

Decision ID No. 44015

Service Date: October 31, 2014

Comment Due: December 1, 2014

Supplemental Environmental Assessment

CSX Transportation, Inc.

Joint Use

Louisville & Indiana Railroad Company, Inc.

Docket No. FD 35523



Victoria Rutson
Director, Office of Environmental
Analysis

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Office of Environmental Analysis
Surface Transportation Board
202-245-0294



Supplemental Environmental Assessment

**CSX Transportation, Inc.—Joint Use—Louisville & Indiana Railroad
Company, Inc.**

Docket No. FD 35523

October 2014



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

October 31, 2014

Re: Docket No. FD 35523, CSX Transportation, Inc.—Joint Use—Louisville & Indiana Railroad Company, Inc.: Issuance of Supplemental Environmental Assessment

Dear Reader:

Late last summer, we (the Surface Transportation Board's Office of Environmental Analysis (OEA)) issued a Draft Environmental Assessment (EA) that analyzed the potential environmental effects of a proposal by CSX Transportation, Inc. (CSXT) and the Louisville and Indiana Railroad Company (L&I) to jointly operate over L&I's 106.5-mile rail line between Indianapolis, Indiana, and Louisville, Kentucky. Today, we are issuing a Supplemental EA that addresses environmental issues not considered in the Draft EA.

Background

The proposed joint use that we analyzed in the Draft EA consists of CSXT seeking to acquire an operating easement that would allow additional CSXT trains to operate over the L&I rail line, along with a small number of L&I and CSXT trains that are already operating over the L&I rail line. CSXT would pay L&I \$10 million dollars for the operating easement and would spend between \$70 and \$90 million to improve the rail line to allow CSXT to move longer (up to 7,500 feet from 5,100 feet), faster (up to 49 miles per hour from 15 miles per hour), and heavier (from rail cars that can carry 268,000 pounds of freight to ones that can carry 286,000 pounds of freight) trains.

Currently, the L&I rail line carries two to seven trains per day on the various sections of the rail line. Under the proposed joint use, CSXT would reroute some its trains from their current CSXT routes in the Indiana-Ohio-Kentucky region to a new route that includes the L&I rail line in Indiana. The rerouting of these CSXT trains would add 13 to 15 trains per day over the various sections of the L&I rail line. The Draft EA focused on the potential impacts of these proposed operational changes on the L&I rail line including grade crossing delay, emergency vehicle access, noise and vibration, and other topics. The Draft EA also considered potential construction impacts associated with the extension of several rail line sidings and replacement of a structurally inadequate rail bridge, all on the L&I rail line.

During the public review and comment period on that document, we received comments that raised environmental issues that we had not addressed in the Draft EA. As a result, we decided to prepare a Supplemental EA focusing on the new environmental issues. We have completed the Supplemental EA and are now providing you with your copy of the document for review and comment.

Overview of the Supplemental EA

The rerouting of CSXT trains under the proposed joint use would also increase daily train traffic on several CSXT rail lines that connect with the L&I rail line; however, there would be no construction on any CSXT rail lines as a result of the proposed joint use. Therefore, the Supplemental EA analyzes the potential operational impacts of CSXT moving additional trains on the following three CSXT rail lines:

- Indianapolis Terminal Subdivision – Louisville Secondary Branch: this approximately 4-mile rail line connects the northern end of the L&I rail line to CSXT’s rail line system and is located in Center Township, Perry Township, and the city of Indianapolis, all in Indiana (see Figure 2.1-3 in the document). Average daily train traffic on this rail line would increase from a current level of 4 trains per day to 17 trains per day;
- Indianapolis Line Subdivision: this approximately 120-mile rail line connects with the CSXT rail line described directly above, and generally runs east to west, begins in the city of Indianapolis, and then traverses five counties in Indiana and two counties in Ohio until it ends at Sidney, Ohio (see Figure 2.1-2 in the document). Average daily train traffic on this rail line would increase from a current level of 23 trains per day to 34 trains per day; and
- Louisville Connection: This approximately 2.7-mile rail line connects the southern end of the L&I rail line to CSXT’s rail line system and is located in Louisville, Kentucky (see Figure 2.1-4 in the document). Average daily train traffic on this rail line would increase from a current level of 6 trains per day to 18 trains per day.

The Supplemental EA focuses on the potential impacts of the proposed operational changes on these three CSXT rail lines including vehicle delays at grade crossings, emergency vehicle access, noise and vibration, air quality, and other topics relevant to the proposed increases in train traffic. In response to comments on the Draft EA, the Supplemental EA also quantifies potential impacts to wetlands, floodplains, and forested areas that could result from extending rail line sidings and replacing the Flatrock River Bridge on the L&I rail line. Additionally, the Supplemental EA includes a review of potential changes wildlife strikes that could result from the rerouting train traffic on the L&I and CSXT rail lines under the proposed joint use.

The Supplemental EA preliminarily concludes that the proposed joint use would adversely affect two areas of concern: vehicle delays at several at-grade crossings and increases train-related noise to levels where mitigation could be warranted for several hundred homes and other noise-sensitive receptors along the Indianapolis Terminal Subdivision – Louisville Secondary Branch. In response to these potential adverse effects, we have developed mitigation

measures and are recommending that the Board impose these (and other) measures in any decision approving the proposed joint use.

We targeted distribution of the Draft EA to local agencies, community officials, and other interested parties along the L&I rail line. Likewise, we are targeting distribution of this Supplemental EA to local agencies, community officials, and other interested parties along the three CSXT rail lines identified above. Both documents were also distributed to appropriate federal and state agencies.

We Invite Your Comments

We encourage you to send us written comments on this Supplemental EA. **If you submitted comments on the Draft EA, you do not need to resubmit those comments.** OEA will consider and respond to comments received on both the Draft EA and on this Supplemental EA in the Final EA. The Final EA will include OEA's final conclusions on potential impacts that could result from the proposed joint use and OEA's final recommendations, including final recommended mitigation measures. To be considered, comments must be submitted during the comment period, which will close on **December 1, 2014**. OEA anticipates issuing the Final EA by the end of December 2014. The Board will issue a final decision on the proposed transaction after the issuance of the Final EA.

