

FOUR PENN CENTER
SUITE 200
1600 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19103-2808
TELEPHONE 215.563.9400
FACSIMILE 215.665.9988
WWW.GGELAW.COM

G&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

ERIC M. HOCKY
DIRECT DIAL 215.320.3720
emhocky@ggelaw.com



July 31, 2006
VIA: UPS Overnight

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Reading Blue Mountain and Northern Railroad Company -
Abandonment Exemption - Schuylkill County, PA
STB Docket No. AB-996X
Supplement to Environmental/Historic Report

217187

Dear Secretary Williams:

This letter serves to supplement the Environmental/Historic Report ("the Report") that was filed in this proceeding on July 11, 2006 by Reading Blue Mountain and Northern Railroad Company ("RBMN"). After the Report was filed, we received the attached additional response from the US Department of the Interior, Fish and Wildlife Service's Pennsylvania Field Office. The response requires no action on the part of the RBMN and does not affect any of the conclusions set forth in the Report.

Also enclosed is the Proof of Publication from the Republican & Herald for the newspaper notice that was published as required by 49 CFR 1105.12. As stated in the Report, and confirmed by the Proof of Publication, the Notice was published on July 5, 2006.

We are enclosing the original and 10 copies of this letter and the enclosures in order that they can be filed of record in this proceeding.

ENTERED
Office of Proceedings

AUG 1 - 2006

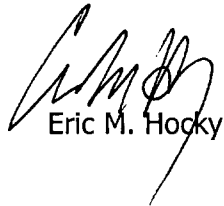
Part of
Public Record

GOLLATZ, GRIFFIN & EWING, P.C.

Hon. Vernon A. Williams
July 31, 2006
Page 2 of 5

Please time stamp the extra copy of this letter to indicate receipt and return it to me in the stamped, self-addressed envelope provided for your convenience.

Respectfully,



Eric M. Hocky

Enclosures

cc: All parties on the Service List

Hon. Vernon A. Williams
July 31, 2006
Page 3 of 5

SERVICE/ADDRESS LIST

Pedro Cortes
Secretary of the Commonwealth
302 North Capitol Building
Harrisburg, PA 17120

Department of Conservation and Natural Resources
Rachel Carson State Office Building
PO Box 8767
400 Market Street
Harrisburg, PA 17105-8767

Pa. Dept. of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Gary I. Greenfield
Assistant Regional Director
Northeast Regional Office
Pa. Dept. of Environmental Protection
Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18711-0790

Lawrence J. Toth
Environmental Planner
PA Department of Environmental Protection
Coastal Zone Management Program
P.O. Box 2063
400 Market Street, 15th Floor
Harrisburg, PA 17105-2063

Schuylkill County Commissioners
401 N. Second Street
Pottsville, PA 17901

Environmental Protection Agency
Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029

Hon. Vernon A. Williams
July 31, 2006
Page 4 of 5

US Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9589

David Densmore
Supervisor
US Dept. of the Interior
Fish and Wildlife Service
Pennsylvania Field Office
315 South Allen Street
Suite 322
State College, PA 16801-4805

U.S. Army, Corps of Engineers, Baltimore District
P.O. Box 1715
Baltimore, MD 21201-1715

Northeast Region
Regional Director
National Park Service
U.S. Custom House
200 Chestnut St., Fifth Floor
Philadelphia, PA 19106

USDA Natural Resources Conservation Service
5601 Sunnyside Ave.
Mailstop 5410, Room 1-1290A
Beltsville MD 20705-5410

State Conservationist
USDA Natural Resources Conservation Service
One Credit Union Place, Suite 340
Harrisburg, PA 17110-2993

Mr. Richard A. Snay
Chief, Spatial Reference System Div.
United States Dept. of Commerce
NOAA, N/NGS2
SSMC3, Room 8828
1315 East-West Highway
Silver Spring, MD 20910

Hon. Vernon A. Williams
July 31, 2006
Page 5 of 5

Pennsylvania Game Commission
Bureau of Law Enforcement
Southeast Regional Office
448 Snyder Road
Reading, PA 19605

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Pennsylvania Department of Transportation
400 North Street
8th Floor
Harrisburg, PA 17120

Mr. Dave Dorfman
Policy and Programs Division
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-4537

National Park Service
National Center For Recreation
and Conservation
Org. Code 2220
1849 C Street, NW
1201 Eye Street
9th Floor
Washington, DC 20240-0001

