FREQUENTLY ASKED QUESTIONS

What is the railroad, R.J. Corman, proposing to do?

R.J. Corman Railroad Company/Pennsylvania Lines Inc. (RJCP)[1] is a railroad company that would like to build approximately 20 miles of rail line between Wallaceton and Gorton in Clearfield and Centre Counties, Pennsylvania. Specifically, RJCP's plan includes two parts. The first part of RJCP's plan is to construct and operate a new rail line over a 10.8-mile length of abandoned rail right-of-way between Wallaceton and Winburne in Clearfield County, Pennsylvania (the Western Segment). The second part of RJCP's plan is to reactivate a connecting 9.3-mile portion of currently rail banked[2] line between Winburne and Gorton in Clearfield and Centre Counties, Pennsylvania (the Eastern Segment). Together, the Western and Eastern Segments comprise the Proposed Action. Figure ES-1 shows the location of both the Western and Eastern Segments of the Proposed Action.

RJCP would like to build this new rail line so that it could serve a new landfill, quarry, and industrial park as well as several other interested shippers located along the line. These facilities—the landfill, quarry, and industrial park—are currently being developed by Resource Recovery, LLC (RRLLC)[3] near Gorton, Pennsylvania.

What is the Surface Transportation Board's role here?

Before RJCP may build and operate a new rail line, it must get permission from the Surface Transportation Board (Board)[4], an agency created by Congress to ensure a sound national freight

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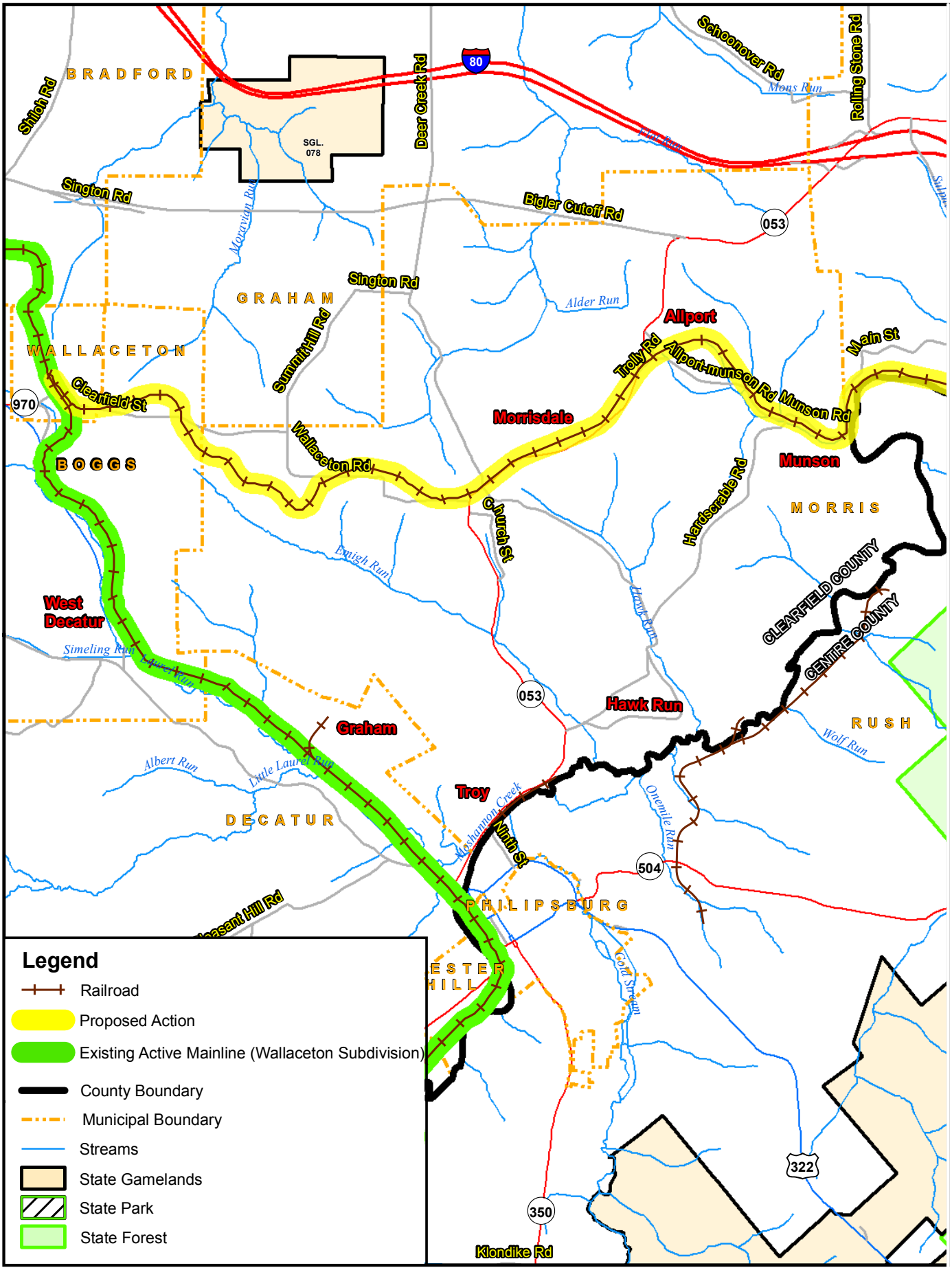
[1] Operating out of Clearfield, Pennsylvania, RJCP is one of a family of short line railroad operators controlled directly by R.J. Corman Railroad Group, LLC, based in Nicholasville, Kentucky. R.J. Corman Railroad Group, LLC, is majority-owned and controlled by Richard J. Corman. RJCP is a Class III railroad, and the acquisition of its current lines in the vicinity of Clearfield, Pennsylvania, was authorized pursuant to R.J. Corman R.R. Co./Pa. Lines, Inc. – Acquis. and Operation Exemption – Lines of Consolidated Rail Corp., FD 32838 (STB served Jan. 26, 1996). RJCP operates over a former Consolidated Rail Corporation (Conrail) light density line that extends from an interchange with the Norfolk Southern Railway Company (NS) at Keating, through Clearfield and Wallaceton, to Osceola Mills, Pennsylvania.

[2] In 1983, concerned by the rapid contraction of America's rail network, Congress amended the National Trails System Act to create the rail banking program. Rail banking is a method by which rail lines authorized for abandonment can be preserved for future rail use through interim use as a trail. A rail banked line is not treated as abandoned. See 16 U.S.C. § 1247(d). Instead, the right-of-way is "rail banked," which means that the railroad is relieved of the current obligation to provide service over the line but that the railroad (or any other approved rail service provider) may reassert control to restore service on the line at any point in the future. If and when the railroad wishes to restore rail service on all or part of the property, it has the right to do so, and the trail user must step aside. See Birt v. STB, 90 F.3d 580, 583 (D.C. Cir. 1996); Iowa Power–Constr. Exempt.–Council Bluffs, IA, 8 I.C.C.2d 858, 866-67 (1990); 49 C.F.R. § 1152.29(c)(2), (d)(2); Ga. Great S. Div.—Abandon. & Discontinuance of Serv., 6 S.T.B. 902, 906 (2003).

[3] RRLLC is a privately owned company located in Mountville, Pennsylvania, that was created to undertake an economic development project located near Gorton in Rush Township, Centre County, Pennsylvania. In accordance with RJCP's petition, RRLLC's proposed development project would include a landfill, sand and gravel quarry, and industrial park. None of the R.J. Corman companies, including RJCP or its non-rail carrier affiliates, has any affiliation with RRLLC through stock ownership, control, or otherwise.

[4] The Surface Transportation Board is a bipartisan, decisionally independent adjudicatory body organizationally housed within the U.S. Department of Transportation (USDOT). The Board was established by the Interstate Commerce Commission (ICC) Termination Act of 1995 (49 U.S.C. § 10101 et seq.; P.L. 104-88, December 29, 1995) to assume certain regulatory functions that the ICC administered. The Board has jurisdiction over rail constructions, rail abandonments, rail rates, railroad acquisitions, and consolidations. Other functions of the ICC were either eliminated or transferred to different agencies within USDOT.