When submitting comments on the Supplemental EA, please be as specific as possible. We are particularly interested in your thoughts on the recommended mitigation measures. Any suggestions you may have to improve our recommendations to the Board would be very welcome.

Comments may be submitted electronically through the Board's website or by mail, as described below:

- **Electronically:** For electronic comments, simply go to the home page of the Board's website (www.stb.dot.gov), place your cursor on the "E-FILING" button, and click on E-Filing in the drop-down menu. Then click on "Environmental Comments" on the right-hand side of the web page. The next page will be formatted to allow you to fill in your information and type your comments in a text box provided, or you can provide your comments as an attachment to the comment form. If you have any difficulties with e-filing, please call 202-245-0350.
- **By Mail:** If you are sending your comments by mail, please be aware that there may be **up to a week delay** in the delivery of mail to federal agencies. Mail written comments to:

Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

Please refer to **Docket No. FD 35523** in your comments or any correspondence with the Board on this proposed joint use.

If you have questions or need clarification or guidance, please call Dave Navecky at 202-245-0294. You may also email Dave at david.navecky@stb.dot.gov. We appreciate your time and effort in helping us to carefully evaluate the potential environmental effects here, and we look forward to receiving your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is written in a cursive style with a large initial "V".

Victoria Rutson
Director

OEA'S SUMMARY OF MAJOR CONCLUSIONS

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On July 2, 2013, CSX Transportation, Inc. (CSXT) and Louisville & Indiana Railroad Company, Inc. (L&I) (jointly, Applicants) filed an application with the Surface Transportation Board (Board) pursuant to 49 United States Code (U.S.C.) § 11323 and 49 Code of Federal Regulations (C.F.R.) Part 1180. Applicants seek Board authority for CSXT to acquire from and jointly use with the L&I a perpetual, non-exclusive railroad operating easement over the L&I Line. The L&I Line extends from a connection with CSXT in Indianapolis at milepost (MP) 4.0, to a connection with CSXT in Louisville at MP 110.5. The joint use and easement acquisition are referred to as the Proposed Transaction. Both CSXT and L&I would continue to use the L&I Line.

The Proposed Transaction consists of CSXT seeking to acquire an operating easement that would allow additional CSXT trains to operate over the L&I Line, along with a small number of L&I and CSXT trains that are already operating over the L&I Line. CSXT would pay L&I \$10 million dollars for the operating easement and would spend between \$70 and \$90 million to improve the rail line to allow CSXT to move longer (up to 7,500 feet from 5,100 feet), faster (up to 49 miles per hour from 15 miles per hour), and heavier (from rail cars that can carry 268,000 pounds of freight to ones that can carry 286,000 pounds of freight) trains.

Currently, the L&I Line carries two to seven trains per day on the various sections of the rail line. Under the Proposed Transaction, CSXT would reroute some of its trains from their current CSXT routes in the Indiana-Ohio-Kentucky region to a new route that includes the L&I Line in Indiana. The rerouting of these CSXT trains would add 13 to 15 trains per day over the various sections of the L&I Line.

In August 2013, the Board's Office of Environmental Analysis (OEA) issued a Draft Environmental Assessment (EA) that focused on the potential impacts of the proposed operational changes on the L&I Line including grade crossing delay, emergency vehicle access, noise and vibration, and other topics. The Draft EA also considered potential construction impacts associated with the extension of several rail line sidings and replacement of a structurally inadequate rail bridge, all on the L&I Line.

During the public review and comment period on the Draft EA, OEA received comments that raised environmental issues that it had not addressed in the document. As a result, OEA decided to prepare a Supplemental EA focusing on the new environmental issues. The rerouting of CSXT trains under the Proposed Transaction would also increase daily train traffic on several CSXT rail lines that connect with the L&I Line; however, there would be no construction on any CSXT rail lines as a result of the Proposed Transaction. Therefore, the Supplemental EA analyzes the potential operational impacts of CSXT moving additional trains on the following three CSXT rail lines:

- Indianapolis Terminal Subdivision – Louisville Secondary Branch: this approximately 4-mile rail line connects the northern end of the L&I Line to CSXT's rail line system and is located in Center Township, Perry Township, and the city of

- Indianapolis, all in Indiana (see Figure 2.1-3 in the document). Average daily train traffic on this rail line would increase from a current level of 4 trains per day to 17 trains per day;
- Indianapolis Line Subdivision: this approximately 120-mile rail line connects with the CSXT rail line described directly above, and generally runs east to west. It begins in the City of Indianapolis, and then traverses five counties in Indiana and two counties in Ohio until it ends in Sidney, Ohio (see Figure 2.1-2 in the document). Average daily train traffic on this rail line would increase from a current level of 23 trains per day to 34 trains per day; and
 - Louisville Connection: this approximately 2.7-mile rail line connects the southern end of the L&I Line to CSXT's rail line system and is located in Louisville, Kentucky (see Figure 2.1-4 in the document). Average daily train traffic on this rail line would increase from a current level of 6 trains per day to 18 trains per day.

The Supplemental EA focuses on the potential impacts of the proposed operational changes on these three CSXT rail lines including vehicle delays at grade crossings, emergency vehicle access, noise and vibration, air quality, and other topics relevant to the proposed increases in train traffic. In response to comments on the Draft EA, the Supplemental EA also quantifies potential impacts to wetlands, floodplains, and forested areas that could result from extending rail line sidings and replacing Flatrock River Bridge on the L&I Line. Additionally, the Supplemental EA includes a review of potential changes in wildlife strikes that could result from the rerouting train traffic on the L&I and CSXT rail lines under the Proposed Transaction.

Based on information to date, consultation with federal, state and local agencies; input provided by variety of interested parties; and its own independent environmental analysis, OEA has reached the following preliminary conclusions of the environmental consequences that could result from the Proposed Transaction:

- 1) Collectively, 9 of the 176 public at-grade crossings on the three CSXT rail lines studied would experience vehicle delay of over 40 vehicle hours per day. OEA notes that 3 of these 9 crossings would experience these delays under the No-Action Alternative as well. Additionally, the level of service (LOS)¹ would degrade one level at 36 public at-grade crossings, and the LOS would degrade two levels at 6 public at-grade crossings: from LOS A to C at 4 public at-grade crossings and from LOS C to E at 2 public at-grade crossings.

