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MELANIE B. YASBIN  
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410-296-2225

September 29, 2011

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

RECEIVED  
SEP 29 2011  
MANAGEMENT  
SIS

Re: **Docket No. AB-145 (Sub-No. 1X), Carrollton Railroad-Abandonment  
Exemption-in Carroll County, KY**  
**AB-55 (Sub-No. 715X), CSX Transportation, Inc.—Abandonment  
Exemption—in Carroll County, KY**

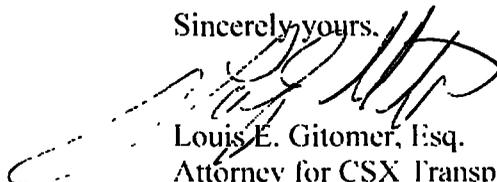
Dear Ms. Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for Carrollton Railroad ("CRR") to abandon and CSX Transportation, Inc. ("CSXT") to discontinue service over an approximately 0.79-mile rail line on CSXT's Northern Region, Louisville Division, LCI Subdivision, between milepost OCR 6.72 and milepost OCR 7.51, at the end of the track in Carrollton, Carroll County, KY. Also enclosed are a check for the filing fee of \$7,200 covering both CRR and CSXT, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it in the enclosed prepaid envelope.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Louis E. Gitomer, Esq.  
Attorney for CSX Transportation, Inc. and  
Carrollton Railroad

Enclosure

**FEE RECEIVED**

SEP 29 2011

**SURFACE  
TRANSPORTATION BOARD**

**ENTERED  
Office of Proceedings**

SEP 29 2011

Part of  
Public Record

BEFORE THE  
SURFACE TRANSPORTATION BOARD

\_\_\_\_\_  
Docket No. AB-145 (Sub-No. 1X)  
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**RECEIVED**  
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MANAGEMENT  
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\_\_\_\_\_  
CARROLLTON RAILROAD—ABANDONMENT EXEMPTION—  
IN CARROLL COUNTY, KY  
\_\_\_\_\_

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Docket No. AB-55 (Sub-No. 715X)  
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CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—  
IN CARROLL COUNTY, KY  
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VERIFIED NOTICE OF EXEMPTION  
\_\_\_\_\_

**FEE RECEIVED**  
SEP 29 2011  
SURFACE  
TRANSPORTATION BOARD

**ENTERED**  
Office of Proceedings  
SEP 29 2011  
Part of  
Public Record

Kathryn Barney, Esq.  
CSX Transportation, Inc.  
500 Water Street  
Jacksonville, FL 32202  
(904) 359-1305

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
Law Offices of Louis E. Gitomer, LLC  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
(410) 296-2250  
Lou@lgraillaw.com

Attorneys for: CARROLLTON RAILROAD  
and CSX TRANSPORTATION, INC.

Dated: September 29, 2011

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-145 (Sub-No. 1X)

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CARROLLTON RAILROAD—ABANDONMENT EXEMPTION—  
IN CARROLL COUNTY, KY

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Docket No. AB-55 (Sub-No. 715X)

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CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—  
IN CARROLL COUNTY, KY

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VERIFIED NOTICE OF EXEMPTION

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Carrollton Railroad (“CRR”) and CSX Transportation, Inc. (“CSXT”) file this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CRR to abandon and for CSXT to discontinue service over an approximately 0.79-mile rail line on CSXT’s Northern Region, Louisville Division, LCL Subdivision, between milepost 0CR 6.72 and milepost 0CR 7.51, at the end of the track in Carrollton, Carroll County, KY (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

CSXT has parked its own empty cars on the Line. Those cars are stored on the Line temporarily because they are not needed in common carrier service at the time. Once the Line is abandoned, CSXT will store the cars at another location. The Board has found that a railroad

using a rail line for car storage is still able to seek abandonment under the procedures at 49 C.F.R. §1152.50 for out of service lines.<sup>1</sup>

Based on information in the possession of CRR and CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroads' possession will be made available promptly to those requesting it.

CRR is a wholly owned and controlled subsidiary of CSXT. *See Carrollton R. Control*, 166 I.C.C. 425 (1930).

1. Proposed consummation date. The proposed consummation date is November 18, 2011.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. Carrollton Railroad and CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CRR and CSXT are common carriers by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105.

(3) Relief sought. CRR and CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon and discontinue service over, respectively, an approximately 0.79-mile rail line on CSXT's Northern Region, Louisville Division, ICL Subdivision, between milepost 0CR 6.72 and milepost 0CR 7.51, at the end of the track in Carrollton, Carroll County, KY. There are

<sup>1</sup> *See Alabama & Florida Railway Co., Inc.—Abandonment Exemption—in Geneva, Coffee and Covington Counties, Ala.*, Docket No. AB-1073X slip op. at 1 n.1 (STB served August 9, 2011); *Ind. Sw. Ry.—Aban. Exemption—in Posey and Vanderburgh Cnty.s., Ind.*, AB 1065X, slip op. at 1 n.1 (STB served Dec. 23, 2010).

no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgraillaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 41008.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CRR and CSXT do not believe that the Line is appropriate for other public purposes. The Line may be subject to reversionary interests.

4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed abandonment and discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

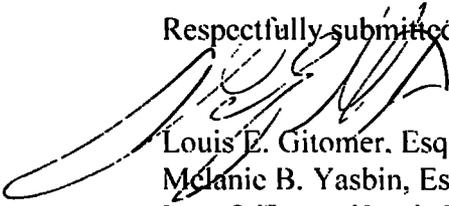
5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. See Exhibit D.