BRADFORD
GRAHAM
WALLACETON
BOGGS
MORRIS
RUSH
DECATUR
PHILIPSBURG
Shiloh Rd
Sington Rd
SGL. 078
Deer Creek Rd
80
Schoonover Rd
Mons Run
Rolling Stone Rd
Bigler Cutoff Rd
053
Morgan Run
Alder Run
Summit Hill Rd
Allport
Main St
Trolly Rd
Allport-munson Rd
Munson Rd
970
Clearfield St
Morrisdale
Wallaceton Rd
Munson
Hardscrable Rd
Church St
Enigh Run
West Decatur
Simeling Run
Laurel Run
CLEARFIELD COUNTY
CENTRE COUNTY
Hawk Run
Graham
Albert Run
Little Laurel Run
Wolf Run
Troy
Moshannon Creek
Ninth St
Onemile Run
504
Pleasant Hill Rd
Gold Stream
322
350
Klondike Rd
Legend
Railroad
Proposed Action
Existing Active Mainline (Wallaceton Subdivision)
County Boundary
Municipal Boundary
Streams
State Gamelands
State Park
State Forest

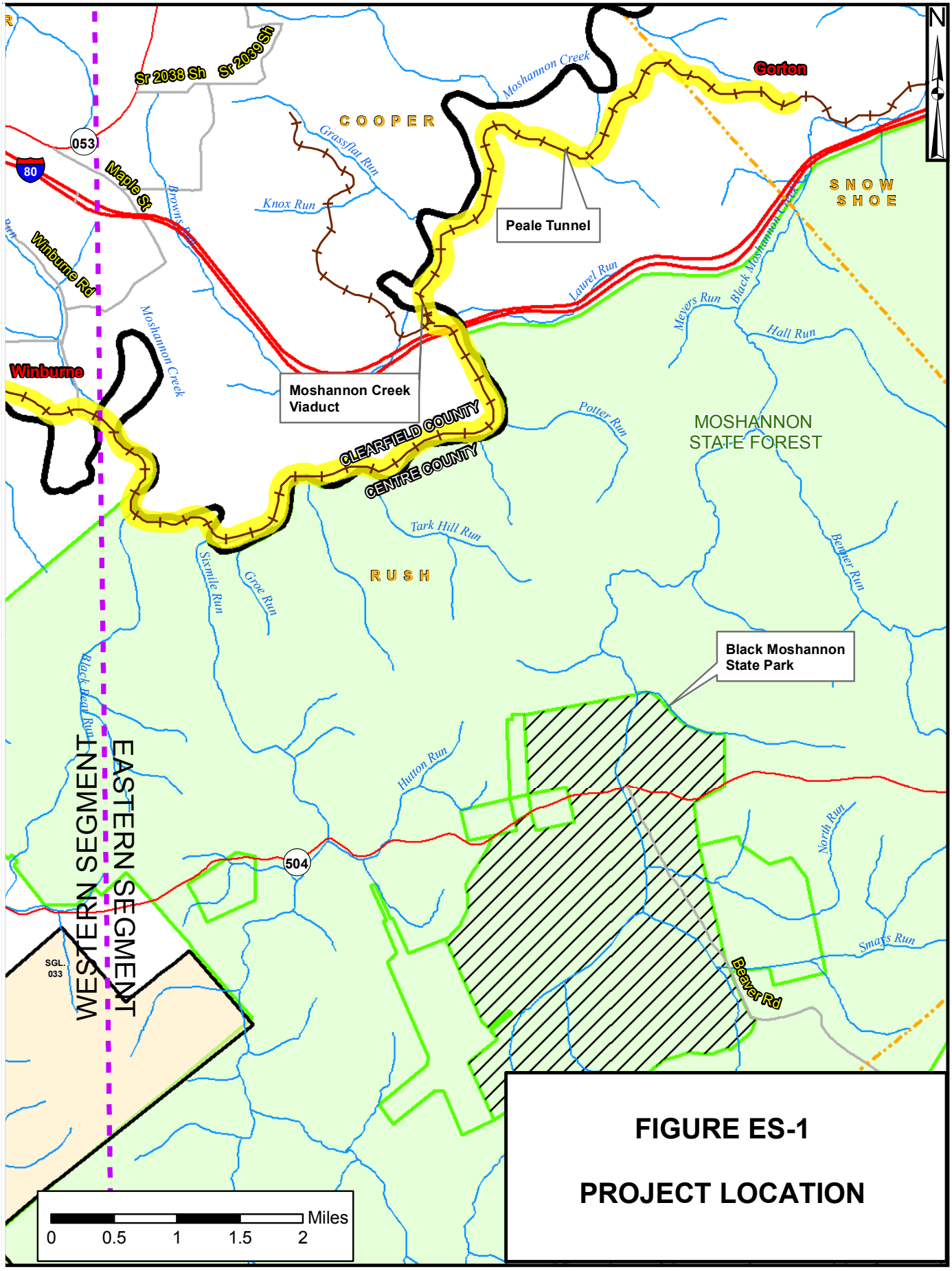


FIGURE ES-1

PROJECT LOCATION

rail transportation system through economic regulation. "Economic regulation" means that before a railroad may build a new rail line that would give it access to new shippers, it must first get approval for the new rail line from the Board.

In this case, RJCP filed a petition with the Board on May 20, 2008, asking the Board to approve its proposal to build and operate approximately 20 miles of new rail line. Because the Board is a federal agency, it must conduct an environmental review of proposed actions that could impact the environment under the National Environmental Policy Act (NEPA).[5] NEPA requires that, before making a decision, all federal agencies must consider the potential harms and benefits that could happen to the environment as a result of that decision. The Board's Section of Environmental Analysis (SEA) helps the Board to meet its responsibilities under NEPA. In this case, because the Board must decide whether to approve (or deny) RJCP's proposal, the Board is the "lead agency" for the NEPA environmental review. SEA has issued this Draft Environmental Impact Statement (EIS) as part of its environmental review of RJCP's proposal.

What other agencies are involved in this environmental review?

The U.S. Army Corps of Engineers (USACE)—Baltimore District and the Federal Highway Administration (FHWA)—Pennsylvania Division are helping SEA prepare this Draft EIS and are "cooperating agencies."[6] SEA and the cooperating agencies have prepared this Draft EIS so that the Board; the cooperating agencies; other federal, state and local agencies; and the public have clear and concise information on the potential environmental impacts of the Proposed Action and reasonable and feasible alternatives. This Draft EIS will help the Board, USACE, and FHWA decide whether to approve or deny RJCP's proposal. Each of these three federal agencies has different functions and areas of expertise, but all three will use this Draft EIS (and other documents in the environmental review process) to help them decide what to do.

What opportunities have there been for public involvement in the environmental review process to date?

As part of the environmental review process to date, SEA has conducted broad public outreach to inform the public about the Proposed Action and to facilitate public participation. During the first stage of the EIS process, called scoping (scoping is an open process for determining the scope of environmental issues to be addressed in the EIS), SEA consulted with (and will continue to consult with) federal, state, and local agencies; affected municipalities; and all interested parties to gather and disseminate information about the project. SEA issued a Draft Scope of Study, outlining the environmental impact categories that would be analyzed in this EIS. The public was invited to comment on the Draft Scope of Study in writing and at a public scoping meeting. SEA placed notices in local newspapers and mailed letters to the local municipalities, government officials, and elected officials representing potentially affected areas with information about the public scoping meeting. At the scoping meeting, project information was made available to federal, state, and local agencies, including the project area municipalities and counties as well as local elected officials and the general public. The Final Scope of Study for this EIS, contained in Appendix A, summarizes the comments received at the scoping meeting and the written comments received in response to

[5] 42 U.S.C. § 4321 et seq.

[6] Pursuant to 40 C.F.R. § 1501.5, and 40 C.F.R. § 1501.6, agencies that have jurisdiction under other laws or that have "special expertise" may participate as cooperating agencies in the Board's environmental review process.

the Draft Scope of Study. Additionally, Appendices A and B provide additional information on the scoping process, public outreach, and agency coordination activities conducted by SEA.

What happened at the public scoping meeting?

The public scoping meeting was conducted in an open house/plans display style format to allow attendees to provide comments and ask questions of SEA and its independent third-party consultant, Skelly and Loy, Inc. of Harrisburg, Pennsylvania, on a one-on-one basis at display boards. At the scoping meeting, a member of the public suggested that an alternate route to Munson was available that would potentially avoid and/or minimize many of the environmental impacts associated with a portion of RJCP's originally proposed Western Segment. This alternate route would begin at Philipsburg instead of Wallaceton and continue east to Munson. From Munson eastward to Winburne, the Western Segment would remain unchanged from RJCP's original Western Segment. After investigating this alternate route, SEA agreed that it might avoid or minimize potential environmental impacts and asked RJCP to investigate whether a rail line could be constructed along the route's right-of-way. Following the public scoping meeting, RJCP did an investigation and did not see any major engineering or construction constraints that would be associated with this alternate route. RJCP agreed that the alternate route would potentially avoid and/or minimize many of the impacts associated with a portion of its original proposed Western Segment. Thus, RJCP presented this alternate route to SEA as its new preferred alignment for this portion of the Western Segment. See Appendix C.

What is the next step in the environmental review process?

After the close of the public comment period on the Draft EIS, SEA will prepare a Final EIS responding to comments on the Draft EIS, making any appropriate revisions to the Draft EIS and setting forth SEA's conclusions and recommended mitigation measures. The Board will then issue a final decision, based on the entire environmental record, including the Draft EIS, the Final EIS, and all public and agency comments received, determining whether to give final approval to the project and, if so, appropriate environmental mitigation. The cooperating agencies will issue final decisions separately under the statutes they administer. RJCP would not be able to begin construction of the proposed rail line until the Board and cooperating agencies issue final decisions and the decisions have become effective.

How can I tell the Board about my concerns?

