

235649

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ENTERED  
Office of Proceedings  
March 18, 2014  
Part of  
Public Record

ROBERT A. WIMBISH

(202) 663-7824 (Direct Dial)  
E-Mail: rwimbish@bakerandmiller.com

March 18, 2014

**BY HAND DELIVERY**

Cynthia T. Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001

Re: *Norfolk Southern Railway Company – Abandonment Exemption –  
In Prince Edward County, Virginia,  
STB Docket No. AB-290 (Sub-No. 361X)*

Dear Ms. Brown:

Pursuant to the Board's abandonment class exemption procedures for lines with no local business for at least two years (49 C.F.R. part 1152, subpart F), enclosed are an original and 11 copies of a verified abandonment notice of exemption for the abandonment of a rail line owned by Norfolk Southern Railway Company.

A check in the amount of \$3,900.00 is enclosed to cover the applicable filing fee.

Please acknowledge receipt and filing of this notice of exemption by date stamping the enclosed eleventh copy and returning it to the courier to return to me.

Sincerely,

FILED  
March 18, 2014  
Surface Transportation Board



Robert A. Wimbish  
Attorney for Norfolk Southern  
Railway Company

Enclosures

cc: Maquiling Parkerson, Marc Kirchner, LaWada Poarch

FEE RECEIVED  
March 18, 2014  
Surface Transportation Board

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

---

**Robert A. Wimbish  
William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849**

**March 18, 2014**

**Attorneys for Norfolk Southern Railway Company**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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Norfolk Southern Railway Company (“NSR”) hereby submits a verified notice of exemption pursuant to 49 C.F.R. part 1152, subpart F (Exempt Abandonments and Discontinuances of Service and Trackage Rights) for NSR to abandon approximately 1 mile of rail line (hereinafter, the “Line”) located in Prince Edward County, Virginia. The Line extends from milepost N 167.9 (near the intersection of Pamplin Road/US Rte. 460 Bypass and Heights School Road) to milepost N 168.9 (a point roughly 0.6 miles east of the Appomattox County-Prince Edward County line), all of which is located in the Town of Pamplin City. The Line traverses United States Postal Zip Code territory 23958.

In accordance with the requirements of 49 C.F.R. §§ 1152.50(b) and (d), NSR provides the following information in support of this notice of abandonment:

**Certification: 49 C.F.R. § 1152.50(b)**

NSR certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 C.F.R. part 1152, subpart F. See Certification of G.R. Comstock, General Manager Eastern Region, Norfolk Southern Railway Company (Exhibit A). During the past two

years, NSR has provided no local or overhead common carrier service over the Line, nor has it received any requests for common carrier service over it.

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

The proposed abandonment will be consummated on or after May 7, 2014 (50 days after filing the notice of exemption).

**Additional Information Required: 49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Norfolk Southern Railway Company

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

NSR is a Class I common carrier by railroad subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

NSR hereby invokes the Board's two-year-out-of-service class exemption procedures to abandon approximately 1 mile of rail line (hereinafter, the "Line") located in Prince Edward County, Virginia. The Line extends from milepost N 167.9 (near the intersection of Pamplin Road/US Rte. 460 Bypass and Heights School Road) to milepost N 168.9 (a point roughly 0.6 miles east of the Appomattox County-Prince Edward County line), all of which is located in the Town of Pamplin City. NSR has agreed to undertake the subject abandonment as a means to permit the Line's right-of-way to be used as a rail trail under the Board's interim trails use processes. Such a trails use arrangement will facilitate the extension of the adjacent High Bridge Trail State Park (itself a rail trail accomplished through previous NSR invocation of the agency's abandonment processes) into the Town of Pamplin City.

Map (49 C.F.R. § 1152.22(a)(4)):

A detailed map showing the location of the Line is attached hereto as Exhibit B.

Applicant's representative (49 C.F.R. § 1152.22(a)(7)):

NSR's representatives to whom correspondence regarding this proceeding should be sent is as follows:

Robert A. Wimbish  
William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849

USPS ZIP codes (49 C.F.R. § 1152.22(a)(8)):

The Line is located in the following United States Postal Zip Code territory: 23958.

Suitability of the Line for Other Public Purposes (49 C.F.R. § 1152.22(e)(4)):

As mentioned, NSR has agreed to undertake the subject abandonment to facilitate the extension of the High Bridge Trail State Park into the Town of Pamplin City by way of an interim trails use arrangement with a trail sponsor. Accordingly, NSR is of the view that the Line is suited for a specific public purpose – a rail trail. The Line does not contain federally-granted rights-of-way. As appropriate, NSR is willing promptly to make available any information in their possession to anyone so requesting it.