National Park Service
Land Resources Division
1849 C Street, NW
1201 Eye Street
9th Floor
Washington, DC 20240-0001

Office of Chief of Forest Service
U.S. Department of Agriculture
Auditor's Building
201 14th Street S.W. and Independence Ave., S.W.
Washington, DC 20250



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



July 10, 2006

Leanore D. Bellis
Gollatz Griffin & Ewing
213 West Miner Street
P.O. Box 796
West Chester, PA 19381

RE: USFWS Project #2006-2102

Dear Ms. Bellis:

This responds to your letter of June 1, 2006, requesting information about natural resource areas of special concern, and federally listed and proposed species in the vicinity of the proposed Minersville running track abandonment project (STB Docket No. AB-996X) located in Schuylkill County, Pennsylvania.

There are no National Wildlife Refuges, National Fish Hatcheries nor National Environmental Centers operated by the Fish and Wildlife Service within the vicinity of the proposed site.

In addition, except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the project impact area. Therefore, no biological assessment nor further consultation under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) are required with the Service. This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office will be necessary. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

For information regarding State resources of special concern, including State-listed endangered and threatened species, please contact the Pennsylvania Game Commission (birds and mammals; State Game Lands), the Pennsylvania Fish and Boat Commission (fish, reptiles, amphibians and aquatic invertebrates; trout streams), the Pennsylvania Department of Conservation and Natural Resources (PNDI; plants and plant sanctuaries; State Forests; State Parks; Natural Areas; State Wild and Scenic Rivers) and the Department of Environmental Protection (Special Protection Watersheds; Wetlands).

This response is based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

If we can be of further assistance, please contact Robert Anderson of my staff at 814-234-4090.

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", followed by a long horizontal line extending to the right.

David Densmore
Supervisor

Enclosure

Federally Listed, Proposed, and Candidate Species in Pennsylvania
(revised April 13, 2006)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u> ¹	<u>Distribution (Counties and/or Watersheds)</u>
MAMMALS			
Indiana bat	<i>Myotis sodalis</i>	E	Hibernacula: Armstrong, Blair, Centre, Fayette, Lawrence, Luzerne, Mifflin and Somerset Co. Maternity sites: Blair Co.
BIRDS			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Nesting: Armstrong, Berks, Bucks, Butler, Centre, Chester, Columbia, Crawford, Dauphin, Erie, Forest, Fulton, Huntingdon, Lancaster, Lawrence, Lebanon, Luzerne, Lycoming, Mercer, Monroe, Montgomery, Northampton, Northumberland, Pike, Sullivan, Tioga, Venango, Warren, Wayne and York Co. Winter: near ice-free sections of rivers, lakes and reservoirs (e.g., Delaware River, Pymatuning Reservoir)
Piping plover	<i>Charadrius melodus</i>	E	Migratory. No nesting in PA since 1950s, but recent colonization attempts at Presque Isle (Erie Co). Designated critical habitat on Presque Isle.
REPTILES			
Bog turtle	<i>Clemmys (Glyptemys) muhlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co. [Historically found in Crawford, Mercer and Philadelphia Co.]
Eastern massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co. [Historically found in Allegheny and Lawrence Co.]
MUSSELS			
Clubshell	<i>Pleurobema clava</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co.; Shenango River (Mercer and Crawford Co.) [Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Lawrence, Mercer, and Westmoreland Co.]
Dwarf wedgemussel	<i>Alasmodonta heterodon</i>	E	Delaware River (Wayne Co.). [Has not been found recently in streams of historical occurrence in the Delaware River watershed (Bucks, Carbon, Chester, Philadelphia Co.) or Susquehanna River watershed (Lancaster Co.)]
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co. [Has not been found recently in streams of historical occurrence, including: Shenango River (Lawrence Co.), Conewango Creek (Warren Co.)]

