



EI-18366

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September 28, 2010

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

RE: Environmental Filing FD 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 Draft Environmental Impact Statement (EIS) 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. The following comments are intended to provide background information, clarification of recent actions, and highlight corrections that must be made to the Draft EIS as they relate to Centre County.

As stated in previous correspondence to the STB, 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 still recommends that the STB's EIS include and provide an accurate evaluation for the rail line and the associated land development activities (i.e., the proposed landfill, industrial park, and quarry). Without the inclusion of these proposed activities in the EIS as a connected action, there would be no need for the rail line reactivation. It is also important to note that since the publication of the Draft EIS there appear to be inconsistencies with information presented in the document and with recent activity related to the development of the proposed landfill property.

This requested rail line reactivation by R. J. Corman is solely intended to serve a proposed landfill in Rush Township, Centre County. The parcel intended for this use is located within both Rush Township and Snow Shoe Township, Centre County. At the present time, this landfill has not been approved or 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.

As of August 6, 2010, Resource Recovery, LLC (RR LLC) withdrew its Joint Permit Application for wetlands with the PA DEP Williamsport Office and the US Army Corps of Engineers. This withdrawal potentially nullifies the proposed landfill information presented in the Draft EIS since the wetlands permit relates to the scope and size of the proposed landfill. By withdrawing the wetlands permit, it cannot be determined whether there will be a continued need for rail service to the site in Rush Township or if another revised permit will be submitted. The Draft EIS must be revised to reflect this change in permit status.

Draft EIS, Environmental Impacts - Centre County Comprehensive Plan

In 2005, Centre County determined that the proposed landfill was inconsistent with the County Comprehensive Plan, Snow Shoe Township's Comprehensive Plan, and Snow Shoe Township's Zoning Ordinance. This determination was in response to a request by the Federal Highway Administration as part of their review of the Point of Access Study (POA) for a proposed access interchange from Interstate 80 to the proposed landfill.

Because of that determination, Centre County disagrees with the Draft EIS analysis of the Centre County Comprehensive Plan as shown in Chapter 4 – Environmental Impacts, page 4-19. The document states “Section of Environmental analysis (SEA) has concluded that RJCP’s proposed project appears to be consistent with the long range transportation goals of Centre County”. The SEA was made aware of this inconsistency in previous correspondence from the County. Why would the SEA make this assumption in this document? The inconsistency determination was confirmed not only by Centre County but also by the Centre County Metropolitan Planning Organization. This must be corrected in the final EIS.

Draft EIS, Cumulative Impacts

The SEA identified proposed actions that are determined to be part of the cumulative impacts related to the proposed rail reactivation. Chapter 5, page 5-1 identifies the Glenn O. Hawbaker proposed sand/ gravel quarry. Since the granting of the small mining permit, the quarry activity has ceased operations and has been filled.

A recent site exhibit by RR LLC identifies a new quarry location in Snow Shoe Township. However, a recent Act 14 notice submitted to this office by the ARM Group on behalf of Williams Production Appalachia shows that same location to be used as a six (6) acre borrow area for road surfacing and fill material for their natural gas drilling operations on the RR LLC property.

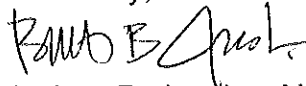
DRAFT EIS, List of Preparers

Chapter 9 must be modified to reflect that the US Army Corps is not a contributing agency in this document.

The Draft EIS in Chapter 1 attempts to make the point that the proposed rail line and proposed landfill are not interdependent and that the landfill could develop regardless of the construction of the rail line however, it is not inappropriate to consider the proposed landfill to be a direct effect of this rail transportation project. Without it, the rail line would not be financially feasible on its own. This document uses incorrect and out of date information regarding the proposed landfill project based on recent activities to justify reactivation of the rail line. The Planning Office recommends that the document be corrected to reflect current and accurate information. The investment of time, tax dollars, and volunteer efforts to improve the recreational amenities, historic elements, and natural resources in this area demands no less.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert B. Jacobs".

Robert B. Jacobs, AICP
Planning Director

pc: Centre County Board of Commissioners
Susan B. Hannegan, Assistant Director
Mike Bloom, Transportation Planner

rbj