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December 21, 2011

EI-18767

Surface Transportation Board
Mr. Daniel R. Elliott, III
Chairman
395 E Street, SW
Washington, DC 20423

RE: FD 35116

Dear Chairman Elliott:

The Office of Environmental Analysis (OEA) has recently completed the Final Environmental Impact Statement (FEIS) for FD 35116. We believe the FEIS for FD 35116 is inaccurate and incomplete.

The FEIS for FD 35116 is inaccurate because the claim that this proposed rail line is consistent with Centre County local land use and transportation planning stated in FEIS Section 3.3.10, p. 3-32 is incorrect. The reason it is incorrect is because OEA is taking a general statement about support for rail and applying it incorrectly to this specific rail project. The Centre County Planning and Community Development Office (CCPCDO) did a detailed analysis of this specific proposed rail line and found it not consistent. The CCPCDO has informed the OEA of the inconsistency multiple times during the Environmental Impact Statement (EIS) process.

Additionally, the CCPCDO conducted a consistency review for the Federal Highway Administration (FHWA) for an I-80 interchange, which would have provided a quality of access to the same site that this proposed rail line would serve that local roads do not. The primary reason the FHWA did not proceed further with the I-80 interchange is because the interchange was determined to be inconsistent with local land-use and transportation planning (23 CFR 450.324g).

The FEIS for FD 35116 is incomplete because it claims the rail line and proposed Resource Recovery, LLC (RRLC) project are "functionally and economically independent" (FEIS, section 3.3.10). The FEIS asserts functional and economic independence of the proposed rail line and the RRLC project but does not provide an economic analysis that justifies this claim.

Because the FEIS is both inaccurate and incomplete, we request that your decision be to require the proposed rail project first to be consistent with local land-use and transportation planning. Such a decision would serve as a stage-gate, similar to the FHWA process, so that scarce

government resources are not needlessly expended until after a proposed project is shown to be consistent with local land-use and transportation planning.

If the project is determined to be consistent with local land-use and transportation planning, then an economic analysis should be performed so that the environmental impacts are based upon realistic estimates of economic activity.

We appreciate your consideration of our concerns.

Respectfully,



JoAnn Gillette, Coordinator
Review Committee
People Protecting Communities

C: Vice Chairman, Ms. Ann D. Begeman
Commissioner, Mr. Francis P. Mulvey
Section of Administration, Section Chief, Ms. Cynthia T. Brown
Senator Robert Casey
Representative Michael Hanna
Robert Jacobs, CCPCDO