Applicants have volunteered five mitigation measures that address potential traffic impacts (VM 23, VM 24, VM 25, VM 30 and VM 41), and OEA preliminarily recommends two additional mitigation measures that would require Applicants to prepare a Grade Crossing Mitigation Plan (MM 1) and establish a Community Liaison to consult with the affected communities (MM 14).

- 2) None of the 176 public at-grade crossings on the three CSXT rail lines would experience changes in predicted accident frequency that meet or exceed OEA's

¹ LOS refers to the efficiency at which an at-grade crossing functions after a train passes. LOS ranges from A to F, with LOS A indicating relatively free-flowing traffic and LOS F indicating extreme congestion.

- threshold of one accident every 20 years. Therefore, the Supplemental EA does not consider enhanced grade crossing safety designs for any of the 176 public at-grade crossings.
- 3) Of the 7 at-grade crossings that would experience vehicle delays that exceed OEA's screening thresholds for additional analysis of potential adverse impacts on emergency response providers, all 7 are within 1 mile of a grade-separated crossing that would provide a reasonable alternative response route.
 - 4) Approximately 346 noise-sensitive receptors, primarily residences, along the Indianapolis Terminal Subdivision – Louisville Secondary Branch would experience increases in train-related noise to levels at which mitigation could be warranted. Many of these residences comprise a low-income population that warrants further consideration and outreach under Presidential Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations."

Applicants have offered seven mitigation measures (VM 46 through VM 52) to address potential noise impacts and have also offered a mitigation measure (VM 53) to expand outreach to the environmental justice community, including hosting public meetings in the subject neighborhoods to explain the proposed increase in train activity and solicit community concerns about the potential increases in train-related noise. Additionally, OEA is expanding distribution of the Supplemental and Final EAs in an effort to inform residents of the subject neighborhoods of the Proposed Transaction and provide them an opportunity to participate in OEA's environmental review process.

- 5) Regarding cultural resources, OEA has reached the following conclusions in the three states involved in the Proposed Transaction:
 - In Ohio, because potential noise and vibration impacts from proposed operational changes on the Indianapolis Line Subdivision would not be adverse, OEA concludes that the operational changes under the Proposed Transaction would have no adverse effect on historic properties in the state of Ohio. (There would be no Transaction-related construction activities in the state of Ohio.)
 - In Kentucky, Kentucky SHPO and OEA concur that the Proposed Transaction would have no adverse effect on historic properties.
 - In Indiana, Indiana SHPO and OEA concur that (1) replacement of the Flatrock River Bridge would constitute an adverse effect on a historic property considered eligible for inclusion on the National Register of Historic Places; (2) avoidance of the adverse effect is not feasible if the L&I Line is to safely accommodate the modern rail traffic under the Proposed Transaction; (3) there appears to be no feasible alternative to bridge replacement and that documentation prior to removal, according to the Indiana Department of Natural Resources (DNR) Division of Historic Preservation & Archaeology's (DHPA's) Minimum Architectural Documentation Standards, would be an appropriate mitigation measure; (4) documentation completed by Applicants meets the subject standards; and (5) a Memorandum of Agreement (MOA) would memorialize the mitigation

measures (that is, documentation) and resolve adverse effects of the undertaking. OEA prepared a draft MOA that Indiana SHPO indicates it would sign as currently drafted. Comments from Applicants are pending, as well as comments from any other potentially interested parties on the draft MOA via this Supplemental EA and the Board's website.

- 6) The Proposed Transaction would result in a decrease in rail traffic through forested areas and an increase in traffic in areas with cultivated crops and pastures. Because forested areas generally have higher diversity and abundance of wildlife, the Proposed Transaction could result in a decreased risk of wildlife being struck by operating trains in the project area. However, because of the absence of data on the rate of wildlife strikes by train traffic, and on which species of wildlife are impacted, it is not possible to predict more accurately how rates of wildlife strikes would change as a result of shifts in rail traffic or changes in the speed of operating trains under the Proposed Transaction.
- 7) Regarding other resources, the two potential extended rail sidings on the L&I Line, if constructed, and the proposed replacement of the Flatrock River Bridge would result in the following potential impacts:
 - The potential Brook siding extension, if constructed, would require an estimated 929,600 cubic feet of fill in a regulated flood zone. The Flatrock River Bridge is located in a regulated flood zone, but hydrologic and hydraulic modeling would be needed to define flood zone impacts. However, as proposed, the replacement bridge would have longer span and fewer piers, and potentially fewer flood zone impacts. In addition, the replacement bridge would be designed to accommodate 100-year flood elevations, which exceeds what the current bridge can handle and results in a backwater effect and upstream flooding. The potential Elvin siding extension, if constructed, would not impact a regulated flood zone.
 - The potential Elvin and Brook siding extensions, if constructed, and the proposed Flatrock River Bridge replacement would potentially impact approximately 0.83 acre of wetlands and 1,996 feet of waterways.
 - The potential Elvin and Brook siding extensions, if constructed, would not impact any forested areas. The proposed Flatrock River Bridge replacement could potentially impact up to a maximum of 1.79 acres of deciduous forest.

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

ES.1 INTRODUCTION

CSX Transportation, Inc. (CSXT) and Louisville & Indiana Railroad Company, Inc. (L&I) (jointly, Applicants) submitted an application to the Surface Transportation Board (Board or STB) in 2013 seeking approval for joint use by CSXT and L&I of L&I's 106.5-mile-long rail line between Indianapolis, Indiana, and Louisville, Kentucky (L&I Line). The proposed joint use would result in an increase in train traffic on the L&I Line and changes in train movements on CSXT's own rail line network. Before deciding whether to approve the application, the Board must consider the potential environmental effects of its decision.

The Board's Office of Environmental Analysis (OEA) issued a Draft Environmental Assessment (EA) in August 2013. Some of the comments received on the document raised environmental concerns not assessed in the Draft EA. Consequently, OEA decided to prepare a Supplemental EA to present the additional environmental analyses and provide an opportunity for public review and comment. Discussions of the proposed project's background, purpose and need, environmental review process, and next steps are provided below.

