



Norfolk Southern Corporation
 3 Commercial Place
 Norfolk, VA 23510-9207

Marcellus C. Kirchner
 Director Strategic Planning
 (757) 629-2679
 (757) 533-4884 FAX

234444

June 13, 2013

Ms. Victoria Rutson
 Director, Office of Environmental Analysis
 Surface Transportation Board
 395 E Street, SW
 Washington, DC 20423-0001

ENTERED
 Office of Proceedings
 June 17, 2013
 Part of
 Public Record

RE: Docket No AB-290 (Sub-No. 347X), Norfolk Southern Railroad Company -
 Abandonment – in Marengo County, Alabama

Dear Ms. Rutson:

On June 13, 2013 Norfolk Southern Railway Company (“NSR”) sent the attached Environmental and Historic Report (“E&HR”) to the relevant “consulting agencies” in anticipation of NSR’s filing of an Abandonment Notice of Exemption pursuant to 49 CFR Part 1152, Subpart F.¹ As indicated in the E&HR, NSR intends to abandon approximately 0.80 miles of rail line between railroad mileposts 241.3 N and 242.1 N in Marengo County, Alabama. The Line traverses United States Postal Zip Code territory 36732.

Enclosed for your records is a copy of the E&HR describing the proposed action and its environmental and historic effects (if any), as well as a map of the affected area. The packet, also, includes responses from consulting agencies to our initial consultation inquiries.

We have requested that the consulting agencies respond to your office and to NSR if any information in the E&HR appears to be misleading or incorrect, if pertinent information appears to be missing, or if they have questions about the Board’s environmental review process.

If you have any questions concerning this proposed abandonment and/or the attached E&HR, please contact LaWada Poarch at (757) 629-2803.

Sincerely,


 Marcellus C. Kirchner

CY – Robert Wimbish
 Maquiling Parkerson

Enclosures



¹ Enclosed is a list of the consulting agencies to which the E&HR has been sent.

Environmental and Historic Report
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 347X) was mailed via first class mail on June 13, 2013 to the following parties:

Alabama Department of Environmental Management
Director's Office
P.O. Box 301463
Montgomery, AL 36130-1463

Freddie Armstead, Commissioner
Marengo County
P.O. Box 480715
Linden, AL 36748

Heinz J. Mueller, Chief
Regional EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW
Room 912S
Atlanta, GA 30303-8960

Alabama Highway Department
1409 Coliseum Boulevard, Room K-101
Montgomery, AL 36130

Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36104

Phillip Hinesley, Chief
Alabama Department of Conservation and Natural
Resources
Lands Division – Coastal Section
31115 Five Rivers Boulevard
Spanish Fort, AL 36527

National Park Service
Southeast Region
100 Alabama Street, SW
Atlanta, GA 30303

Dr. William E. Plunkett
Natural Resources Conservation Service
USDA
P.O. Box 311
Auburn, AL 36831-0311

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th floor
Washington D.C. 20005

U.S. Fish and Wildlife Services
Region 4
Richard B. Russell Federal Building
1875 Century Boulevard
Atlanta, GA 30345

National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

Brian Nettles, Director
United States Army Corps of Engineers
Mobile District, Planning Division
109 St. Joseph Street
Mobile, AL 36602

USEPA
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20460

J. Michael Grayson, Mayor
City of Demopolis
P.O. Box 580
Demopolis, Alabama 36732



Marcellus C. Kirchner

June 13, 2013



Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510-9207

Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207
(757) 629-2679

June 13, 2013

RE: STB Docket No. AB-290 (Sub-No. 347X), Norfolk Southern Railway Company –
Abandonment – in Demopolis, Marengo County, Alabama

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost 241.3 N and Milepost 242.1 in Marengo County, Alabama.

Enclosed is a Combined Environmental and Historic Report (Report) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board (STB).