The public and any interested parties are encouraged to submit written comments on all aspects of this Draft EIS. All comments must be submitted within the comment period, which will close September 28, 2010. When submitting comments on the Draft EIS, be as specific as possible and substantiate your concerns and recommendations.

Please mail written comments on the Draft EIS to the address below.

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

To ensure proper handling of your comments, please mark your submission:

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

Written comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link.

In addition to receiving written comments on the Draft EIS, SEA will hold a public meeting to solicit verbal comments. Written comments may also be submitted at the meeting. The meeting will be held at:

Philipsburg-Osceola Area Senior High School
502 Philips Street
Philipsburg, PA 16866
Tuesday, September 14, 2010
6-9 P.M.

EXECUTIVE SUMMARY

PROPOSED ACTION

The Proposed Action would involve construction and operation over the previously abandoned Western Segment and reactivation of service over the rail banked Eastern Segment. Because a member of the public identified an alternate route for a portion of the Western Segment, SEA has considered an alternative to the Proposed Action (known as the Modified Proposed Action), as described below. Under either of these alternatives, RJCP proposes to construct a single-track line over the approximately 20-mile project length and to operate common carrier service over the 20 miles of line. At peak capacity, RJCP anticipates that it would serve the RRLLC development and other local shippers with one or at most two unit trains daily. Other alternatives to the Proposed Action, including the No-Action Alternative, are discussed below.

PURPOSE AND NEED FOR PROPOSED ACTION

The purpose of the Proposed Action is to provide rail transportation service to a new quarry, landfill, and industrial park being developed by RRLLC near Gorton in Rush Township, Centre County, Pennsylvania, as well as to several other interested shippers along the line. RJCP has stated that the Proposed Action is needed because there is currently no rail transportation service to or even near RRLLC's development site and that the site would not cross the line of any other active or inactive railroad. RJCP has explained, however, that if there is no rail service, trucks on local roads and highways would be used to provide the transportation at issue. It is estimated that RJCP's proposed rail line could keep up to 1,100 trucks per day (550 loaded and 550 empty) off the local road system.

SCOPING AND PUBLIC INVOLVEMENT

On January 8, 2009, SEA published the Notice of Intent to Prepare an EIS, Notice of Availability of the Draft Scope of Study for the EIS, Notice of Scoping Meeting, and Request for Comments on the Draft Scope in the *Federal Register* and on the Board's website. SEA placed notice of the public scoping meeting in two local newspapers, including the *Progress News* on January 21, 2009 and the *Centre Daily Times* on February 6, 2009. Additionally, SEA mailed invitation letters to 31 federal, state, and local agencies, including the project area municipalities and counties as well as local elected officials.

The scoping meeting was held on the evening of February 10, 2009, in the Philipsburg-Osceola Senior High School gymnasium. The meeting was conducted in an open-house/plans display style format to allow attendees the opportunity to provide comments and ask questions of SEA and its independent third-party consultant, Skelly and Loy, Inc. of Harrisburg, Pennsylvania, on a one-on-one basis at display boards. The 130 individuals who attended the scoping meeting included project-area citizens, representatives of various organizations, elected officials, and agency personnel.

As noted above, a member of the public suggested an alternate route for a portion of the Western Segment that might avoid or minimize potential environmental impacts associated with RJCP's originally proposed Western Segment at the public scoping meeting. This alternate route entails continued use of RJCP's existing Wallaceton Subdivision line south of Wallaceton to a point near Philipsburg where a new connection would be built to another 5.8-mile abandoned rail line leading

northeast to Munson (formerly referred to as the Philipsburg Industrial Track). From Munson eastward to Winburne, the Western Segment would remain unchanged from RJCP's original petition. Thus, a portion of the Western Segment has been divided into two separate routes for consideration, namely RJCP's original "Wallaceton to Munson Route" and the more recently proposed "Alternate Route from Philipsburg to Munson." Figure ES-2 shows the locations of these two alternate routes to Munson, including a proposed new connection area associated with the Alternate Route from Philipsburg to Munson.

Following the public scoping meeting, RJCP conducted preliminary field reconnaissance to determine the engineering feasibility and estimated environmental impacts associated with this Alternate Route from Philipsburg to Munson. Based on the preliminary investigations, RJCP did not identify any major engineering or construction constraints that would be associated with this alternate route. RJCP concurred that the Alternate Route from Philipsburg to Munson would potentially avoid and/or minimize many of the impacts associated with a portion of its original proposed Western Segment. Thus, RJCP presented (via written correspondence dated April 30, 2009) this alternate route to SEA as its new preferred alignment for this portion of the Western Segment. See Appendix C.

Due to this additional alternative route for a portion of the Western Segment, SEA sent another consultation letter to appropriate federal, state and local agencies soliciting agency input. See Appendix B. In addition, the Final Scope of Study, which was served by the Board on July 31, 2009, included a discussion of this potential change in routing, which is one of the alternatives considered in this Draft EIS.

Many of the concerns that emerged through the scoping process involved RRLLC's proposed landfill, quarry, and industrial park development near Gorton in Rush Township, Centre County, and the planned transport of municipal solid waste by RJCP. Concerns voiced included the potential for odors, vermin/vectors for disease, containment during transport, leakage during transport, environmental damage/degradation associated with a potential derailment, and quality of life issues associated with adjacent property owners. To address these comments, the Final Scope of Study and this Draft EIS encompass these issues.

ALTERNATIVES CONSIDERED IN THIS DRAFT ENVIRONMENTAL IMPACT STATEMENT

Build Alternative (Proposed Action) – The Proposed Action is presented in RJCP's petition for exemption filed with the Board and consists of the originally proposed Eastern Segment and Western Segment. The Proposed Action's Western Segment would follow the Wallaceton to Munson Route and then continue east to Winburne. If the Proposed Action is authorized by the Board, R.J. Corman Railroad Group's own construction crew would construct the proposed rail line. If the Proposed Action were to be granted, RJCP estimates that construction of the line would take approximately 12 to 18 months to complete. The line would be constructed on a 66-foot right-of-way owned/controlled or to be owned/controlled by RJCP.

Build Alternative (Modified Proposed Action) – The Modified Proposed Action consists of the same Eastern Segment, but the Modified Proposed Action's Western Segment would follow the Alternate Route from Philipsburg to Munson and then continue east to Winburne. Construction

