

REVISED

April 26, 2011

STB Finance Docket No. 35116, RJ Corman Railroad Co.; Beech Creek Branch
Line - Construction and Operation Between Philipsburg Area to Gordon,
Pennsylvania, Alternative Route Evaluation

Surface Transportation Board
395 E. Street, SW
Washington , DC 20423

Attention : Danielle Gosselin
Section of Environmental Analysis
Environmental Filing FD 35116

Dear Ms. Danielle Gosselin,

I am concerned with the proposal of the Philipsburg to Munson Area and asking the Surface Transportation Board's Environmental Review to review several comments I have made looking at the Environmental Impact Statement.

1. The proposed route from Philipsburg to Munson Area would be located entirely within floodplains, floodways, and significant wetlands associated with Laurel Run, Moshannon Creek and their tributaries. This whole area was looked at during the SR 322 Corridor O1 study showing the concern for floodplains, floodways, and significant wetlands and was determined that there was too severe impacts and the whole area was avoided. The Wallaceton to Munson Area would avoid these issues and requirements. 1940's mapping shows a rail line in this area, however that rail line had been removed by the 1960's mapping and has been completely dismantled and former Right of Way sold. Was this line previously removed related to these same concerns and issues related to floodplains and floodways.
2. In some areas Acid Mine drainage will also be an issue for these floodplains, floodways, and significant wetlands along with stability and subsidence issues.
3. The Graham Station area to Philipsburg area has been completely dismantled, bridges totally gone, no railroad bed remaining, drainage gone. This would require total reconstruction and the grade would have to be raised dramatically due to all the significant wetlands, floodplains and floodways in the area. Major bridges would have to be built and a lot of fill needed to create the bed lining, which would destroy much habitat in this area. The build-up of this rail bed will also affect the transition into any proposed at-grade crossings affecting the roadway approaches. The build-up of roadway approaches ultimately requires fill areas which then affect the neighboring wetland and associated environmental issues. Resolution of wetland and associated environmental issues can be costly. Also, rail road maintenance would become costly to maintain a sufficient rail bed in an area prone to flooding.

4. Wetland impacts with this alternative in the Philipsburg Area are 4 times greater and floodplain impacts are 7 times greater than the Wallaceton to Munson Alternative.
 - Wetland Impacts
Wallaceton to Munson = 27,500 sq. ft
Philipsburg to Munson = 115,450 sq. ft
DIFFERENCE 4 times higher
 - Floodplains
 - Wallaceton to Munson = 2,960 ft
 - Philipsburg to Munson = 19,810 ft
 - DIFFERENCE 7 times higher
5. Permitting requirements would be extensive especially with feasible avoidance/minimization alternative available.
6. Within this area many signs of life have shown up over the years such as, but not limited to: largemouth bass, black crappies, green sunfish, bluegills, pumpkinseed sunfish, bait fish, lots of little spawn fish, turtles, deer and bear. Nesting sites within the proposed alternative include but are not limited to: blue herons which are endangered, various types of snakes, muskrats, turtles, beavers, lilly pads, and various grass plants.
7. Frequent flooding in this proposed area by elevated flows in the surrounding streams and wetlands.
8. This proposed area will require two (3) NEW crossings Private drive/business drive, SR 53, and Ninth Street. Serious concerns about the configuration and geometry at this intersection and traffic impacts at new upgraded intersection. One will affect my Excavation Company from getting in and out of the property. There is no other access to get big equipment and triaxles in and out of property. With the two new crossings so close together how does the state and PUC get involved with controlling traffic and causing bottle necks. This crossing scenario on SR 0053 and SR 2043 will also create an area of concern for Emergency Responders.
9. In obtaining this **PRIVATE** property by a private company (RJ Corman) eminent domain does not come into play.
10. With the abandoned rail corridor hazardous/residual waste materials could be impacted with this alternative.
11. With the abandoned rail corridor historic could be impacted with this alternative to be determined by PHMC?
12. There is question in the value of an incomplete EIS package when the entire area was never truly examined in detail to show what there really is out in the field? Refer to Pages 91 and 92
13. Has the CORP of Engineers, PA Fish and Boat, and DEP reviewed this entire corridor and been given the opportunity to comment?
14. Since the STB is going to review this and it is a request from RJ Corman this is a private company 's Environmental Impact Study and referring to number 13 what are the state's comments?? I would like to review and comment on those.
15. Has PENNDOT been involved on the access issues, traffic impact issues, and related shared right-of-way issues?
16. In reviewing the EIS package the Wallaceton to Munson Area Rail bed is existing, there are some bridges that may have to be built but **LESS SEVERE** environmental impacts as to the proposed alternative in the Philipsburg to Munson Area. Also, are there any records available

pertaining to the original abandonment of each of these rail beds. That record displays deterioration/reconstruction factors and potential claims for the original abandonments that may apply to this interest directly.

17. Had the Wallaceton to Munson Area Rail Line been suspended, vacated or abandoned? Has the Wallaceton to Munson Area Rail line been Rail Banked? The Philipsburg to Munson Area was abandoned and sold to private property owners. The sale of property to private property owners is a much more defined detail than a rail line that has been temporarily suspended. The attempt to acquire property from private property owners by a private company (RJ Corman) will take much more negotiations and costs to settle claims, resulting in delays.

I appreciate your time and effort in reviewing these details. If you have further questions please let me know

Mark Rusnak
486 Rusnak Lane
Philipsburg, PA 16866

FROM SEPTEMBER 14, 2010 MEETING AND NOTES THAT WERE ADDED

18. During the meeting a spokesperson from Skelly and Loy (Phil Glass) stated that the Philipsburg to Munson Area was better environmentally because of air quality and noise vibration? What is the data showing this. This statement by an Environmental consultant did not include talking about what their document actually states about the floodplains and wetlands see number 4 in this letter.
19. During the meeting a Rush Township Supervisor stated that he received approximately \$ 300,000 plus from Resource Recovery is this true? When the STB board looks at this project objectively from all the opposition of people with good representation and a lot of questions and concerns about an incomplete documents, etc. I saw more people against this than for it. Also, this affects many areas including the active rail line in other areas that townships were not even invited .
20. They discussed that Resource Recovery was working on permits? How can that be with an Incomplete EIS as I have stated in number 12.
21. The Rail to Trails people have a valid concern about their trail and who will pay back those federal funds for the work that was done on this trail.
22. Is the Landfill really funded? RJ Corman will not pursue if Resource Recovery does not have money .
23. The typical section that was shown at the meeting for the Railroad Line was for perfect cross section. It does not truly show what happens going through the flood plains, wetlands, and etc.

ADDITIONAL QUESTION FROM REVISED DRAFT EIS APRIL 25, 2011

24. What are the environmental concerns with ethanol tankers coming through our town and behind many homes? What about spills and etc.