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA) by telephone at (202) 245-0295 or by mail to:

Surface Transportation Board,
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, we must receive your comments within three weeks. Please provide information to LaWada Poarch by email at LaWada.Poarch@nscorp.com, or by mail to:

LaWada Poarch
Abandonments Coordinator
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510

Sincerely,

A handwritten signature in black ink, appearing to read 'Marcellus C. Kirchner', with a long horizontal flourish extending to the right.

Marcellus C. Kirchner
Director Strategic Planning
Norfolk Southern Railway Company

Attachment

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**STB DOCKET NO. AB-290 (Sub-No. 347X)
NORFOLK SOUTHERN RAILWAY COMPANY**

**PROPOSED RAIL LINE ABANDONMENT
BETWEEN MILEPOST 241.3 N AND MILEPOST 242.1 N
IN MARENGO COUNTY, ALABAMA**

Combined Environmental and Historic Report

Norfolk Southern Railway Company (NSR) submits this Combined Environmental and Historic Report ("EHR") pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with the proposed abandonment of 0.80 miles of rail line between Mileposts 241.3 N and 242.1 N in Demopolis, Marengo County, Alabama.

June 13, 2013

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(1) Proposed Action and Alternatives.

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

RESPONSE: NSR proposes to abandon 0.80 miles of rail line between Mileposts 241.3 N and 242.1 N in Demopolis, Marengo County, Alabama. The line is no longer used for local or overhead traffic, and has been out of service for over two years.

The abandonment is being undertaken to permit the removal, at the request of the United States Coast Guard (USCG), of the remaining remnants of the former railroad bridge over the mouth of Devil's Run Slough where the slough joins the Black Warrior River.

There is no rail or related track material remaining on the line, and thus there will be no salvage of such material. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. No ballast will be removed, and no soil disturbance will occur (and, accordingly, no National Pollutant Discharge Elimination System permit will be required). No digging or burying of any kind will be permitted. In the furtherance of USCG expectations, NSR will arrange for the removal of the remaining remnants of the railroad bridge on the line.

The alternative to abandonment is to not abandon the line, and retain the line in place. ~~This alternative is not satisfactory. The railroad would incur opportunity and~~

other holding costs that would need to be covered by non-existent on-line shippers were this line segment to be retained. Moreover, NSR would be unable, absent the proposed abandonment, to comply with USCG's request, in the interest of improved waterway navigation, to remove the remaining remnants of the railroad bridge.

A map depicting the line proposed for abandonment is attached as **Appendix A**. An example of the railroad's letter to federal, state and local government agencies along with a list of the consulting agencies NSR has contacted is attached as part of **Appendix B**. Comments received as a result of NSR's written requests for feedback can be found in **Appendix C**.

49 CFR 1105.7(e)(2) Transportation system.

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There is no rail freight or passenger traffic on the line proposed for abandonment, and the rail line has been out of service for over two years.

49 CFR 1105.7(e)(3) Land use.

(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

RESPONSE: An outline of future land use plans has been requested from the City of Demopolis and Marengo County. These agencies were also asked to comment on the consistency of the proposed abandonment with existing land use plans, but they have not done so to date. NSR has no reason to believe, however, that the proposed

abandonment would have any adverse impact on – or be inconsistent with – existing land use plans.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

RESPONSE: Consultation was requested from The United States Department of Agriculture, Natural Resources Conservation Service (“NRCS”). NRCS has advised that the proposed abandonment project would not have an adverse impact upon any prime or protected farmland. NRCS’s response is attached as part of **Appendix C**.

(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by Sec. 1105.9.

RESPONSE: Consultation was requested from the Alabama Department of Natural Resources, Coastal Resources Division (ADNR-CRD), but NSR has not received a response to date.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10906, and explain why.

RESPONSE: The railroad may not have fee title to the entire right-of-way underlying the line segment proposed for abandonment, and so NSR may not have a contiguous corridor available for alternative public use(s). NSR is not aware of whether there may be any state or local plans that may be facilitated by the proposed abandonment, and it has no opinion about whether the right-of-way would be suitable for alternative public purposes.

