

LAW OFFICES OF  
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237909

March 10, 2015

Ms. Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
March 11, 2015  
Part of  
Public Record

RE: AB- 55 (Sub-No. 741X), *CSX Transportation, Inc.—Abandonment Exemption—in  
Raleigh County, WV*

Dear Ms. Brown:

On or about March 13, 2015, we expect to be filing with the Surface Transportation Board (“STB”) a notice of exemption seeking authority for CSX Transportation, Inc. (“CSXT”) to abandon an approximately 15.12-mile rail line on the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision, between milepost CLP 0.0 and milepost CLP 15.12 near Whitesville, in Raleigh County, WV.

Enclosed for electronic filing are the Environmental Report and the Historic Report both of which describe the proposed action and any expected environmental and/or historical effects, as well as maps of the affected area. The Environmental Report was mailed via first class mail or sent electronically to the parties required under 49 C.F.R. 1105.7 on January 27, 2015. The Historic Report was mailed via first class mail to the parties required under 49 C.F.R. 1105.8(c) on January 20, 2015.

Sincerely yours,



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

Enclosures

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# ENVIRONMENTAL REPORT

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## CSX TRANSPORTATION, INC. Raleigh County, West Virginia Docket AB-55 (Sub-No. 741X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

### **(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.**

CSX Transportation (CSXT) proposes to abandon 15.12 miles of its rail Line between Railroad Milepost CLP 0.0, near Whitesville, and the end of track located at Railroad Milepost CLP 15.12, near Clear Creek, Raleigh County, West Virginia, herein after referred to as "the Line."

The Line has not generated any originating or terminating traffic in over Twenty One years; however the principal commodity previously transported over the Line was coal.

As further information, this Line segment received Surface Transportation Board (STB) approval for a discontinuance of service on July 19, 2002 under docket number AB-55 (Sub-No. 640X) and a STB abandonment decision served October 21, 2005 under docket number AB-55 (Sub-No. 661X). The 2005 abandonment was never officially consummated and the abandonment lapsed. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the Line under a Notice of Interim Trail Use and Rail Banking (NITU) with the STB. An NITU will allow for the salvage of the track, ties and signal equipment while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity becomes active. Trail-related structures, such as bridges, trestles, culverts and tunnels will not be salvaged.

Abandonment of this Line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb

any sub grade or sub grade structures. Finally, the operations and maintenance of this Line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the Line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

A map which delineates the proposed project is attached. (See Attachment 1)

Further attached is a distribution list of all parties who have received a copy of this report. (See Attachment 2)

## **(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.**

There is no passenger or freight traffic on this Line. Since there has not been any traffic on this Line in over Twenty One years, there will be no effect on existing regional or local transportation systems or patterns.

## **(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.**

Applicant received a response dated December 30, 2014 and February 6, 2015 from Governor Earl Ray Tomblin stating "*your correspondence has been forwarded to the appropriate division in my office for further review.*" (See Attachment 3)

Applicant received a response dated February 20, 2015 from the Raleigh County Extension Agent-Community Development stating "*As per our conversation, I feel there is interest for a NITU regarding the line.*" (See Attachment 4)

Applicant has not received a response to its December 22, 2014 or January 27, 2015 letter to the West Virginia Department of Transportation State Rail Authority requesting information

regarding this statement. (See Attachment 5)

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

Applicant has not received a response to its December 22, 2014 or January 27, 2015 inquiries to the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). (See Attachment 6)

Applicant received a response from the previous abandonment filing STB Docket AB-55 (Sub-No. 661X) from the U.S. Department of Agriculture NRCS stating "The site does not impact Prime or Unique Farmland, Statewide Important Farmland or Locally Important Farmland". (See previous Environment Report Attachment 7)

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

The State of West Virginia does not have a Coastal Zone Management Program.

- (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.**

The properties proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

#### **(4) ENERGY**

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

The proposed action will have no effect on the movement and/or recovery of energy resources.

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

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

- (iii) **State whether the proposed action will result in an increase or decrease in**

**overall energy efficiency and explain why.**

The proposed action 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.**

There will be no diversion of rail traffic to motor carriage.

**(5) AIR**

- (i) **If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (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% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.**

The above thresholds will not be exceeded.

- (ii) **If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail Line, or (B) an increase in rail yard activity of at least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% 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.**

The above thresholds will not be exceeded.

- (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 restriction); 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.**

Not applicable.

**(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.

The above thresholds will not be exceeded.

## **(7) SAFETY**

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

Applicant believes that the abandonment will result in an improvement to public safety by the elimination of twenty-five road crossings.

- (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.

Not applicable.

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

Applicant's records do not indicate any known hazardous material spills or hazardous waste sites.

## **(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.

Applicant has not received a response to its December 22, 2014 or January 27, 2015 inquiries to the U.S. Fish and Wildlife Service in Hadley, MA requesting information regarding this statement. (See Attachment 8)

Applicant received a response from the previous abandonment filing STB Docket AB-55 (Sub-No. 661X) from the U.S. Department of the Interior, Fish and Wildlife Service, Elkins, West Virginia, stating "*No federally listed endangered and threatened species are expected to be impacted by the project.*" (See previous Environment Report Attachment 7)

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

Based upon Applicant's review of the area, the Line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

**(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.**

Applicant has not received a response to its December 22, 2014 or January 27, 2015 inquiries to the West Virginia Department of Environmental Protection Division of Water and Waste Management requesting information regarding this statement. (See Attachment 9)

Applicant received a response dated August 15, 2005 from the Office of Water Resources, WV Division of Environmental Protection, Charleston, West Virginia, stating "*Based on the information and description provided, we concur with your determination that permits are not required for this activity.*" (See previous Environment Report Attachment 7)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (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.**

Applicant received a response dated January 7, 2015 from U.S. Army Corp of Engineers stating *"Therefore under Section 404, a Department of the Army (DA) authorization may be required."* (See Attachment 10)

Applicant received a response dated February 6, 2015 from the U.S. Army Corp of Engineers stating *"Therefore, a DA permit is not required from this office for the proposed activity"*. (See Attachment 11)

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying road-bed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways.

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

Applicant has not received a response to its December 22, 2014 or January 27, 2015 inquiries to the U.S. Regional EPA Office in Philadelphia, PA requesting information regarding this statement. (See Attachment 12)

Based upon the course of action described in Section 9 (ii), Applicant believes that a permit under Section 402 of the Clean Water Act may not be required.

## 10. MITIGATION

Describe any actions that are proposed to mitigate adverse environmental impacts,

**indicating why the proposed mitigation is appropriate.**

Applicant does not believe there will be any adverse environmental impacts in the project area as a result of this abandonment. However, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required.

**Boone County**

**Kanawha County**

**Fayette County**

**Raleigh County**

Sylvester

Whitesville

Begin Abandonment  
Milepost CLP 0.0

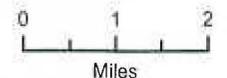
End Abandonment  
Milepost CLP 15.2



-  Proposed Abandonment
-  Engineering Milepost
-  CSX Operating Track



**CSX Transportation, Inc.**  
**Proposed Abandonment Southern Region**  
**Milepost CLP 0.0 - CLP 15.12 (15.12 Miles Total)**  
**STB Docket No. AB55 (Sub No. 741X)**  
**Huntington East Division - Former Jarrolds Valley Subdivision**  
**Whitesville, Raleigh County, West Virginia**



## Attachment 2

CSXT Abandonment External Distribution List  
Jarrolds Valley  
Raleigh County, West Virginia

U.S. Department of Agriculture  
Natural Resources Conservation Service  
465 Ragland Road  
Beckley, WV 25801

U.S. Army Corps of Engineers  
Huntington District  
502 8th Street  
Huntington, WV 25701-2070

U.S. Fish & Wildlife Service  
Northeast Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035-9589

West Virginia Department of Environmental Protection  
Division of Water and Waste Management  
601 57th Street  
Charleston, WV 25304

West Virginia Department of Transportation  
State Rail Authority  
Ms. Cindy Butler  
120 Water Plant Drive  
Moorefield, WV 26836

U.S. EPA  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103

National Park Service-Northeast Region  
U.S. Custom House  
200 Chestnut Street, Fifth Floor  
Philadelphia, PA 19106

Office of the Governor-Earl Ray Tomblin  
State Capitol  
1900 Kanawha Blvd, East  
Charleston, West Virginia 25305

Raleigh County Commission  
116 1/2 Heber Street  
Beckley, WV 25801



STATE OF WEST VIRGINIA  
OFFICE OF THE GOVERNOR  
1900 KANAWHA BOULEVARD, EAST  
CHARLESTON, WV 25305  
(304) 558-2000

EARL RAY TOMBLIN  
GOVERNOR

December 30, 2014

Ms. Jo Ann Burroughs  
Manager Network Services  
CSX  
500 Water Street-J-315  
Jacksonville, FL 32202-4423

Dear Ms. Burroughs:

Thank you for contacting my office. I appreciate your thoughts and concerns, and particularly the time you took to send them to me.

Your correspondence has been forwarded to the appropriate division in my office for further review.

Please accept my most sincere best wishes for the future.

Sincerely,  
A handwritten signature in black ink that reads "Earl Ray Tomblin".

Earl Ray Tomblin  
Governor

ERT:fmt

Attachment 3



STATE OF WEST VIRGINIA  
OFFICE OF THE GOVERNOR  
1900 KANAWHA BOULEVARD, EAST  
CHARLESTON, WV 25305  
(304) 558-2000

EARL RAY TOMBLIN  
GOVERNOR

February 6, 2015

Ms. Jo Ann Burroughs  
Manager Network Services  
CSX  
500 Water Street-J-315  
Jacksonville, FL 32202-4423

Dear Ms. Burroughs:

Thank you for contacting my office. I appreciate your thoughts and concerns, and particularly the time you took to send them to me.

Your correspondence has been forwarded to the appropriate division in my office for further review.

Please accept my most sincere best wishes for the future.

Sincerely,

A handwritten signature in blue ink that reads "Earl Ray Tomblin".

Earl Ray Tomblin  
Governor

ERT:fmt

# Attachment 4

**Burroughs, JoAnn**

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**From:** David E. Rotenizer <drotenizer@wvstateu.edu>  
**Sent:** Friday, February 20, 2015 2:25 PM  
**To:** Burroughs, JoAnn  
**Subject:** RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

**Categories:** Follow up

Hello Jo,

It was a delight speaking with you today.

As per our conversation, I feel there is interest for a NITU regarding the line.

My mailing address:  
The Attar Center  
200 Main Street  
Beckley, WV 25801

Your assistance in this matter is greatly appreciated.

Thanks,  
-David

**David E. Rotenizer**

Raleigh County Extension Agent – Community Development

**West Virginia State University Extension Service**

EXTENDING KNOWLEDGE. CHANGING LIVES. [www.WVStateU.edu/extension](http://www.WVStateU.edu/extension)  
(304) 929. 2010 [Office] \*\* (276) 732. 5359 [Cell]

**In Partnership with:**

**New River Gorge Regional Development Authority**

*Working to diversify the economy and strengthen communities within the New River Gorge region of West Virginia. Serving Fayette, Nicholas, Raleigh and Summers counties.*

Contact us or learn more at [www.NRGRDA.org](http://www.NRGRDA.org)



Jo Ann Burroughs  
Manager Network Services

## Attachment 5

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
Email: Jo\_Burroughs@csx.com

December 22, 2014

West Virginia Department of Transportation  
State Rail Authority  
Ms. Cindy Butler  
120 Water Plant Drive  
Moorefield, WV 26836

Dear Ms. Butler

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor.

This action requires Surface Transportation Board approval and Federal Regulations [49 C.F.R. 1105.7(3) (i)] require that CSXT develop a response to the following statement:



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

*“Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, please state whether the proposed action is consistent with existing land use plans. Please describe any inconsistencies.”*

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please email Jo\_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Enclosed is a distribution list of all parties that have been copied on the proposed action. If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs

Enclosures (2)



Jo Ann Burroughs  
Manager Network Services

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

January 27, 2015

West Virginia Department of Transportation  
State Rail Authority  
Ms. Cindy Butler  
120 Water Plant Drive  
Moorefield, WV 26836

Dear Sir/Madam;

RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

Please be advised that on or about February 17, 2015 CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation STB (STB) a Notice of Exemption seeking authority to abandon common carrier obligation in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

Attached is a preliminary Environmental Report describing the proposed action and includes information we have received from your agencies. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the STB, we will incorporate into it any comments that we receive from you. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to OEA (with copy to me) within twenty days, would be appreciated.



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

Jo Ann Burroughs  
Manager Network Services

For your convenience, a response form is enclosed. You may email the response to [Jo\\_Burroughs@CSX.com](mailto:Jo_Burroughs@CSX.com) or you may return the form in the self-addressed return envelope which is also enclosed for your convenience.

If your comments have not been received by February 17, 2015 CSXT will take the position before the STB that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1247 or by the above email address.

Sincerely,

Jo Ann Burroughs

Attachments

Copy: STB - OEA, 395 E Street SW, Washington, DC 20423



Jo Ann Burroughs  
Manager Network Services

## Attachment 6

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
all: Jo\_Burroughs@csx.com

December 22, 2014

U.S. Department of Agriculture  
Natural Resources Conservation Service  
465 Ragland Road  
Beckley, WV 25801

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor. This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3) (ii) require that CSXT develop a response to the following statement:

*“Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.”*



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

Please advise if any of the land contiguous to CSXT's line in the project area is classified as prime agriculture land.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please email Jo\_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Enclosed is a distribution list of all parties that have been copied on the proposed action. If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs

Enclosures (2)



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

January 27, 2015

U.S. Department of Agriculture  
Natural Resources Conservation Service  
465 Ragland Road  
Beckley, WV 25801

Dear Sir/Madam;

RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

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Attached is a preliminary Environmental Report describing the proposed action and includes information we have received from your agencies. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the STB, we will incorporate into it any comments that we receive from you. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to OEA (with copy to me) within twenty days, would be appreciated.



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

Jo Ann Burroughs  
Manager Network Services

For your convenience, a response form is enclosed. You may email the response to [Jo\\_Burroughs@CSX.com](mailto:Jo_Burroughs@CSX.com) or you may return the form in the self-addressed return envelope which is also enclosed for your convenience.

If your comments have not been received by February 17, 2015 CSXT will take the position before the STB that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1247 or by the above email address.