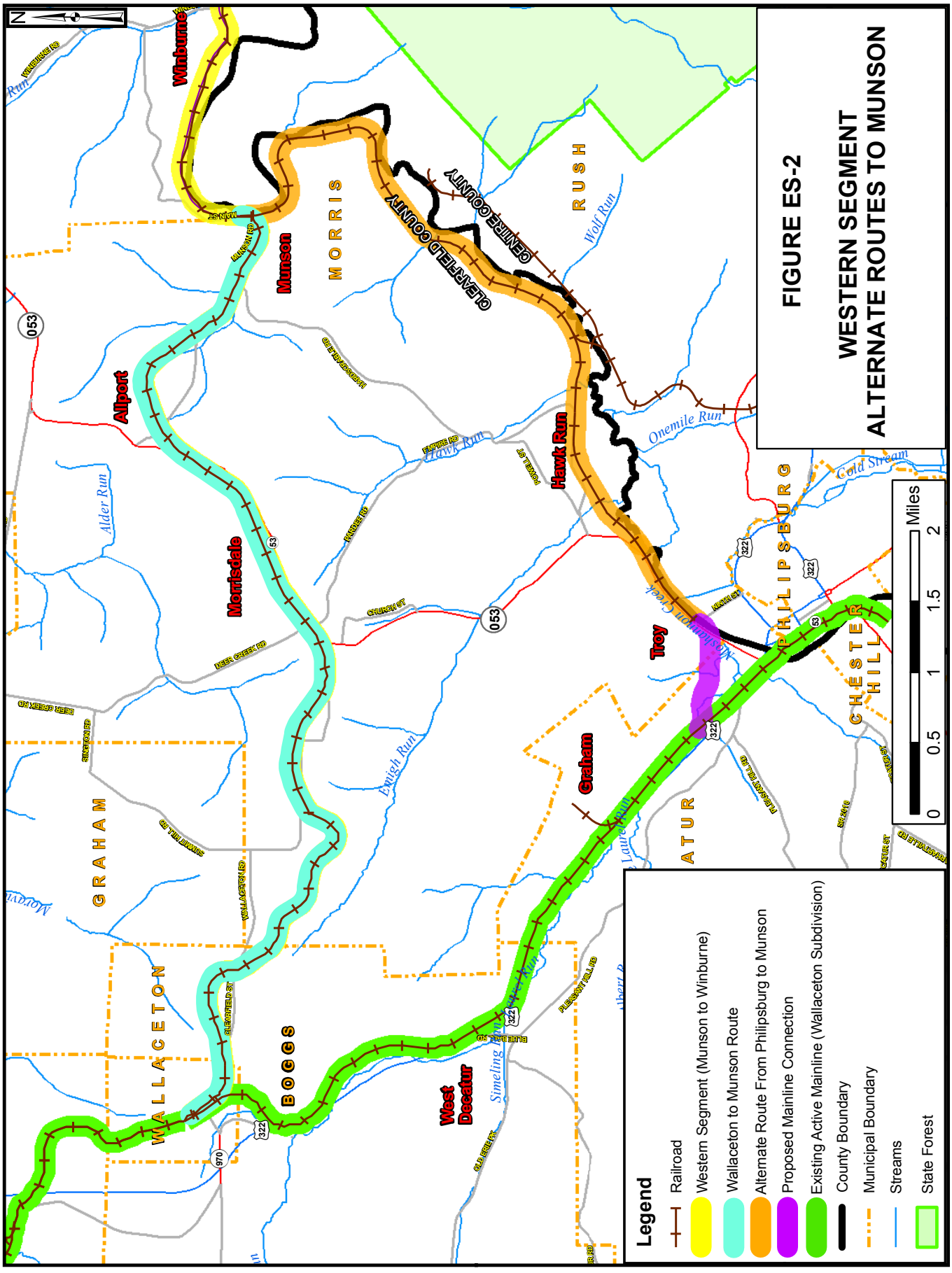


FIGURE ES-2
WESTERN SEGMENT
ALTERNATE ROUTES TO MUNSON
Legend
Railroad
Western Segment (Munson to Winburne)
Wallaceton to Munson Route
Alternate Route From Philipsburg to Munson
Proposed Mainline Connection
Existing Active Mainline (Wallaceton Subdivision)
County Boundary
Municipal Boundary
Streams
State Forest
Miles
0
0.5
1
1.5
2
Winburne
Munson
Allport
Morrisdale
Hawk Run
Troy
Graham
West Decatur
MORRIS
RUSH
GRAHAM
WALLACETON
BOGGS
PHILIPSBURG
CHESTER HILL
CLEARFIELD COUNTY
CENTRE COUNTY
Alder Run
Hawk Run
Onemile Run
Cold Stream
Moshannon Creek
Ewigh Run
Simeling Run
Wolf Run
053
322
970

activities for the Modified Proposed Action would be the same as the Proposed Action, and there would be no change in the width of the right-of-way or ownership. As noted above, RJCP has now identified this alternative as its preferred alignment.

No-Build Alternative (I-80 Interchange) – This alternative would involve the construction of a new interchange on Interstate 80 in Rush Township, Centre County, midway between the existing Kylertown (Exit 133) and Snow Shoe (Exit 147) Interchanges to provide direct vehicular access to RRLLC's proposed landfill/development site and interested shippers who would use the proposed rail line if it were available. After several different interchange designs were evaluated, the typical diamond interchange design was selected due to its cost-effectiveness, driver familiarity, and overall system continuity. Analyses of the I-80 Interchange prepared in a Point of Access Study indicated that the new interchange and the associated Gorton Road relocation, accompanied by several other minor local road improvements, would provide a safe and operationally effective means of access to RRLLC's proposed landfill/development site. However, FHWA has not granted approval of the new interchange because it found that:

1) the Point of Access Study that was conducted failed to demonstrate that the existing interchanges and/or local roads and streets in the corridor can neither provide the necessary access nor be improved to satisfactorily accommodate the design-year traffic demands while at the same time providing the access intended by the proposal, and

2) the Point of Access Study did not demonstrate that the new interchange proposal would be consistent with regional land use and transportation plans.

Given FHWA's denial and the regional planning consistency issue, the I-80 Interchange is not considered to be a feasible and reasonable alternative by SEA and thus has not been advanced for more detailed analysis in this Draft EIS.

No-Build Alternative (Local Road System Upgrade) – The Local Road System Upgrade alternative would involve improving the existing local road system to accommodate the anticipated volume of truck traffic generated by RRLLC's proposed landfill/development site and interested shippers who would use the proposed rail line if it were available. A traffic signal at the intersection of S.R. 0144 and S.R. 4005 (Cherry Run Road) would be installed, and the intersection approaches would be widened to include an eastbound right-turn lane and northbound left-turn lane. In both Clearfield and Centre Counties, S.R. 0053 would be resurfaced and widened to 40 feet from the intersection with S.R. 2037 (Winburne Road) in Kylertown east to the intersection with S.R. 0144 in Moshannon. Within Centre County, S.R. 0144 would be resurfaced and widened to 40 feet from the S.R. 0053 intersection in Moshannon east to the Cherry Run Road intersection. Diverge areas of ramps would be lengthened on the westbound exit ramps of the Kylertown (Exit 133) and Snow Shoe (Exit 147) Interchanges of I-80. Pavement widening and the associated demolition of two residential buildings in the southwest and southeast quadrants of the intersection of Gorton Road with S.R. 0053 and S.R. 0144 in Moshannon would be necessary to accommodate turning trucks. The remaining length of Gorton Road in Snow Shoe Township would be widened to 40 feet with either full-depth construction or pavement overlay. The 90-degree bend on Gorton Road in Moshannon would also be widened in order to accommodate turning trucks. Similarly, the bridge carrying Gorton Road over Black Moshannon Creek would be replaced with one that could

accommodate heavy vehicles and two-way traffic. Further south, a small realignment of Gorton Road would be necessary at the intersection with the Snow Shoe Multi-Use Rail Trail. Finally, given Rush Township's abandonment of the western portion of Gorton Road (i.e., it is no longer maintained as a public roadway), the Local Road System Upgrade would include the relocation of Gorton Road from the Rush Township/Snow Shoe Township line to RRLLC's proposed landfill/development site. The reconstructed and relocated Gorton Road would serve as the sole access to RRLLC's proposed landfill/development site. Because this alternative would be feasible from an engineering perspective and because RJCP views it as the default access alternative should the Proposed Action be denied, SEA has carried this alternative forward for detailed consideration and comparison with the potential rail alternatives.

No-Build Alternative (Black Bear Road) – SEA also considered a slightly modified version of the Local Road System Upgrade alternative involving the construction of a new access road (Black Bear Road) from S.R. 0053 to Gorton Road. Under this alternative, all of the proposed roadway improvements described above for the Local Road System Upgrade alternative would still take place except for the improvements to Gorton Road. Instead of those improvements, a new access road would be constructed from S.R. 0053 west of Moshannon across Black Moshannon Creek to a new intersection with Gorton Road. This new access road was proposed by RRLLC in June 2009 as part of a larger property subdivision plan. However, SEA did not advance this particular version of the Local Road System Upgrade alternative for detailed consideration in this Draft EIS as RRLLC's subdivision plan was not approved by the Centre County Planning and Community Development Office.

No-Action Alternative – In accordance with NEPA regulations, SEA analyzed a No-Action Alternative. This alternative, which also serves as a basis for the comparison of impacts to RJCP's Proposed Action, would involve taking no action, rail or otherwise, but maintaining the status quo. Under the No-Action Alternative, RJCP would not provide rail service to RRLLC's proposed landfill/development site (or to any of the other interested shippers along the line) nor would an acceptable means of vehicular access be provided. In short, this alternative would result in no change in access to RRLLC's proposed landfill/development site beyond use of the existing local road system in its current physical condition.

AFFECTED ENVIRONMENT

The proposed project area is located primarily in Morris and Cooper Townships in eastern Clearfield County and in Rush and Snow Shoe Townships in western Centre County, Pennsylvania. The Eastern Segment and the Western Segment, including both the Wallaceton to Munson Route and the Alternate Route from Philipsburg to Munson, have very different land uses. In general, land use within the Western Segment consists of a diverse mixture of developed uses (i.e., residential, commercial and industrial) clustered between and scattered among relatively larger tracts of undeveloped land consisting predominantly of former strip mining areas and privately owned woodlands.

Land uses typical of small residential communities (i.e., single-family homes, small local businesses, churches, schools, municipal facilities, cemeteries, etc.) are concentrated in the more densely developed areas of Wallaceton, Morrisdale, Allport, Troy, Hawk Run, Munson, and Winburne. In contrast to the land uses of the Western Segment, land use within the Eastern Segment is much more

uniform, consisting almost exclusively of undeveloped forestland and reverting strip mine areas, including an approximate 4,400-foot section of the Moshannon State Forest. There are no public roads or private driveway crossings within; nor are there any residential, commercial, or industrial buildings adjacent to; the 9.3-mile Eastern Segment. The 9.3-mile rail banked Eastern Segment also functions as part of the Snow Shoe Multi-Use Rail Trail.

Natural resources identified within the project area are dominated by the presence of the Moshannon Creek, which the former rail line roughly parallels and crosses on three separate occasions. A number of jurisdictional wetlands and watercourses (any flowing body of water) have been identified within the project area as part of the larger Moshannon Creek drainage. Land cover along the approximate 20-mile project length consists of a diverse and scattered mixture of old field/ herbaceous upland, shrub-scrub, and forest interior habitats of various successional stages. Little to no agriculture exists within the immediate project area.