49 CFR 1105.7(e)(4) Energy.

(i) Describe the effect of the proposed action on transportation of energy resources.

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment. No freight or passenger traffic is moving over the line,

and the line did not carry any energy resources when last operated.

(ii) Describe the effect of the proposed action on recyclable commodities.

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. No freight or passenger traffic is moving over the line, and the line did not carry recyclable commodities when last operated.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

RESPONSE: The proposed action involves the abandonment a rail line that has been out of service for over two years, and as such will not result in an increase or decrease in overall energy efficiency.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year; or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

RESPONSE: No traffic will be diverted from rail to motor carriage as a result of the proposed action, so the above thresholds will not be exceeded.

49 CFR 1105.7(e)(5) Air.

(i) If the proposed action will result in either:

(A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or

(B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or

(C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

RESPONSE: The above thresholds will not be exceeded.

(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles

annually) or an increase of at least three trains a day on any segment of rail line,
(B) An increase in rail yard activity of at least 20 percent (measured by carload activity),
or
(C) An average increase in truck traffic of more than 10 percent of the average daily
traffic or 50 vehicles a day on a given road segment, then state whether any expected
increased emissions are within the parameters established by the State Implementation
Plan.

RESPONSE: The above thresholds will not be exceeded. For the record,
however, Marengo County Alabama is in attainment for all National Ambient Air Quality
Standard (NAAQS) pollutants according to the U.S. Environmental Protection Agency.

(iii) If transportation of ozone depleting materials (such as nitrogen oxide and Freon®)
is contemplated, identify: the materials and quantity; the frequency of service; safety
practices (including any speed restrictions); the applicant's safety record (to the extent
available) on derailments, accidents and spills; contingency plans to deal with
accidental spills; and the likelihood of an accidental release of ozone depleting materials
in the event of a collision or derailment.

RESPONSE: Not applicable.

49 CFR 1105.7(e)(6) Noise.

If any of the thresholds identified in item (5)(i) of this section are surpassed, state
whether the proposed action will cause:

- (i) An incremental increase in noise levels of three decibels Ldn or more; or
- (ii) An increase to a noise level of 65 decibels Ldn or greater.

If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences,
retirement communities, and nursing homes) in the project area, and quantify the noise
increase for these receptors if the thresholds are surpassed.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety.

(i) Describe any effects of the proposed action on public health and safety (including
vehicle delay time at railroad grade crossings).

RESPONSE: Abandonment of the subject rail line segment will have no
significant effect upon public health or safety.

~~(ii) If hazardous materials are expected to be transported, identify: the materials and
quantity; the frequency of service; whether chemicals are being transported that, if~~

mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.

RESPONSE: Not applicable.

(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

RESPONSE: The railroad has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in adjacent areas.

49 CFR 1105.7(e)(8) Biological Resources.

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

RESPONSE: The railroad does not believe that any federally listed endangered species or their habitats will be adversely affected. The railroad has requested input from the U.S. Fish and Wildlife Service (USFWS) to ascertain any impacts to surrounding habitats and species, but USFWS has not yet responded.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

RESPONSE: The line segment proposed for abandonment does not appear to pass through state parks or forests, national parks or forests, or wildlife sanctuaries. No adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated.

49 CFR 1105.7(e)(9) Water.

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards.

Describe any inconsistencies.

RESPONSE: The railroad does not intend to remove or alter the contour of the roadbed underlying the rail line to be abandoned by way of the excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed, and no storm water mitigation or National Pollutant Discharge Elimination System permit will be required. As is discussed in the Historic Report that follows, the line proposed for abandonment is located between Mileposts 241.3 N and 242.1 N, and includes remnants of a bridge located at Milepost 241.4 N. There are no plans to dredge and/or use any fill materials in connection with the proposed abandonment, so, for this reason also, the proposed abandonment will not result in water quality impacts.

