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May 5, 2020

Ms. Victoria Rutson
Director, Office of Environmental Analysis
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423

RE: Docket No. AB-55 (Sub-No. 799X), *CSX Transportation, Inc.—Abandonment Exemption—in Dickenson County, VA*

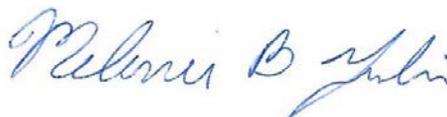
Dear Ms. Rutson:

Enclosed please find a letter sent on May 4, 2020, from The Commonwealth of Virginia Department of Conservation and Recreation stating that if the line were to become a trail it would help satisfy a regional recreational need.

Additionally, the Department of Conservation and Recreation's Division of Natural Heritage recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the Big Sandy Crayfish associated with these sites, DCR also recommends coordination with the U.S. Fish and Wildlife Service (USFWS) and Virginia's regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with protected species legislation. Furthermore, DCR recommends removal of all materials offsite that result from rail abandonment and avoidance of in-stream work within Camp Creek, Cranes Nest River, and respective tributaries.

CSXT is e-filing this letter. Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie Yasbin
Attorney for CSX Transportation, Inc.

Matthew J. Strickler
Secretary of Natural Resources

Clyde E. Cristman
Director

Rochelle Altholz *Deputy Director of Administration and Finance*

Russell W. Baxter
Deputy Director of Dam Safety & Floodplain Management and Soil & Water Conservation

Thomas L. Smith
Deputy Director of Operations



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

MEMORANDUM

DATE:

TO: Floyd Payne, CXS

FROM: Roberta Rhur, Environmental Impact Review Coordinator

SUBJECT: DCR 20-002, CSX RAIL ABANDONMENT, STB Docket No. AB-55 (SUB-NO. 799X)

Planning and Recreation Resources

The Department of Conservation and Recreation (DCR), Division of Planning and Recreational Resources (PRR), develops the *Virginia Outdoors Plan* and coordinates a broad range of recreational and environmental programs throughout Virginia. These include the Virginia Scenic Rivers program; Trails, Greenways, and Blueways; Virginia State Park Master Planning and State Park Design and Construction.

The rail bed runs along the Cranesnest River, a designated Scenic River for roughly half of the total 14 miles. The 2018 Virginia Outdoors Plan ranks trails within the top five greatest needs for this region. If this were to become a public trail, it would provide additional access to the river and help satisfy a regional recreation needs. Recreational amenities in the project area: the Cranesnest River Trailhead, part of the DGIF Birding and Wildlife Trail, the Flanagan Reservoir lands and the Spearhead Trail

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, the McClure River Stream Conservation Unit (SCU), the Cranes Nest River – Rush Creek SCU and the Crane Nest-Long Fork SCU are located within the project area. Stream Conservation Units (SCUs) identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are also given a biodiversity significance ranking based on the rarity, quality, and number of

element occurrences they contain. All of these SCUs have been given a biodiversity ranking of B3, which represents a site of high significance. The natural heritage resource associated with all of these sites is:

Cambarus callainus

Big Sandy crayfish

G2/S1S2/LT/LT

The Big Sandy crayfish is known from a small area which includes parts of West Virginia, Kentucky and Virginia. It is possibly extirpated from West Virginia and it may be reduced by as much as half of its known

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Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*

range in Virginia since its first discovery (NatureServe, 2009). In Virginia, it is known from two counties, Buchanan and Dickenson, in the Russell Fork River drainage. It inhabits moderately sized streams (10-20 meters wide) with bedrock, cobble, boulder, and sand substrate and permanent, fast-flowing water (NatureServe, 2009). This rare crayfish is listed as threatened by the Virginia Department of Game and Inland Fisheries (VDGIF) and the United States Fish and Wildlife Service (USFWS).

Threats to the Big Sandy crayfish include mining activities, deforestation, and road construction which may negatively impact the water quality and habitat availability in the river substrate (NatureServe, 2009).

In addition, the Spiny scale crayfish (*Cambarus jezerinaci*, G3/S2/NL/NL) is associated with the McClure River SCU. The Spiny scale crayfish has a restricted range in southwestern Virginia and eastern Kentucky and Tennessee. In Virginia, it is found in first and second order spring-fed streams draining into the Powell River, living under rocks in mid-stream and along stream edges (Thoma, 2000). Threats to the Spiny scale crayfish include degradation of water quality due to deforestation and mining activities which may increase sediments, water temperatures, or pollutant loads (NatureServe, 2009).

Furthermore, the Cranes Nest and McClure Rivers, have also been designated by the Virginia Department of Game and Inland Fisheries (VDGIF) as a “Threatened and Endangered Species Water” for the Big Sandy Crayfish.

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the legal status of the Big Sandy Crayfish associated with these sites, DCR also recommends coordination with the U.S. Fish and Wildlife Service (USFWS) and Virginia's regulatory authority for the management and protection of these species, the VDGIF, to ensure compliance with protected species legislation. Furthermore, DCR recommends removal of all materials offsite that result from rail abandonment and avoidance of in-stream work within Camp Creek, Cranes Nest River, and respective tributaries.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity. Please note, the line for proposed abandonment between milepost ZF 3.0 and ZF 5.0 runs through the Flannagan Reservoir, which is managed by the US Army Corps of Engineers.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Cc: Ernie Aschenbach, VDGIF
Troy Andersen, USFWS

Literature Cited

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available <http://www.natureserve.org/explorer>. (Accessed: March 23, 2010).

Thoma, Roger F. 2000. *Cambarus* (*Jugicambarus*) *jezerinaci* (Crustacea: Decapoda: Cambaridae), A New Species of Crayfish from the Powell River Drainage of Tennessee and Virginia. In the Proceeding of the Biological Society of Washington. 113(3): 731-738.