ES.2 BACKGROUND

On July 2, 2013, Applicants filed an application with the Board pursuant to 49 United States Code (U.S.C.) § 11323 and 49 Code of Federal Regulations (C.F.R.) Part 1180. Applicants seek Board authority for CSXT to acquire from and jointly use with the L&I a perpetual, non-exclusive railroad operating easement¹ (Easement) over the L&I Line. The L&I Line extends from a connection with CSXT in Indianapolis at milepost (MP) 4.0, and a connection with CSXT in Louisville at MP 110.5 (see Figure ES.2-1). The joint use and easement acquisition are referred to as the Proposed Transaction. Both CSXT and L&I would continue to use the L&I Line.

¹ A railroad operating easement is an agreement between railroad companies that grants one railroad the right to operate over a rail line while the granting railroad continues to own the underlying land.

Under the Proposed Transaction, CSXT would pay L&I \$10 million for the perpetual, non-exclusive easement over the L&I Line. CSXT also would pay for upgrades to the L&I Line, projected to cost between \$70 and \$90 million, which would take up to 7 years to complete. In return, L&I would compensate CSXT for any of its traffic that makes use of the heavier tonnage per car and taller rail cars that could move on the upgraded L&I Line under the Proposed Transaction.

The proposed rail infrastructure upgrades primarily include: (1) replacement of the existing 100-pound jointed rail on the L&I Line with a heavier-weighted, continuous welded rail, (2) replacement of a select number of ties, and (3) replacement of a timber and steel railroad bridge over the Flatrock River near Columbus, Indiana. Two existing sidings could also be extended if determined necessary by Applicants.² When completed, the proposed improvements would bring the L&I Line up to what is known as Class 4 standards and would enable Applicants to increase maximum train speeds from the existing 25 miles per hour (mph) to 49 mph³ and move double-stacked and multi-level railcars weighing up to 286,000 pounds gross weight each. Currently, infrastructure conditions on the L&I Line limit traffic to railcars that are single stacked and weigh no more than 263,000 pounds gross weight each.

The proposed joint use would allow CSXT to operate only overhead traffic (that is, rail traffic with origins and destinations outside of the local area) on the L&I Line. It would not permit CSXT to serve local customers or industries along the L&I Line. L&I would continue to serve its local customers on the L&I Line. Under the Proposed Transaction, however, CSXT would be allowed to set out and pick up traffic for and from CSXT's Indiana Terminal Subdivision, which intersects the L&I Line at Seymour, Indiana. CSXT anticipates operation of an additional 13 to 15 trains per day over the L&I Line, including traffic rerouted from the LCL Subdivision (from Louisville to Cincinnati, Ohio) and Indiana Terminal Subdivision (from Cincinnati to Seymour). No material train frequency increase would occur until the L&I Line is upgraded.

Currently, CSXT has trackage rights⁴ with no train frequency limits over the L&I Line. CSXT states that it uses these trackage rights to relieve some of the congestion on the LCL Subdivision. For example, CSXT operates over its own rail line from Indianapolis to Cincinnati (including the Indianapolis Line Subdivision, Toledo Subdivision, and Cincinnati Terminal Subdivision) and from Cincinnati to Seymour (the Indiana Terminal Subdivision) and then uses the L&I Line to move trains south to Louisville, specifically operating two trains per day, both in a southward direction from Seymour to Louisville. While CSXT has trackage rights authority over the entire L&I Line, it does not operate over the entire L&I Line because of clearance restrictions and lack

² On July 18, 2014, CSXT informed OEA that it no longer plans to construct potential new sidings at Crothersville and Underwood, Indiana, as discussed in the Draft EA. Instead, CSXT will rely on extending the existing sidings at Elvin and Brook if either or both are determined necessary for operations (see the Supplemental EA, Appendix A).

³ Regulations of the Federal Railroad Administration permit freight trains to operate at up to 60 mph on Class 4 tracks if an automated signaling system is used to control train traffic on a main line. However, train speeds are limited to 49 mph when train traffic is controlled through a warrant system (that is, authorization to occupy a main line is provided through a verbal authorization system by radio, phone, or other electronic transmission from a dispatcher). Applicants currently use a track warrant control system on the L&I Line and intend to retain that system under the Proposed Transaction. Thus, train speeds would be limited to 49 mph despite the proposed upgrade to Class 4 standards.

⁴ Trackage rights are agreements that allow one rail carrier to operate trains over rail lines of another carrier.

of capacity north of Seymour. Under the Proposed Transaction, these two trains would be rerouted over CSXT's LCL Subdivision as a result of available capacity being created by rerouting trains from the LCL Subdivision to the L&I Line. CSXT has no plans to discontinue service over the Indiana Terminal Subdivision.

As a result of operational changes on the L&I Line from the Proposed Transaction, CSXT also anticipates the following increases on its own rail lines (see Figure ES.2-2):

- 11 trains per day on the Indianapolis Line Subdivision between Indianapolis and Sidney, Ohio
- 13 trains per day on the Indianapolis Terminal Subdivision – Louisville Secondary Branch, which connects the L&I Line and the Indianapolis Line Subdivision
- 12 trains per day on the Louisville Connection, which connects the L&I Line and the LCL Subdivision

ES.3 NEPA AND THE ENVIRONMENTAL REVIEW PROCESS

Because the Board's consideration of CSXT and L&I's application is a major federal action, the Board also conducts an environmental review of the Proposed Transaction under the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 et seq., where, as here, the thresholds in the Board's environmental rules are met (generally an increase of three or eight trains per day depending on whether the subject rail line is located in an area of poor air quality). See 49 U.S.C. § 11324(c) and 49 C.F.R. §§ 1105.7(e)(4) and (5).

On July 29, 2013, the Board decided to accept the application from CSXT and L&I; found that the Proposed Transaction is considered "minor" under 49 C.F.R. § 1180.2(c) (a determination that does not affect the environmental review process); deemed the application complete; and set a procedural schedule for the environmental review process, consideration of the transportation merits, and issuance of a final decision. Before deciding whether the Proposed Transaction should be approved, the Board will consider the entire environmental record, all public comments, and OEA's final environmental recommendations, including final recommended mitigation measures, in deciding what, if any, environmental mitigation to impose.

