 12, 2009, about additional information requested in our letter of October 26, 2009, regarding project impacts to the Indiana bat by the proposed railroad reactivation of the Beech Creek Branch line, or the local road system upgrade alternative should the railroad reactivation be denied, located in Wallacetown/Phillipsburg and Winburne in Clearfield County, Pennsylvania. The project is within the range of the Indiana bat (*Myotis sodalis*), a species that is federally listed as endangered. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

You have indicated that approximately 30-40 acres of forest will be impacted during the construction of this project. Therefore, this project is not likely to adversely affect the Indiana bat.

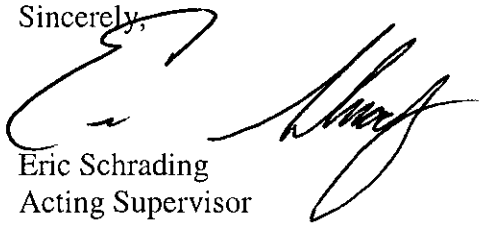
Should project plans change (amount of forest impacts increases), or if additional information on listed or proposed species becomes available, this determination will be reconsidered. This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office is necessary.

This response relates only to endangered or threatened species under our jurisdiction, based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

If you have any questions regarding this matter, please contact Pamela Shellenberger of my staff at 814-234-4090.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Schradling', is written over the printed name and title.

Eric Schradling
Acting Supervisor