Consultation has been requested from the Alabama Department of Natural Resources and from the United States Environmental Protection Agency (USEPA). In response, USEPA - Region 4, EPA Program Office advised that it lacks sufficient information to provide guidance on water quality impacts at this time (although the responding official did not indicate in response what additional information USEPA needed), and it recommended that NSR contact the appropriate state agencies, including the Alabama Department of Environmental Management, to insure that no permits relating to water quality impacts are required. USEPA's response is attached as part of **Appendix C**.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

RESPONSE: The geometry of the roadbed will not be altered. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. Consequently, the railroad does not believe a Section

404 permit will be required in connection with the proposed abandonment. Consultation was requested from the US Army Corps of Engineers, which confirmed that no Section 404 permit will be required for the project. The response is attached as part of

Appendix C.

(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.

RESPONSE: The railroad does not plan to remove or alter the roadbed underlying the line to be abandoned, to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation or National Pollutant Discharge Elimination System permit will be required. The railroad anticipates that the abandonment will not affect water quality or require the issuance of a Section 402 permit under the Federal Water Pollution Control Act. Nevertheless, NSR has requested input from the U. S. Environmental Protection Agency and the Alabama Department of Environmental Management (ADEM). ADEM advised NSR that the proposed activity must be conducted in a manner that minimizes potential adverse impacts to water quality and, in the interest of achieving that objective, employs Best Management Practices. ADEM's response is attached as part of **Appendix C.**

49 CFR 1105.7(e)(10) Proposed Mitigation.

Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

RESPONSE: Abandonment of the involved rail line is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment. The railroad will

undertake all reasonable mitigation associated with these activities as directed by the Board to assure the abandonment does not produce adverse environmental impacts.

HISTORIC REPORT

49 CFR 1105.8(d)

PROPOSED ACTION AND ALTERNATIVES

NSR proposes to abandon 0.80 miles of rail line between Mileposts 241.3 N and 242.1 N in Demopolis, Marengo County, Alabama. The line is no longer used for local or overhead traffic and has been out of service for over two years.

The abandonment is being undertaken to permit the removal, at the request of the United States Coast Guard (USCG), of the remaining remnants of the former railroad bridge over the mouth of Devil's Run Slough where the slough joins the Black Warrior River.

There is no rail or related track material remaining on the line, and thus there will be no salvage of such material. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. No ballast will be removed, and no soil disturbance will occur (and, accordingly, no National Pollutant Discharge Elimination System permit will be required). No digging or burying of any kind will be permitted. In the furtherance of USCG expectations, NSR will arrange for the removal of the remaining remnants of the railroad bridge on the line.

The alternative to abandonment is to not abandon the line, and retain the line in place. This alternative is not satisfactory. The railroad would incur opportunity and other holding costs that would need to be covered by non-existent on-line shippers were this line segment to be retained. Moreover, NSR would be unable, absent the proposed abandonment, to comply with USCG's request in the interest of improved waterway

navigation, to remove the remaining remnants of the railroad bridge.

A map depicting the line proposed for abandonment is attached as **Appendix A**.

ADDITIONAL INFORMATION

- (1) **U.S.G.S. Topographic Map** - Maps were furnished to the Alabama Historical Preservation Division, Department of Natural Resources.
 - (2) **Written Description of Right of Way** - The right-of-way width is primarily 50 feet along the main track centerline. The line passes through developed areas, and traverses Devil's Run Slough where the slough joins the Black Warrior River. Pursuant to Surface Transportation Board (STB) policy, the railroad's right-of-way will constitute the Area of Potential Effect (APE) for this undertaking.
 - (3) **Photographs** - Photographs of the remnants of the bridge structure on the line (the only structure relevant to the Board's historic impacts inquiry) were furnished to the Alabama Historical Preservation Division, Department of Natural Resources.
 - (4) **Date of Construction of Structures** - The bridge located at Milepost 241.4 N crosses the mouth of Devil's Run Slough, adjacent to the Black Warrior River near Demopolis. The bridge is of deck plate girder/steel beam construction, and sections of the bridge were built or rebuilt (replaced) at various times from 1945 through 1969, with the majority of the bridge structure (by length) dating to 1969. The bridge also received extensive repairs following vessel allisions in 1974 and 1986. The bridge was taken out of service in 1988, at which time NSR began using an alternative route over BNSF. The bridge, then out of service, was again struck by a vessel in 2000, and a damaged section was removed at that time. Following another vessel allision in 2012, the U.S. Coast Guard requested that NSR remove the bridge entirely.
-
-