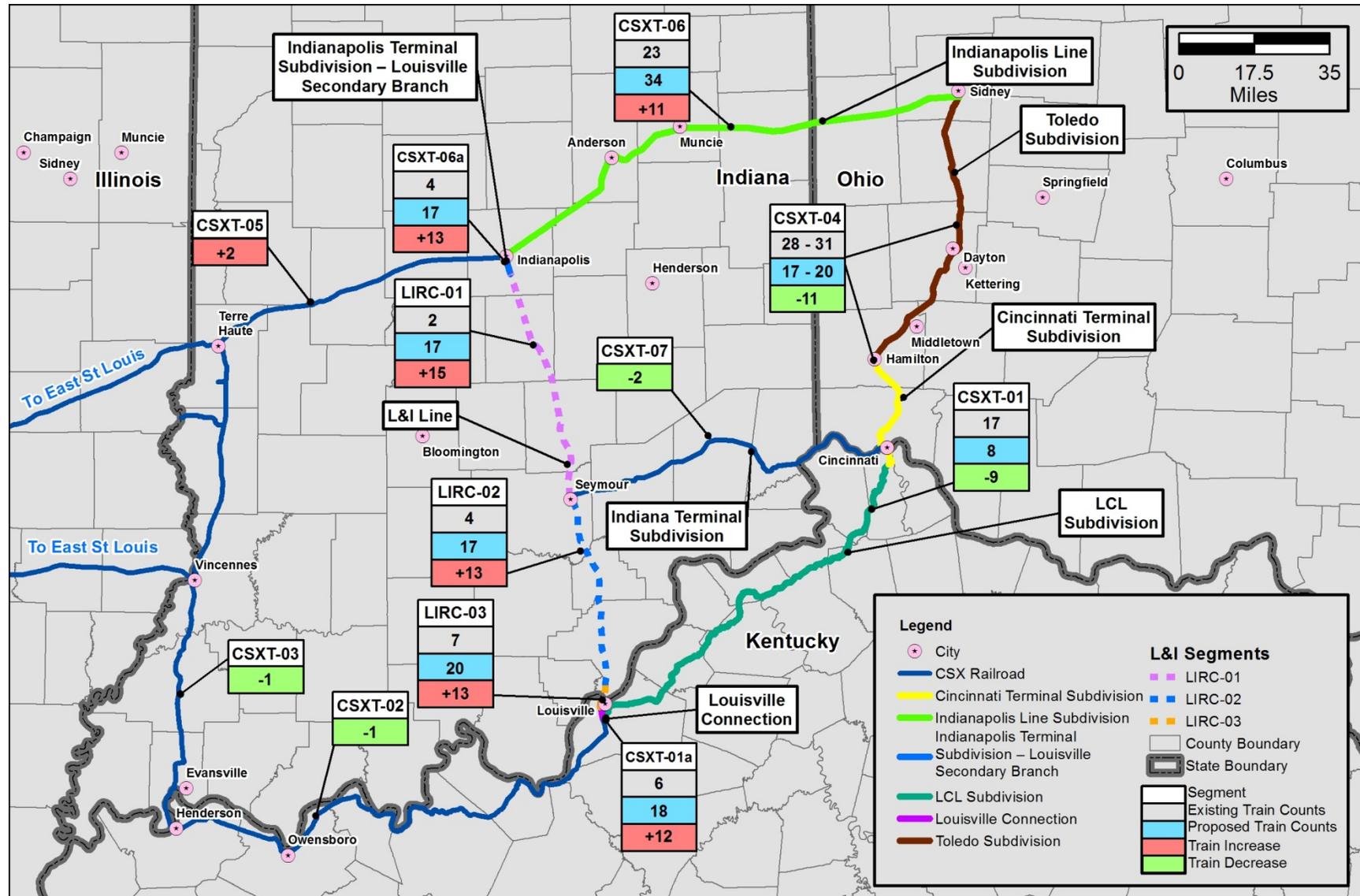


Figure ES.2-2. CSXT Current and Projected Train Traffic

ES.4 SCOPE OF THE SUPPLEMENTAL EA

On March 21, 2014, OEA solicited comments on the scope of the Supplemental EA from interested federal, state, and local agencies. OEA considered those comments and determined that the Supplemental EA would focus on the three topics discussed below.

Topic 1: Potential operational impacts of moving additional trains on the following CSXT rail lines:

- 11 trains per day on the Indianapolis Line Subdivision between Indianapolis and Sidney (beyond Sidney there would no Transaction-related changes in train traffic)
- 13 trains per day on the Indianapolis Terminal Subdivision – Louisville Secondary Branch, which connects the L&I Line and the Indianapolis Line Subdivision
- 12 trains per day on the Louisville Connection, which connects the L&I Line and the LCL Subdivision

These rail lines were selected because train traffic on them would increase more than the eight-trains-per-day threshold for analysis in the Board's environmental rules. (Note: According to Applicants, no other CSXT rail lines would experience an increase in train traffic that exceeds the Board's thresholds for environmental review as a result of the Proposed Transaction.) On these CSXT rail lines, the Supplemental EA assesses potential operational impacts on transportation, including grade crossing delay, grade crossing safety, hazardous materials transportation safety, and emergency response. The Supplemental EA also addresses potential operational impacts related to water resources, biological resources, air quality and climate, noise and vibration, cultural resources, and environmental justice on the CSXT rail lines.

Topic 2: Potential changes in wildlife strikes from Transaction-related changes in rail traffic, including proposed increases in train traffic on the L&I Line and the Indianapolis Line Subdivision and proposed decreases in train traffic on the Toledo Subdivision, Cincinnati Terminal Subdivision and LCL Subdivision. Potential wildlife strikes were not analyzed along the Indianapolis Terminal Subdivision – Louisville Secondary Branch and the Louisville Connection because these rail lines are located in urban areas and do not have adequate habitat for vulnerable wildlife, including threatened and endangered species.