7. Historic Report. See Exhibit E.

Kathryn Barney, Esq.  
CSX Transportation, Inc.  
500 Water Street  
Jacksonville, FL 32202  
(904) 359-1305

Respectfully submitted,



Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
Law Offices of Louis E. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
(410) 296-2250  
Lou@lgraillaw.com

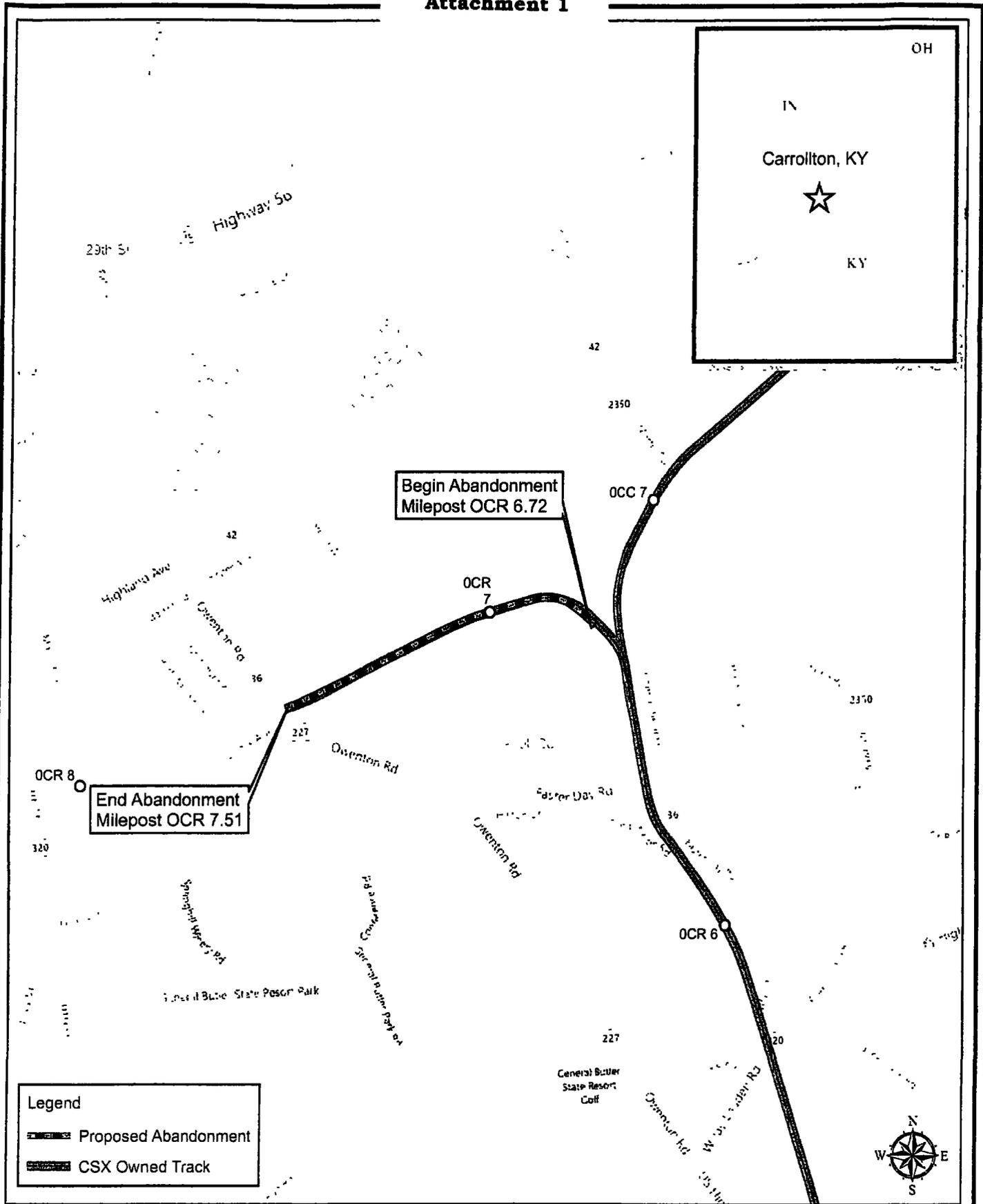
Attorneys for: CARROLLTON RAILROAD  
and CSX TRANSPORTATION, INC.

Dated: September 29, 2011

# **EXHIBIT A-VERIFICATION AND CERTIFICATION**



## **EXHIBIT B-MAP**



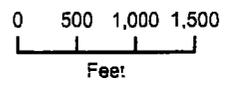
**Legend**

- Proposed Abandonment
- CSX Owned Track



**CSX Transportation, Inc. Proposed Abandonment  
Louisville Division - LCL Subdivision**

OCR 6.72 to OCR 7.51  
a Distance of Approx. 0.8 +/- Miles  
Carroll County, Carrollton, Kentucky  
STB Docket No. AB 55 (Sub-No. 715X)



## **EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION**

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment and discontinuance of service in Docket No. AB-145 (Sub-No. 1X) and Docket No. AB-55 (Sub-No. 715X) was mailed via first class mail on September 16, 2011. to the following parties:

### **State Public Service Commission**

Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602-0615

Kentucky Transportation Cabinet  
200 Mero Street  
Frankfort, KY 40622

### **Military Traffic Management Command**

Headquarters  
Military Surface Deployment and Distribution Command  
Transportation Engineering Agency  
ATTN: SDTE-SA (Railroads for National Defense)  
709 Ward Drive, Building 1990  
Scott AFB. 62225-5357

### **National Park Service**

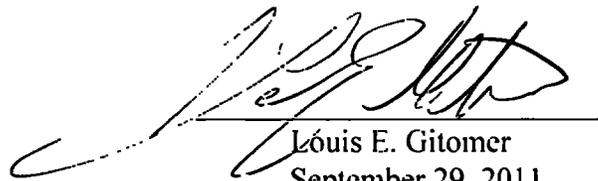
Mr. Rick Potts  
Chief, Conservation and Outdoor Recreation Division  
Rivers, Trails and Conservation Assistance Program National Park Service  
1849 C Street, N.W. (Org Code 2220)  
Washington, DC 20240

### **National Park Service**

U.S. Department of Interior  
National Park Service  
Land Resources Division  
1849 C Street, N.W.  
Washington, DC 20240

U.S. Department of Agriculture

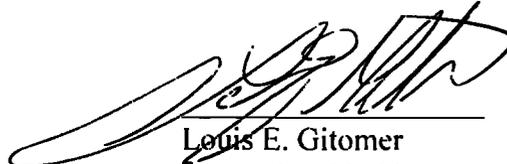
U.S. Department of Agriculture  
Chief of the Forest Service  
1400 Independence Avenue, S.W.  
Washington, DC 20250-0003



Louis E. Gitomer  
September 29, 2011

## CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-145 (Sub-No. 1X) and of the proposed discontinuance of service in AB-55 (Sub-No. 715X) in the following form was advertised on September 28, 2011 in the Carroll County News, a newspaper of general circulation in Carroll County, KY as required by 49 C.F.R. § 1105.7(c) and .12.



