

County of Centre



Board of Commissioners

EI-18780

Jon W. Eich
Chairman

Willowbank Office Building
420 Holmes Street
Bellefonte, Pennsylvania 16823-1488

Telephone (814) 355-6700
Fax (814) 355-6980
Cell (814) 359-8506
(814) 876-2264

December 21, 2011

Ms. Victoria Rutson, Director
Office of Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

RE: Docket No. FD 35116 - R.J. Corman Railroad/ Pennsylvania Lines Inc. (RJCP)
Final Environmental Impact Statement

Dear Ms. Rutson,

Centre County Government would like to provide comment on the responses as found in the Surface Transportation Board's Office of Environmental Analysis (OEA) - Final Environmental Impact Statement dated November 18, 2011. Via correspondence to the OEA on numerous occasions, the Centre County Planning and Community Development Office has reiterated the point that the proposed reactivation of the RJCP rail line is inconsistent with County and local comprehensive plans and ordinances.

In keeping with previous determinations by the Federal Highway Administration (FHWA), in accordance with 23 Code of Federal Regulations (CFR) Part 450, land use and transportation consistency determinations are to be made by the local governing authorities. These determinations have been provided to the state and federal authorities since the Planning Office's first review in 2005.

The OEA's response in the November 18, 2011 document, Section 3.3.10 Land Use, Page 3-32 ignores federal regulations by making their own consistency determination which is incorrect. A portion of correspondence from the FHWA to Rush Township, Centre County dated April 17, 2007 includes the following:

"As stated in our January letter, the FHWA policy requires that the proposal must demonstrate consistency with regional land use and transportation plans. It is generally acknowledged that consistency with land use planning is an issue best determined by State and local government (s)."

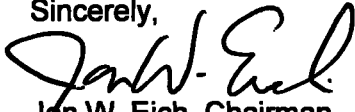
This correspondence also states:

"The FHWA does not have a specific approval role for local or regional lands use plans."

The FHWA correspondence makes it clear that federal authorities have no jurisdiction in local land use decisions, nor should the Surface Transportation Board's OEA.

Centre County respectfully requests that the OEA response be revised accordingly. All correspondence related to the local consistency determinations have already been submitted the OEA. If you should require additional information or have any questions, please don't hesitate to contact Mr. Robert B. Jacobs, AICP, Centre County Planning Director.

Sincerely,



Jon W. Eich, Chairman

pc: Denise L. Elbell, Director of Administrative Services/ Financial Management
Robert B. Jacobs, AICP, Planning Director.