(5) History of Operations and Changes Contemplated - The line that is the subject of the proposed abandonment is 0.80 miles of rail line extending between milepost 241.3 N and 242.1 N. The line segment is located in Demopolis, Marengo County, Alabama.

This line was part of a rail line of the Alabama and Mississippi Rivers Railroad Company extending from Selma to York, Alabama. Construction of the Selma-York line began in 1852, and was completed in 1864. The new line provided a through rail route between Selma and Mobile, Alabama. In 1864, the name of the railroad was changed to the Selma and Meridian Railroad Company. The line has since been operated by a number of successor railroads (all of which are predecessors to today's NSR), such as the Alabama Central Railroad Company (1871-1881), the East Tennessee, Virginia and Georgia Railroad Company (1881-1886), the East Tennessee, Virginia and Georgia Railway Company (1886-1887), and the Richmond Terminal Company (1887-1894). The Richmond Terminal Company entered receivership in 1892 and was acquired in 1894 by the then newly-incorporated Southern Railway Company, which, in 1990, changed its name to Norfolk Southern Railway Company.

(6) Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic - Although NSR may have engineering plans for the bridge on this line, NSR anticipates that these plans will be standard (non-structure specific) plans, and thus would have been used in connection with the construction of many other bridges of similar vintage in the Southeast.

(7) Opinion Regarding Criteria For Listing In The National Register Of Historic Places - As indicated above, there is one structure within the project's APE – the

remnants of the bridge at Milepost 241.4 N. NSR believes that neither the bridge nor the line itself meet the criteria for listing in the *National Register of Historic Places*. The bridge, when still standing, was not original to the line, and it received extensive repairs following earlier vessel collisions. Much of the bridge had been built in the 1960's and was of unremarkable design and construction. Also, much of the bridge already has been removed, and the character of the remaining portions of the bridge have been heavily damaged from vessel collisions. Retention of the remaining portions of the bridge for asserted historic purposes would directly conflict with U.S. Coast Guard requests that the bridge remnant be removed as continuing hazards to waterway navigation.