Louis E. Gitomer  
September 29, 2011

### Notice of Intent to Abandon and Discontinue Service

Carrollton Railroad (“CRR”) and CSX Transportation, Inc. (“CSXT”) give notice that on or about September 29, 2011, they intend to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment by CRR and discontinuance of service by CSXT of approximately 0.79-mile rail line on CSXT’s Northern Region, Louisville Division, LCL Subdivision, between milepost 0CR 6.72 and milepost 0CR 7.51, at the end of the track, which traverses through United States Postal Service ZIP Code 41008 in Carrollton, Carroll County, KY. The abandonment proceeding will be docketed as No. AB-145 (Sub-No. 1X) and the discontinuance of service proceeding will be docketed as No. AB-55 (Sub-No. 715X).

The Board’s Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board’s Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant’s representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board’s Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant’s representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250. Lou@lgrailaw.com.

# **EXHIBIT D– ENVIRONMENTAL REPORT**

## ENVIRONMENTAL REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-145 (Sub-No. 1X) and AB-55 (Sub-No. 715X) was mailed via first class mail on September 9, 2011 to the following parties:

Kentucky Transportation Cabinet  
200 Metro Street  
Frankfort, KY 40622

Kentucky Department of Natural Resources  
2 Hudson Hollow  
Frankfort, KY 40601

U.S. Environmental Protection Agency  
Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

Kentucky Energy & Environment Cabinet  
Department for Environmental Protection  
300 Fair Oaks Lane  
Frankfort, KY 40601

USDA – Natural Resources Conservation Service  
771 Corporate Drive, Suite 210  
Lexington, KY 40503

Northern Kentucky Area Development  
District  
22 Spiral Drive  
Florence, KY 41042

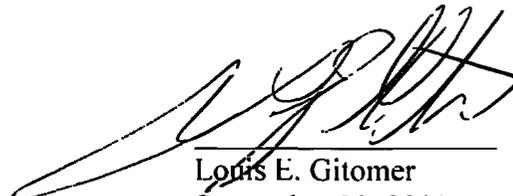
U.S. National Geodetic Survey  
[Simon.Monroe@noaa.gov](mailto:Simon.Monroe@noaa.gov)

Carroll County Community Development  
Corp.  
Carroll County Fiscal Court  
440 Main Street  
Carrollton, KY 41008

U.S. Fish & Wildlife Service  
Southeast Region 4  
1875 Century Boulevard, Suite 400  
Atlanta, GA 30345

City of Carrollton  
City Administrative Department  
304 Sycamore Street  
Carrollton, KY 41008

U.S. Army Corps of Engineers  
Louisville District Office  
P.O. Box 59  
Louisville, KY 40201-0059



Louis E. Gitomer  
September 29, 2011

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# ENVIRONMENTAL REPORT

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**The Carrollton Railroad Company  
Docket AB 145 (Sub-No. 1X)**

**CSX TRANSPORTATION, INC.  
Docket AB-55 (Sub-No. 715X)  
Carrollton, Carroll County, Kentucky**

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.**

The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service (DOS) of a portion of its rail line from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky.

The above referenced 0.8-mile line has not generated any originating or terminating freight traffic in over 2 years. It has been used only for the storage of empty cars.

The purpose of this abandonment and DOS is to downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer for car storage.

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 local freight traffic on this line. Since there has not been any traffic on this line in over 2 years and the only use has been for car storage, there will be no effect on existing regional or local transportation systems or patterns. Applicant has not received a response to its August 29, 2011 inquiry to the Kentucky Transportation Cabinet requesting information regarding this statement. (See Attachment 3)

**(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 29, 2011 inquiry to Carroll County Community Development Corporation, Northern Kentucky Area Development District or City of Carrollton requesting information regarding this statement. (See Attachments 4, 5 and 6)

Based on the fact that the line has not generated any freight traffic in over 2 years and has been used for car storage only, Applicant believes the proposed action is not inconsistent with local land use plans. The track will remain in place and continue to be used for car storage.

- (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 August 29, 2011 inquiry to the U.S. Department of Agriculture, Natural Resources Conservation Service in Lexington, Kentucky requesting information regarding this statement. (See Attachment 7)

While some prime farmland may exist in the vicinity of this project, Applicant believes that since the track will continue to be used as it is today, there should not be any adverse impact.

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

Applicant has not received a response to its August 29, 2011 inquiry to the Kentucky Department Natural Resources requesting information regarding this statement. (See Attachment 8)

Applicant feels since there will be no change in use that there should be no adverse impact on any coastal zone, land or water uses.

- (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. The line will continue to be used as it is today.

#### (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 have no effect on public health or safety.

- (ii) **If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.**

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 waste sites or hazardous material spills on the right of way.

Applicant's records do indicate a request for right of entry for Harper Distributing Company, who operated a bulk petroleum storage facility within the southeast quadrant of the intersection of the rail corridor and highway 227 (Owenton Road). The groundwater beneath the corridor has been shown to be impacted with gasoline-related contaminants. Site cleanup efforts were directed by the Kentucky Department of Environmental Protection.

**(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 August 29, 2011 inquiry to the U.S. Fish and Wildlife Service in Atlanta, GA requesting information regarding this statement. (See Attachment 9)

Based upon Applicant's intention to continue to use the track in the same manner it is used today, we do not believe that any federally endangered or threatened species will be negatively affected or critical habitats modified if the line is abandoned and downgraded to industry track.

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

Applicant has not received a response to its August 29, 2011 inquiry to the Kentucky Department Natural Resources, Frankfort, KY requesting information regarding this statement. (See Attachment 8)

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 August 29, 2011 inquiry to the Kentucky Energy & Environment Cabinet Department for Environmental Protection in Frankfort, KY requesting information regarding this statement. (See Attachment 10)

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 August 29, 2011 inquiry to the U.S. Army Corps of Engineers in Louisville, KY requesting information regarding this statement. (See Attachment 11)

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

Upon receiving abandonment authority, the track will be downgraded and reclassified as industry lead.