### **Labor Protection**

Because the Line has been out of service for over two years, it is unlikely that any railroad employees will be adversely affected by exercise of abandonment authority. Nevertheless, the interests of NSR employees who may be adversely affected by the proposed

discontinuance will be adequately protected by the labor protective conditions set forth in Oregon Short Line R. Co – Abandonment – Goshen, 360 I.C.C. 91 (1979).

**Certifications**

Attached hereto as Exhibit C are Certificates of Service and Publication certifying compliance with the advance notice and newspaper publication requirements set forth at 49 C.F.R. § 1152.50(d)(1) and 49 C.F.R. § 1105.12, respectively. Attached as part of Exhibit D is a certificate of compliance with the advance notice requirements for Environmental and Historic Reports as set forth at 49 C.F.R. § 1105.11.

**Environmental and Historic Report**

As is reflected in the certificate of compliance with the provisions of 49 C.F.R. § 1105.11 (see Exhibit D), NSR has prepared a combined Environmental and Historic Report (“E&HR”) in anticipation of the proposed abandonment of the Line, which conforms to the requirements of 49 C.F.R. §§ 1105.7 and 1105.8. A copy of the E&HR is attached hereto as Attachment 1 to Exhibit D (§ 1105.11 certification).

Respectfully submitted,



Robert A. Wimbish  
William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7820  
Fax: (202) 663-7849

Attorneys for Norfolk Southern Railway Company

March 18, 2014

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

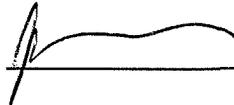
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**VERIFICATION**

Verification

I, John Friedmann, Vice President for Norfolk Southern Railway Company ("NSR"), hereby verify under penalty of perjury that to the best of my knowledge the foregoing abandonment notice of exemption is true and correct. Further, I certify that I am qualified and authorized to make such verification on behalf of NSR in connection with this proceeding before the Surface Transportation Board.

Executed this 12<sup>th</sup> day of February, 2014.



---

John H. Friedmann  
Vice President

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

---

**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT A**

**NSR CERTIFICATION**

**CERTIFICATION**

STATE OF GEORGIA:

SS:

CITY OF ATLANTA:

G. R. Comstock makes oath and says that he is General Manager Eastern Region for Norfolk Southern Railway Company; that the rail line between Milepost N 167.9 and Milepost N 168.9, over which service is to be abandoned, is subject to his supervision and direction; that no local traffic has moved over the line for at least two years, that no overhead traffic has moved over the line for at least two years and that overhead traffic, if there were any, could be rerouted over other lines; and that no formal complaint filed by a user of rail service on the line or a state or local government entity acting on behalf of such user regarding cessation of service over the line either is pending before the Surface Transportation Board or any U. S. District Court or has been decided in favor of the complainant within the two-year period.

  
\_\_\_\_\_  
G. R. Comstock

Subscribed and sworn to before me  
this 13<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Notary Public

My commission expires:

