

## OEA'S SUMMARY OF MAJOR CONCLUSIONS

The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) has conducted an extensive review of the potential beneficial and adverse environmental impacts that could result from the construction, operation, and reactivation of the proposed rail line by R.J. Corman Railroad Company/Pennsylvania Lines Inc. (RJCP). Based on the information available to date, consultation with federal, state, and local agencies, input provided by a wide variety of organizations and citizens of Pennsylvania, and its own independent environmental analysis, OEA has reached the following conclusions:

- 1) OEA evaluated the Proposed Action, an alternative to the Proposed Action (known as the Modified Proposed Action), three no-build alternatives (the Local Road System Upgrade alternative, the Black Rock Road alternative, and the I-80 Interchange alternative that was later eliminated from further consideration), and the No-Action Alternative (i.e., no new transportation alternatives) in the Draft and Supplemental Draft EISs. With the exception of the No-Action Alternative, which would not meet the purpose and need for this proposed rail line project, all of the alternatives considered would result in some direct environmental impacts.
- 2) Of the 4 alternatives carried forward for detailed analysis in the EIS, both build alternatives (the Proposed Action and the Modified Proposed Action) are environmentally preferable to the Local Road System Upgrade alternative and its counterpart, the Black Rock Road alternative, which would cause substantially greater air quality, noise, and energy resource impacts.
- 3) If the Board, the decision maker in this case, approves RJCP's proposal after weighing the transportation merits and environmental impacts, OEA recommends that the Board approve the Modified Proposed Action build alternative that OEA concludes is environmentally preferable. OEA believes that this alternative, with OEA's final mitigation recommendations, would most effectively avoid, minimize, and reduce potential environmental impacts to the extent reasonable. OEA has reached this conclusion for the following reasons:
  - The Modified Proposed Action would involve substantially fewer public road crossings than the Proposed Action (5 versus 19).
  - The Modified Proposed Action would involve substantially fewer private driveway crossings than the Proposed Action (2 versus 13).
  - The Modified Proposed Action would affect fewer adjacent residential properties than the Proposed Action (28 versus 155).
  - The Modified Proposed Action would result in less noise-impacted sensitive land uses than the Proposed Action (32 versus 178).
  - The Modified Proposed Action would result in fewer residences being impacted by vibration than the Proposed Action (0 versus 6).

- Because the Modified Proposed Action is approximately one mile shorter than the Proposed Action, it would result in less air quality and energy impacts than the Proposed Action.
  - The Modified Proposed Action would result in less impact to watercourses than the Proposed Action (980 linear feet versus 1,570 linear feet).
  - Because fewer adjacent residential properties are located along the Modified Proposed Action's Alternate Route from Philipsburg to Munson, a train accident resulting in a release of ethanol along that route would be less likely to impact people than a similar event occurring along the Proposed Action's Wallaceton to Munson Route.
- 4) The EIS examined the proposed landfill/waste-to-ethanol facility as part of the cumulative impacts analysis, not as a connected action. RJCP's proposed rail line and Resource Recovery, LLC's proposed landfill/waste-to-ethanol facility are not connected actions because the proposed rail line and the landfill/waste-to-ethanol facility are not interdependent. Rather, development and operation of the planned landfill/waste-to-ethanol facility can proceed independently of the proposed rail line project.
- 5) The Eastern Segment of the proposed rail line would impact 2 recreational facilities: the Snow Shoe Multi-Use Rail Trail and a portion of the Moshannon State Forest. Specifically, the proposed rail line would eliminate the 9.3-mile section of the Snow Shoe Multi-Use Rail Trail extending from its western terminus near the Black Bear Run Bridge to Gorton Road, and the proposed rail line would enter the Moshannon State Forest property boundary approximately 1,200 feet west of the Black Bear Run Bridge and exit the state forest boundary at the Sixmile Run Bridge over Moshannon Creek, a total distance within the state forest of approximately 4,400 feet.
- 6) RJCP's proposal to transport ethanol over the rail line would increase the transport of hazardous materials in the project area. However, the likelihood of a train accident resulting in an ethanol spill would be extremely low (a 0.07% probability, which means one accident resulting in a release of ethanol every 1,428 years). The planned 25 mph operating speed for the proposed rail line, existing federal regulations to minimize the risk of a spill, and OEA's recommended mitigation would further reduce the likelihood of a train accident resulting in a release of ethanol into the project area.
- 7) Because RJCP would be receiving carloads of waste from a Norfolk Southern (NS) mainline, all NS waste transport requirements would apply. Given these strict municipal solid waste transportation requirements, combined with the 25 mph maximum operating speed and the minimal potential for significant derailment events, OEA concludes that the likelihood for environmental contamination as a result of train derailment would be negligible.