Sincerely,

Jo Ann Burroughs

Attachments

Copy: STB - OEA, 395 E Street SW, Washington, DC 20423

# Attachment 7

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## ENVIRONMENTAL REPORT

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### CSX TRANSPORTATION, INC. STB DOCKET AB-55 (SUB-NO. 661X)

The following information is provided in accordance with 49 C.F.R. Section 1105.7:

#### **(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.**

CSX Transportation (CSXT) proposes to abandon 15.12 miles of trackage that is currently not in use. The proposed project is located between Jarrolds Valley Junction (Railroad Milepost CLP 0.0) and the end of track near Clear Creek (Railroad Milepost CLP 15.12), Raleigh County, West Virginia, herein after referred to as "the line." The line has not generated any originating or terminating traffic in over twelve years, however the principal commodity previously transported over the line was coal.

As further information, this line segment received Surface Transportation Board approval for a discontinuance of service on July 19, 2002 under docket number AB 55 Sub No. 640X and has not been used since that time.

It is CSXT's intention to negotiate this line segment as a post-abandonment lease or sale to a coal customer for their future rail use. Formal abandonment of this line segment is for purposes of downgrading the track infrastructure.

The only alternative would be not to abandon and downgrade the track, therefore CSXT retaining liability of a track not in use and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

**(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.**

There is no CSXT passenger or freight traffic on this line. There will be no effect on existing regional or local transportation systems or patterns.

**(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.**

Applicant has not received a response to its August 10, 2005 inquiry to the Raleigh County Planning Department seeking information regarding this statement. (See Attachment 3.)

Based on the fact that the line has not generated any traffic in over twelve years, Applicant believes the proposed action is not inconsistent with local 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.**

Applicant received a response dated July 26, 2005 to its August 10, 2005 inquiry to the U.S. Department of Agriculture, Natural Resources Conservation Service for Raleigh County, West Virginia, stating "*The above referenced site does not impact Prime or Unique Farmland, Statewide Important Farmland, or Locally Important Farmland.*" (See Attachment 4.)

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

The State of West Virginia does not have a coastal zone management program.

- (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.**

The properties to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

**(4) ENERGY**

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

Since this line has not been needed or used in over fourteen years for the transportation of coal, Applicant does not anticipate any adverse impact on the future transportation of energy resources.

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

The proposed action will have no effect on the movement and/or recovery of recyclable commodities.

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

The proposed action 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.**

There will be no diversion of rail traffic to motor carriage.

**(5) AIR**

- (i) If the proposed action will result in either: (A) an increase in rail traffic of at least 100% (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% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The above thresholds will not be exceeded.

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% 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.

The above thresholds will not be exceeded.

- (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 restriction); 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.

Not applicable.

**(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.

The above thresholds will not be exceeded.

**(7) SAFETY**

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

Applicant believes that the abandonment will result in an improvement to public safety by the elimination of twenty-five road crossings.

- (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.**

Not applicable.

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

Applicant's records do not indicate any hazardous waste sites or sites where there have been hazardous material spills on this line segment.

**(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.**

Applicant received a response dated August 11, 2005 from the U. S. Department of the Interior, Fish and Wildlife Service, Elkins, West Virginia, stating "*No federally listed endangered and threatened species are expected to be impacted by the project.*" (See Attachment 5.)

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

Based upon Applicant's review of the area, the line is not within any wildlife sanctuaries or refuges, National or State parks or forests.

**(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.**

Applicant received a response dated August 15, 2005 from the Office of Water Resources, WV Division of Environmental Protection, Charleston, West Virginia, stating *"Based on the information and description provided, we concur with your determination that permits are not required for this activity."* (See Attachment 6.)

Applicant does not contemplate any action known to be inconsistent with federal, state and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

- (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.**

Applicant has not received a response to its inquiry of August 10, 2005, to the U.S. Army Corps of Engineers in Huntington, West Virginia seeking information regarding this statement. (See Attachment 7.)

Applicant is not aware of any designated wetlands or 100-year flood plains within the proposed project.

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the

soil, and do not anticipate any dredging or use of fill in the removal of the track material. The cross-ties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways.

Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

Applicant received a response dated August 15, 2005 from the Office of Water Resources, WV Division of Environmental Protection, Charleston, West Virginia, stating *"Based on the information and description provided, we concur with your determination that permits are not required for this activity."* (See Attachment 6.)

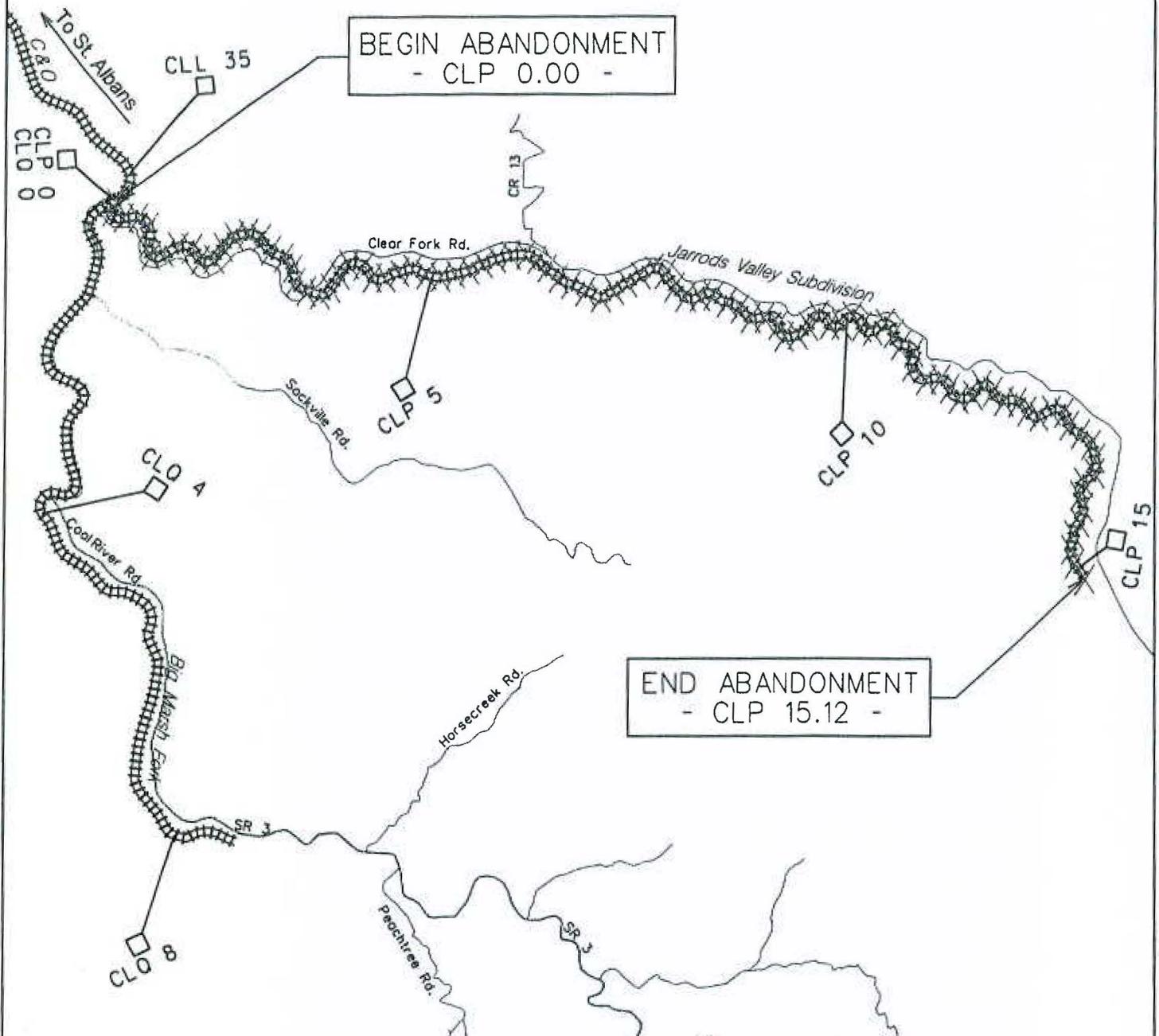
Applicant has not received a response to its August 10, 2005, letter to the U. S. Environmental Protection Agency, Region 3, Philadelphia, PA, seeking information regarding this statement. (See Attachment 8.)

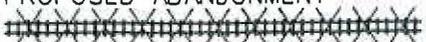
Based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

## 10. MITIGATION

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

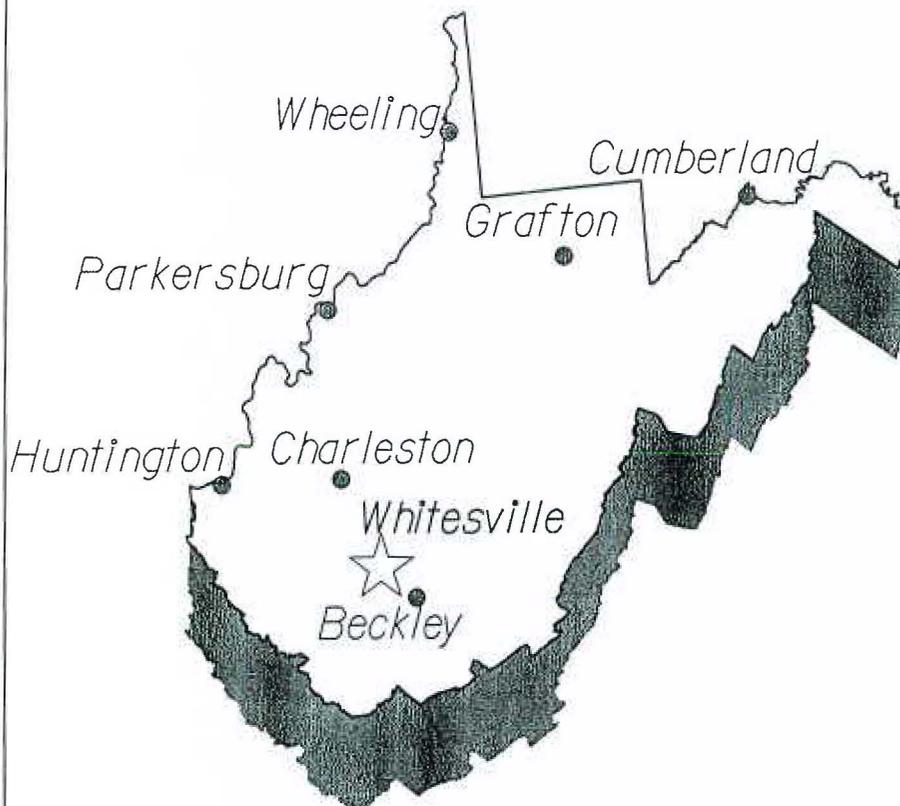
Applicant does not anticipate any adverse environmental impacts in the project area as a result of this abandonment, however, if mitigation is necessary, Applicant will comply with State and Federal regulations and obtain any necessary permits required.



<b>LEGEND</b>
PROPOSED ABANDONMENT  Total Distance = 15.12 Miles +/-
SOUTHERN REGION HUNTINGTON EAST DIVISION JARRODS VALLEY SUBDIVISION STB Docket No. AB55 (Sub. No. 661X)

<b>CSX TRANSPORTATION</b>	
Proposed Abandonment CLP 0.0 - CLP 15.12 = 15.12 Miles +/-	
City: Whitesville County: Raleigh State: West Virginia Fips: 54081 Pin: N/A	VAL: V11L7 - 10.3 GIS: 13766 - 13774 Scale: 1" = 1.5 Miles Date: 7/8/05 Drawn By: LF

West Virginia



AREA MAP

Proposed Abandonment of 15.12 Miles +/-  
STB Docket No. AB 55 - Sub. No. 661X  
Raleigh County, West Virginia



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 359-1086  
FAX: (904) 359-1111  
E-Mail: Dave\_Geraci@CSX.com

Dave Geraci  
Manager - Network Rationalization

**Attachment 3**

July 12, 2005

County Planning Department  
Raleigh County Courthouse  
215 Main Street  
Beckley, WV 25801

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering an abandonment, for purposes of downgrading track status, on a portion of its rail line from Jarrolds Valley to the end of track near Clear Creek, Raleigh County, West Virginia as depicted on the attached map. It is CSXT's intentions to negotiate this line segment for a post-abandonment lease or sale to a coal company for future rail use.

As information, this line segment was approved for a discontinuance of service under Surface Transportation Board ("Board") Docket Number AB 55 Sub No. 620X on July 19, 2002.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(3)(i) require that we develop a response to the following statement:

"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."

I would appreciate your advice as to the existence of a long-range comprehensive planning map for Raleigh County and the line's relationship to such planning.

Sincerely,

Attachment



Dave Geraci  
CSX Transportation  
500 Water Street - J200  
Jacksonville, FL 32202

RE: Abandonment of rail line from Jarrolds Valley to Clear  
Creek, STB Docket # AB 55 Sub No. 620X, Raleigh County,  
WV

July 26, 2005

Mr. Geraci:

The above referenced site does **not** impact Prime or  
Unique Farmland, Statewide Important Farmland, or Locally  
Important Farmland. If you have any further questions,  
please contact me anytime.

Sincerely,

Robert N. Pate  
Resource Soil Scientist  
[Robert.Pate@wv.usda.gov](mailto:Robert.Pate@wv.usda.gov)

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information, (Braille, large print, audiotape, etc.) should contact USDA's TARGET center at (202)720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington DC 20250-9410, or call (202)720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

West Virginia Field Office  
694 Beverly Pike  
Elkins, West Virginia 26241



**Attachment 5**

August 11, 2005

Mr. David Geraci, Manager  
Network Rationalization  
CSX Transportation, Inc.  
500 Water Street - J200  
Jacksonville, Florida 32202

Re: Raleigh County Rail Line Abandonment

Dear Mr. Geraci:

This responds to your information request of July 12, 2005 regarding the potential impacts of a proposed project on wetlands and federally listed endangered and threatened species and species of concern. CSX Transportation, Inc. proposes abandonment of a portion of its rail line from Jarrolds Valley to the end of the track near Clear Creek, in Raleigh County, West Virginia. These comments are provided pursuant to the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

No federally listed endangered and threatened species are expected to be impacted by the project. Therefore, no biological assessment or further section 7 consultation under the Endangered Species Act is required with the Fish and Wildlife Service. Should project plans change, or if additional information on listed and proposed species becomes available, this determination may be reconsidered. A compilation of federally listed endangered and threatened species in West Virginia is enclosed for your information.

Definitive determinations of the presence of waters of the United States, including wetlands, in the project area and the need for permits, if any, are made by the U.S. Army Corps of Engineers. They may be contacted at: Huntington District, Regulatory Branch, 502 Eighth Street, Huntington, West Virginia 25701, telephone (304)529-5710.

If you have any questions regarding this letter, please contact Ms. Barbara Douglas of my staff at (304) 636-6586, or at the letterhead address.