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).**

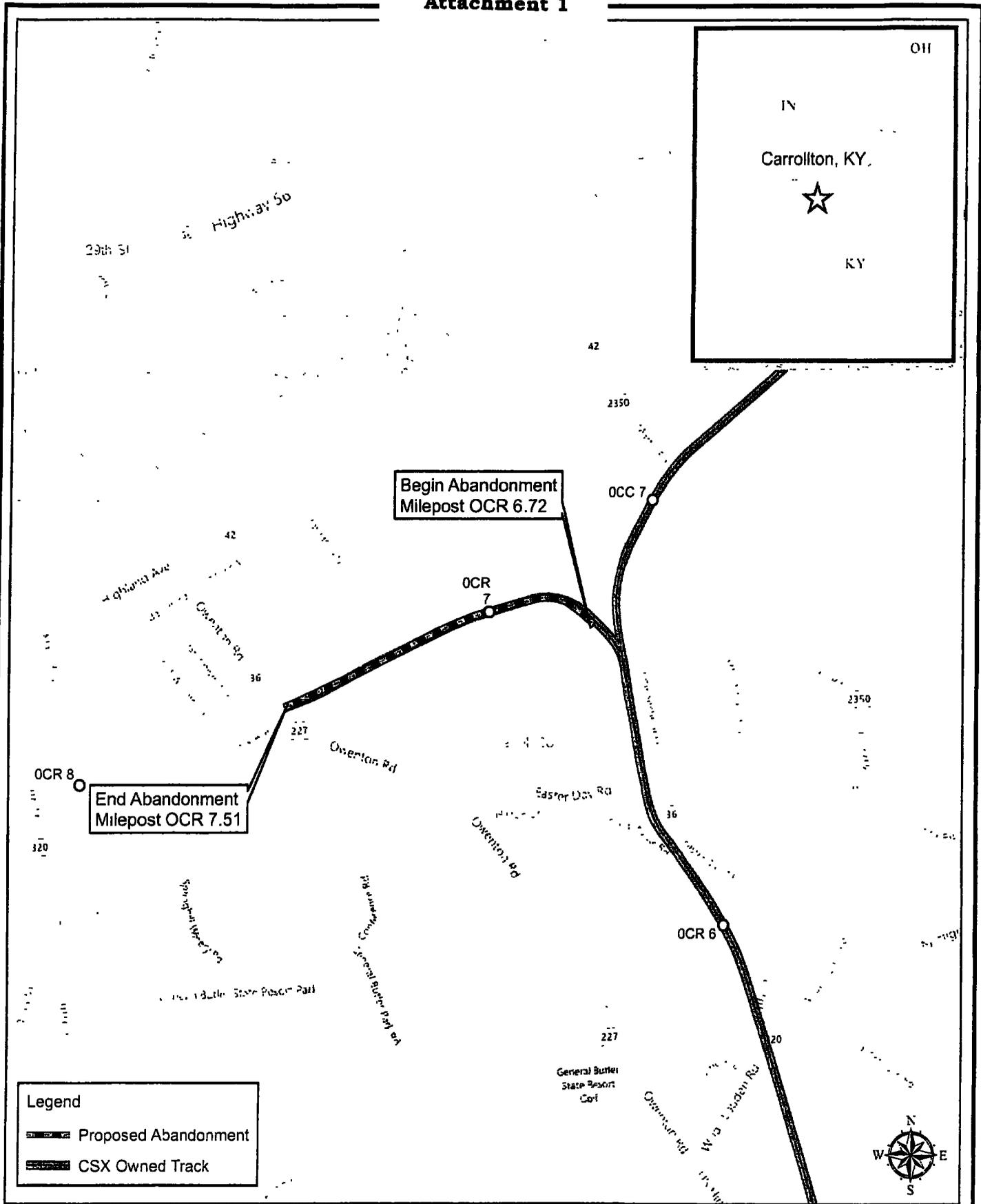
Applicant has not received a response to its August 29, 2011 inquiry to the U.S. EPA Region 4, Atlanta, GA requesting information regarding this statement. (See Attachment 12)

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 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.

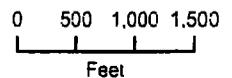


**Legend**

-  Proposed Abandonment
-  CSX Owned Track

**CSX Transportation, Inc. Proposed Abandonment**  
**Louisville Division - LCL Subdivision**

OCR 6.72 to OCR 7.51  
 a Distance of Approx. 0.8 +/- Miles  
 Carroll County, Carrollton, Kentucky  
 STB Docket No. AB 55 (Sub-No 715X)



Creation Date June 24, 2011

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CSX Real Property, Inc  
 KY-041-1046512

**Attachment 2**

**CSXT Abandonment External Distribution List  
Carroll County  
Carrollton, Kentucky**

**Kentucky Heritage Council  
State Historic Preservation Office  
Att. Ms. Jill Howe  
300 Washington Street  
Frankfort, KY 40601**

**U.S. EPA  
Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303**

**Kentucky Transportation Cabinet  
200 Metro Street  
Frankfort, KY 40622**

**Kentucky Energy & Environment Cabinet  
Department for Environmental Protection  
300 Fair Oaks Lane  
Frankfort, KY 40601**

**Kentucky Department Natural Resources  
2 Hudson Hollow  
Frankfort, KY 40601**

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

**U.S. Army Corp of Engineers  
Louisville District  
P.O. Box 59  
Louisville, KY 40201-0059**

**US Fish and Wildlife  
Southeast Region 4  
1875 Century Blvd Suite 400  
Suite 400  
Atlanta, GA 30345**

**Carroll County Community Development Corp  
Carroll County Fiscal Court  
440 Main Street  
Carrollton, KY 41008**

**Northern Kentucky Area Development District  
22 Spiral Drive  
Florence, KY 41042**

**City of Carrollton  
City Administrative Department  
304 Sycamore St.  
Carrollton, KY 41008**

**USDA NRCS  
771 Corporate Drive Suite 210  
Lexington , KY. 40503**

**Attachment 3**



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs  
Manager Network Services**

August 29, 2011

Kentucky Transportation Cabinet  
200 Metro Street  
Frankfort, KY 40601

Dear Sir/Madam;

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

This action requires Surface Transportation Board approval. Federal Regulations 49 C.F.R. 1105.7(c) requires that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed activity and include any comments received from your office.

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,

A handwritten signature in cursive script that reads "Jo Ann Burroughs". The signature is written in black ink and is positioned below the typed name.

Jo Ann Burroughs

**Attachment 4**



500 Water Street – J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
Manager Network Services

August 29, 2011

Carroll County Community Development Corp  
Carroll County Fiscal Court  
440 Main Street  
Carrollton, KY 41008

Dear Sir/Madam;

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

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As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed activity and include any comments received from your office.

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,

A handwritten signature in black ink that reads "Jo Ann Burroughs". The signature is written in a cursive, flowing style.

Jo Ann Burroughs

**Attachment 5**



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs  
Manager Network Services**

August 29, 2011

Northern Kentucky Area Development District  
22 Spiral Drive  
Florence, KY 41042

Dear Sir/Madam:

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

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.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink that reads "Jo Ann Burroughs". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.  
Jo Ann Burroughs

Attachment



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs  
Manager Network Services**

August 29, 2011

City of Carrollton  
City Administrative Department  
304 Sycamore St.  
Carrollton, KY 41008

Dear Sir/Madam;

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

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:

"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."