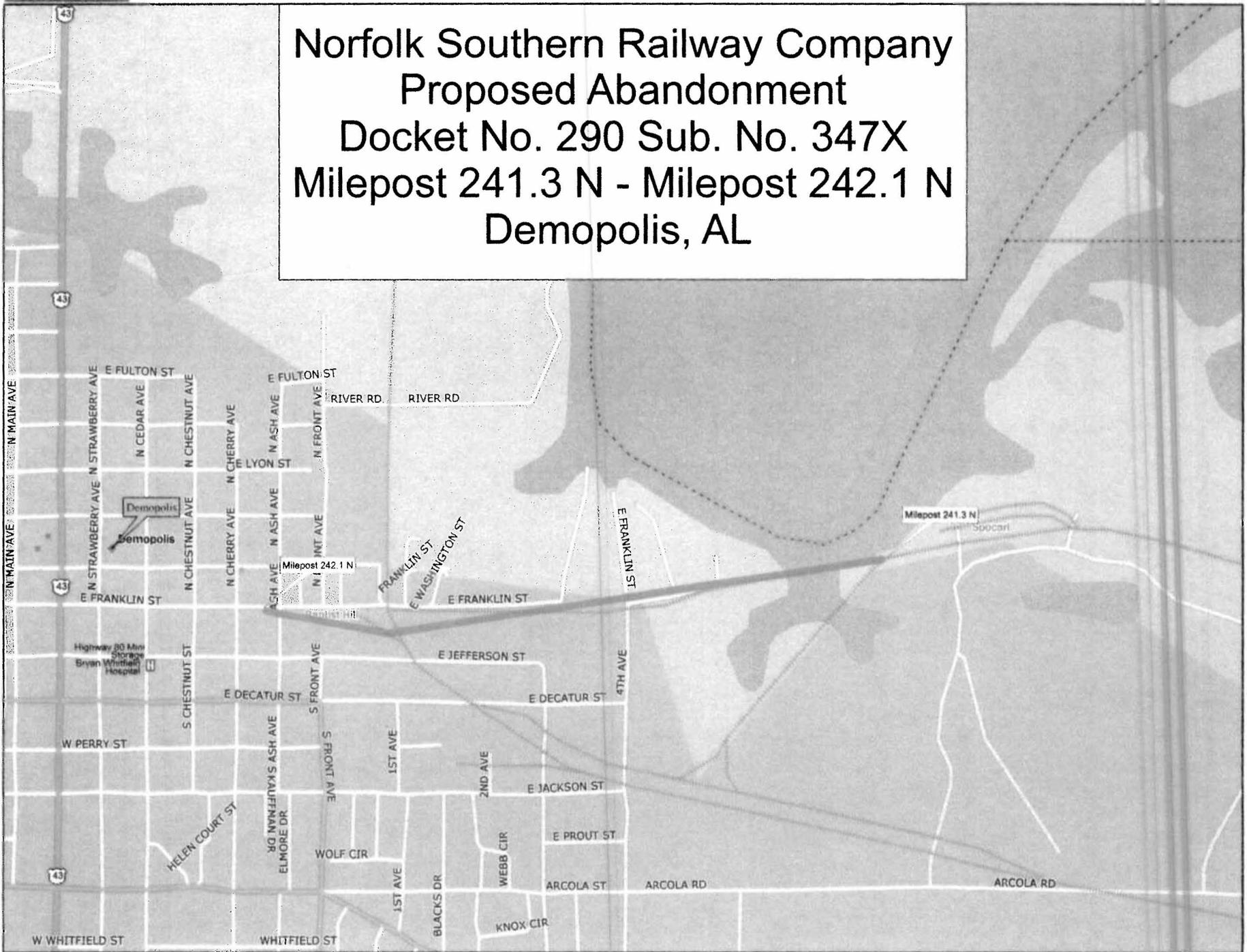
In addition, the railroad has no reason to believe that there are archaeological resources or historic properties on or immediately adjacent to the line.

(8) Subsurface Ground Conditions That Might Affect Archaeological Recovery

The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction of the railroad line by grading and filling. Abandonment and salvage of the line will not result in activities below the surface, or below the level of initial disturbance.

(9) Follow-Up Information - Additional information will be provided as appropriate.

Norfolk Southern Railway Company
 Proposed Abandonment
 Docket No. 290 Sub. No. 347X
 Milepost 241.3 N - Milepost 242.1 N
 Demopolis, AL



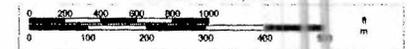
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Scale 1 : 12,800



1" = 1 066.7 ft

Date 7-11-10

APPENDIX B

Agency Letters

RECIPIENT LIST

Proposed Rail Line Abandonment of 0.8 miles of rail line between Mileposts 241.3 N to 242.1 N located in Demopolis, Alabama.

Alabama Department of Environmental
Management
Director's Office
P.O. Box 301463
Montgomery, AL 36130-1463

Heinz J. Mueller, Chief
Regional EPA – Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW
Room 9125
Atlanta, GA 30303-8960

Phillip Hinesley, Chief
Alabama Department of Conservation and
Natural Resources
Lands Division – Coastal Section
31115 Five Rivers Boulevard
Spanish Fort, AL 36527

Dr. William E. Plunkett
Natural Resources Conservation Service
USDA
P.O. Box 311
Auburn, AL 36831-0311

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Atlanta, GA 30345

Brian Nettles, Director
United States Army Corps of Engineers
Mobile District, Planning Division
109 St. Joseph Street
Mobile, AL 36602