Sincerely,

Thomas R. Chapman  
Field Supervisor



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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304-2345  
(304) 926-0495  
(304) 926-0496 fax

Bob Wise, Governor  
Stephanie R. Timmermeyer, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

August 15, 2005

Dave Geraci, Manager – Network Rationalization  
CSX Transportation  
500 Water Street – J200  
Jacksonville, FL 32202

RE: Proposed Rail Line Abandonment  
Jarrols Valley to Clear Creek, Raleigh County

Dear Mr. Geraci:

This office received your letter dated July 12, 2005, requesting confirmation that the above referenced activity does not require permits under Section 402 of the Clean Water Act (33 U.S.C. 1342). The letter was forwarded to me for response.

Based on the information and description provided, we concur with your determination that permits are not required for this activity.

Should you have any further questions, please contact me at the Oak Hill Field Office (304) 465-1919 or contact the main office as noted above.

Sincerely,

Curtis Hardman  
Environmental Resources Specialist

cc: Cliff Whyte



TRANSPORTATION  
Dave Geraci  
Manager - Network Rationalization

500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 359-1086  
FAX: (904) 359-1111  
E-Mail: Dave\_Geraci@CSX.com

**Attachment 7**

July 12, 2005

District Engineer  
Attention: ORHOP-F  
U.S. Army Corps of Engineers  
502 8<sup>th</sup> Street  
Huntington, WV 25701-2070

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering an abandonment, for purposes of downgrading track status, on a portion of its rail line from Jarrolds Valley to the end of track near Clear Creek, Raleigh County, West Virginia as depicted on the attached map. It is CSXT's intentions to negotiate this line segment for a post-abandonment lease or sale to a coal company for future rail use.

As information, this line segment was approved for a discontinuance of service under Surface Transportation Board ("Board") Docket Number AB 55 Sub No. 620X on July 19, 2002.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9)(ii) require that we develop a response to the following statement:

"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."

Since there will be no new construction or removal of rail material, and the underlying roadbed will not be disturbed, it is CSXT's position that the proposed project will not adversely impact any wetlands or 100-year flood plains, and that no permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) will be required.

We would appreciate your comments; and, if you have any questions, please feel free to call me.

Sincerely,

Attachment



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 359-1088  
FAX: (904) 359-1111  
E-Mail: Dave\_Geraci@CSX.com

Dave Geraci  
Manager - Network Rationalization

Attachment 8

July 12, 2005

United States Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

Gentlemen:

Please be advised that CSX Transportation, Inc. is considering an abandonment, for purposes of downgrading track status, on a portion of its rail line from Jarrolds Valley to the end of track near Clear Creek, Raleigh County, West Virginia as depicted on the attached map. It is CSXT's intentions to negotiate this line segment for a post-abandonment lease or sale to a coal company for future rail use.

As information, this line segment was approved for a discontinuance of service under Surface Transportation Board ("Board") Docket Number AB 55 Sub No. 620X on July 19, 2002.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that we develop a response to the following statements:

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

Since there will be no new construction or removal of rail material, and the underlying roadbed will not be disturbed, it is CSXT's position that the proposed project will not negatively impact any Federal, State or local water quality standards and that no permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required.

We would appreciate receiving your letter of concurrence; and, if you have any questions, please feel free to contact me.

Sincerely,

Attachment



Jo Ann Burroughs  
Manager Network Services

## Attachment 8

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
Email: Jo\_Burroughs@csx.com

December 22, 2014

U.S. Fish & Wildlife Service  
Northeast Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035-9589

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) requires that CSXT develop responses to the following statements:



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please email Jo\_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Enclosed is a distribution list of all parties that have been copied on the proposed action. If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs  
Enclosures (2)



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

January 27, 2015

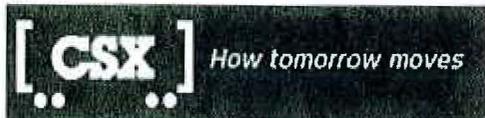
U.S. Fish & Wildlife Service  
Northeast Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035-9589

Dear Sir/Madam;

RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

Please be advised that on or about February 17, 2015 CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon common carrier obligation in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

Attached is a preliminary Environmental Report describing the proposed action and includes information we have received from your agencies. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the STB, we will incorporate into it any comments that we receive from you. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to OEA (with copy to me) within twenty days, would be appreciated.



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

Jo Ann Burroughs  
Manager Network Services

For your convenience, a response form is enclosed. You may email the response to [Jo\\_Burroughs@CSX.com](mailto:Jo_Burroughs@CSX.com) or you may return the form in the self-addressed return envelope which is also enclosed for your convenience.

If your comments have not been received by February 17, 2015 CSXT will take the position before the STB that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1247 or by the above email address.

Sincerely,

Jo Ann Burroughs

Attachments

Copy: STB - OEA, 395 E Street SW, Washington, DC 20423



Jo Ann Burroughs  
Manager Network Services

## Attachment 9

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
all: Jo\_Burroughs@csx.com

December 22, 2014

West Virginia Department of Environmental Protection  
Division of Water and Waste Management  
601 57th Street  
Charleston, WV 25304

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

- (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.”*



Jo Ann Burroughs  
Manager Network Services

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

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

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time. As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please email Jo\_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Enclosed is a distribution list of all parties that have been copied on the proposed action. If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs

Enclosures (2)



Jo Ann Burroughs  
Manager Network Services

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

January 27, 2015

West Virginia Department of Environmental Protection  
Division of Water and Waste Management  
601 57th Street  
Charleston, WV 25304

Dear Sir/Madam;

RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

Please be advised that on or about February 17, 2015 CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon common carrier obligation in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

Attached is a preliminary Environmental Report describing the proposed action and includes information we have received from your agencies. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the STB, we will incorporate into it any comments that we receive from you. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to OEA (with copy to me) within twenty days, would be appreciated.



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

Jo Ann Burroughs  
Manager Network Services

For your convenience, a response form is enclosed. You may email the response to [Jo\\_Burroughs@CSX.com](mailto:Jo_Burroughs@CSX.com) or you may return the form in the self-addressed return envelope which is also enclosed for your convenience.

If your comments have not been received by February 17, 2015 CSXT will take the position before the STB that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1247 or by the above email address.

Sincerely,

Jo Ann Burroughs

Attachments

Copy: STB - OEA, 395 E Street SW, Washington, DC 20423

# Attachment 10



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
HUNTINGTON DISTRICT, CORPS OF ENGINEERS  
502 EIGHTH STREET  
HUNTINGTON, WEST VIRGINIA 25701-2070

JAN 07 2015

Regulatory Division  
South/Transportation Branch  
LRH-2015-25-BCR-Clear Fork

Ms. Jo Ann Burroughs  
CSX Transportation, Inc  
500 Water Street J-315  
Jacksonville, Florida 32202

Dear Ms. Burroughs:

I refer to preliminary information received in this office on December 22, 2014, submitted on behalf of CSX Transportation, Inc regarding a 15.12 mile railroad abandonment project located near Whitesville, Raleigh County, West Virginia. This project has been assigned file number LRH-2015-25-BCR-Clear Fork. Please refer to this number in any future correspondence regarding this matter.

This project has been reviewed in accordance with Section 404 of the Clean Water Act (Section 404) and Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Under Section 404, the United States Army Corps of Engineers (Corps) regulates the discharge of dredged and/or fill material into waters of the United States (U.S.), including wetlands. Under Section 10 our responsibility is to regulate any work in, or affecting, navigable waters of the U.S.

Based on your description of the proposed work, and other information available, it appears the project may impact waters of the U.S, as defined in 33 CFR Part 328. Therefore, under Section 404, a Department of the Army (DA) authorization may be required. It is the responsibility of the applicant, or the applicant's consultant, to determine the presence and limits of potential waters of the U.S., including wetlands, within the project area.

To further evaluate the project additional information is required. Typically, the attached DA permit application form (DA form 4345), completed in accordance with the included instructions, provides the information required to evaluate the proposed project.

If you have any questions regarding DA permit requirements, please contact the South Regulatory Branch at (304) 399-5710.

Sincerely,

A handwritten signature in black ink that reads "Kayla N. Adkins". The signature is written in a cursive style with a large initial 'K'.

Kayla N. Adkins  
Regulatory Specialist  
South/Transportation Branch

Enclosures



REPLY TO  
ATTENTION OF

# Attachment 11

**DEPARTMENT OF THE ARMY**  
HUNTINGTON DISTRICT, CORPS OF ENGINEERS  
502 EIGHTH STREET  
HUNTINGTON, WEST VIRGINIA 25701-2070

FEB 05 2015

Regulatory Division  
South/Transportation Branch  
LRH-2015-25-BCR-Clear Fork

Ms. Jo Ann Burroughs  
CSX Transportation, Inc  
500 Water Street J-315  
Jacksonville, Florida 32202

Dear Ms. Burroughs:

I refer to the preliminary Environmental Report received in this office on February 2, 2015 regarding a 15.12 mile railroad abandonment project located near Whitesville, Raleigh County, West Virginia. This project has been assigned file number LRH-2015-25-BCR-Clear Fork. Please refer to this number in any future correspondence regarding this matter.

This project has been reviewed in accordance with Section 404 of the Clean Water Act (Section 404) and Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Under Section 404, the United States Army Corps of Engineers (Corps) regulates the discharge of dredged and/or fill material into waters of the United States (U.S.), including wetlands. Under Section 10 our responsibility is to regulate any work in, or affecting, navigable waters of the U.S.

The Corps originally requested additional information for the proposed railroad abandonment project in a letter dated January 7, 2015. In that letter this office stated that under Section 404, a Department of the Army (DA) authorization may be required for the proposed railroad abandonment project. It is the responsibility of the applicant, or the applicant's consultant, to determine the presence and limits of potential waters of the U.S., including wetlands, within the project area.

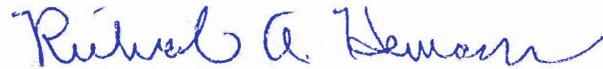
According to the preliminary Environmental Report provided by CSX Transportation, the proposed railroad abandonment project would not include the discharge of dredged and/or fill material within waters of the United States. Additionally, you stated that during the salvage process material will not be discarded within streams, wetlands, or along the banks of such waterways.

Based on a review of the additional information you provided, we have determined the railroad abandonment project will neither result in discharge of dredged or fill material into waters of the United States nor involve work in, on, over or under a navigable water of the United States. Therefore, a DA permit is not required from this office for the proposed activity. However, if this determination changes and it becomes necessary perform work in, adjacent to or

under navigable waters, or to discharge dredged or fill material into waters or navigable waters of the U.S., including wetlands, authorization from the Corps would be required.

We appreciate your concern for our nation's aquatic resources. If you have any questions concerning the above, please contact Kayla N. Adkins at (304) 399-5850, by mail at the above address or by email at [kayla.n.adkins@usace.army.mil](mailto:kayla.n.adkins@usace.army.mil).

Sincerely,

A handwritten signature in blue ink that reads "Richard A. Hemann". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Richard A. Hemann  
Regulatory Project Manager  
South/Transportation Branch



Jo Ann Burroughs  
Manager Network Services

## Attachment 12

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
jo\_burroughs@csx.com

December 22, 2014

U.S. EPA  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103

Dear Sir/Madam;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (9) (i) and (iii) require that CSXT develop a response to the following statements:

- (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."*



Jo Ann Burroughs  
Manager Network Services

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

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

There are no refueling or maintenance areas within the project area. The removal of CSXT's rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbeds and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any watercourses.

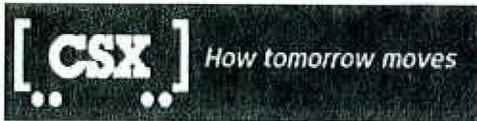
Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time. As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity and include any comments received from your office. This environmental report can be sent electronically by email or through the United States Postal Service (USPS). Please email Jo\_Burroughs@csx.com if you wish to receive the report electronically. If we do not receive notification, it will be mailed via USPS.

Enclosed is a distribution list of all parties that have been copied on the proposed action. If you have any questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs

Enclosures (2)



Jo Ann Burroughs  
Manager Network Services

500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

January 27, 2015

U.S. EPA  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103

Dear Sir/Madam;

RE: CSX Transportation, Inc. - Proposed Abandonment - STB Docket No. AB-55 (Sub No. 741X)

Please be advised that on or about February 17, 2015 CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon common carrier obligation in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrolds Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

Attached is a preliminary Environmental Report describing the proposed action and includes information we have received from your agencies. We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the STB, we will incorporate into it any comments that we receive from you. Your comments will be considered by the STB in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, NW, Washington, DC 20423, telephone (202) 245-0230 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to OEA (with copy to me) within twenty days, would be appreciated.



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

Jo Ann Burroughs  
Manager Network Services

For your convenience, a response form is enclosed. You may email the response to [Jo\\_Burroughs@CSX.com](mailto:Jo_Burroughs@CSX.com) or you may return the form in the self-addressed return envelope which is also enclosed for your convenience.

If your comments have not been received by February 17, 2015 CSXT will take the position before the STB that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1247 or by the above email address.