Cultural resources within the project area include the roadbed of the proposed rail line, formerly the Beech Creek Railroad, which has been identified as a linear historic district eligible for listing on the National Register of Historic Places (NRHP). Within the proposed project area, the Moshannon Creek Viaduct and the Peale Tunnel are two key contributing features of the historic railroad. As discussed below, SEA has determined, and the Pennsylvania Historical and Museum Commission (PHMC) has concurred, that the proposed project would have "no effect" on the NRHP-eligible rail bed because the project involves constructing a single-track line over the existing graded roadbed of a previously abandoned/rail banked single-track line. Several other National Register-listed and potentially eligible resources were identified within close proximity of the Local Road System Upgrade alternative.

ENVIRONMENTAL IMPACTS

Transportation and Safety. Both the Proposed Action, the Modified Proposed Action, and the Local Road System Upgrade alternative would impact the existing local road system. The Proposed Action and the Modified Proposed Action would require the construction of grade crossings along the local road system, and subsequent vehicle delay would occur at each grade crossing when in use by a train. The Local Road System Upgrade alternative would create a substantial increase in the volume of truck traffic on the local road system.

In evaluating these impacts, SEA determined that the Proposed Action (via the Wallaceton to Munson Route) would require nineteen public road crossings, including nine crossings of numbered state routes (the remaining ten public road crossings would occur at local municipal routes) and thirteen private driveway crossings. Of these nineteen public road crossings, only two would be grade-separated. The remaining seventeen public road crossings would consist of at-grade intersections. Of the thirteen private driveway crossings, only one would be grade-separated. The remaining twelve would be at-grade. In comparison, the Modified Proposed Action (via the Alternate Route from Philipsburg to Munson) would require only five public road crossings (four at-grade and one grade-separated) and two private driveway crossings (one at-grade and one grade-separated). Of these five public road crossings, three would occur at numbered state routes while the remaining two would occur at local township roads.

Construction of these grade crossings would impact local traffic operations and movements on a short-term basis via temporary detours and/or lane restrictions. However, these construction-related impacts are anticipated to be minimal and of short duration. The more lasting impact would be associated with the operation of the proposed rail line and the subsequent vehicle delay at each of these grade crossings during train operations. Assuming a train of average length operating at a maximum speed of 25 mph, the minimum amount of time a single grade crossing would be closed to vehicular traffic when in use by a train would be approximately 3 minutes. This time would increase in developed areas, where the maximum operating speed would only be 10 mph, and in areas with multiple grade crossings such as Wallaceton, which has six grade crossings within one half mile. Here, the average closure time of each grade crossing would be approximately 5.5 minutes.

More detailed Level of Service (LOS)/traffic analyses were conducted for the S.R. 0053 and Ninth Street (S.R. 2043) grade crossings because these roadways have an average daily traffic (ADT) volume that exceeds SEA's threshold for detailed analysis (2,500 or more trips). These grade crossings are located in Morris Township along the Modified Proposed Action's Alternate Route from Philipsburg to Munson. Given their close proximity and interdependent operations, the LOS at these grade crossings was evaluated jointly. The analysis showed that the total vehicle delay time at these two grade crossings would be approximately 6 minutes. More detailed information about this 6-minute traffic delay and its impact on the local road system is included in Chapter 4, Environmental Impacts. Additionally, a number of transportation and safety-related mitigation measures are outlined in Chapter 6, Mitigation.

The Local Road System Upgrade alternative would create increased truck volumes on Gorton Road, S.R. 0053, and S.R. 0144. Based on the estimated volume of truck traffic generated by peak capacity operation of RRLLC's proposed landfill, as well as the other interested shippers who would otherwise use the rail line if it were available, Gorton Road would experience approximately 1,100 additional roundtrip trucks (i.e., 550 loaded and 550 empty) per day.

Land Use. SEA evaluated the Proposed Action and its alternatives and their potential impacts to land use, including consistency with local and regional land use plans. The Proposed Action would involve the construction of a single-track line over the existing graded roadbed of a previously abandoned/rail banked line rather than the construction of entirely new railroad right-of-way. Impacts to land use were evaluated at the micro-level by focusing solely on a 66-foot wide right-of-way. Accordingly, use, condition, and ownership of what was formerly a rail corridor served as the primary means of analysis. Within both the Proposed Action's Wallaceton to Munson Route and the Modified Proposed Action's Alternate Route from Philipsburg to Munson, the railroad right-of-way has been lawfully abandoned and portions of the corridor have reverted back to private ownership. Thus, the condition of the former rail line within both alternatives for the Western Segment varies considerably along its length. Conversely, the entire 9.3-mile Eastern Segment is currently rail banked under the Trails Act, has one owner, and is operated as the Snow Shoe Multi-Use Rail Trail. Given these notable differences in use, condition, and ownership, the primary impact of the proposed rail line on land use would be the conversion of this variable landscape into a 66-foot wide corridor of specific use, uniform condition, similar appearance, and sole ownership.

Land use impacts associated with the Local Road System Upgrade alternative would consist of the right-of-way acquisition required from adjacent private property owners to physically construct the identified roadway improvements.

Energy Resources. Construction, operation, and reactivation activities associated with the Proposed Action would require the consumption of energy resources. The construction of approximately 20 miles of rail line would require the operation of heavy equipment and other construction machinery that consume diesel fuel and gasoline. Additionally, diesel fuel would be required to operate trains over the proposed rail line. Beyond the estimated annual fuel requirement, however, the Proposed Action would result in negligible impacts on energy resources. For comparison purposes, SEA calculated the estimated annual fuel requirement associated with the operation of trucks over the existing local road system as proposed under the Local Road System Upgrade alternative. The analysis indicates that the operation of truck traffic over the local road system would have an estimated annual fuel requirement of approximately 492,492 gallons, which is approximately five times greater than the estimated annual fuel requirement associated with the proposed rail line.

Air Quality. SEA quantitatively evaluated the estimated annual air quality emissions for the Proposed Action and its alternatives. The analysis indicates that the estimated annual mobile source emission of each criteria pollutant for both the proposed rail line and the Local Road System Upgrade alternative would be below the U.S. Environmental Protection Agency's (USEPA) major emission source threshold of 100 tons/year for Title V permit applicability. Under these standards, neither the operation of trains over the proposed rail line nor the increase in truck traffic associated with the Local Road System Upgrade alternative would result in significant adverse impacts to local air quality. However, the estimated annual emissions from the Local Road System Upgrade alternative would be significantly higher than that of the proposed rail line due to the lower fuel efficiency of trucks as compared to rail.

Noise and Vibration. Federal Transit Administration (FTA) procedures to predict wayside noise were used in conjunction with Federal Railroad Administration (FRA) procedures to predict train horn noise and to develop noise impact contours (lines plotted on a map connecting points of equal sound) for the proposed rail line. Both the Proposed Action and the Modified Proposed Action were analyzed in order to compare potential noise impacts. The anticipated noise impacts identified vary in degree based upon land use, existing community noise levels, speed of the train within the community, distance between the noise-sensitive land use and the track, and proximity to a public road grade crossing. Overall, train horn noise would adversely affect noise-sensitive land uses located close to the proposed public road grade crossings. However, due to the low level of projected train traffic (a maximum of two trains per day), the sound levels generated by the horn at the proposed public road grade crossings would not appreciably affect the overall L_{dn} (L_{dn} is a measure of cumulative noise over a 24-hour period adjusted to account for the perception that a noise at night is more bothersome than the same noise during the day). Moreover, the blowing of the horns would be short (20 seconds), and the horns would only be sounded during daytime hours (7 A.M. to 10 P.M.). Thus, SEA has concluded that the impacts from horn noise and wayside noise from the proposed train operations would be negligible.

Regarding vibration, it is possible that six residential structures along the Wallaceton to Munson Route of the Proposed Action could receive vibration levels near vibration annoyance impact. For a freight train traveling 20 mph, this annoyance impact corridor would extend approximately 30 feet from the tracks, according to the FTA Groundborne Vibration Impact Criteria (FTA, 2006). There are no residential structures within 30 feet of the track on the Modified Proposed Action's Alternate Route from Philipsburg to Munson or within the remaining portion of the Western Segment (i.e., Munson to Winburne); therefore, no vibration annoyance impacts are expected here.

A traffic noise screening analysis was conducted for the Local Road System Upgrade alternative. FHWA's Traffic Noise Model (TNM2.5) Look-up Table Program was used to analyze the potential for increased noise resulting from additional truck traffic on the local roadway network. The Pennsylvania Department of Transportation (PennDOT)/FHWA noise abatement criterion of 66 dBA (the unit for L_{dn} is the dBA, or A-weighted decibel, which approximates the manner in which the human ear responds to sound) was used as the impact threshold. SEA used the estimated truck distribution over the local roads as outlined in a Point of Access Study for the I-80 Interchange. Based on this estimated truck distribution, TNM2.5 predicted a noise impact contour of approximately 100 feet from the edge of shoulder of the local roadways (e.g., S.R. 0053, S.R. 0144, and Gorton Road). A total of 204 noise-impacted sensitive land uses were identified within the 66 dBA contour.