J. Michael Grayson, Mayor
City of Demopolis
P.O. Box 580
Demopolis, Alabama 36732

Freddie Armstead, Commissioner
Marengo County
P.O. Box 480715
Linden, AL 36748

Alabama Highway Department
1409 Coliseum Boulevard, Room K-101
Montgomery, AL 36130

Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36104

National Park Service
Southeast Region
100 Alabama Street, SW
Atlanta, GA 30303

Charlie Stockman
National Park Service
Rivers and Trails Conservation Program
1201 Eye Street, NW 9th floor
Washington D.C. 20005

National Geodetic Survey
Geodetic Service Division
Room 9202 NGS/12
1315 East-West Hwy
Silver Spring, MD 20910-3282

USEPA
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, D.C. 20004



Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510-9207

Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510-9207
(757) 629-2679

June 13, 2013

RE: STB Docket No. AB-290 (Sub-No. 347X), Norfolk Southern Railway Company –
Abandonment – in Demopolis, Marengo County, Alabama

Dear Sir/Madam:

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Enclosed is a Combined Environmental and Historic Report (Report) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it.

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This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA) by telephone at (202) 245-0295 or by mail to:

Surface Transportation Board,
395 E Street, S.W., Room 1106
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, we must receive your comments within three weeks. Please provide information to LaWada Poarch by email at LaWada.Poarch@nscorp.com, or by mail to:

LaWada Poarch
Abandonments Coordinator
Norfolk Southern Corporation
Strategic Planning Department
Three Commercial Place
Norfolk, VA 23510

APPENDIX C

Agency Responses

United States Department of Agriculture



Natural Resources Conservation Service
P.O. Box 311
3381 Skyway Drive
Auburn, AL 36830

Telephone: (334) 887-4559

April 1, 2013

Lawada Poarch, Coordinator Abandonments
Strategic Planning-12th Floor,
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

**RE: Docket No AB-290 (Sub-No. 347X), Norfolk Southern Railway Company-
Abandonment- Demopolis, Alabama**

Dear Ms. Poarch:

Enclosed is soils information for the proposed abandonment of 0.8 miles of rail line located in the city of Demopolis in Marengo County, Alabama.

The proposed area for the Norfolk Southern Railway Company Abandonment in Demopolis, Alabama does contain prime farmland soil map units; however the area is located in the City Limits and is exempt and does not contain "prime farmland" under the definition of the Natural Resources Conservation Service nor that of the Departmental Regulation 9500-3. The abandonment project does not propose an impact on any prime or protected farmland..

Please advise if additional information is needed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence McGhee".

LAWRENCE MCGHEE
Assistant State Soil Scientist

Enclosures

cc:

James Mason, Resource Soil Scientist, NRCS, Montgomery, AL

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Poarch, Lawada G.

From: Walls, Beth <Walls.Beth@epa.gov>
Sent: Monday, April 15, 2013 4:14 PM
To: lawada.poarch@nscorp.com
Cc: Walls, Beth
Subject: Docket No. AB-290 (Sub No. 347X), Norfolk Southern Railway Company – Abandonment –in Demopolis, AL

RE: Dear Ms. Poarch:

I am responding on behalf of Heinz Mueller (addressee) regarding Mr. Marcellus Kirchner's March 21, 2013, letter to US. EPA, Region 4, requesting EPA's review of the proposed 0.08 mile rail-line abandonment project in Demopolis, Alabama. Mr. Kirchner requested EPA direct our response to you.

According to the above-referenced letter, the proposed abandonment will remove remnants of the railroad bridge crossing the mouth of Devil's Run Slough, adjacent to the Black Warrior River per the U.S. Coast Guard's request. Enclosed with the letter is a map depicting the project location.

Since no environmental assessment or impact study was provided with this letter, I am uncertain how EPA may be of assistance. I recommend contacting the appropriate state programs, including the Alabama Department of Environmental Management before initiating this project to insure no environmental permits may be required.