Sincerely,

Jo Ann Burroughs

Attachments

Copy: STB - OEA, 395 E Street SW, Washington, DC 20423



500 Water Street – J-315  
Jacksonville, FL 32202  
Phone: (904) 359-1247  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

December 22, 2014

National Geodetic Survey  
Mr. Simon Monroe  
NGS.InfoCenter@noaa.gov

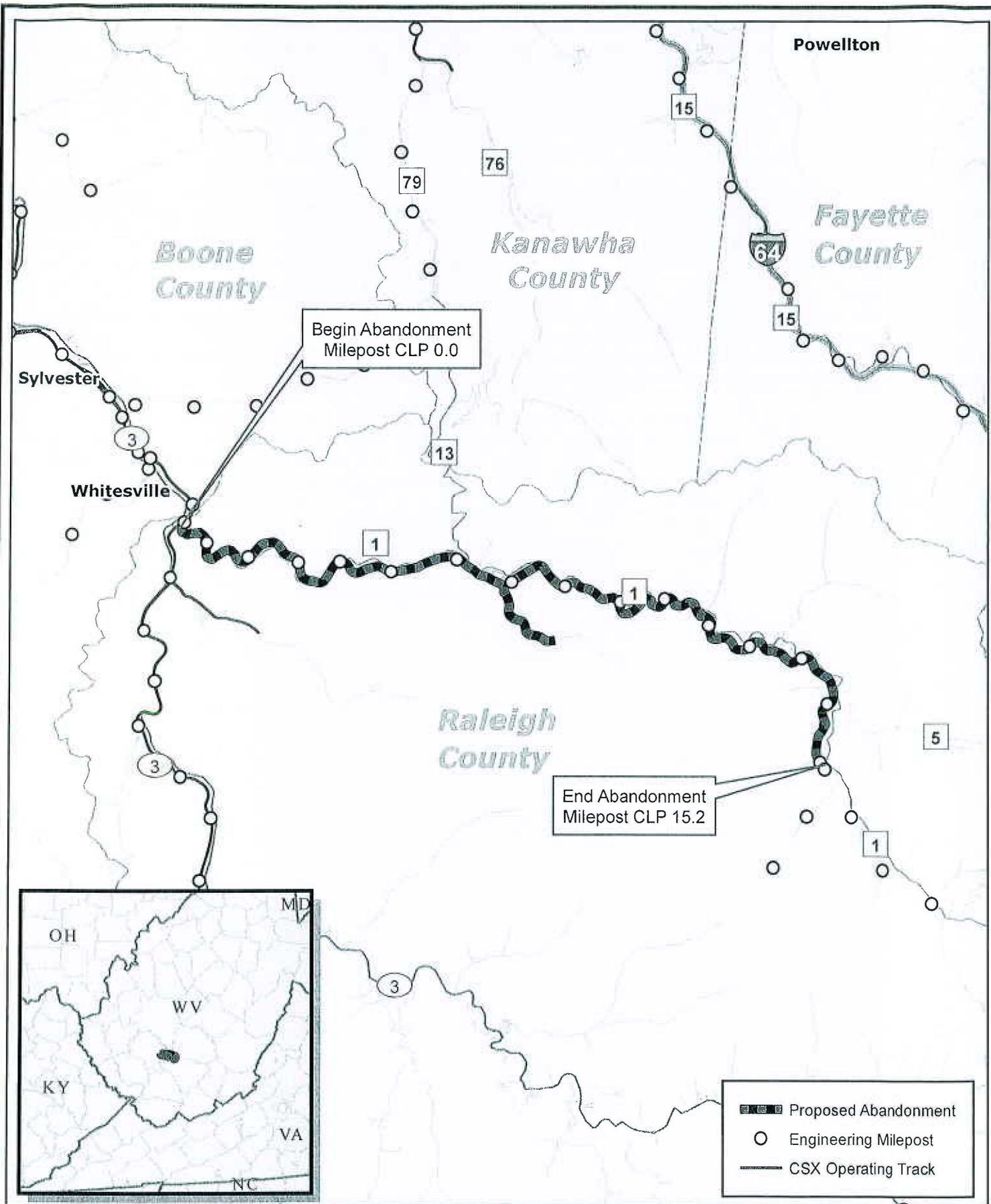
Dear Simon;

Please be advised that CSX Transportation, Inc. (CSXT) is considering to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon service in the Southern Region, Huntington East Division, Big Marsh Fork Subdivision, former Jarrols Valley Subdivision from Railroad Milepost CLP 0.0 to CLP 15.12. The distance is approximately 15.12 miles near Whitesville, Raleigh County, West Virginia as depicted on the attached map. STB Docket number AB 55 (Sub-No. 741X).

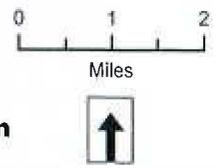
The approximate 15.12 mile line segment was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. There has been no traffic on the line for over 21 years. Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the line under a Notice of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the line to salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor. Please advise if there are any geodetic markers which could be affected by the proposed transaction.

Sincerely,

Jo Ann Burroughs  
Enclosures (2)



**CSX Transportation, Inc.**  
**Proposed Abandonment Southern Region**  
**Milepost CLP 0.0 - CLP 15.12 (15.12 Miles Total)**  
**STB Docket No. AB55 (Sub No. 741X)**  
**Huntington East Division - Former Jarrolds Valley Subdivision**  
**Whitesville, Raleigh County, West Virginia**



CSXT Abandonment External Distribution List  
Jarrolds Valley  
Raleigh County, West Virginia

Review and Compliance Staff  
State Historic Preservation Office  
WV Division of Culture and History  
1900 Kanawha Blvd East  
Charleston, WV 25305

West Virginia Department of Transportation  
State Rail Authority  
Ms. Cindy Butler  
120 Water Plant Drive  
Moorefield, WV 26836

U.S. Department of Agriculture  
Natural Resources Conservation Service  
465 Ragland Road  
Beckley, WV 25801

U.S. EPA  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103

U.S. Army Corps of Engineers  
Huntington District  
502 8th Street  
Huntington, WV 25701-2070

National Park Service-Northeast Region  
U.S. Custom House  
200 Chestnut Street, Fifth Floor  
Philadelphia, PA 19106

U.S. Fish & Wildlife Service  
Northeast Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035-9589

Office of the Governor-Earl Ray Tomblin  
State Capitol  
1900 Kanawha Blvd, East  
Charleston, West Virginia 25305

National Geodetic Survey  
[Simon.Monroe@noaa.gov](mailto:Simon.Monroe@noaa.gov)

Raleigh County Commission  
116 1/2 Heber Street  
Beckley, WV 25801

West Virginia Department of Environmental Protection  
Division of Water and Waste Management  
601 57th Street  
Charleston, WV 25304

## Burroughs, JoAnn

---

**From:** Simon Monroe <simon.monroe@noaa.gov>  
**Sent:** Wednesday, February 11, 2015 3:35 PM  
**To:** Burroughs, JoAnn  
**Cc:** Surface Transportation Board; Lucy Hall; simon Monroe  
**Subject:** NGS Response, STB Docket AB-55 (SUB NO. 741X)

Thank you for sharing your railroad abandonment environmental report for  
WHITESVILLE, Raleigh County, WEST VIRGINIA.

Approximately 00 geodetic survey marks may be located in the area described. These marks may or may not be disturbed.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall  
consult with the National Geodetic Survey (NGS) at least 90 days prior to  
beginning salvage activities that will disturb, or destroy any geodetic station  
marks are described on the attached file. Additional advice is provided at  
<http://geodesy.noaa.gov/marks/railroads/>

|---|---|  
-|-----|-----|---|-----

No Stations Found.

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# HISTORIC REPORT

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**CSX TRANSPORTATION, INC.  
Whitesville, Raleigh County, West Virginia  
DOCKET AB-55 (SUB-NO. 741X)**

**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.

CSXT proposes to abandon approximately 15.12 miles of its rail line between from Railroad Milepost CLP 0.0 (near Whitesville) to Railroad Milepost CLP 15.12, also known as the Jarrold Valley Subdivision in Raleigh County, West Virginia. A map which delineates the proposed project is attached. (See Attachment 1)

The above referenced 15.12-mile line (Line) has not generated any originating or terminating traffic in over 21 years. This Line was previously abandoned in 2005, but that STB filing was never officially consummated and the abandonment lapsed. The previous filing numbers were as follows:

**RE: STB Docket AB-55 (Sub-No. 661X)**

**FR# 05-1223-RG-3**

Attached is the Historic report from 2005. (See Attachment 2) The Section 106 was mitigated and a decision of "No further consultation is necessary" was issued on June 22, 2007. (See Attachment 3)

As further information, this Line received Surface Transportation Board approval for a Discontinuance of Service on July 19, 2002 under STB Docket AB-55 (Sub-No. 640X). Extensive rehabilitation expenditures would be required before service on the line could be reinstated. There are dormant coal reserves in the area. Several groups have expressed interest in acquiring the Line under a Notice

of Interim Trail Use and Rail Banking (NITU) with the Surface Transportation Board. An NITU will allow for the track, ties and signal equipment to be salvaged or sold while also rail banking the right-of-way for future reconstruction and reactivation of rail service should the coal reserves in the vicinity become active. Trail-related structures, such as bridges, trestles, culverts and tunnels will not be salvaged. The purpose of the proposed action is to abandon our common carrier obligation, establish an NITU, reduce our liability and preserve the corridor.

Abandonment of this Line will result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Finally, the operations and maintenance of this Line will cease.

The only alternative would be not to abandon and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

**1105.8(d)**

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached is a copy of the U.S. Geological Survey of the Whitesville, Dorothy and Pax, WV quadrangle topographic map prepared by the CSX Properties Group.

The line to be abandoned has been identified by a heavy red line with black dashes. (See Attachment 4)

There are Seven (7) CSXT-owned structures on the Line. The previous Historical Report claimed there were Eight (8) structures, which was an error. There are Four (4) bridges that are 50 years old or older that may be eligible for listing in the National Register that are part of the proposed action. Black and white photographs of two bridges on archival paper and a compact disk of photographs were submitted to the West Virginia Department of Culture & History under FR# 05-1223-RG-2. Those two are bridges located at Milepost CLP 2.50 also known as Bridge 25, and Milepost CLP 3.30 also known as

Bridge 33. The other two (2) structures that are 50 years old are located at Milepost CLP 7.00 also known as Bridge 70 and CLP 8.30 also known as Bridge 312. Current digital photos taken January 6, 2015 of all the bridges on the line to be abandoned have been attached for your review. (See Attachment 5)

CSXT does not consider timber trestle bridges as "historic" since it is CSXT's required maintenance practice to repair timber trestle bridges on an "ongoing and as needed" basis. Repair and/or maintenance records are not retained due to the unique safety requirements that timber trestle bridges retain. Therefore, the historic qualities of such bridges are continually being changed due to safety and operational requirements.

**(2) A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way widths along this right of way vary between 20 and 120 feet from the center-line of track. The rail line traverses many small communities, rivers and streams. It closely parallels the Clear Fork Creek and is located in a mountainous, forested area that contains several strip mines and mine dumps.

**(3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

Black and White Photographs of the Bridge Numbers 25 and 33 have been printed on 75-year archival paper and are located under FR# 05-1223-RG-2. Colored copies, on CD, are also on the site of the West Virginia Department of Culture & History.

**(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Bridge Number 25 is located at Railroad Milepost CLP 2.50 and is a 34-foot deck plate girder constructed in 1905.

Bridge Number 33 is located at Railroad Milepost CLP 3.30 is a 136-foot deck plate girder constructed in 1905.

Bridge Number 48 is located at Railroad Milepost CLP 4.80 is a 14-foot timber open deck, timber framed bridge constructed in 1940.

Bridge Number 70 is located at Railroad Milepost CLP 7.00 is a 126.8 foot Timber open deck steel bridge constructed in 1970.

Bridge Number 312 located at Railroad Milepost CLP 8.30 is a 112-foot timber open deck timber framed bridge built in 1927. Bridge plans from 7/17/1950 are attached with hand written notes on the "Est. to rebuild in kind or Est. to rebuild with steel beam spans on pile towers". (See CD Attachment 6)

Bridge Number 84 located at Railroad Milepost CLP 8.40 is a 184.1 foot timber open deck steel framed bridge built in 1970. The Bridge Plans also call this Bridge #314 over the Clear Fork Creek dated 8/23/68, revised 5/19/1969. (See CD Attachment 6)

Bridge Number 137 located at Railroad Milepost CLP 13.70 is a 90.3-foot timber open deck steel framed bridge built in 1969. The Bridge Plans also call this Bridge #367 over Wolf Pen Creek dated 8/28/68, revised 5/19/1969. (See CD Attachment 6)

The structures have been modified as necessary throughout its existence to maintain safe railroad operation and perform routine maintenance.

**(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

This line was acquired and operated between 1902 and 1970 by the Chesapeake & Ohio Railway (C&O, which was incorporated under the general laws of Virginia and West Virginia on July 1, 1878. The C&O Railway traces its origin to the Louisa Railroad of Louisa County, Virginia, begun in 1836, and the James River & Kanawha Canal Company, also begun in Virginia in 1785.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie System Railroads was adopted as the new corporate identity for the C&O, B&O and WM Railroads. On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on

September 2, 1987.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

- (6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:**

The only Bridge Plans in our possession are for CSXT Milepost CLP 8.30, CLP 8.4 and CLP 13.70. (See CD Attachment 6)

- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

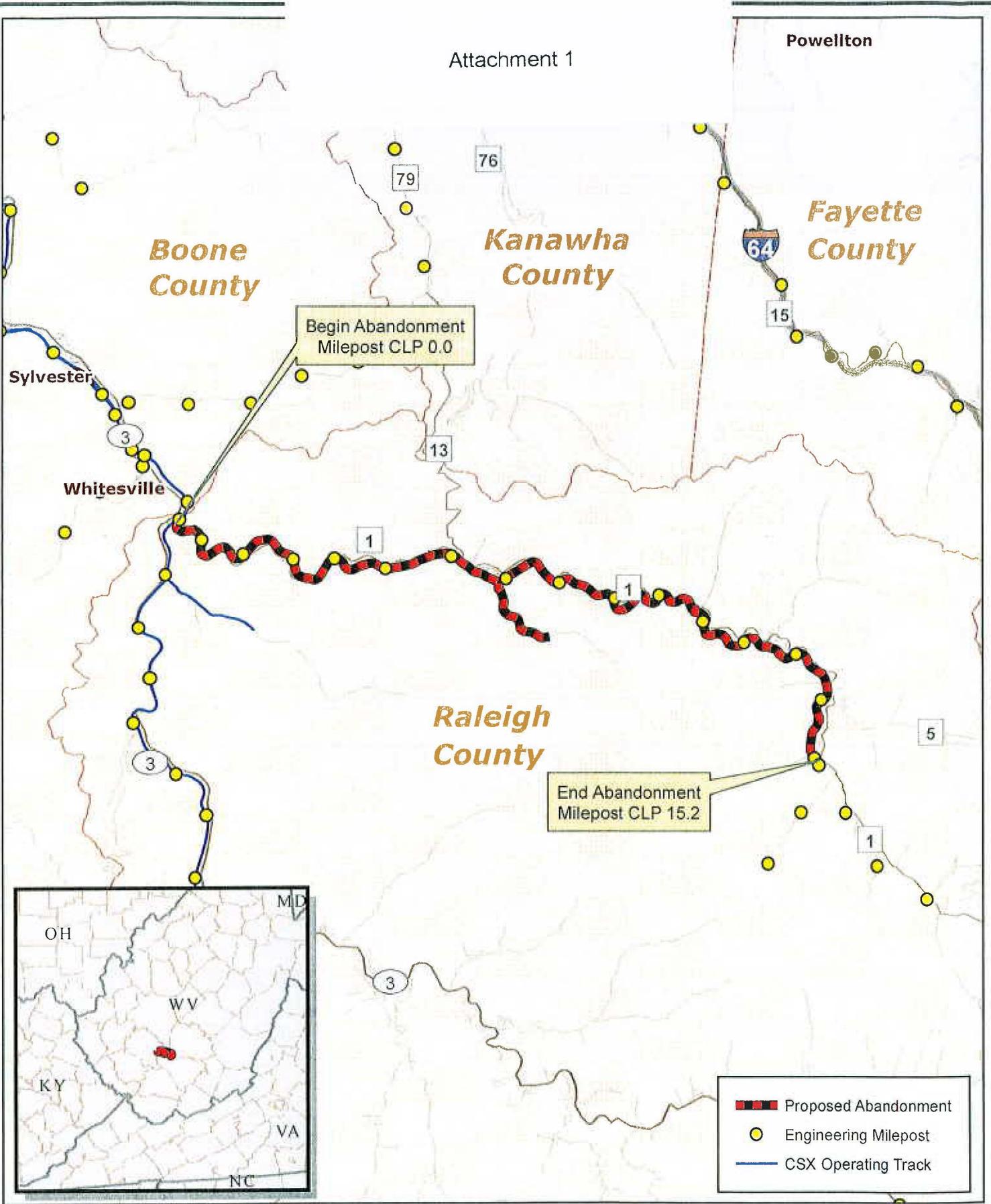
A review of our records indicates there are Four (4) CSXT-owned structures over 50 years old on this line segment that may be eligible for listing in the National Register. Trail-related structures, such as bridges, trestles, culverts and tunnels will not be salvaged.