Topic 3: Potential Transaction-related construction impacts associated with the potential extension of two existing sidings and proposed replacement of the Flatrock River Bridge, all on the L&I Line, on wetlands, floodplains, and forested areas.

As noted above, the Proposed Transaction would not include construction or ground-disturbing activities on any of the CSXT rail lines. Therefore, the only alternatives considered in this Supplemental EA are approval of the Proposed Transaction and the No-Action Alternative.

Table ES.4-1, located at the end of this Executive Summary, summarizes the potential operational and construction-related impacts associated with the Proposed Transaction and identifies mitigation measures proposed to address these impacts.

ES.5 NEXT STEPS

OEA encourages you to send us written comments on this Supplemental EA. **If you submitted comments on the Draft EA, you do not need to resubmit those comments.** OEA will consider and respond to comments received on both the Draft EA and on this Supplemental EA in the Final EA. The Final EA will include OEA's final conclusions on potential impacts that could result from the proposed joint use, and OEA's final recommendations, including final recommended mitigation measures. To be considered, comments must be submitted during the comment period, which will close on **December 1, 2014**. OEA anticipates issuing the Final EA by the end of December 2014. The Board will issue a final decision on the Proposed Transaction after the issuance of the Final EA.

When submitting comments on the Supplemental EA, please be as specific as possible. We are particularly interested in your thoughts on the recommended mitigation measures. Any suggestions you may have to improve our recommendations to the Board would be very welcome.

Comments may be submitted electronically through the Board's website or by mail, as described below:

- **Electronically:** For electronic comments, simply go to the home page of the Board's website (www.stb.dot.gov), place your cursor on the "E-FILING" button, and click on E-Filing in the drop-down menu. Then click on "Environmental Comments" on the right-hand side of the web page. The next page will be formatted to allow you to fill in your information and type your comments in a text box provided, or you can provide your comments as an attachment to the comment form. If you have any difficulties with e-filing, please call 202-245-0350.
- **By Mail:** If you are sending your comments by mail, please be aware that there may be **up to a week delay** in the delivery of mail to federal agencies. Mail written comments to:

Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

Please refer to **Docket No. FD 35523** in your comments or any correspondence with the Board on this proposed joint use.

Table ES.4-1. Potential Impacts of the Proposed Transaction and Proposed Mitigation Measures