Biological Resources. Impacts on biological resources were evaluated both quantitatively and qualitatively. Construction-related impacts of the Proposed Action on vegetation and wildlife are anticipated to be minimal and would be limited to clearing of brush and minor tree removal within the roadbed. The exception to this minor construction-based impact would be the proposed new mainline connection along the Modified Proposed Action's Alternate Route from Philipsburg to Munson. Approximately 2,500 linear feet of new railroad corridor would be constructed in a reclaimed surface mine area consisting predominantly of old field and early successional forest habitats.

SEA anticipates that impacts from the operation of trains over the proposed rail line would be negligible and would consist of removal of tree and shrub vegetation located immediately adjacent to the roadbed. SEA used the 24-foot typical track section combined with a 10-foot buffer on each side to calculate an operations-based impact to adjacent vegetation. These acreage impacts are presented in Chapter 4 of this Draft EIS. Given the former railroad's presence as an existing landscape feature, the Proposed Action would not likely result in habitat fragmentation because the graded roadbed of the former railroad already serves as an existing linear corridor between adjacent habitat types. Similarly, the proposed rail line is not anticipated to impact threatened and endangered species, pending the positive identification of one particular plant species (*Sparganium sp*.) within the project area.

Vegetation and wildlife impacts of the Local Road System Upgrade alternative would be similar to that of the Proposed Action. Because of the proposed improvements to existing public roadways, this alternative would result in only minor impacts to adjacent vegetation.

Water Resources. Impacts to water resources, including wetlands and watercourses, groundwater and public water supplies, and floodplains, were evaluated both qualitatively and quantitatively. Impacts to wetlands and watercourses were calculated on an individual resource basis using detailed aerial mapping combined with preliminary engineering field survey data and typical track/highway cross section information. A quantitative accounting of the number of impacted wetlands and watercourses was calculated, including the total square feet and linear feet of encroachment, respectively. Chapter 4 of this Draft EIS contains this quantitative impact assessment in tabular format.

Regarding groundwater impacts, potential surface compaction associated with construction activities could result in alterations to shallow groundwater flow paths by impacting the ability of

the soil to receive and transport surface water runoff. However, these impacts are anticipated to be minor, with no long-term or lasting effects. Based on rail operations safety information reported in Section 4.1.4 of this Draft EIS, including the applicability of all FRA standard rail operations safety regulations, the planned 25 mph maximum operating speed of trains, and NS's municipal solid waste transportation requirements, SEA has determined that the potential for environmental contamination (including groundwater contamination) as a result of train derailment would be negligible.

Construction of the proposed rail line would involve both longitudinal and transverse floodplain encroachments. However, the floodplain impact associated with the majority of these encroachments would be negligible since the graded roadbed of the former rail corridor is an existing landscape feature already accounted for and factored into FEMA's floodplain model for Moshannon Creek. In FEMA's floodplain model, the existing graded roadbed of the former railroad serves as the topographic boundary of the 100-year floodplain at several locations. This is consistent with field observations of the former roadbed's topographic landscape position in relation to Moshannon Creek. One exception would be the area along the proposed new mainline connection at the west end of the Modified Proposed Action's Alternate Route from Philipsburg to Munson. This proposed new mainline connection would involve the construction of new rail line through the Zone AE 100-year floodplain of Laurel Run, including a proposed new bridge crossing of Laurel Run itself.

Socioeconomics. SEA's evaluation of the potential socioeconomic impacts of construction and operation of the Proposed Action analyzed the project area's existing demographic and employment trends, community facilities and services, and parks and recreation facilities. SEA conducted a similar level of analysis for the Local Road System Upgrade alternative and the No-Action Alternative for comparison purposes. SEA does not anticipate the construction and operation of either the Proposed Action or the Modified Proposed Action to result in the displacement of any residential, commercial, or industrial structures. From an employment perspective, RJCP reports that six new jobs would be created. These new jobs, four new train and engine positions and two new maintenance-of-way positions, would be RJCP employees. This project would not result in any direct effect on local or regional community facilities and services, and all existing community facility/service structures (i.e., school buildings, police stations, fire companies, ambulance squads, churches, post offices, municipal buildings, and health care facilities) would remain at their present locations and continue to serve their current functions. Interruption of services would be limited to vehicle delay at grade crossings, as discussed in detail in Section 4.1.2 of this Draft EIS. The most significant recreational impact associated with the proposed rail line would be the loss of approximately 9.3 miles of the Snow Shoe Multi-Use Rail Trail.

For comparison purposes, construction of the Local Road System Upgrade alternative would displace a minimum of three primary structures (i.e., two single-family homes and one multi-unit apartment building). All three of these structures are located in Moshannon and would be physically displaced as a result of the necessary roadway improvements. The Local Road System Upgrade alternative would not require the physical displacement of any community facility/service structures. However, truck traffic associated with this alternative could result in potential conflicts with community facilities and services, as well as a potential increased demand for emergency response services. Additionally, the increased volume of truck traffic on S.R. 0144 and S.R. 0053 could introduce conflicts with the recreational users of the PA Wilds Elk Scenic Drive and PA Bicycle Route V.

Environmental Justice. As discussed in Chapter 3 of this Draft EIS, the project area does not appear to contain a minority-based Environmental Justice (EJ) population due to the low percentages of minority individuals reported at the block group level for all project area municipalities. However, the same cannot be said for a potential low-income EJ population. Therefore, SEA analyzed the likelihood of impacts to residential properties combined with the overall potential to result in the disruption of community cohesion. SEA's analysis shows that the Modified Proposed Action's Alternate Route from Philipsburg to Munson, with its significantly fewer public road crossings and adjacent residential structures, would be preferable to the Proposed Action's Wallaceton to Munson Route from an environmental justice perspective. When analyzing the potential for community disruption, both the Proposed Action and the Modified Proposed Action would be more preferable from an environmental justice perspective than the Local Road System Upgrade alternative and its associated increase in truck traffic on local roadways.

Geology and Soils. Impacts to geology and soils were evaluated qualitatively based on the anticipated construction activities related to the Proposed Action and its alternatives. The most notable aspect of the project area geology is the 100+ years of surface and sub-surface alteration caused by extensive coal mining activities. Morris Township has been identified as the most intensively mined municipality in Clearfield County. Thus, any construction-related impacts to the local geology/soils would likely be insignificant in comparison to the historic use of the area. Construction of tracks over the existing graded roadbed of a former rail line would not likely result in geologic impacts. Minor earth-moving activities to reestablish the final grade of the rail line would not have an impact on the bedrock geology of the area. Construction of the Proposed Action, the Modified Proposed Action, and the Local Road System Upgrade alternative would result in minor impacts to soils due to the necessary grading activities associated with each alternative.

Hazardous Waste Sites/Hazardous Materials Transport. In this Draft EIS, the impact assessment process for hazardous waste sites measures how the Proposed Action and its alternatives might be impacted by a waste site that may need remediation. SEA evaluated the proximity of the Proposed Action and its alternatives to potential hazardous/residual waste sites identified within the project area. Apart from the rail bed itself, and evidence of improper waste disposal activities (i.e., illegal dumping and littering) observed at various locations, the potential hazardous/residual waste sites identified within close proximity of the rail corridor consist of nine adjacent commercial/industrial properties that have known or suspected waste-related concerns. Of these nine potential hazardous/residual waste sites, seven are located adjacent to the Proposed Action's Wallaceton to Munson Route and two are located adjacent to the Modified Proposed Action's Alternate Route from Philipsburg to Munson. No potential hazardous/residual waste sites were identified within or along the Eastern Segment. Construction of the Local Road System Upgrade alternative would likely require earth-disturbance activities, and the associated acquisition of highway improvement right-of-way, from many of the potential hazardous/residual waste sites identified along S.R. 0053 and S.R. 0144 (current and former gas stations/automotive repair garages). A total of seventeen potential hazardous/residual waste sites were identified within the potential impact area of this alternative.

Regarding hazardous materials transport, RJCP does not plan to ship any hazardous materials over the proposed rail line. RJCP has stated that it anticipates transporting municipal solid waste, coal, stone, and "frac water" from natural gas drilling activities. The transport of waste would only consist of municipal solid waste and not hazardous waste because RRLLC's proposed landfill would not be permitted to accept hazardous waste. USEPA classifies "frac water" as a residual

waste material, not a hazardous material. Therefore, hazardous materials are not anticipated to be transported over the proposed rail line.

Cultural/Historic Resources. In accordance with the requirements of Section 106 of the National Historic Preservation Act (NHPA), SEA evaluated the impact of the Proposed Action and its alternatives on all National Register listed, eligible, and potentially eligible historic properties identified within the project area. As discussed in detail in Chapter 3 of this Draft EIS, the roadbed of the Proposed Action, formerly known as the Beech Creek Railroad, has been identified as a linear historic district eligible for listing on the National Register. The National Register eligible rail line includes the former roadbed stretching from Wallaceton to Winburne (the Western Segment of the Proposed Action) and the entire Eastern Segment. The portion of the Modified Proposed Action's Western Segment involving the Alternate Route from Philipsburg to Munson would use the roadbed of the former Philipsburg Industrial Track, which has not been identified as a National Register eligible historic property. Because the proposed project involves constructing a single-track line over the existing graded roadbed of a previously abandoned/rail banked single-track line, SEA determined that the proposed rail line would have "no effect" on the National Register eligible rail bed. In its October 29, 2009, correspondence, PHMC concurred with this no effect determination. See Appendix B. RJCP has also developed some voluntary mitigation measures, which are set out below and in Chapter 6 of this Draft EIS, to address these historic resources.