We do not know of any significance or uniqueness to this structure that would warrant your consideration, since to our knowledge, it is not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.



Begin Abandonment  
Milepost CLP 0.0

End Abandonment  
Milepost CLP 15.2

-  Proposed Abandonment
-  Engineering Milepost
-  CSX Operating Track



**CSX Transportation, Inc.**  
**Proposed Abandonment Southern Region**  
**Milepost CLP 0.0 - CLP 15.12 (15.12 Miles Total)**  
**STB Docket No. AB55 (Sub No. 741X)**  
**Huntington East Division - Former Jarrolds Valley Subdivision**  
**Whitesville, Raleigh County, West Virginia**





Attachment 2

500 Water Street - J200  
Jacksonville, FL 32202  
Tel. (904) 359-1086  
Fax (904) 359-1111  
E-Mail: Dave\_Geraci@CSX.com

Dave Geraci  
Manager - Network Rationalization

FILE

July 29, 2005

Ms. Susan M. Pierce  
Deputy State Historic Preservation Officer  
for Resource Protection  
Department of Culture & History  
The Cultural Center  
Capitol Complex  
Charleston, WV 25305

RE: WV 141 - CSXT Proposed Abandonment - Southern Region, Huntington Division East, Jarrolds Valley Subdivision, from Jarrolds Valley Junction (Milepost CLP 0.0) to the end of track, near Clear Creek (Milepost CLP 15.12), a distance of 15.12 miles in Raleigh County, West Virginia. Docket No. AB-55 (Sub-No. 661X)

Dear Ms. Pierce:

Please be advised that CSX Transportation, Inc., anticipates filing an abandonment for a 15.12 mile portion of its rail line between Jarrolds Valley Junction and end of track near Clear Creek, Raleigh County, West Virginia, as shown in the attached historic report.

CSXT is filing this abandonment for purposes of downgrading the track so that the line segment can be sold post-abandonment to a coal customer for future rail use.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

Considering that no track material will be disturbed, I would appreciate receiving your letter confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:  
Surface Transportation Board  
Section of Environmental Analysis  
1925 K Street NW - Suite 534  
Washington, DC 20423-0001

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# HISTORIC REPORT

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## CSX TRANSPORTATION, INC.

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### JARROLD'S VALLEY JUNCTION TO END OF TRACK (NEAR CLEAR CREEK), RALEIGH COUNTY, WEST VIRGINIA

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#### DOCKET AB-55 (SUB-NO. 661X)

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#### 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.

CSX Transportation (CSXT) proposes to abandon 15.12 miles of trackage that is currently not in use. The proposed project is located between Jarrold's Valley Junction (Railroad Milepost CLP 0.0) and the end of track near Clear Creek (Railroad Milepost CLP 15.12), Raleigh County, West Virginia, herein after referred to as "the line." The line has not generated any originating or terminating traffic in over twelve years, however the principal commodity previously transported over the line was coal.

As further information, this line segment received Surface Transportation Board approval for a discontinuance of service on July 19, 2002 under docket number AB 55 Sub No. 640X and has not been used since that time.

It is CSXT's intention to negotiate this line segment as a post-abandonment lease or sale to a coal customer for their future rail use. Formal abandonment of this line segment is for purposes of downgrading the track infrastructure.

The only alternative would be not to abandon and downgrade the track, therefore CSXT retaining liability of a track not in use and to pass the opportunity costs of retaining the line to all other CSXT customers. This would not be a prudent utilization of carrier resources.

Two maps, which delineate the proposed project, are attached. (See Attachments 1 and 2.)

**1105.8(d)**

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.**

Attached are copies of the Whitesville, Dorothy and Pax, WV, Quadrangle Topographic Maps prepared by the U. S. Department of Interior Geological Survey, which have been marked to show the project area. There are 8 CSXT-owned structures on the line and their locations have been depicted on the topographic maps. (See Attachments 3, 4, 5, 6 and 7.)

- (2) A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristic of the surrounding area:**

The right of way widths along this line vary between 20 and 120 feet from the center-line of track. The rail line traverses many small communities, rivers and streams. It closely parallels the Clear Fork River and is located in a mountainous, forested area that contains several strip mines and mine dumps.

- (3) Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area:**

There are 3 CSXT-owned structures that are 50 years old or older on the line. Since this line segment and infrastructure will not be disturbed or removed, photographs and construction information on the structures can be requested and forwarded upon request.

**(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known:**

Bridge No. 2 located at milepost CLP .20 is a 34-foot deck plate girder constructed in 1905.

Bridge No. 25 located at milepost CLP 2.50 is a 34-foot deck plate girder constructed in 1905.

Bridge No. 33 located at milepost CLP 3.30 is a 136-foot deck plate girder constructed in 1905.

**(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action:**

This property was acquired and operated between 1902 and 1970 by the Chesapeake & Ohio Railway (C&O), which was incorporated under the general laws of Virginia and West Virginia on July 1, 1878. The C&O Railway traces its origin to the Louisa Railroad of Louisa County, Virginia, begun in 1836, and the James River & Kanawha Canal Company, also begun in Virginia in 1785.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie System Railroads was adopted as the new corporate identity for the C&O, B&O and WM Railroads. On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

Applicant only intends to discontinue service over the line. It does not intend to abandon the line, but rather it intends to leave the line in place.

**(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic:**

Not Applicable.

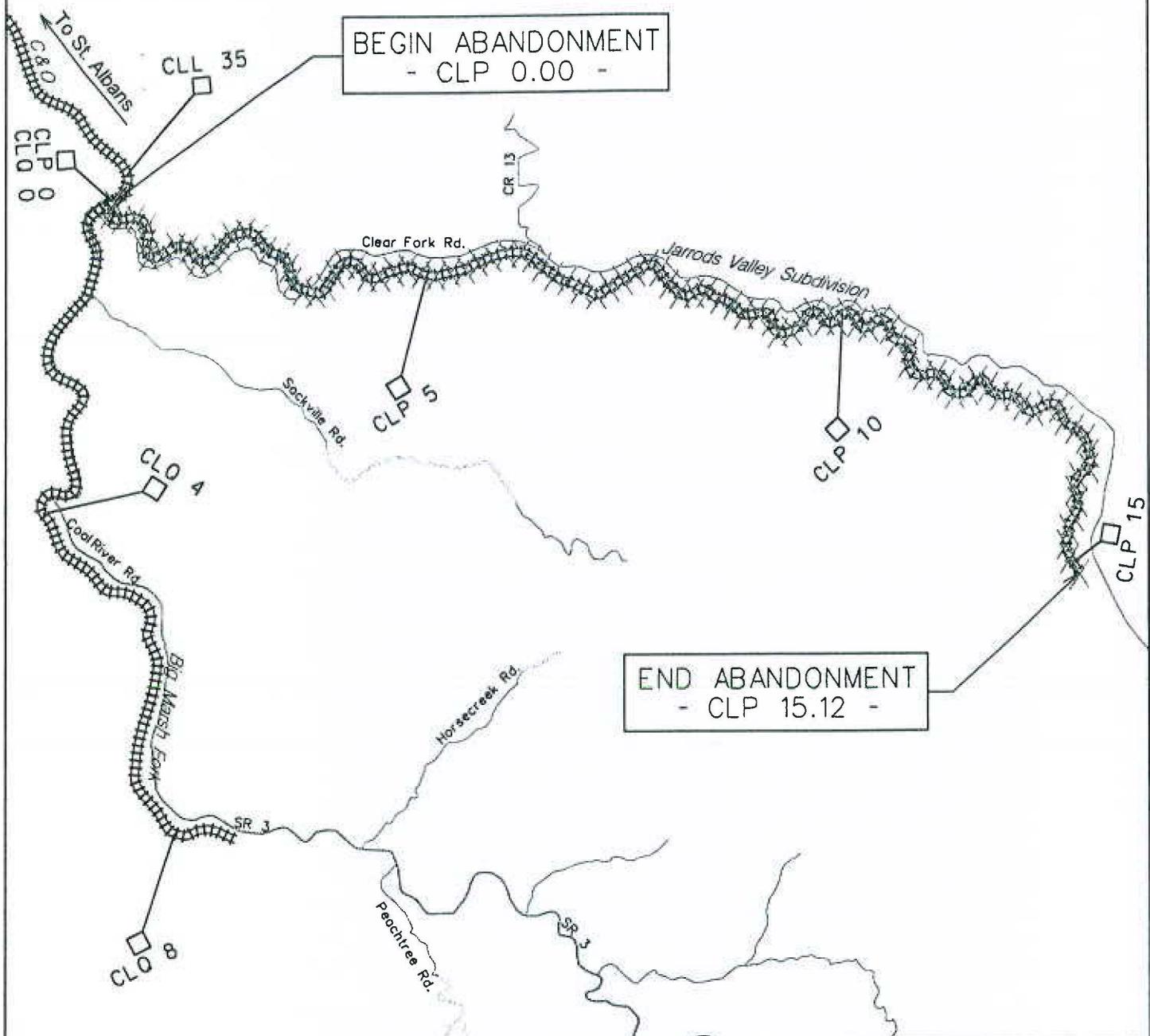
- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities):**

A review of our records indicates there are three CSXT-owned structures over 50 years old on this line segment. We do not know of any significance or uniqueness to these sites and/or structures that would warrant your consideration, since to our knowledge, they are not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction and do not represent a significant and distinguishable entity whose components may lack individual distinction and have not or may not be likely to yield information important in prehistory or history.

We do not know of any archeological resources or any other previously unknown historic properties in the project area.

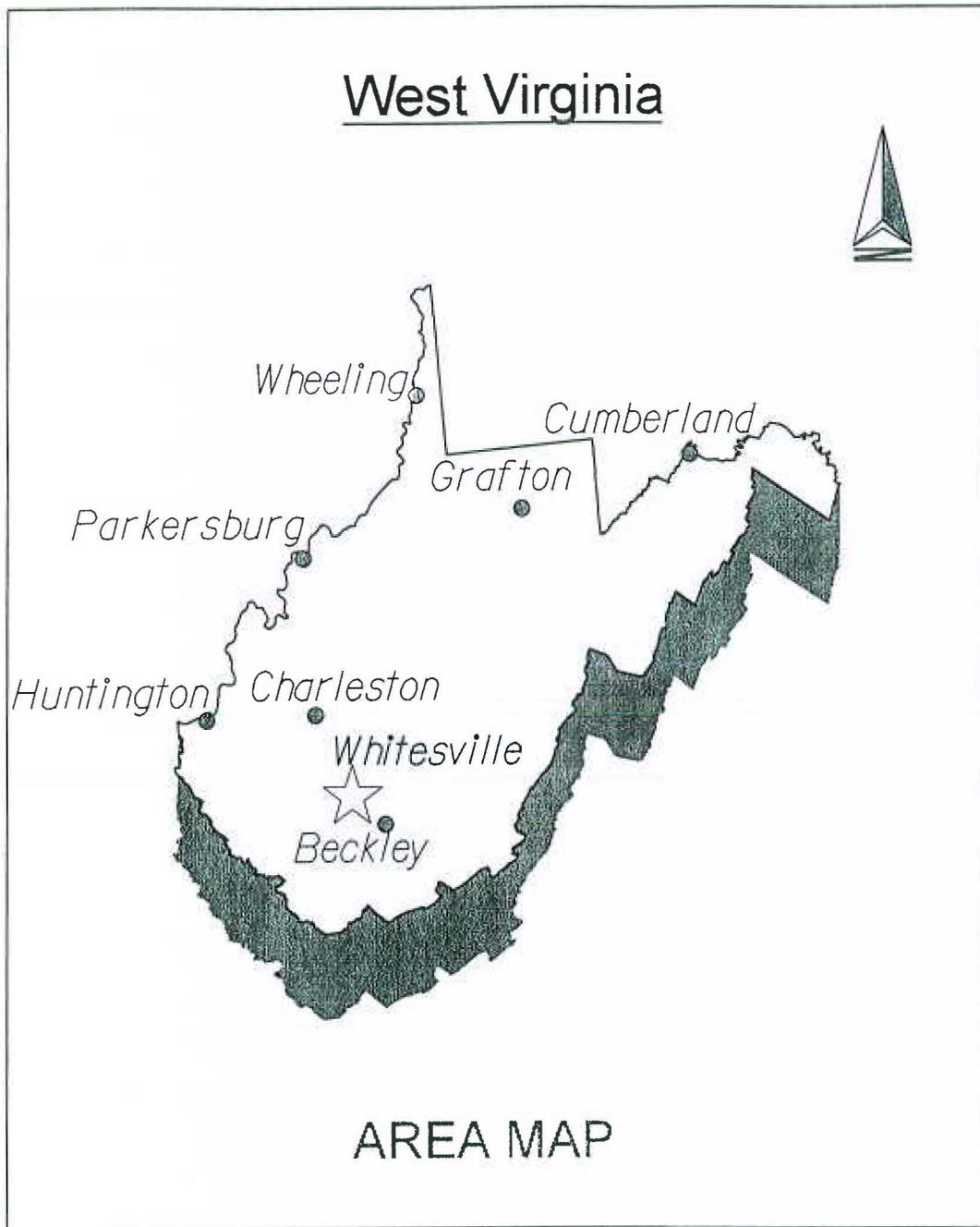
- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.**

The line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time, not during salvage operations. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.