CSXT would appreciate your comments regarding current and future land use in relationship to the rail line.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink that reads 'Jo Ann Burroughs'.

Jo Ann Burroughs

Attachment

**Attachment 7**



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
**Manager Network Services**

August 29, 2011

USDA NRCS  
771 Corporate Drive  
Suite 210  
Lexington, KY 40503

Dear Sir/Madam:

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

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:

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

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 repair activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink that reads "Jo Ann Burroughs".  
Jo Ann Burroughs



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3923  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
Manager Network Services

August 29, 2011

Kentucky Department Natural Resources  
2 Hudson Hollow  
Frankfort, KY 40601

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer

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:

**"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."**

CSXT would appreciate your comments regarding current and future land use in relationship to the rail 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.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink that reads 'Jo Ann Burroughs'. The signature is written in a cursive, flowing style.

Jo Ann Burroughs



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Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
Manager Network Services

August 29, 2011

U.S. Fish and Wildlife Service  
Southeast Region 4  
1875 Century Blvd. Suite 400  
Atlanta, GA 30345

Dear Sir/Madam:

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

- (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.

The removal or repair 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 materials from entering any watercourses.



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
**Manager Network Services**

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 (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Jo Ann Burroughs

Attachment



**Attachment 10**

500 Water Street – J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3802  
E-Mail: Jo\_Burroughs@cax.com

**Jo Ann Burroughs  
Manager Network Services**

August 29, 2011

**Kentucky Energy & Environment Cabinet  
Department for Environmental Protection  
300 Fair Oaks Lane  
Frankfort, KY 40601**

**Dear Sir/Madam:**

**Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.**

**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."**
  
- (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 or repair 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 or repair 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 or repair, 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.**



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
**Manager Network Services**

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed removal or repair activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jo Ann Burroughs', is written over a solid black rectangular background.

**Jo Ann Burroughs**

**Attachment**



500 Water Street – J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs  
Manager Network Services**

**August 29, 2011**

**U.S. Army Corps of Engineers  
Louisville District  
P.O. Box 59  
Louisville, KY 40201-0059**

**Dear Sir/Madam:**

**Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.**

**The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.**

**This action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7(9) (ii) require that CSXT 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.”**

**It is CSXT’s opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove or repair CSXT’s metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. CSXT does not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and CSXT does not anticipate any dredging or use of fill in the removal or repair of the track material. The track removal or repair 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. 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.**



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@cax.com

Jo Ann Burroughs  
Manager Network Services

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

As further information, CSXT will provide a preliminary environmental report in the coming weeks which will outline the scope of the proposed salvage activity (as stated above) and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,



Jo Ann Burroughs

Attachment



## Attachment 12

500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3802  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

August 29, 2011

U.S. EPA  
Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

Dear Sir/Madam:

Please be advised that The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service of a portion of its rail from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer.

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:

(ii) "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."

There are no refueling or maintenance areas within the project area. The removal or repair 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 or repair 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



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
**Manager Network Services**

left in streams or wetlands, or along the banks of such waterways. During track removal or repair, 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 removal or repair activity and include any comments received from your office.

Further enclosed, please find a distribution list of all parties that have been copied of the proposed action.

Sincerely,

A handwritten signature in cursive script that reads 'Jo Ann Burroughs'.

Jo Ann Burroughs

Attachment



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: [Jo\\_Burroughs@csx.com](mailto:Jo_Burroughs@csx.com)

**Jo Ann Burroughs**  
Manager Network Services

September 8, 2011

Kentucky Transportation Cabinet  
200 Metro Street  
Frankfort, KY 40622

Dear Sir/Madam:

**RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)**

Please be advised that on or about October 7, 2011, Carrollton Railroad Company and CSX Transportation, Inc. (CSXT) expect to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon and discontinue service of a portion of the rail line from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky.

Attached is a preliminary Environmental Report describing the proposed action and any environmental concerns. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. 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 any of the information in the preliminary report is incorrect, if you believe that pertinent information is missing, or if you have any questions concerning this proposal, please contact me directly by telephone at (904) 279-3823 or by the above email address and refer to the above Docket Numbers.

The applicable statutes and regulations impose stringent deadlines for processing this action. Receipt of your comments within three weeks would be appreciated. If your comments have not been received by October 3, 2011, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0296, and refer to the above Docket Numbers. For comments provided after the three-week window, please send your written comments to OEA, with a copy to me.

Thank you for your participation.

Respectfully,

Attachments

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



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3802  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

September 8, 2011

U.S. Fish and Wildlife Service  
Southeast Region 4  
1875 Century Blvd. Suite 400  
Atlanta, GA 30345

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Thank you for your participation.

Respectfully,

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



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Phone: (904) 279-3823  
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E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

September 8, 2011

U.S. Army Corp of Engineers  
Louisville District  
P.O. Box 59  
Louisville, KY 40201-0059

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Attached is a preliminary Environmental Report describing the proposed action and any environmental concerns. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. 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 any of the information in the preliminary report is incorrect, if you believe that pertinent information is missing, or if you have any questions concerning this proposal, please contact me directly by telephone at (904) 279-3823 or by the above email address and refer to the above Docket Numbers.

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Thank you for your participation.

Respectfully,

Attachments

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



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FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

September 8, 2011

Carroll County Community Development Corp  
Carroll County Fiscal Court  
440 Main Street  
Carrollton, KY 41008

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

Please be advised that on or about October 7, 2011, Carrollton Railroad Company and CSX Transportation, Inc. (CSXT) expect to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon and discontinue service of a portion of the rail line from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky.

Attached is a preliminary Environmental Report describing the proposed action and any environmental concerns. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. 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 any of the information in the preliminary report is incorrect, if you believe that pertinent information is missing, or if you have any questions concerning this proposal, please contact me directly by telephone at (904) 279-3823 or by the above email address and refer to the above Docket Numbers.

The applicable statutes and regulations impose stringent deadlines for processing this action. Receipt of your comments within three weeks would be appreciated. If your comments have not been received by October 3, 2011, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If you have any questions about the Board's environmental review process, please contact the Office of Environmental Analysis (OEA), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423, telephone (202) 245-0296, and refer to the above Docket Numbers. For comments provided after the three-week window, please send your written comments to OEA, with a copy to me.

Thank you for your participation.