Construction of the Local Road System Upgrade alternative would likely involve the acquisition of right-of-way from the cemetery portion of the National Register listed St. Severin's Old Log Church property to permit the planned highway improvements that would take place under this alternative. Additional highway improvements would likely require acquisition of property from the National Register eligible nineteenth century residence at the intersection of S.R. 0053 and Winburne Road, the farmstead along S.R. 0144 just west of the I-80 Exit 147 Interchange, and a number of contributing elements (i.e., properties containing buildings or features that contribute to the overall significance of the district) within the Snow Shoe Borough Historic District. While the extent and magnitude of the need to acquire property is unknown at this point, it is likely that it would result in an adverse effect to several of these historic resources.

CUMULATIVE IMPACTS

SEA evaluated several planned or reasonably foreseeable projects taking place in the same area and at the same time as RJCP's proposed rail project. These projects include RRLLC's proposed landfill/industrial development project, a sand/gravel quarry, various Marcellus Shale natural gas drilling/wastewater treatment projects, surface/deep mining projects, PennDOT's I-80 Improvements Project, and PennDOT's S.R. 2035 Bridge Replacement Project. To identify possible cumulative impacts on environmental resources, SEA examined the potential effects of each local and regional project to determine if its expected effects would combine with potential effects from the Proposed Action. SEA concluded that it is reasonably foreseeable that there would be cumulative impacts in several environmental resource categories. Each of the other projects would be subject to the applicable permitting and environmental review procedures, thereby resulting in potential environmental mitigation on a project-specific basis.

SUMMARY OF SEA'S PRELIMINARY RECOMMENDED MITIGATION

If the Board decides to approve the Proposed Action, SEA recommends that the Board impose the recommended mitigation measures, set out below and in Chapter 6 of this Draft EIS, which include RJCP's proposed voluntary mitigation and mitigation developed by SEA. SEA will make its final recommendations to the Board on environmental mitigation in the Final EIS after considering all public comments on the Draft EIS. The Board will then make its final decision regarding this project after considering the entire environmental record, the Draft and Final EIS, all public and agency comments, and SEA's environmental mitigation recommendations. For purposes of this mitigation, the term "rail line" refers to the rail banked Eastern Segment and the Western Segment under either the Proposed Action or the Modified Proposed Action, unless otherwise specified.

RJCP'S VOLUNTARY MITIGATION MEASURES

Grade Crossing Delay

VM 1. RJCP shall coordinate the construction of each grade crossing along the Western Segment of the rail line, including the temporary maintenance and protection of traffic measures to be implemented at each grade crossing, with the Pennsylvania Department of Transportation via the grade crossing permit process.

VM 2. RJCP shall coordinate the construction of each grade crossing along the Western Segment of the rail line, including the temporary maintenance and protection of traffic measures to be implemented at each grade crossing, with the respective municipality and appropriate local emergency response service providers (i.e., police, fire, and ambulance).

VM 3. RJCP shall coordinate the final design of the grade-separated crossing at Casanova Road (T-958), including any necessary temporary maintenance and protection of traffic measures, with the Morris Township Supervisors and/or Morris Township Roadmaster/Road Department, as appropriate.

VM 4. For each public grade crossing along the Western Segment of the rail line, RJCP shall provide and maintain a permanent sign prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Administration Regulations (23 C.F.R. Part 655). The toll-free number shall be answered 24 hours per day by RJCP's personnel.

VM 5. During construction of all grade crossings along the Western Segment of the rail line, RJCP shall provide appropriate advance warning signage for detours and temporary lane restrictions. Where practicable, RJCP shall maintain at least one open lane of traffic to allow for the passage of emergency response vehicles.

Rail Operations

VM 6. Regarding waste traffic, RJCP shall not engage in any waste transloading or unloading activity but will deliver waste to customers served by the line, including RRLLC. Any unloading and disposal activities by customers must be performed in accordance with a permit issued by the appropriate authorities.

VM 7. RJCP shall limit the speed of trains over the rail line to 25 mph with restrictions for the front of the train to be limited to 10 mph when approaching and crossing Route 53 and Ninth Street near Philipsburg.

VM 8. Subject to operational limitations, RJCP shall attempt to limit the operation of trains over the rail line to the hours of 7 A.M. to 10 P.M. in order to minimize nighttime noise impacts to adjacent residential properties.

Rail Operations Safety

VM 9. RJCP shall comply with all applicable Federal Railroad Administration rail operations safety requirements (49 C.F.R. Parts 200-299), as appropriate.

VM 10. Prior to initiating rail operations over the rail line, RJCP shall meet with private land owners to discuss appropriate safety precautions associated with at-grade private driveway crossings.

VM 11. RJCP shall implement the appropriate safety measures at each public road grade crossing along the Western Segment of the rail line, as identified by the Rail Safety Division of the Pennsylvania Public Utility Commission during its February 12, 2009, project area field view.

VM 12. Upon a residential area property owner's request, and if it can be done without impairing safety on the right-of-way along the Western Segment of the rail line, RJCP shall share costs 50%-50% with the property owner to erect right-of-way fence (length and height of fencing subject to RJCP discretion). If a right-of-way fence is erected, the property owner would assume responsibility and liability for fence maintenance.

VM 13. RJCP shall transport all municipal solid waste on the rail line in accordance with Norfolk Southern Tariff NS 6306 – Rules and Regulations for Handling Municipal Solid Waste, Contaminated Soil, Hazardous Materials, and Related Articles.

Land Use

VM 14. Regarding the acquisition of private property, RJCP shall only acquire that which is necessary to re-establish the 66-foot wide railroad right-of-way

and will attempt to reach an amicable sales agreement with each affected property owner in lieu of instituting a condemnation proceeding.

VM 15. In an effort to maintain consistency with the Morris Township Comprehensive Plan, RJCP shall not stack, stage, or store trains on the rail line within Morris Township other than in emergency operating conditions. While not a complete list, examples of emergency conditions would include a broken air line, locomotive failure, derailment, or crew hours of service limitations.

Energy Resources

VM 16. Prior to project construction, RJCP shall coordinate any required utility pole relocations or overhead utility line adjustments with the appropriate local utility company.

Air Quality

VM 17. To minimize fugitive dust emissions created during project-related construction activities, RJCP shall implement appropriate fugitive dust-suppression controls such as spraying water or other approved measures. RJCP shall also operate water trucks on local haul roads, as necessary, to reduce dust.

Noise

VM 18. RJCP shall use rail lubricants, as appropriate on curves, on the rail line in order to minimize wayside noise.

VM 19. RJCP shall coordinate with Cooper Township if the township wishes to petition the state to install gates or other supplementary safety measures on the rail line in order to provide the level of warning necessary to allow the township to request a waiver from the Federal Railroad Administration of the requirement to sound the horn at both the Sawmill Road (T-707) and Winburne Road (S.R. 2037) grade crossings.

Threatened and Endangered Species

VM 20. RJCP shall conduct additional field surveys during the 2010 flowering/fruiting season in an effort to positively identify the *Sparganium* species identified within the Western Segment of the rail line. If determined to be Branching Bur-reed, RJCP shall coordinate with the Pennsylvania Department of Conservation and Natural Resources to identify appropriate minimization/mitigation measures, which could include specimen relocation during project construction.

VM 21. RJCP shall ensure that any herbicidal sprays used in track maintenance on the rail line are approved by the U.S. Environmental Protection Agency and are applied by licensed individuals who shall limit application to the extent necessary for rail operations.

Wetlands and Watercourses

VM 22. Prior to initiation of any project-related construction activities, RJCP shall obtain the necessary U.S. Army Corps of Engineers Section 404 and Pennsylvania Department of Environmental Protection Chapter 105 Waterway Encroachment Authorizations, and a National Pollutant Discharge Elimination System construction permit from the Pennsylvania Department of Environmental Protection.

VM 23. RJCP shall implement appropriate erosion and sedimentation control measures to minimize potential water quality impacts during project construction in accordance with an Erosion and Sedimentation Pollution Control Plan approved by the Centre and Clearfield County Conservation Districts.

VM 24. RJCP shall comply with wetland and watercourse mitigation in accordance with its authorization from the U.S. Army Corps of Engineers and the Pennsylvania Department of Environmental Protection.

VM 25. RJCP shall evaluate the potential to provide wetland and watercourse mitigation on the rail line via an in lieu fee agreement with local watershed or conservation organizations and/or state or federal resource agencies.

VM 26. RJCP shall disturb the smallest area possible around wetlands and watercourses on the rail line and shall conduct reseeding efforts to ensure proper revegetation of disturbed areas as soon as practicable following project-related construction activities.

VM 27. RJCP shall not stage project-related construction materials or equipment within any identified wetland or watercourse areas.