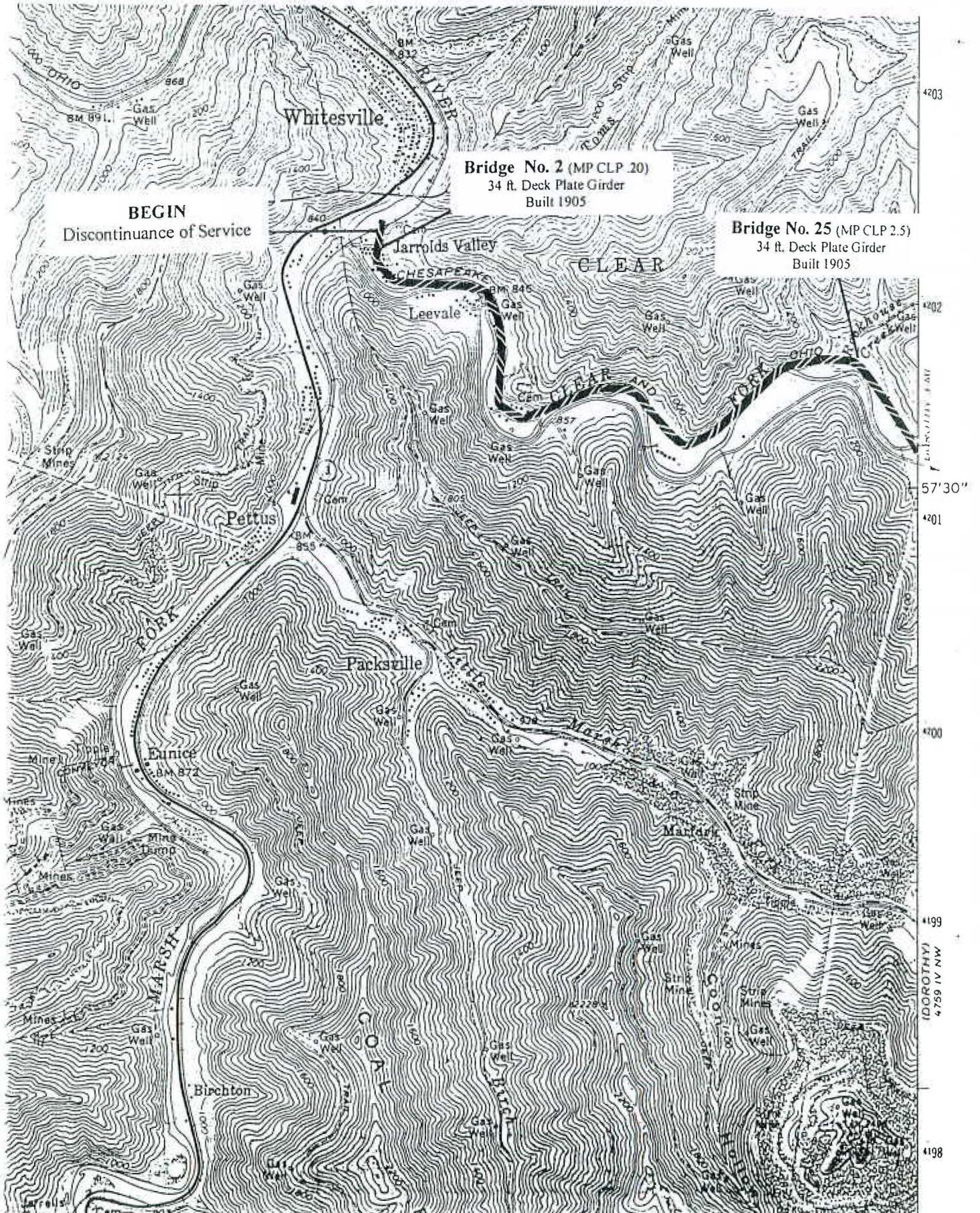
<b>LEGEND</b>
PROPOSED ABANDONMENT  Total Distance = 15.12 Miles +/-
SOUTHERN REGION HUNTINGTON EAST DIVISION JARRODS VALLEY SUBDIVISION STB Docket No. AB55 (Sub. No. 661X)

<b>CSX TRANSPORTATION</b>	
Proposed Abandonment CLP 0.0 - CLP 15.12 = 15.12 Miles +/-	
City: Whitesville County: Raleigh State: West Virginia Fips: 54081 Pin: N/A	VAL: V11L/7 - 10.3 GIS: 13766 - 13774 Scale: 1" = 1.5 Miles Date: 7/8/05 Drawn By: LF



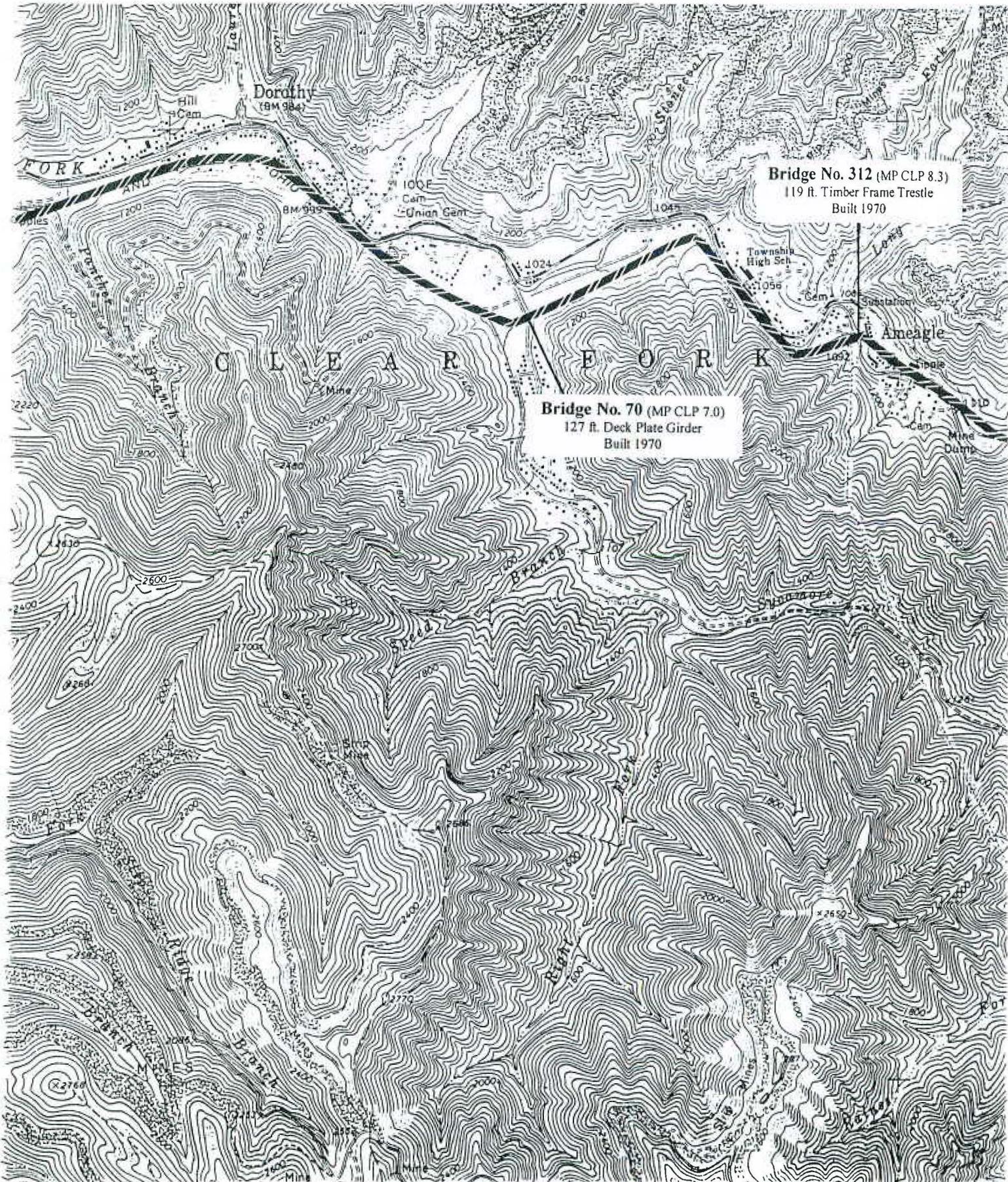
Proposed Abandonment of 15.12 Miles +/-  
STB Docket No. AB 55 - Sub. No. 661X  
Raleigh County, West Virginia

Attachment 3

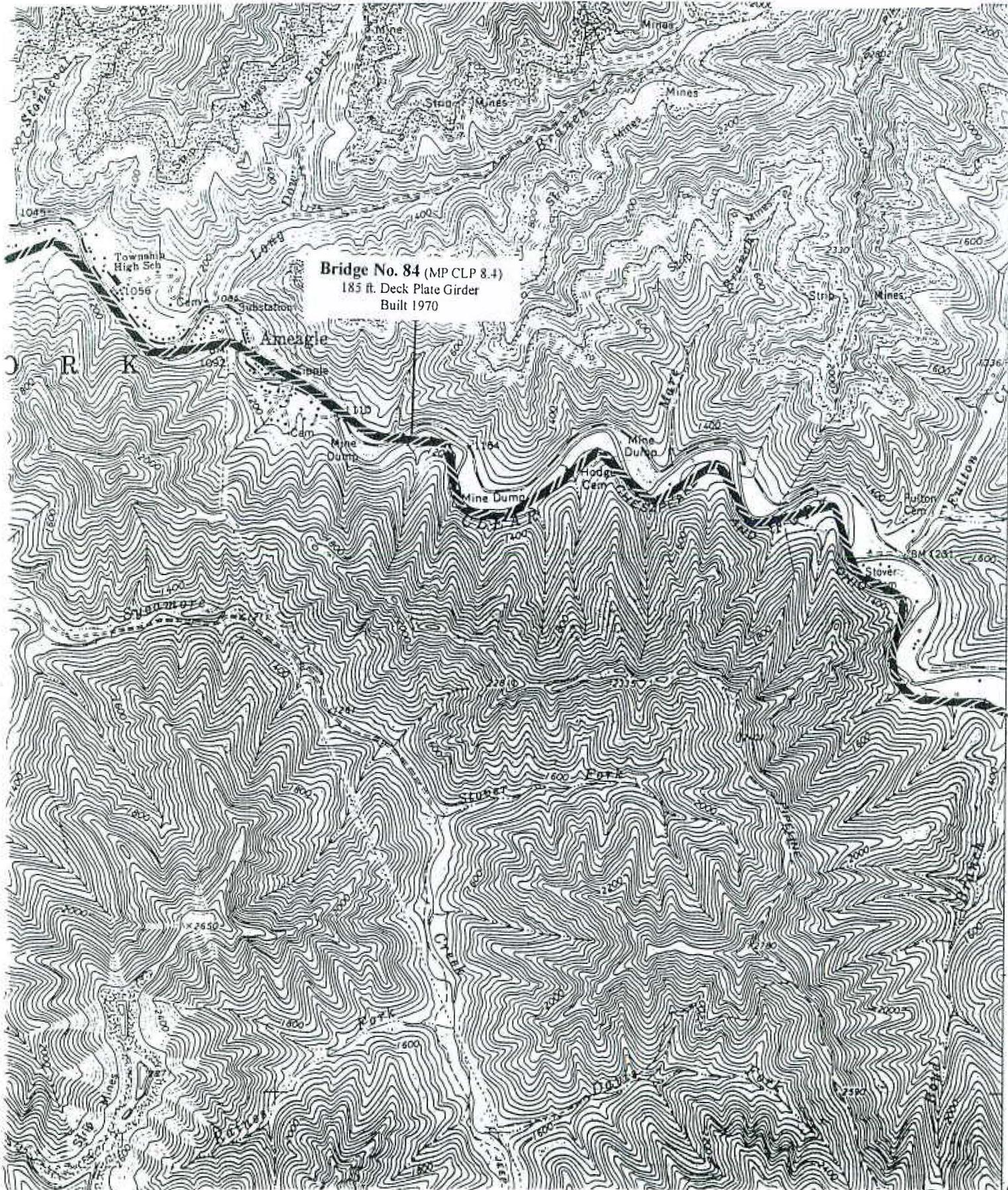




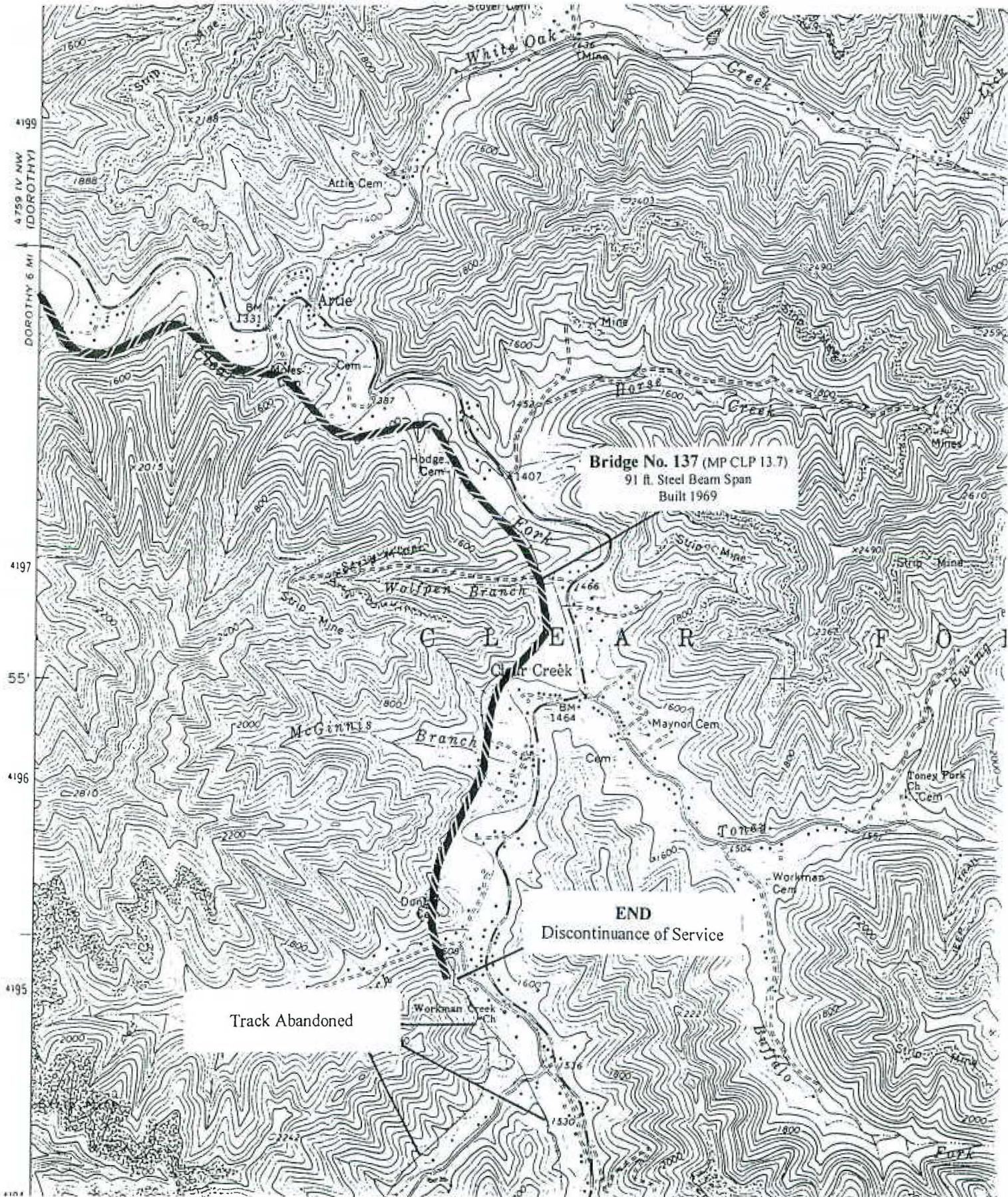
Attachment 5



Attachment 6



Attachment 7



Attachment 3

June 22, 2007

Mr. Dave Geraci  
CSX Transportation Inc.  
500 Water Street - J200  
Jacksonville, FL 32202