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Transportation	<ul style="list-style-type: none"> • Nine crossings would experience vehicle delay over 40 vehicle hours per day. The level of service (LOS) would degrade one level at 36 public at-grade crossings, and the LOS would degrade two levels at 6 public at-grade crossings: from LOS A to C at 4 public at-grade crossings and from LOS C to E at 2 public at-grade crossings. Applicants have offered voluntary mitigation measure (VM) 23, VM 24, VM 25, VM 30, and VM 41, and OEA proposes mitigation measure (MM) 1 and MM 14. • None of the 176 public at-grade crossings on the three CSXT rail lines would experience changes in predicted accident frequency that meet or exceed OEA’s threshold of one accident every 20 years for consideration of enhanced grade crossing safety design; nevertheless, Applicants have offered VM 26 through VM 32. • No adverse impact on hazardous materials transportation safety; nevertheless, Applicants have volunteered eight mitigation measures, VM 33 through VM 40. • Of the 7 at-grade crossings that would experience vehicle delays that exceed OEA’s screening thresholds for additional analysis of potential adverse impacts on emergency response providers, all 7 are within 1 mile of a grade-separated crossing that would provide a reasonable alternative response route. 	<ul style="list-style-type: none"> • No impact on grade crossing delay. • No impact on grade crossing safety. • No impact on hazardous materials transportation safety. • No impact on emergency response.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Community Resources and Land Use	<ul style="list-style-type: none"> No adverse impact. 	<ul style="list-style-type: none"> The portion of the Columbus People Trail that passes under the Flatrock River Bridge would be temporarily closed during the approximately 2-week construction period. A portion of Noblitt Park would be temporarily impacted during construction of the Flatrock River Bridge.
Socioeconomics	<ul style="list-style-type: none"> Additional capacity on CSXT’s rail network would improve CSXT efficiency in the Indianapolis-Cincinnati-Louisville area. L&I customers would benefit from a more competitive route and access to heavier gross weight railcars, double-stacked intermodal containers, and multi-level cars. Rail access would be improved for the Port of Indiana. Rail service to Louisville would be improved, which would benefit Southern Indiana markets. 	<ul style="list-style-type: none"> Any impacts on employment for construction would be negligible and temporary.
Topography, Geology, and Soils	<ul style="list-style-type: none"> No adverse impact. 	<ul style="list-style-type: none"> Soils could be affected during replacement of the Flatrock River Bridge. Applicants have volunteered to implement VM 2, VM 3, VM 8, VM 9, and VM 17 through VM 22.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
<p>Water Resources</p>	<ul style="list-style-type: none"> No adverse impact on surface water, groundwater, floodplains, wetlands, or water quality. 	<ul style="list-style-type: none"> Construction of the Flatrock River Bridge replacement would temporarily impact the Flatrock River due to potential temporary dam or coffer structures. Portions of the potential Brook siding extension would be constructed in the 500-year and 100-year floodplains and would require a floodplain development permit. The Flatrock River Bridge replacement would be constructed within the regulated floodway of the Flatrock River and would require a floodplain development permit. OEA notes that mitigation could be required in accordance with MM 6. Base flood elevation is not expected to increase. The potential Elvin and Brook siding extensions, if constructed, and the proposed Flatrock River Bridge replacement would potentially impact approximately 0.83 acre of wetlands and 1,996 feet of waterways. The potential Elvin and Brook siding extensions, if constructed, would not impact any forested areas. The proposed Flatrock River Bridge replacement could potentially impact up to a maximum of 1.79 acres of deciduous forest. For potential impacts on wetlands, Applicants have offered VM 1 through VM 3, and VM 5 through VM 7. No impact on impaired surface waters or waters of high quality; regardless, Applicants have offered VM 4, VM 8, and VM 9.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Biological Resources	<ul style="list-style-type: none"> • No adverse impact on vegetation. • No adverse impact on wildlife strikes. • No adverse impact on critical habitat of federally listed threatened, endangered, and rare species. • Increased noise and vibration could have a minor, transient impact on federally and state-listed threatened, endangered, and rare species, and on migratory birds. 	<ul style="list-style-type: none"> • No impact on vegetation. • No impact on wildlife strikes. • Construction of the Flatrock River Bridge replacement could temporarily impact forested areas and wildlife habitat. • To prevent impacts on federally and state-listed bat species, Applicants have committed to remove trees, if any, outside of the summer roosting period (VM 11). • Applicants have offered a voluntary mitigation measure to survey all suitable habitats potentially impacted by the construction activity for state-listed threatened or endangered plant species (VM 10). • State-listed mussel species rabbitsfoot (<i>Quadrula cylindrica</i>) and pyramid pigtoe (<i>Pleurobema rubrum</i>) could be affected by the proposed replacement of the Flatrock River Bridge. • To avoid impacts on nesting migratory birds, Applicants would comply with the requirements of the Migratory Bird Treaty Act and have committed to remove trees, if any, outside of the period from April 1 to September 30.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Air Quality and Climate	<ul style="list-style-type: none"> • Emissions would decrease because of improvements in efficiency, fuel savings from locomotive engine idling reductions, ultra low sulfur diesel fuel requirements, and locomotive exhaust emissions regulations. • No adverse air quality impacts at at-grade crossings are expected as a result of vehicle delay. • No change would be expected in the attainment, maintenance, or nonattainment status for any pollutant in the study area. • No impact on the local Urban Heat Island (UHI) effect. • Expected improvements in efficiency in the Midwest Region would decrease use of diesel fuel and emissions of greenhouse gases. 	<ul style="list-style-type: none"> • Impacts on air quality would be negligible because of the limited and temporary nature of the proposed construction activities. Applicants have offered VM 14 and VM 15 in an effort to minimize impacts on air quality. • Impacts on the UHI effect would be negligible because construction activities would not remove or replace substantial amounts of natural features nor would it install long-term equipment or structures to cause or contribute to a UHI effect. • Impacts on global climate change due to air emissions from construction-related activities would be negligible because the emissions would be of very small order and over a short time period.
Noise and Vibration	<ul style="list-style-type: none"> • Approximately 346 noise-sensitive receptors, primarily residences, along the Indianapolis Terminal Subdivision – Louisville Secondary Branch would be subject to increases in train-related noise to levels at which mitigation could be warranted. • Applicants have offered VM 46 through VM 52 to minimize impacts from increased noise levels. • Because the ground-borne vibration levels would not change, the number of receivers exposed to train-induced ground-borne vibration also would not change. 	<ul style="list-style-type: none"> • Noise and vibration associated with construction activities are anticipated to be minor and temporary in areas outside of the right-of-way (ROW). • Applicants have offered VM 16 to minimize impacts on residential areas.
Energy Resources	<ul style="list-style-type: none"> • Improved efficiencies would decrease fuel consumption by CSXT locomotives and would not adversely impact the transportation of recyclable commodities. 	<ul style="list-style-type: none"> • Potential construction of the siding extensions and proposed replacement of the Flatrock River Bridge would improve CSXT efficiency and increase energy savings.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Cultural Resources	<ul style="list-style-type: none"> • Grade crossing delay caused by Transaction-related increases in train traffic are not anticipated to adversely affect documented historic properties located within 100 feet of the centerline of the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection. • Noise and vibration caused by the increases in train traffic are not anticipated to adversely impact documented historic properties located within 100 feet of these rail lines. • OEA concludes that the operational changes under the Proposed Transaction would have no adverse effect on historic properties in the state of Ohio. • Kentucky SHPO and OEA concur that the Proposed Transaction would have no adverse effect on historic properties. 	<ul style="list-style-type: none"> • Potential construction of the Elvin and Brook siding extensions would occur within existing ROW and would have no adverse effect on historic properties. • Indiana SHPO and OEA concur that (1) replacement of the Flatrock River Bridge would constitute an adverse effect on a historic property considered eligible for inclusion on the National Register of Historic Places; (2) avoidance of the adverse effect is not feasible if the L&I Line is to safely accommodate the modern rail traffic under the Proposed Transaction; (3) there appears to be no feasible alternative to bridge replacement and that documentation prior to removal, according to the Indiana Department of Natural Resources (DNR) Division of Historic Preservation & Archaeology’s (DHPA’s) Minimum Architectural Documentation Standards, would be an appropriate mitigation measure; (4) documentation completed by Applicants meets the subject standards; and (5) a Memorandum of Agreement (MOA) would memorialize the mitigation measures (that is, documentation) and resolve adverse effects of the undertaking. OEA has prepared a draft MOA that Indiana SHPO indicates it would sign as currently drafted. Comments from Applicants are pending, as well as comments from any other potentially interested parties on the draft MOA via this Supplemental EA and the Board’s website. • Kentucky SHPO and OEA concur that the Proposed Transaction would have no adverse effect on historic properties.

Resource Category	Potential Operational Impacts	Potential Construction Impacts
Environmental Justice	<ul style="list-style-type: none"> • Minority and low-income populations would not disproportionately bear any potentially high and adverse effects associated with traffic delay. • Low-income populations along the Indianapolis Terminal Subdivision – Louisville Secondary Branch would disproportionately bear any potentially adverse effects associated with noise. • Applicants have offered VM 46 through VM 52 regarding noise. • Applicants have offered VM 53 to provide specific outreach to the environmental justice community that would disproportionately bear any potentially adverse effects associated with noise. • OEA is expanding distribution of the Supplemental and Final EAs in an effort to inform residents of the subject neighborhoods of the Proposed Transaction and provide them an opportunity to participate in OEA’s environmental review process. 	<ul style="list-style-type: none"> • No meaningfully greater minority or low-income populations exist in the areas that would be affected by proposed construction; consequently, there would be no disproportionately high and adverse impacts on minority or low-income populations.