VM 28. During project-related construction, RJCP shall require daily inspections of all equipment for any fuel, lube oil, hydraulic, or antifreeze leaks. If leaks are found, RJCP shall require the particular piece of equipment to be removed or repaired immediately.

VM 29. RJCP shall construct the rail line in such a way as to maintain current drainage patterns to the maximum extent practicable.

VM 30. During project-related construction, RJCP shall prohibit construction vehicles from driving in or crossing streams at other than established/ permitted crossing points.

VM 31. RJCP shall employ best management practices to control turbidity and minimize channel disturbance during the construction of the new bridge over Laurel Run.

VM 32. RJCP shall design a bridge structure and approach railway grade that minimizes impacts to the 100-year floodplain of Laurel Run to the maximum extent practicable. However, should the proposed bridge structure and/or approach railway grade result in changes to the 100-year flood elevation, RJCP shall coordinate with the local municipality and the Federal Emergency Management Agency regarding implementation of the flood map revision process by way of a Conditional Letter of Map Revision.

Parks and Recreation Facilities

VM 33. To minimize the risk of potential railroad-caused wildfires in the Moshannon State Forest, as well as other forested areas along the rail line, RJCP shall develop and coordinate a Wildfire Suppression and Control Plan with the District Manager of Moshannon State Forest. Items to be incorporated into this Wildfire Suppression and Control Plan shall include a requirement to maintain spark arrestors on all locomotives owned/leased by RJCP; monthly inspections of all RJCP owned/leased locomotives on the rail line incorporating a "burnout" of the exhaust stack to remove excess carbon materials; maintaining communications with the appropriate wildfire suppression personnel from the Pennsylvania Department of Conservation and Natural Resources Moshannon State Forest District; and when operationally feasible, operating a fire suppression vehicle behind the train during times of high fire danger, as designated by the Pennsylvania Department of Conservation and Natural Resources Moshannon State Forest District.

VM 34. RJCP shall attempt to negotiate a mutually acceptable agreement with the Headwaters Charitable Trust to mitigate the impacts of the reactivation of the Eastern Segment or the loss of 9.3 miles of the Snow Shoe Multi-Use Rail Trail. However, should RJCP determine that a mutually acceptable mitigation agreement is unachievable, RJCP reserves the right to construct a new trailhead facility, consisting of a gravel parking area and covered sign structure, at the new Gorton Road trail terminus as the sole voluntary mitigation for the project's impact to the Snow Shoe Multi-Use Rail Trail.

Geology and Soils

VM 35. RJCP shall limit earth-disturbance activities to only the area needed for project-related construction.

Hazardous Waste Sites

VM 36. During project-related construction, RJCP shall properly dispose of any and all waste materials encountered along the rail line.

Historic Resources

VM 37. RJCP shall construct the rail line in such a manner as to leave in place, or require only minor relocation of, all remaining historic concrete mileage markers associated with the original Beech Creek Railroad.

VM 38. RJCP shall construct the rail line in such a manner as to leave in place the historic stone portals to the Peale Tunnel.

SEA'S PRELIMINARY ENVIRONMENTAL MITIGATION MEASURES

Transportation and Safety

Because of the voluntary mitigation measures (VM1-13) proposed by RJCP, SEA does not propose additional mitigation at this time.

Land Use

In addition to the voluntary mitigation proposed by RJCP (VM 14-15), SEA proposes the following condition:

1. RJCP shall offer fair market value payment in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act for the acquisition/condemnation of any private property needed to construct the rail line within the Western Segment of the rail line.

Energy Resources

SEA has determined that the proposed rail line would have negligible effects on energy resources. Therefore, SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 16).

Air Quality

SEA has determined that the proposed rail line would have negligible effects on air quality. Therefore, SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 17).

Noise and Vibration

SEA has determined that the proposed rail line would have negligible effects on noise and vibration. Therefore, SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 18-19).

Biological Resources

SEA has determined that RJCP's proposed voluntary mitigation for biological resources (VM 20-21) would be adequate to address the rail line's impact on biological resources.

Water Resources

Because of the mitigation proposed by RJCP in its voluntary mitigation measures (VM 22-32), SEA does not believe additional mitigation is warranted at this time.

Socioeconomics

SEA has determined that the proposed rail line would have negligible effects on socioeconomics and, therefore, SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 33-34).

Environmental Justice

SEA has determined that the proposed rail line would have negligible effects on local communities or on any environmental justice populations within the communities. Therefore, SEA does not propose mitigation at this time.

Geology and Soils

In addition to the voluntary mitigation proposed by RJCP (VM 35), SEA proposes the following condition:

2. RJCP shall implement appropriate soil erosion and sedimentation control measures during construction of the rail line pursuant to PA Code Title 25 Chapter 102 Erosion and Sediment Control Regulations.

Hazardous Waste Sites/Hazardous Materials Transport

SEA has determined that the proposed rail line would have negligible effects on hazardous waste sites/hazardous materials transport. Therefore, SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 36).

Cultural/Historic Resources

SEA has determined, and the Pennsylvania Historical and Museum Commission has concurred, that the proposed rail line would have "no effect" on cultural resources. See Appendix B. Therefore,

SEA does not propose mitigation at this time, beyond what is proposed by RJCP in its voluntary mitigation measures (VM 37-38).

IDENTIFICATION OF ENVIRONMENTALLY PREFERABLE ALTERNATIVE

Based on the analysis in this Draft EIS, the Local Road System Upgrade alternative would be the least environmentally preferable alternative of those studied in detail. In addition to the transportation, operational, and economic inefficiencies of this alternative when compared to the rail alternatives, this alternative would result in substantially greater air quality, noise, and energy resource impacts. Under this alternative, a substantially greater number of adjacent residential properties would be affected (there would be a minimum of three unavoidable residential displacements). Given the presence of a National Register-listed resource and a potential National Register-eligible historic district, this alternative would also likely result in a finding of adverse effect pursuant to the Section 106 regulations implementing the NHPA. Finally, this alternative would involve a greater number of potential hazardous/residual waste sites (i.e., existing and former gas stations/automotive repair garages). One benefit of this alternative is that it would avoid the Snow Shoe Multi-Use Rail Trail. However, it would also result in a greater volume of truck traffic on local roadways, thereby introducing conflicts with portions of the PA Wilds Elk Scenic Drive and PA Bicycle Route V.

Regarding the rail alternatives, SEA concludes, based on the information available to date, that the Modified Proposed Action would be the environmentally preferable route. This determination is based on a number of factors, not least of which is that the Modified Proposed Action's Alternate Route from Philipsburg to Munson would involve substantially fewer public road and private driveway crossings. For comparison purposes, the Proposed Action (via the Wallaceton to Munson Route) would involve 19 public road crossings and 13 private driveway crossings, whereas the Modified Proposed Action (via the Alternate Route from Philipsburg to Munson) would involve only 5 public road crossings and 2 private driveway crossings. The Modified Proposed Action also would affect fewer adjacent residential properties (155 versus 28) and less noise-impacted sensitive land uses (178 versus 32). Fewer residences would be potentially affected by vibration (6 versus 0). Additionally, because the Modified Proposed Action is approximately one mile shorter than the Proposed Action, this alternative would result in less air quality and energy impacts because trains operating over the line would travel shorter distance.

Due to topographic differences in the two routes to Munson, one disadvantage of the Modified Proposed Action is that it would impact approximately 3.36 acres of wetlands, whereas the Proposed Action would impact only 1.34 acres of wetlands. However, the Proposed Action would have a higher watercourse impact (1,570 linear feet versus 980 linear feet). Therefore, despite the greater wetland impacts, SEA preliminarily concludes that the Modified Proposed Action would be environmentally preferable to the Proposed Action and would also be the environmentally preferable alternative for this project.

REQUEST FOR COMMENTS ON THE DRAFT EIS

The public and any interested parties are encouraged to submit written comments on all aspects of this Draft EIS. SEA will consider all comments in preparing the Final EIS, which will include responses to all substantive comments, and SEA's final conclusions on potential impacts,

alternatives, as well as SEA's final recommendations on mitigation. All comments must be submitted within the comment period, which will close September 28, 2010. When submitting comments on the Draft EIS, be as specific as possible and substantiate your concerns and recommendations.

Please mail written comments on the Draft EIS to the address below.

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

To ensure proper handling of your comments, please mark your submission:

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

Written comments may also be filed electronically on the Board's website, www.stb.dot.gov, by clicking on the "E-FILING" link.

PUBLIC MEETING

In addition to receiving written comments on the Draft EIS, SEA will hold a public meeting to solicit verbal comments. At the meeting, SEA will give a brief presentation, followed by an opportunity for interested parties and members of the general public to make oral comments. SEA will make arrangements to have a stenographer present at the meeting to record the oral comments. Written comments may also be submitted at the meeting. The meeting will be held at:

Philipsburg-Osceola Area Senior High School
502 Philips Street
Philipsburg, PA 16866
Tuesday, September 14, 2010
6-9 P.M.

The facility where this meeting is being held is accessible to persons with disabilities.

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