RE: Docket AB-55 (Sub No. 661X)  
FR#: 05-1223-RG-3

Dear Mr. Geraci:

We have reviewed the information for the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Thank you for bringing to our attention the administrative error concerning the bridge structure at milepost CLP 0.20. This completes the information requested in our letters dated August 26, 2005 and April 24, 2007, has been provided. Based on this information it is our opinion that the abandonment will have No Adverse Effect to the CSX Transportation rail-line between Jarrolds Valley Junction and end of track near Clear Creek in Raleigh County which is eligible for listing in the National Register of Historic Places. No further consultation is necessary.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Ginger Williford, Structural Historian, in the Historic Preservation Office at (304) 558-0240.*

Sincerely,



Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP/GW



WEST VIRGINIA  
DIVISION OF  
CULTURE & HISTORY

The Cultural Center  
1900 Kanawha Blvd., E.  
Charleston, WV  
25305-0300

Phone 304.558.0220  
Fax 304.558.2779  
TDD 304.558.3562  
www.wvculture.org

EEO/AA Employer

38218  
DO

SERVICE DATE -- JULY 27, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 661X)

CSX TRANSPORTATION, INC.--ABANDONMENT EXEMPTION--  
IN RALEIGH COUNTY, WV

Decided: July 26, 2007

CSX Transportation, Inc. (CSXT), filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 15.12-mile line of railroad on its Southern Region, Huntington Division East, Jarrolds Valley Subdivision, between Jarrolds Valley Junction, milepost CLP 0.0, and Clear Creek, milepost CLP 15.12, at the end of the track in Raleigh County, WV. Notice of the exemption was served and published in the Federal Register on September 22, 2005 (70 FR 55660-61). The exemption became effective on October 22, 2005.

By decision served on October 21, 2005 (October 2005 decision), the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the conditions that, prior to any salvage of the line, CSXT shall: (1) consult with the U.S. Army Corps of Engineers (Corps) to determine whether any need exists for a permit under section 404 of the Clean Water Act, 33 U.S.C. 1342 (Condition 1); and (2) reinstate the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, and retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are eligible for listing or are listed in the National Register of Historic Places until completion of the section 106 process, and consult with the West Virginia State Historical Preservation Office (SHPO), SEA and interested Federally recognized tribes regarding any adverse effects to historic properties.

On June 7, 2007, CSXT submitted to SEA copies of materials requested by and sent to the SHPO. In a letter dated June 22, 2007, the SHPO informed CSXT that the proposed abandonment would have no adverse effect to the CSXT rail line between Jarrolds Valley Junction and the end of the track near Clear Creek in Raleigh County. Therefore, SEA recommends that the section 106 historic preservation condition be removed.

Accordingly, the proceeding will be reopened and the previously imposed historic preservation condition will be removed.

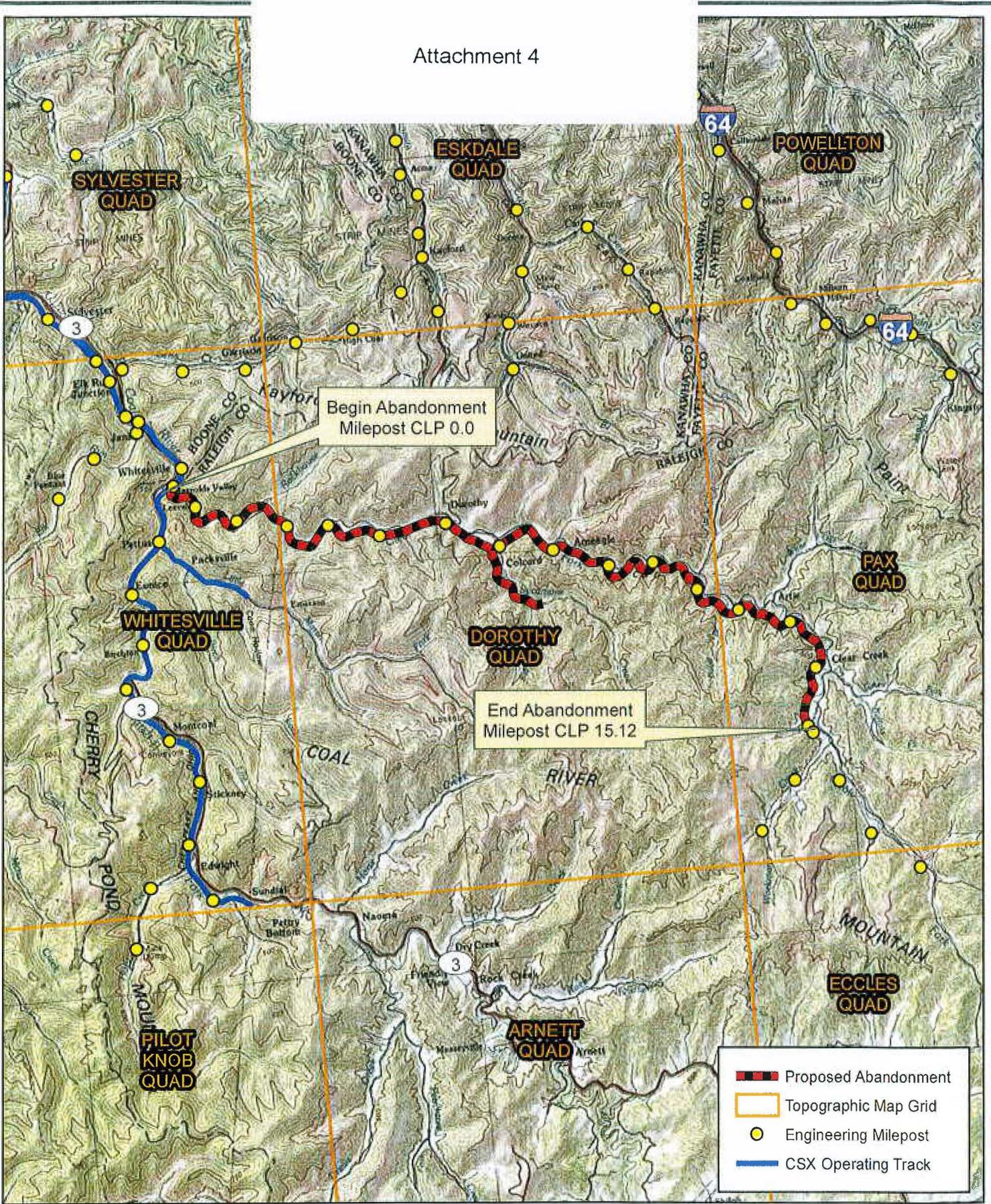
This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

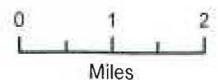
1. This proceeding is reopened.
2. Upon reconsideration, the historic preservation condition imposed in the October 2005 decision is removed. Condition 1, imposed in the October 2005 decision, remains in effect.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary



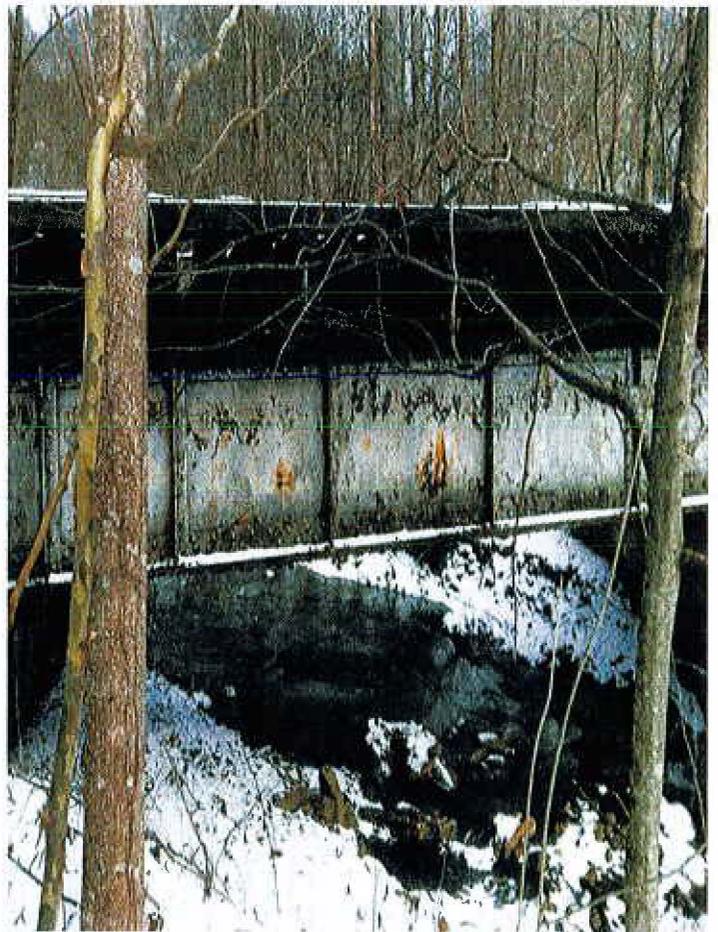
**CSX Transportation, Inc.**  
**Proposed Abandonment Southern Region**  
**Milepost CLP 0.0 - CLP 15.12 (15.12 Miles Total)**  
**STB Docket No. AB55 (Sub No. 741X)**  
**Huntington East Division - Former Jarrolds Valley Subdivision**  
**Whitesville, Raleigh County, West Virginia**



