



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

July 1, 2010

Re: Docket No. 35348, CSX Transportation, Inc. And Delaware And Hudson Railway Company, Inc.—Joint Use Agreement.

Dear Reader:

The Surface Transportation Board's (Board), Section of Environmental Analysis (SEA) is pleased to provide you with a copy of this Environmental Notice on the proposed joint use agreement by CSX Transportation, Inc.'s (CSXT), and Delaware and Hudson Railway Company, Inc.'s (D&H) (together, Applicants), located between Rouses Point Junction, N.Y., and Fresh Pond Junction, N.Y.

This Environmental Notice sets forth Applicants conclusion that their Joint Use Agreement does not require environmental documentation, under the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321-4347 (NEPA) because there would be no action, subject to the Board's jurisdiction, that would normally require environmental documentation. Furthermore, Applicants conclude that there is no need for historic review under section 106 of the National Historic Preservation Act, 16 U.S.C. § 470 (NHPA) because neither CSXT nor D&H propose to abandon any rail line or alter properties subject to Board jurisdiction that are 50 years old or older.

SEA, which is responsible for conducting the environmental review on behalf of the Board, is distributing this Environmental Notice to certain agencies and communities, as well as all of the parties on the Board's service list to encourage public review and comment on the conclusion of the Applicants that the transaction would not have a significant effect on the human environment, and does not require further environmental or historic analysis under NEPA, the Board's own environmental rules, or NHPA.

After the close of the comment period, SEA will consider of all timely comments, conduct its own independent review of all available environmental information, and then recommend to the Board whether there is a need for formal environmental review in this case. The Board will then determine whether applicants' proposal warrants further

environmental review, or, alternatively, whether no further environmental analysis is necessary.

SEA is providing a 20-day period for all potentially interested parties to submit any comments on potential environmental issues that they might have. Comments are due by July 21, 2010 (must be postmarked by July 21, 2010).

If you wish to submit written environmental comments, please provide SEA with a signed original and 10 copies. Environmental comments may also be filed electronically on the Board's web site, www.stb.dot.gov, by clicking on the E-FILING link. Please refer to Docket No. 35348 in all correspondence, including e-filings, to the Board in this proceeding. Written comments should be sent to SEA at the following address:

Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Please write the following in the lower left-hand corner of the envelope:
Attention: Phillis Johnson-Ball
Environmental Filing

Please be as specific as possible in your comments. Any questions or requests for additional information about the Board's environmental review process should be directed to Phillis Johnson-Ball of the Board's Section of Environmental Analysis at (202) 245-0304 or by e-mail at Johnson-ballp@stb.dot.gov.

Sincerely,

A handwritten signature in black ink that reads "Victoria Rutson" followed by a stylized flourish.

Victoria J. Rutson
Chief
Section of Environmental Analysis

Enclosure