Respectfully,

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



500 Water Street - J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

September 8, 2011

City of Carrollton  
City Administrative Department  
304 Sycamore St.  
Carrollton, KY 41008

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3802  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
Manager Network Services

September 8, 2011

Northern Kentucky Area Development District  
22 Spiral Drive  
Florence, KY 41042

Dear Sir/Madam;

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Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Jo Ann Burroughs  
Manager Network Services

September 8, 2011

U.S. EPA  
Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

Jo Ann Burroughs  
Manager Network Services

September 8, 2011

Kentucky Department Natural Resources  
2 Hudson Hollow  
Frankfort, KY 40601

Dear Sir/Madam;

RE: Proposed Abandonment - Carrollton Railroad Company, Docket AB 145 (Sub-No. 1X)  
Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)

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Jo Ann Burroughs  
Manager Network Services

September 8, 2011

USDA NRCS  
771 Corporate Drive Suite 210  
Lexington, KY. 40503

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Jo Ann Burroughs  
Manager Network Services

September 8, 2011

Kentucky Energy & Environment Cabinet  
Department for Environmental Protection  
300 Fair Oaks Lane  
Frankfort, KY 40601

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**Jo Ann Burroughs**  
Manager Network Services

September 8, 2011

Surface Transportation Board - OEA  
395 East Street, SW  
Washington D.C. 20423

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Proposed Discontinuance of Service - CSX Transportation, Inc., Docket No. AB-55 (Sub-No. 715X)**

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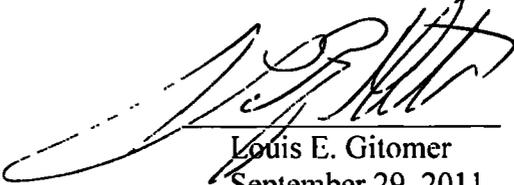
Attachments  
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## **EXHIBIT E- HISTORIC REPORT**

## HISTORIC REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-145 (Sub-No. 1X) and AB-55 (Sub-No. 715X) was mailed via first class mail on September 9, 2011, to the following party:

Kentucky Heritage Council  
State Historic Preservation Office  
Attn: Ms. Jill Howe  
300 Washington Street  
Frankfort, KY 40601



Louis E. Gitomer  
September 29, 2011

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# HISTORIC REPORT

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**The Carrollton Railroad Company  
Docket AB 145 (Sub-No. 1X)**

**CSX TRANSPORTATION, INC.  
Docket AB-55 (Sub-No. 715X)  
Carrollton, Carroll County, Kentucky**

**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.

The Carrollton Railroad Company is considering an abandonment and CSX Transportation, Inc. is proposing a discontinuance of service (DOS) of a portion of its rail line from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky.

The above referenced 0.8-mile line has not generated any originating or terminating freight traffic in over 2 years. It has been used only for the storage of empty cars.

The purpose of this abandonment and DOS is to downgrade the track to industry lead track and subsequently lease a segment of the Line to a commercial customer for car storage.

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

**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 quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey.

The line to be abandoned has been identified by a heavy red line with black dashes. (See Attachment 2)

There are no CSXT-owned structures that are 50 years old or older that may be eligible for listing in the National Register that are part of the proposed action.

- (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 freight right of way width is approximately 50 feet. The west portion of this rail line was abandoned previously by the Carrollton Railroad Company in STB Docket Number AB 145X, October 1993. The previous abandonment included valuation station 398+37 to valuation station 489+79.

This 0.8-mile line segment ends at the previous abandonment valuation station 389+37. The line segment is in a rural area of Northern Kentucky, surrounded by industrial facilities, the local high school and near the Ohio River. The line connects with CSXT main line in Worthville, Kentucky.

- (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:**

Not applicable

- (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:**

Not applicable

- (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:**

The Louisville and Nashville Railroad Company was incorporated under special act of Kentucky on March 5, 1850, under special act of Tennessee on December 4, 1851, and under special act of Virginia, on March 30, 1887. The Carrollton Railroad Company was acquired and incorporated by L & N Railroad on December 24, 1929.

In 1972 The Family Lines was adopted to identify the Louisville and Nashville Railroad and the Seaboard Coast Line Railroad. On November 1, 1980, Seaboard Coast Line Industries Inc. (which was formed in May, 1969) and Chessie System Inc. merged and became CSX Corporation. On January 1, 1983, the merger of The Family Lines' affiliates formed the Seaboard System Railroad Inc., which name was changed on July 1, 1986 to CSX Transportation, Inc.

The Carrollton Railroad is a wholly-owned subsidiary of CSXT. In addition to owning the Carrollton, CSXT also has rights to operate over the Carrollton including the trackage proposed for abandonment. Accordingly, Carrollton and CSXT are seeking authority to simultaneously abandon and discontinue service over the line at issue. The track will be downgraded to industry track and remain in place to be used for car storage.

- (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.