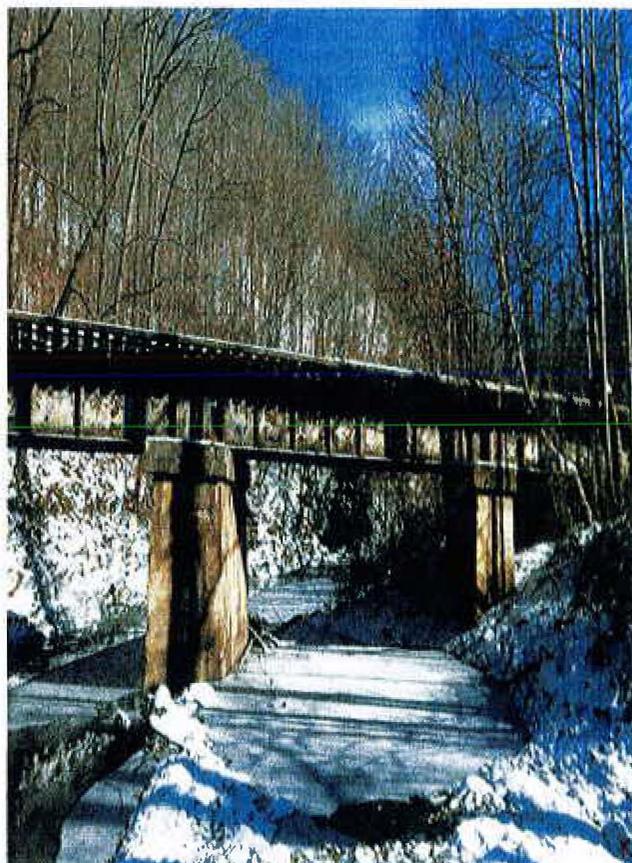
Miles



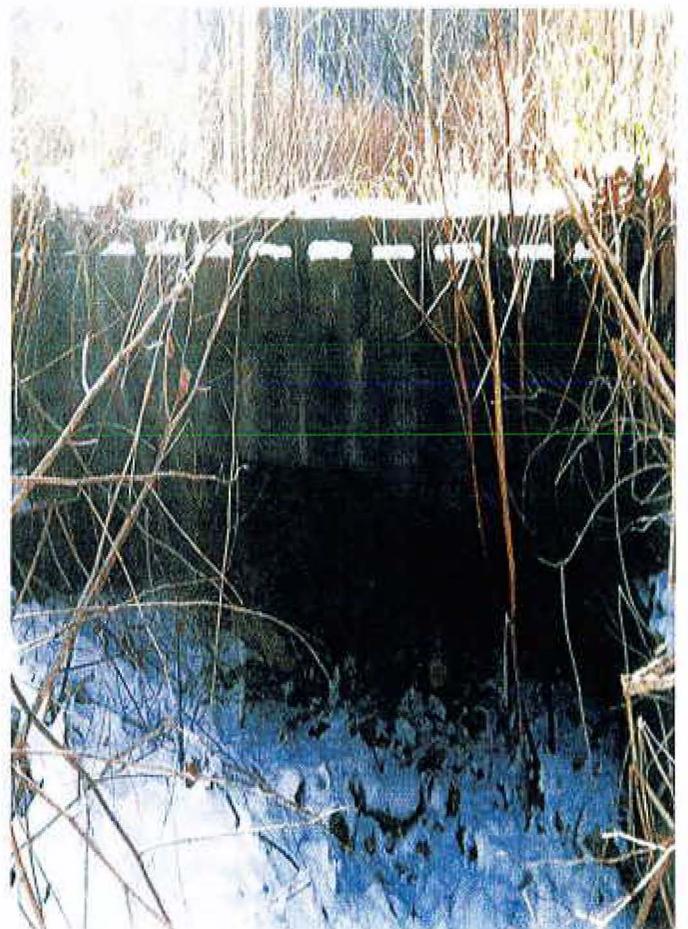
# CLP 2.50



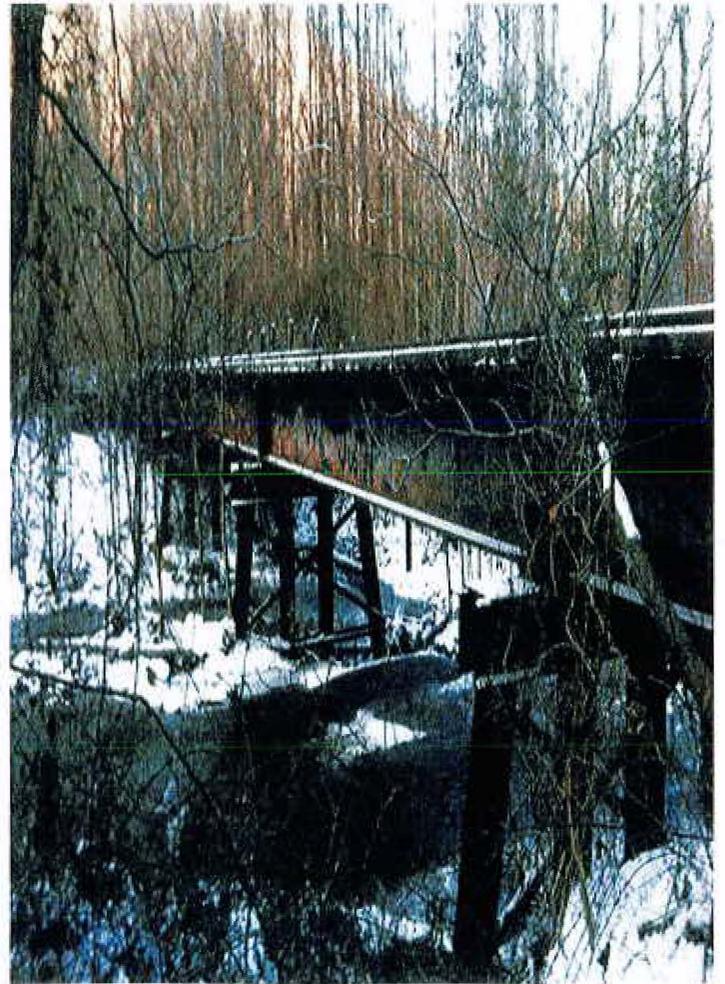
# CLP 3.30



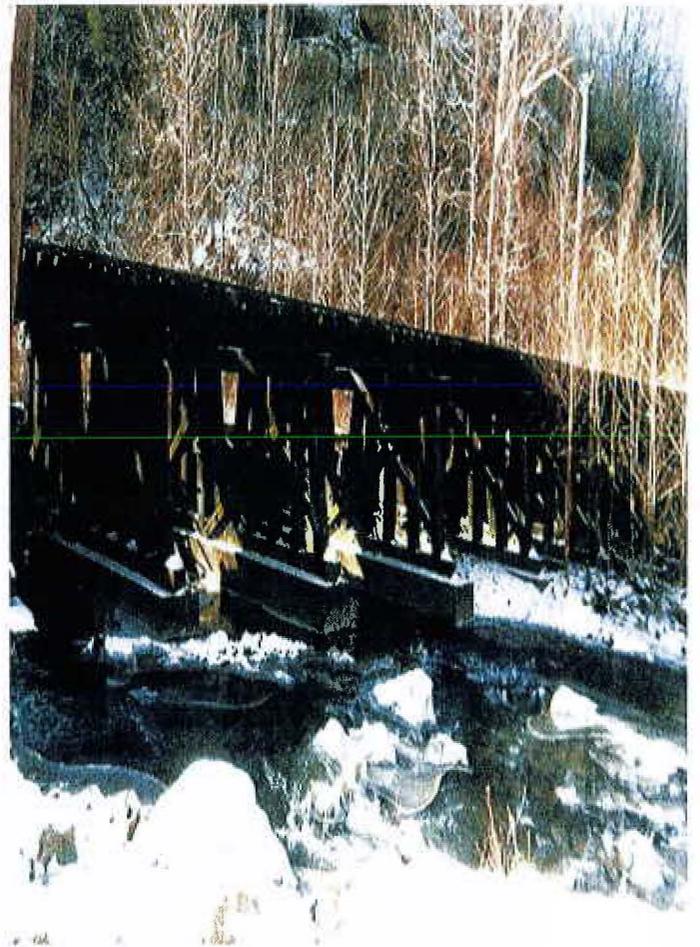
# CLP 4.80



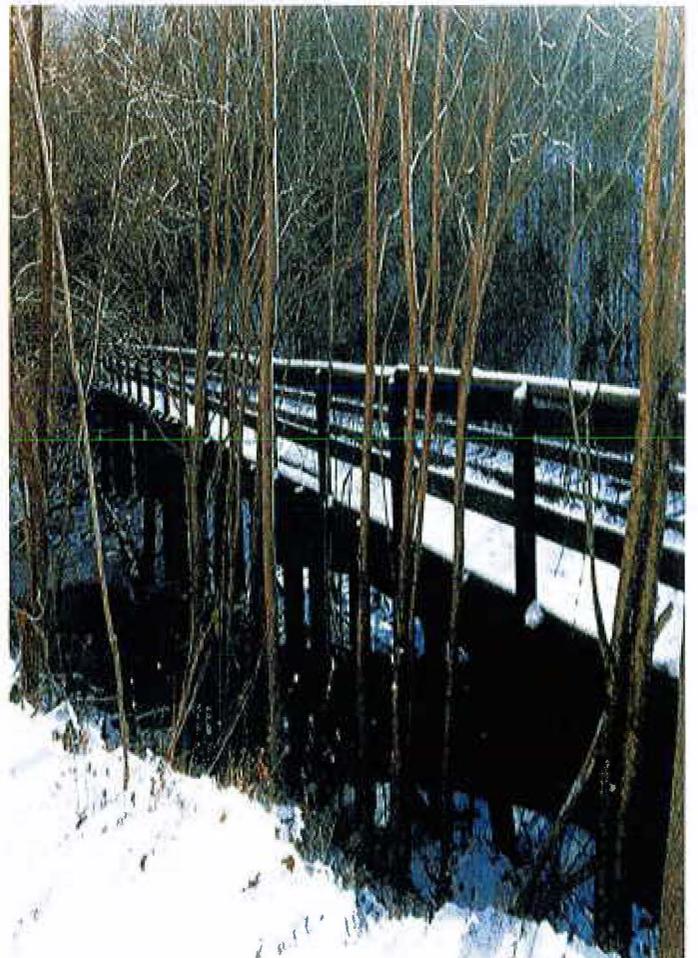
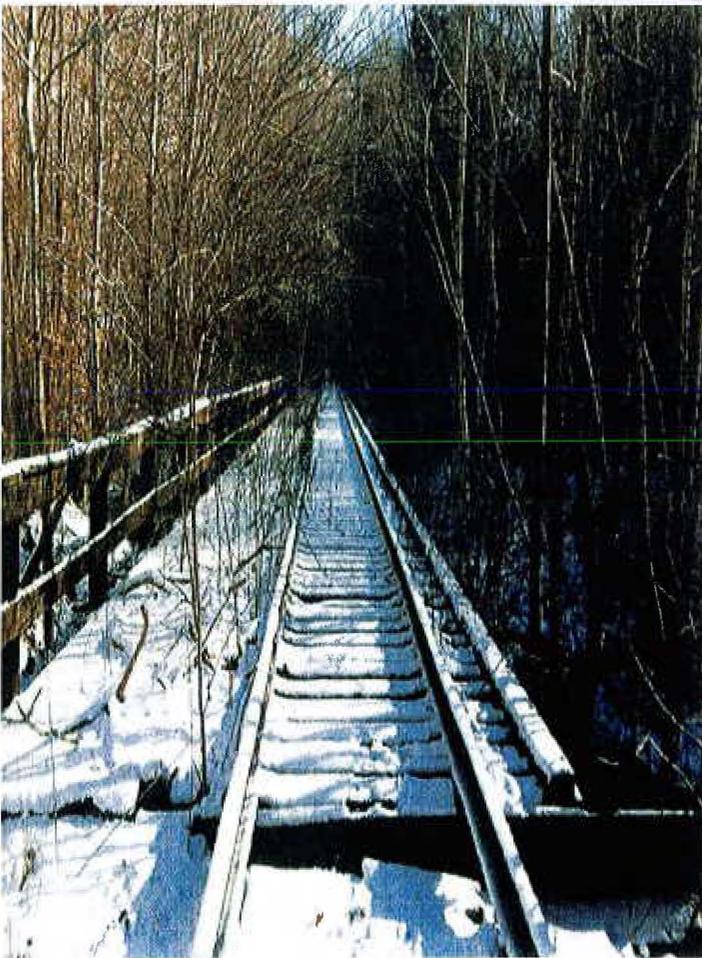
# CLP 7.00



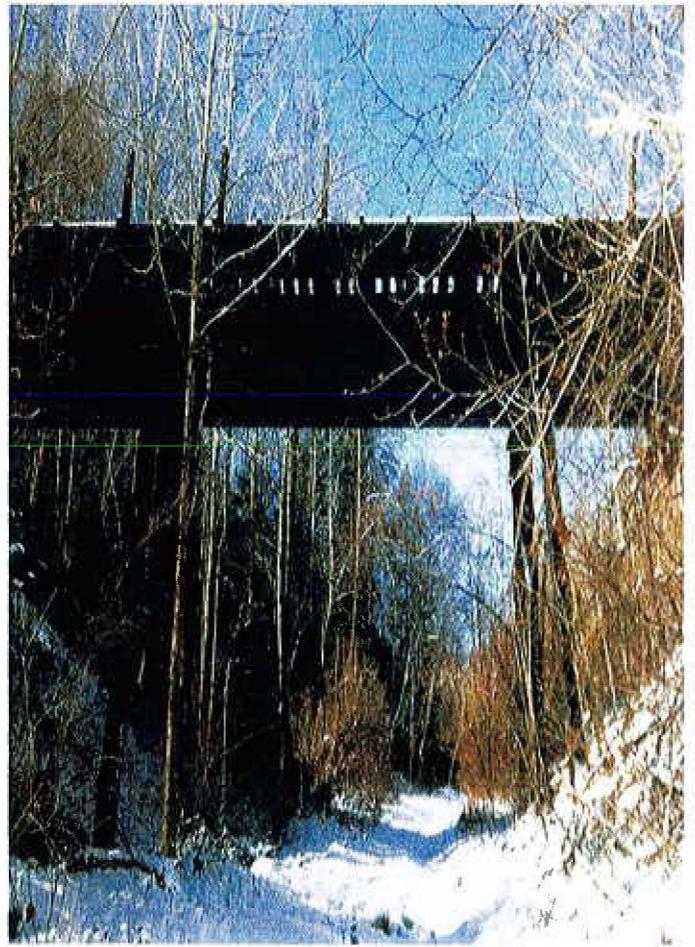
# CLP 8.30



# CLP 8.40



# CLP 13.70





**The Culture Center**  
1900 Kanawha Blvd., E.  
Charleston, WV 25305-0300

**Randall Reid-Smith, Commissioner**

Phone 304.558.0220 • [www.wvculture.org](http://www.wvculture.org)  
Fax 304.558.2779 • TDD 304.558.3562

EEO/AA Employer

February 9, 2015

Ms. Jo Ann Burroughs  
CSX Transportation Inc.  
500 Water Street - J200  
Jacksonville, Florida 32202

RE: Docket AB-55 (Sub No. 661X)  
FR#: 05-1223-RG-3

Dear Ms. Burroughs

We have reviewed the information for the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

According to submitted information, CSX Transportation proposes to abandon 15.12 miles of railroad. Previously the abandonment was reviewed in 2005-2007, but "never officially consummated and the abandonment lapsed." CSX Transportation would like to bank the rail line under the Notice of Interim Trail and Rail Banking with the Surface Transportation Board. This will allow the rail line to be salvaged or sold while maintaining the right-of-way for future use to coal reserves.

We cannot complete our review at this time. According to our letter of April 24, 2007, we requested Historic Property Inventory (HPI) forms. According to our records we never received these forms to determine eligibility of the rail line and the associated bridges, tunnels, and other structures. Please complete HPI forms for the resources on this property. The HPI form can be accessed on-line at <http://www.wvculture.org/shpo/forms.html>. Instructions for this form can be accessed at <http://www.wvculture.org/shpo/hpifinst.pdf>. Please be sure to indicate the age of construction and details about any changes, additions and/or alterations the resource has experienced. In addition, please forward color streetscape photographs. All structures and the railroad line need a determination of eligibility for the National Register of Historic Places (NRHP) by a qualified professional meeting the *Secretary of the Interior's Standards and Guidelines for Professional Qualifications*. We will provide additional comments upon receipt of the requested information.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Ernest E. Blevins, Structural Historian, Structural Historian, at (304) 558-0240.*

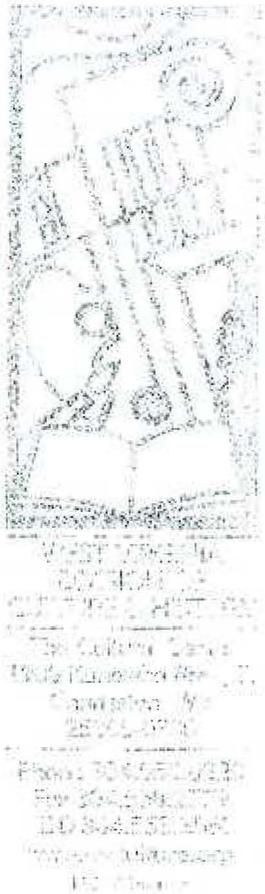
Sincerely,



Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP/EEB

Enclosure



April 24, 2007

Mr. Dave Geraci  
CSX Transportation Inc.  
500 Water Street - J200  
Jacksonville, FL 32202

RE: Docket AB-55 (Sub No. 656X)  
FR#: 05-1223-RG-2

Dear Mr. Geraci:

We have reviewed the additional information for the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

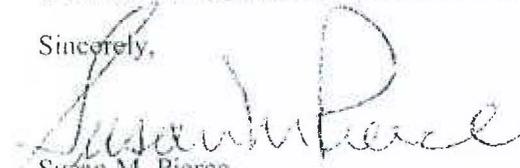
We sincerely apologize for the delay in responding to your letter dated March 2, 2006. From our previous letter dated August 26, 2005 it is our understanding that the rail-line will not be completely abandoned but sold to a coal operator for continued use. The fact that the line will remain in use as intended by its original construction warrants a No Adverse Effect determination. The tracks and identifying features such as bridges will remain in place, thus not detracting from the historic integrity of the rail-line.

In the letter we requested that a Historic Property Inventory (HPI) form for each bridge and tunnel, if any, located along the line proposed for abandonment be completed. Furthermore, please map the rail-line using a standard USGS topographical map indicating UTM coordinates every .004" along the line for accuracy in mapping the rail-line. We look forward to receiving the requested materials. This information will be added to our survey files to facilitate future reviews. We have enclosed a copy of our HPI form and photographic requirements. If you have any questions on completing the HPI form you may access our website at <http://www.wvculture.org/shpo/forms.html/> or contact our office.

In response to your question posed in your letter of March 2, 2006, completion of the HPI forms and photos will be sufficient.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Ginger Williford, Structural Historian, in the Historic Preservation Office at (304) 558-0240.*

Sincerely,

  
Susan M. Pierce  
Deputy State Historic Preservation Officer

SMP/GW

enclosures