

County of Centre



EI-16426

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February 24, 2009

Danielle Gosselin
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

RE: Environmental Filing STB Finance Document No. 35116

Dear Ms Gosselin,

The Centre County Planning and Community Development Office appreciates the opportunity to provide comments to the Surface Transportation Board (STB) regarding the Environmental Impact Statement (EIS) scoping process for STB Finance Docket 35116. The Planning Office is responsible for the review and coordination of local land use planning activities with the municipalities in Centre County.

Therefore, our comments regarding the proposed reactivation of the Beech Creek rail line will include the impacts from the proposed land development activities that are the catalyst for this rail line reactivation. In that regard, the Planning Office recommends that the STB's scope of the EIS include not only the rail line but the associated proposed land development activities. Without the inclusion of these proposed activities in the EIS, there would be no need for the rail line reactivation.

This requested rail line reactivation by R. J. Cormán is intended to serve a proposed landfill in Rush Township, Centre County that is to be operated by Resource Recovery LLC (RR LLC) from Lancaster, PA. The parcel intended for this use is within Rush Township and Snow Shoe Township, Centre County. At the present time, this landfill has not been approved and permitted by the PA Department of Environmental Protection (PA DEP). The permit application review by the PA DEP has been suspended since February 7, 2007.

The reasons for the suspension relate to the proposed access interchange along Interstate 80. Additional information can be found in the correspondence submitted to you from the Federal Highway Administration dated January 19, 2009.

In addition to RR LLC's suspended permit, it should be noted that a recent action by the PA DEP regarding another proposed landfill approximately 16 miles west of the RR LLC site should question the economic viability of RR LLC's proposal. In this recent action from July 2008, the PA DEP denied a landfill permit submitted by PA Waste, LLC for a proposed landfill of similar size and proposed tonnage (5,000 tons per day). The reasons for the denial involve PA Waste's inability to justify the hauling of waste from New York to their proposed facility in Clearfield County when there were at least eight (8) existing landfill facilities identified between New York and the PA Waste, LLC facility that are capable of accepting the same waste.

The PA DEP decision to deny the PA Waste should be factored into this scope of study for the EIS because a representative at the February 10, 2009 public scoping meeting stated that the waste for the proposed RR LLC facility would also be from the New York and New Jersey areas. Based on this, the Planning Office recommends that the scope be expanded and include another alternative that considers landfill locations in closer proximity to the generated waste stream.

Beech Creek Railroad Historical Perspective

The research and documentation of the Beech Creek Railroad for the 36 CFR Part 800, Section 106 process was a valuable asset but a failed attempt to address the complete impact of rail reactivation for commercial and industrial purposes. The research and documentation conducted by the engineering and environmental consultant, Skelly and Loy, has recommended that the Beech Creek Railroad is a significant historic resource and has been found eligible for listing in the National Register of Historic Places based upon the National Park Service Criterion A and C. Furthermore, the consultant concludes his findings by stating that, "No construction is anticipated outside of the existing cut and fill of the existing rail bed. Other remains, such as signal tower foundations, siding beds, and tipple remains, lie outside of the anticipated limits of disturbance. As a result, Skelly and Loy does not recommend an archaeological survey." The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. This work appears to be incomplete.

The consultant's conclusion of "no adverse effect" is apparently based upon the erroneous concept that no construction is anticipated beyond the railroad right-of-way. This is in direct conflict with statements made by presenters at the public meeting held February 10, 2009 to address the environmental scoping process. As conveyed at this meeting, reactivation of the proposed rail line for the anticipated land uses will require the construction of a siding approximately 6,500 linear feet in length, constructed west of the Peale Tunnel, and most likely south of the existing rail bed. This siding is necessary to accommodate two-way rail traffic.

Therefore, the statement by Skelly and Loy that "no construction is anticipated outside of the existing cut and fill of the existing rail bed" is in conflict with information presented to the public on February 10th. Furthermore, the location of this siding west of the Peale Tunnel may likely impact remnants of industrial archaeology and requires further study to assess the full ramifications of the proposed rail reactivation.

Recreational Facilities

The rail line impacts several recreational facilities within Centre and Clearfield Counties. A section of the rail line traverses the Moshannon State Forest. Consultation with the PA Department of Conservation and Natural Resources must be conducted to determine any potential impacts to this recreational area.

The other recreational resource that will receive the most impact is the Snow Shoe Rail Trail Association's (SSRTA) facility owned by the Headwaters Charitable Trust that utilizes a large portion of the identified rail line proposed for reactivation. This private association has over 2,000 members that come from across the Commonwealth to use this facility. Economic development activity in the form of new businesses have been created due to the popularity of this trail system. Reactivation of the rail line will virtually eliminate this recreational facility and this loss should be evaluated for its impact to the local economy.

Land Use/ Zoning

The map submitted as part of the request for comments indicates that the rail line reactivation extends into Snow Shoe Township near Gorton and its intersection with Gorton Road. As mentioned above, Snow Shoe Township denied a zoning amendment requested by RR LLC in 2004. The current zoning on the property is Forest – Open Space and does not permit industrial uses and their associated activities. Although there are no specific details, it appears as though the Gorton area may also be utilized as a rail terminus point in addition to the siding area west of the Peale Tunnel where solid waste materials and/ or materials generated will be off loaded to trucks for transport to the landfill.

This activity would be deemed an industrial use in Snow Shoe Township as rail/truck terminal activity and is not permitted. Prior to any determination by the STB in regards to the EIS, this issue must be addressed.

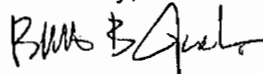
In addition the rail terminus point as shown in Gorton is directly adjacent to existing residences along Gorton Road. The impacts from the movement of solid waste via rail and truck in this area would be detrimental to the residences. This is similar to the concerns in Clearfield County where the rail line traverses numerous communities and residences and must be addressed as part of the land use analysis for the EIS.

Transportation and Safety

Based upon the information provided at the February 10, 2009 public scoping meeting, public safety access within the communities throughout the rail corridor should be evaluated. Given the proposed length of the train and its estimated speed, emergency vehicle response times could be delayed for up to ten minutes. It is imperative that public safety access be maintained.

The Planning Office again would like to thank the Board for requesting our comments on this EIS scoping process. Should you have any questions or require additional information, please let me know.

Sincerely,



Robert B. Jacobs, AICP
Planning Director

pc: Centre County Board of Commissioners
Timothy T. Boyde, County Administrator
Susan B. Hannegan, Assistant Director
Snow Shoe Township Supervisors
Jodi Brennan, Clearfield County Planning Director