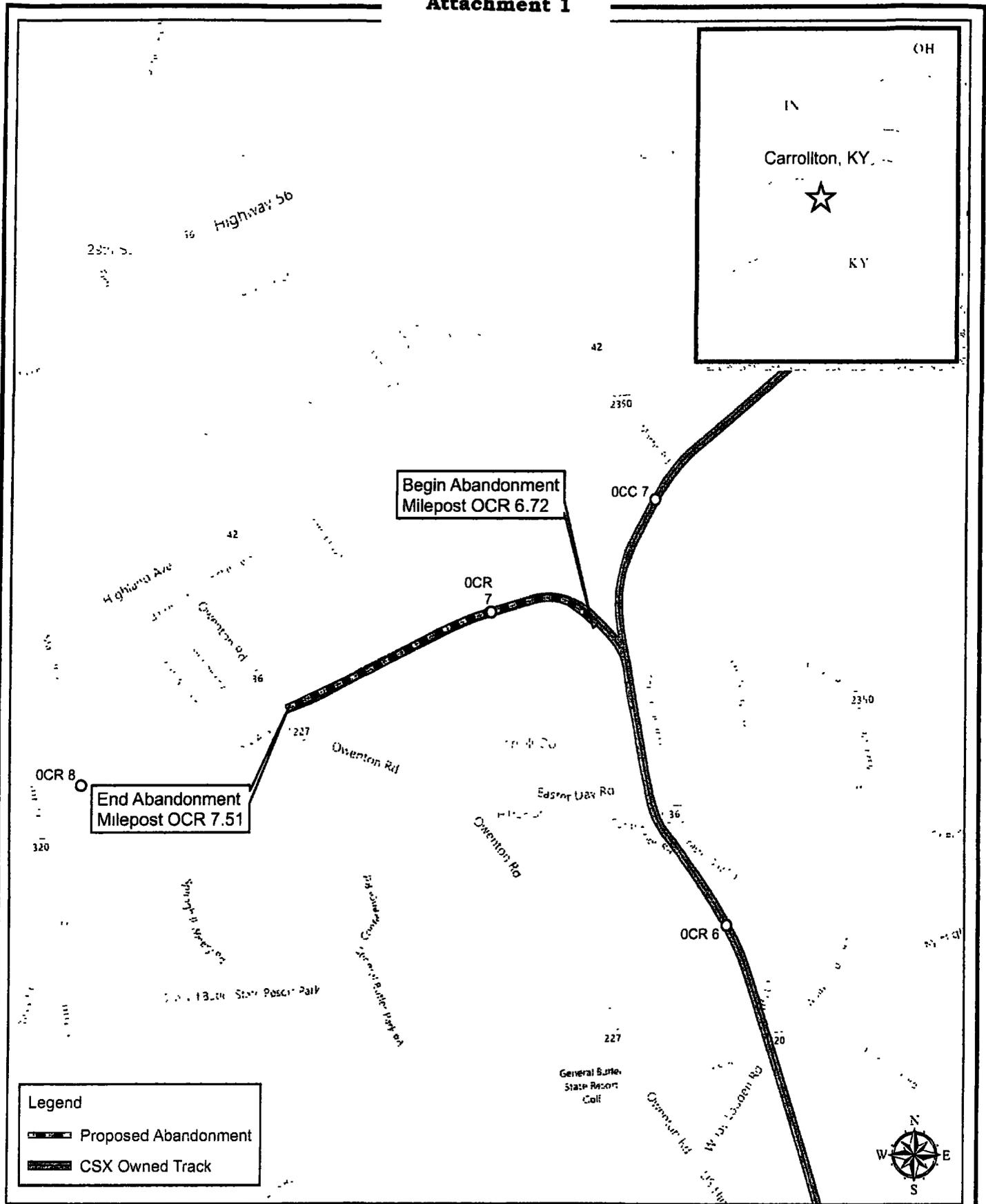
- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously 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 is no CSXT-owned structure over 50 years old on this line segment that may be eligible for listing in the National Register.

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

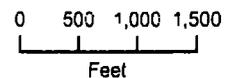
- (8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the presence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

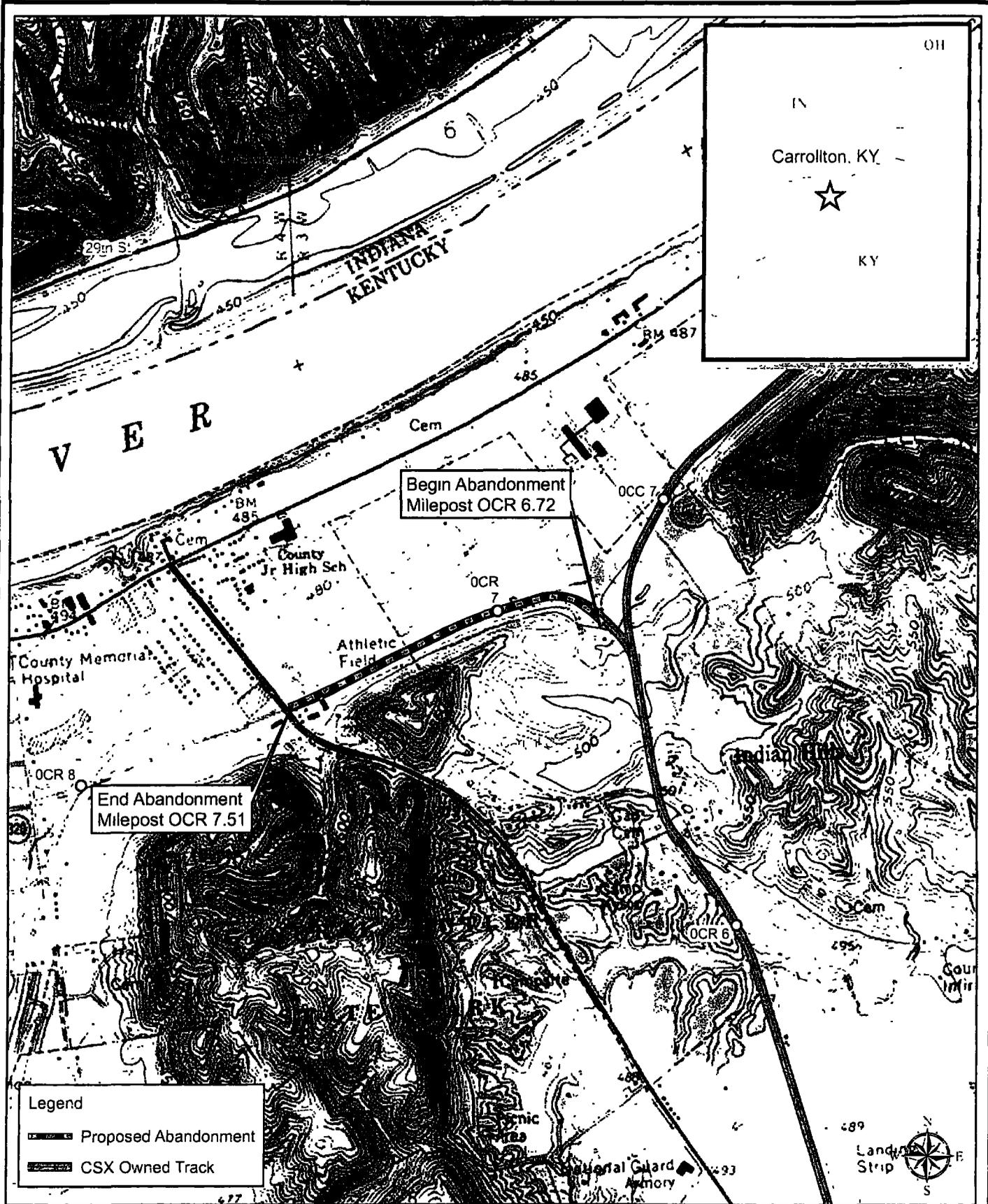
The line was disturbed during construction by cuts and fill, and any archeological resources that may have been located in the proposed project area would have been affected at that time. This rail line is being downgraded to industry track and will remain in place to be used for car storage. Our records do not indicate that any swampy conditions exist or that any hazardous material spills have occurred within the project area.