Sincerely,

Beth Walls, Environmental Scientist

U.S. EPA Region 4

404-562-8309, walls.beth@epa.gov



REPLY TO
ATTENTION OF:

**DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
BIRMINGHAM FIELD OFFICE
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209**

March 29, 2013

North Branch
Regulatory Division

SUBJECT: No Permit Required - File Number SAM-2013-00352-LCB, Norfolk Southern
Railway, Demopolis Railway Abandonment, Demopolis, AL

LaWada Poarch
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, Virginia 23510

Dear Ms. Poarch:

This letter is in response to your March 21, 2013 letter regarding the abandonment of .08 miles of rail line in Demopolis Alabama. The project is located in Section 19, Township 18 North, Range 3 East (32.516987, -87.817496), Demopolis, Marengo County, AL. This project has been assigned file number SAM-2013-00352-LCB, which should be referred to in all future correspondence with this office.

As stated in your letter, the project will utilize existing public and private access roads, and all debris produced during implementation of the project will be removed from the area and will not be placed in waters of the United States, including wetlands. **As such, a Department of the Army permit pursuant to Section 404 of the Clean Water Act will not be required at this time.** However, you may need to coordinate with us in the future if construction activities will impact jurisdictional waters of the U.S.

The statements contained herein do not convey any property rights or any exclusive privileges, and do not authorize any injury to property or obviate the requirements to obtain other local, State, or Federal assent required by law for the activities discussed above. If the scope of work or project location changes, you are urged to contact this office. Thank you for your cooperation with our permit program. If you have any questions concerning this matter, please feel free to contact me at (205)-290-9096.

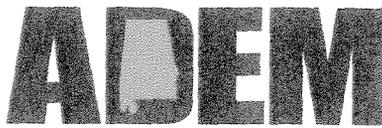
For additional information about our Regulatory Program, visit our web site at www.sam.usace.army.mil/missions/Regulatory.aspx, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,



Lewis Brochette
Project Manager
Regulatory Division
Birmingham Field Office

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463
Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

March 28, 2013

LaWada Poarch
Coordinator – Abandonments
Strategic Planning – 12th Floor
Norfolk Southern Corporation
3 Commercial Place
Norfolk, VA 23510

RE: Docket No. AB-290 (Sub-No. 347X), Norfolk Southern Railway Company, Abandonment,
Demopolis, Alabama

Dear Ms. Poarch:

The Department's Field Operations Division has reviewed your request regarding the above-referenced proposed project. If the total disturbed area is one acre or larger, coverage under the ADEM Construction Stormwater General Permit is required. Please contact ADEM's Water Division at 334-271-7823 should you have any questions regarding application submittal or permit requirements.

You may want to contact the U.S. Army Corps of Engineers, Mobile District by mail at PO Box 2288, Mobile, AL 36628-0001 or by phone at 251-690-2658 to determine if a CWA Section 404 permit is required.

The proposed activity must be conducted in a manner which minimizes potential adverse impacts to water quality and effective Best Management Practices (BMPs) for the prevention of pollution must be fully implemented and maintained, regardless of project size.

If you have any questions or need additional information, please do not hesitate to contact Richard Hulcher at 334-394-4311 or by email at fieldmail@adem.state.al.us

Sincerely,

Steven O. Jenkins
Field Operations Division

soj/rh File: CORS
Enclosure: Copy of Review Request Letter

Birmingham Branch
110 Vulcan Road
Birmingham, AL 35209-4702
(205) 942-6168
(205) 941-1603 (FAX)

Decatur Branch
2715 Sandlin Road, S. W.
Decatur, AL 35603-1333
(256) 353-1713
(256) 340-9359 (FAX)



Mobile Branch
2204 Perimeter Road
Mobile, AL 36615-1131
(251) 450-3400
(251) 479-2593 (FAX)

Mobile-Coastal
4171 Commanders Drive
Mobile, AL 36615-1421
(251) 432-6533
(251) 432-6598 (FAX)