- 8) Regarding local road traffic/grade crossing delay impacts, OEA concludes that the S.R. 0053 and Ninth Street grade crossings along the Modified Proposed Action's Alternate Route from Philipsburg to Munson would not impact the S.R. 0053 intersection with U.S. Route 322. Detailed traffic analysis shows that the addition of the S.R. 0053 and Ninth Street grade crossings would have only a minor impact on vehicle delay and traffic operation over the adjacent roadway network.
- 9) The Western Segment of the proposed rail line has been abandoned and portions of the rail corridor have reverted to private ownership and would have to be reacquired. On the other hand, the Eastern Segment is currently rail banked under the Trails Act (which means that it is available for reactivation), has one owner and is operated as the Snow Shoe Multi-Use Rail Trail. Therefore, OEA concludes that the primary impact of the proposed project on land use would be the conversion of all of this property into one 66-foot wide rail corridor of uniform condition, similar appearance, and sole ownership for specific rail use.
- 10) Based on a detailed noise analysis, OEA concludes that train noise would adversely affect noise-sensitive land uses located in close proximity to the public road grade crossings. However, because of the limited number of trains that RJCP anticipates operating over the proposed rail line, the sound levels generated by horn noise at public road grade crossings would not appreciably affect residents or others located along the rail line.
- 11) Based on its identification and delineation of wetlands and watercourses on the Proposed Action and the Modified Proposed Action, OEA concludes that the Modified Proposed Action would affect more (roughly two and half times) acres of wetlands than the Proposed Action (3.36 acres compared to 1.34 acres). Nevertheless, because the Modified Proposed Action would result in fewer other environmental impacts (as set forth above) and, with the imposition of the recommended mitigation, would have minor impacts on wetlands, OEA still concludes that the Modified Proposed Action is environmentally preferable.
- 12) Because the proposed project involves constructing a single-track line over the existing graded roadbed of the previously abandoned/rail banked single-track line, OEA concludes that RJCP's proposed rail line would have no effect on the National Register-eligible rail bed. In its October 29, 2009, correspondence, the Pennsylvania Historical and Museum Commission concurred with OEA's determination.
- 13) Overall, OEA concludes that RJCP's proposed rail line project would impact parks and recreational facilities (9.3 miles of the Snow Shoe Multi-Use Rail Trail and 4,400 feet of Moshannon State Forest), hazardous materials (transport of ethanol, a regulated hazardous material), transportation and safety (introduction of public road crossings and private driveway crossings),

- land use (impacts to adjacent residential properties), noise (impacts to noise-sensitive land uses located along the rail line), wetlands (3.36 acres), and watercourses (980 linear feet).
- 14) Based on its independent environmental analysis and consultation with applicable federal agencies, OEA concludes that RJCP's proposed rail line project would have only minor impacts on energy resources, air quality, biological resources, floodplains, demographics and employment, hazardous waste sites, and geology and soils.
  - 15) To minimize potential environmental impacts, OEA is recommending 44 environmental mitigation measures in the Final EIS. These mitigation measures cover a wide range of environmental resources, including transportation and safety (such as grade crossing delay), land use (such as impacts to adjacent property owners), energy resources (such as impacts to utilities), air quality, noise, biological resources (such as impacts to various plant and wildlife species), wetlands and watercourses, parks and recreational facilities (such as potential wildfire concerns in the Moshannon State Forest and the loss of 9.3 miles of the Snow Shoe Multi-Use Rail Trail), geology and soils, historic resources, and hazardous materials. OEA's final recommended environmental mitigation—which includes all of RJCP's voluntary mitigation and mitigation developed by OEA—is set forth in both the Executive Summary and Chapter 5 of this Final EIS.
  - 16) Based on its independent environmental analysis and review of all public and agency comments, OEA recommends that the Board require RJCP to implement all of its final recommended environmental mitigation measures, including all of RJCP's voluntary mitigation and mitigation developed by OEA, as conditions in any final decision approving the proposed project.
  - 17) Finally, OEA continues to encourage RJCP and involved parties to reach Negotiated Agreements, including a potential agreement with the Headwaters Charitable Trust regarding the project's impact to the Snow Shoe Multi-Use Rail Trail. Mutually acceptable Negotiated Agreements can be far more reaching than site-specific Board recommended mitigation and can be tailored to the specific needs of the involved parties.