**CSX Transportation, Inc. Proposed Abandonment  
Louisville Division - LCL Subdivision**

OCR 6.72 to OCR 7.51  
a Distance of Approx. 0.8 +/- Miles  
Carroll County, Carrollton, Kentucky  
STB Docket No. AB 55 (Sub-No. 715X)



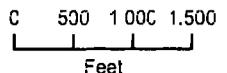


**Legend**

- Proposed Abandonment
- CSX Owned Track

**CSX Transportation, Inc. Proposed Abandonment  
Louisville Division - LCL Subdivision**

OCR 6.72 to OCR 7.51  
a Distance of Approx. 0.8 +/- Miles  
Carroll County, Carrollton, Kentucky  
STB Docket No. AB 55 (Sub-No 715X)





500 Water Street – J200  
Jacksonville, FL 32202  
Phone: (904) 279-3823  
FAX: (904) 279-3902  
E-Mail: Jo\_Burroughs@csx.com

**Jo Ann Burroughs**  
Manager Network Services

September 8, 2011

Kentucky Heritage Council  
State Historic Preservation Office  
Att. Ms. Jill Howe  
300 Washington Street  
Frankfort, KY 40601

Dear Ms. Howe;

Please be advised that on or about October 7, 2011, The Carrollton Railroad Company and CSXT expect to file with the Surface Transportation Board (STB) a Notice of Exemption seeking authority to abandon and discontinue service from Railroad Milepost OCR 6.72 to Railroad Milepost OCR 7.51, a distance of approximately 0.8 mile in Carrollton, Carroll County, Kentucky, as depicted on the attached map. The Carrollton Railroad Company is a wholly-owned subsidiary of CSXT.

The purpose of the proposed action is to abandon, discontinue service and downgrade the track to an industry lead track. CSXT has two commercial customers that have expressed interest in leasing the line.

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 and discontinuance of service.

Since there are no structures over 50 years old, I would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources.

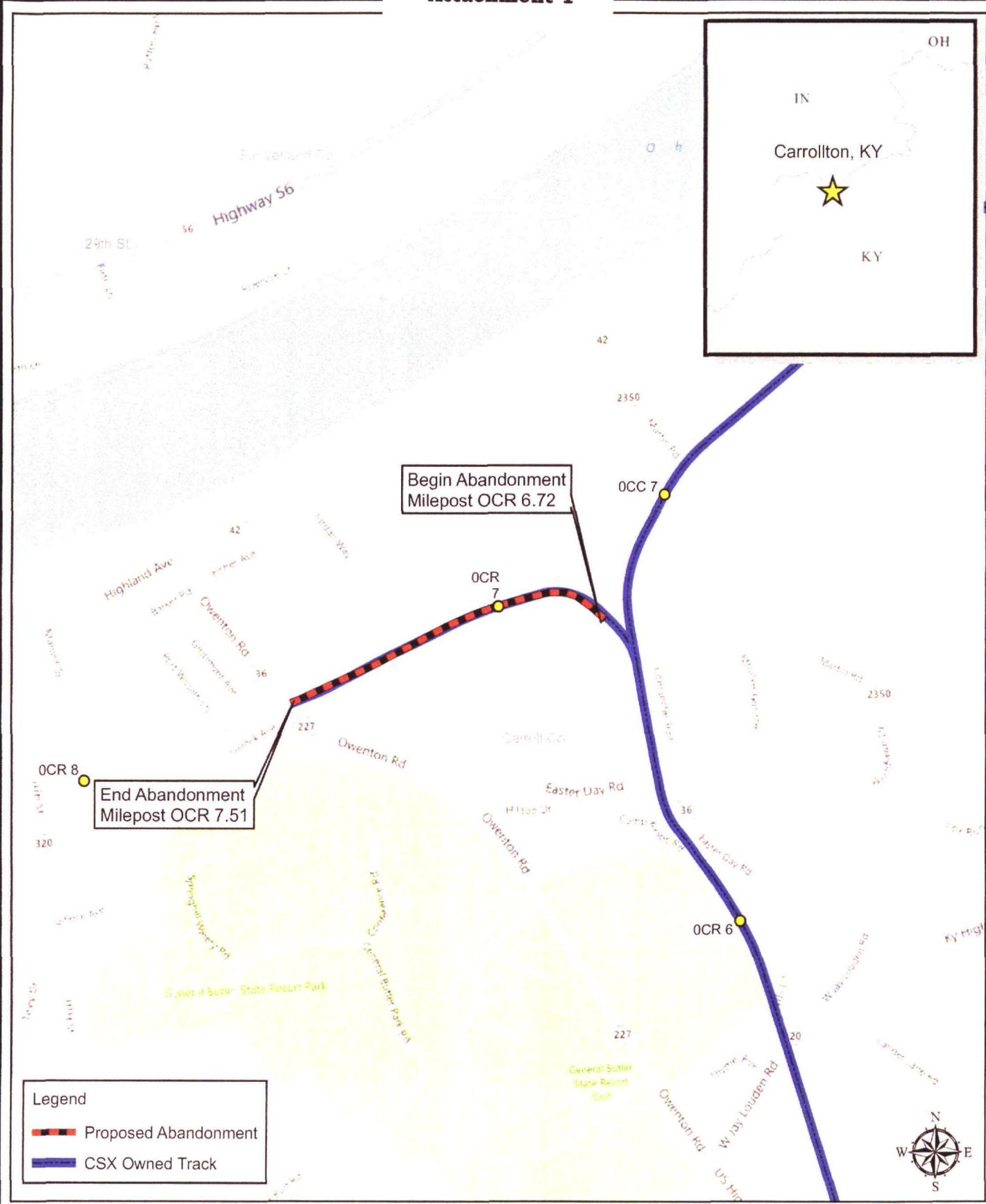
If you have questions, please feel free to call or email me.

Sincerely,

Jo Ann Burroughs

Attachments

## **EXHIBIT F-COLOR**



**Legend**

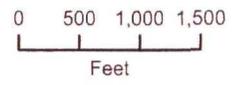
-  Proposed Abandonment
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Creation Date: June 24, 2011  
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**CSX Transportation, Inc. Proposed Abandonment  
 Louisville Division - LCL Subdivision**

OCR 6.72 to OCR 7.51  
 a Distance of Approx. 0.8 +/- Miles  
 Carroll County, Kentucky  
 STB Docket No. AB 55 (Sub-No. 715X)



CSX Real Property, Inc.  
 KY-041-1046512