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ABBREVIATIONS AND ACRONYMS

Abbreviation or Acronym	Definition
AAQS	ambient air quality standards
AAR	Association of American Railroads
ACHP	Advisory Council on Historic Preservation
ADT	average daily traffic
APE	Area of Potential Effect
Applicants	CSX Transportation, Inc. and Louisville & Indiana Railroad Company, Inc.
AREMA	American Railway Engineering and Maintenance-of-Way Association
BCR	Bird Conservation Region
BMP	best management practice
Board	Surface Transportation Board
CAA	Clean Air Act
CAMPO	Columbus Area Metropolitan Planning Organization
CEM	corrected effective model
CEQ	Council on Environmental Quality
C.F.R.	Code of Federal Regulations
CIRTA	Central Indiana Regional Transportation Authority
CN	Canadian National Railway Company
CO	carbon monoxide
CO ₂	carbon dioxide
CSA	Combined Statistical Area
CSXT	CSX Transportation, Inc.
CSXT-01a	CSXT's Louisville Connection
CSXT-06	CSXT's Indianapolis Line Subdivision
CSXT-06a	CSXT's Indianapolis Terminal Subdivision – Louisville Secondary Branch
CWA	Clean Water Act
Da	average delay per delayed vehicle
dB	decibel
dBA	A-weighted decibel
Dc	blocked crossing time per train
DEM	duplicate effective model
DHPA	Indiana DNR Division of Historic Preservation & Archaeology
Di	delay for vehicles
DNR	Department of Natural Resources
DPM	diesel particulate matter
Dv	average delay for all vehicles
EA	Environmental Assessment
Easement	a perpetual, non-exclusive railroad operating easement
ECM	existing conditions model
EHM	effective hydraulic model

Abbreviation or Acronym	Definition
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
Esri	Environmental Systems Research Institute
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Study
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GBN	ground-borne noise
GBV	ground-borne vibration
GCMP	Grade Crossing Mitigation Plan
GHG	greenhouse gas
GIS	geographic information system
GTM	gross-ton per mile
GWOR	gross weight on railcars
HAP	hazardous air pollutant
HCM	<i>Highway Capacity Manual</i>
HLRW	high level radioactive waste
IC	Indiana Code
IDEM	Indiana Department of Environmental Management
Indiana DNR	Indiana Department of Natural Resources
INDOT	Indiana Department of Transportation
IPaC	Information, Planning, and Conservation
ISO	International Organization for Standardization
KAR	Kentucky Administrative Regulations
KDFWR	Kentucky Department of Fish and Wildlife Resources
Kentucky DEP	Kentucky Department for Environmental Protection
KSNPC	Kentucky State Nature Preserves Commission
KYTC	Kentucky Transportation Cabinet
L	length of the train
L_{dn}	day-night noise level
L_{eq}	equivalent noise level
LCL	Louisville to Cincinnati corridor
L&I	Louisville & Indiana Railroad Company, Inc.
L&I Line	106.5-mile-long rail line between its connection with CSXT in Indianapolis, Indiana, at milepost 4.0 and its connection with CSXT in Louisville, Kentucky, at milepost 110.5
LIRC-01	Louisville and Indiana Railroad Company rail line segment 1
LIRC-02	Louisville and Indiana Railroad Company rail line segment 2
LIRC-03	Louisville and Indiana Railroad Company rail line segment 3
LOS	level of service
MBTA	Migratory Bird Treaty Act of 1918

Abbreviation or Acronym	Definition
mg/m ³	milligrams per cubic meter
MM	mitigation measure
MOA	Memorandum of Agreement
MP	milepost
mph	miles per hour
MPO	Metropolitan Planning Organization
MSA	Metropolitan Statistical Area
MSAT	mobile source air toxic
MSC	Map Service Center
msl	mean sea level
N	number of trains
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
National Register	National Register of Historic Places
n.d.	no date
NED	National Elevation Dataset
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHD	National Hydrography Dataset
NHPA	National Historic Preservation Act
NL	number of vehicular traffic lanes
NLCD	National Land Cover Database
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NSR	Norfolk Southern Railway Company
NWI	National Wetlands Inventory
O ₃	ozone
ODNR	Ohio Department of Natural Resources
ODOT	Ohio Department of Transportation
OEA	Office of Environmental Analysis
Ohio EPA	Ohio Environmental Protection Agency
OSHA	Occupational Safety and Health Administration
Pb	lead
PCM	proposed conditions model
PEMA	palustrine emergent temporarily flooded wetland
PEMC	palustrine emergent seasonally flooded wetland
PFOA	palustrine forested temporarily flooded wetland
PIH	poison inhalation hazard
PM	particulate matter
PM _{2.5}	particulate matter less than 2.5 microns in diameter

Abbreviation or Acronym	Definition
PM ₁₀	particulate matter less than 10 microns in diameter
ppb	parts per billion
ppm	parts per million
Proposed Transaction	Acquisition and use of a perpetual, non-exclusive railroad operating easement over 106.5 miles of the L&I Line between its connection with CSXT in Indianapolis, Indiana, at milepost 4.0 and its connection with CSXT in Louisville, Kentucky, at milepost 110.5
Q	vehicle queue length
QZ	quiet zone
RMS	root mean square
ROW	right-of-way
Sc	average departure rate of vehicles
SHAARD	Indiana State Historic Architectural and Archaeological Research Database
SHPO	State Historic Preservation Office
SNF	spent nuclear fuel
SO ₂	sulfur dioxide
SO _x	sulfur oxides
SPL	sound pressure level
Sq	average arrival rate of vehicles
SSURGO	Soil Survey Geographic [database]
STB	Surface Transportation Board
SWL	sound power level
TCP	traditional cultural property
Td	total vehicle traffic delay
TIH	toxic inhalation hazard
Tqc	queue clearance time
TRB	Transportation Research Board
TWC	track warrant control
UHI	urban heat island
U.S.	United States
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USDA	U.S. Department of Agriculture
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
V	train speed
V/C	volume to capacity ratio
VdB	vibration decibel
VM	Voluntary Mitigation
VOC	volatile organic compound
vpd	vehicles per day
WMA	Wildlife Management Area

**Abbreviation
or Acronym**

Definition

WQC
 $\mu\text{g}/\text{m}^3$

Water Quality Certification
micrograms per cubic meter