MUSSELS
(continued)

① REPUBLICAN & Herald

POTTSVILLE REPUBLICAN, INC.
P.O. BOX 1165
POTTSVILLE, PA 17901-7165
POTTSVILLE: (570) 622-3456 • SHENANDOAH: (570) 462-2777
TOLL FREE: (800) 622-1737 www.schuykill.com

9 ADVERTISER CLIENT	
7	BILLED ACCOUNT NO. 75903
2 BILLED ACCOUNT	
6	TERMS OF PAYMENT SEE OTHER SIDE

5 BILLING PERIOD	
7/05/06	7/05/06
3 INVOICE NO.	4 BILLING DATE
	7/05/06

GOLLATZ GRIFFIN & EWING ATTYS
213 WEST MINER STREET
PO BOX 796
WEST CHESTER PA 19381

AFFIDAVIT-DO NOT PAY

10 DATE	11 REFERENCE NUMBER	12 CHARGES OR CREDITS DESCRIPTION/PRODUCT CODE	13 SAU/ DIMENSIONS	14 TIMES	15 BILLED UNITS	16 RATE	17 GROSS AMOUNT	18 NET AMOUNT
5	5290819	NOTICE OF ABANDONME	121	1	121.00	2.30		278.30
		NT/READING						
5	5290819	AFFIDAVIT CHARGE		1				4.00
		07/05/06.						
REPUBLICAN & HERALD COMMONWEALTH OF PENNSYLVANIA KATHLEEN BRESLIN BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT SHE IS ACCOUNTING CLERK FOR REPUBLICAN & HERALD , OWNER AND PUBLISHER OF REPUBLICAN & HERALD , A NEWSPAPER OF GENERAL CIRCULATION, ESTABLISHED IN 1884, PUBLISHED IN THE CITY OF POTTSVILLE , COUNTY AND STATE AFORESAID, AND THAT THE PRINTED NOTICE OR PUBLICATION HERETO ATTACHED IS EXACTLY AS PRINTED IN THE REGULAR EDITIONS OF THE SAID NEWSPAPER ON THE FOLLOWING DATES, VIZ.: AVIT CHARGE 07/05/06 AFFIANT FURTHER DEPOSES AND SAYS THAT NEITHER THE AFFIANT NOR REPUBLICAN & HERALD IS INTERESTED IN THE SUBJECT MATTER OF THE AFORESAID NOTICE OR ADVERTISEMENT AND THAT ALL ALLEGATIONS IN THE FOREGOING STATEMENT AS TIME, PLACE AND CHARACTER OF PUBLICATION ARE TRUE SWORN AND SUBSCRIBED TO BEFORE ME THIS 11 DAY OF JULY A.D. 2006.								
(UNDER ACT P.L. 877 NO. 160, JULY 9, 1976) , COUNTY OF SCHUYLKILL <i>Kathleen Breslin</i> _____ (NOTARY PUBLIC) COMMONWEALTH OF PENNSYLVANIA Notary Seal Nancy G. Berger, Notary Public City of Pottsville, Schuykill County My Commission Expires Nov. 16, 2008								

24 AGING			

21 CURRENT GROSS AMOUNT	22 CURRENT NET AMOUNT
	282.30

29 CONTRACT PERFORMANCE			
EXPIRATION DATE	REQUIREMENT	CURRENT MONTH	CUMULATIVE

PLEASE PAY
THIS AMOUNT

25 TOTAL NET AMOUNT DUE

AMOUNT OF PAYMENT	26 BILLED/ACCOUNT NO. 75903	27 BILLED ACCOUNT NAME GOLLATZ GRIFFIN & EWING ATTYS
-------------------	------------------------------------	---

DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

REMITTANCE ADVICE

REPUBLICAN & Herald

POTTSVILLE REPUBLICAN, INC.
P.O. BOX 1165
POTTSVILLE, PA 17901-7165
POTTSVILLE: (570) 622-3456 • SHENANDOAH: (570) 462-2777
TOLL FREE: (800) 622-1737 www.schuykill.com

NOTICE

Reading Blue Mountain and Northern Railroad Company ("RBMN") gives notice that on or about July 31, 2006, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Abandonment pursuant to 49 CFR 1152 Subpart F - E x e m p t Abandonments, permitting the abandonment of the 1.2 mile portion of the Minersville Running Track from milepost 7.6 to milepost 8.8, located in Norwegian and Cass Townships in Schuylkill County, Pennsylvania. The nearest station is New Saint Nicholas (OPSL-2475) located at SPLC-204650. The line traverses through United States Postal ZIP Code 17954. At this time, RBMN intends to salvage the track and materials following the line's abandonment. RBMN's proceeding will be docketed as AB-996X.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of RBMN's notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, Mercury Building, 1925 K Street, NW, Washington, DC 20423 or by calling SEA at 202-565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, Mercury Building, 1925 K Street, NW, Washington, DC 20423 (see 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicants' representative (see 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Eric Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 JFK Boulevard, Philadelphia, PA 19103, (215) 563-9400.