4/20/15

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

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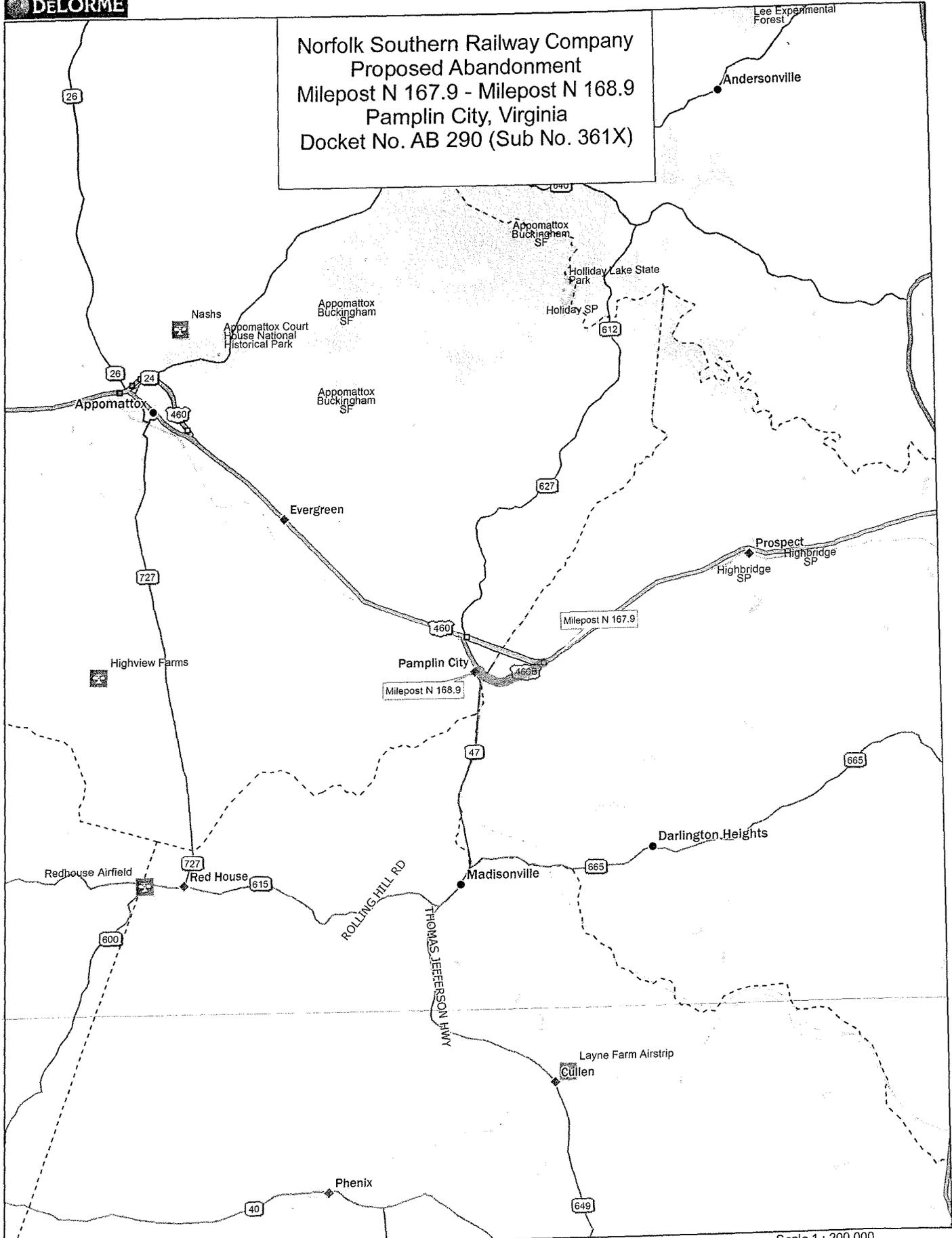
**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT B**

**MAP**

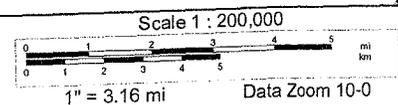
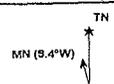
Norfolk Southern Railway Company  
Proposed Abandonment  
Milepost N 167.9 - Milepost N 168.9  
Pamplin City, Virginia  
Docket No. AB 290 (Sub No. 361X)



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www.delorme.com



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**EXHIBIT C**

**CERTIFICATES OF  
SERVICE/PUBLICATION**

**Certificate of Service of Advance Notice**

**49 C.F.R. § 1152.50(d)(1) – Notice**

I certify that, on March 5, 2014, in keeping with 49 C.F.R. § 1152.50(d)(1), I caused the following parties to be served with the written notice of intent of Norfolk Southern Railway Company (“NSR”) to invoke the Board’s notice of exemption procedures to abandon approximately 1 mile of rail line located in Prince Edward County, Virginia:

**Public Service Commission, et al.**

Virginia Department of Transportation  
1401 E. Broad St.  
Richmond, VA 23219

Division of Utility and Railroad Safety  
P.O. Box 1197  
Richmond, Virginia 23218

**Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program)**

David Dorfman  
SDDC TEA  
Railroads for National Defense  
709 Ward Dr., Bldg. 1990  
Scott AFB, IL 62225  
(618) 220-5741

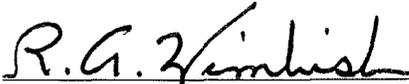
**The National Park Service, Recreation Resources Assistance Division**

Charlie Stockman  
National Park Service  
Rivers & Trails Conservation Program  
1201 Eye Street, NW, 9th Floor (Org. Code 2220)  
Washington, D.C. 20005  
(202) 354-6900

**U.S. Department of Agriculture, Chief of the Forest Service**

Thomas L. Tidwell, Chief  
Forest Service  
U.S. Department of Agriculture  
Sidney R. Yates Federal Building  
201 14th Street SW  
Washington, DC 20024  
(202) 205-8439  
S/W Sandy Berg, Office Manager

March 18, 2014

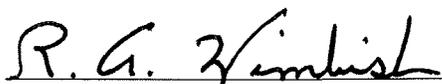
  
\_\_\_\_\_  
Robert A. Wimbish  
Attorney for Norfolk Southern  
Railway Company

**Certificate of Newspaper Publication**

**49 C.F.R. § 1105.12 – Newspaper Notice**

I certify that a “Notice of Intent to Abandon Rail Service” was published in the form prescribed by the Board for abandonment notices of exemption (49 C.F.R. § 1105.12). The notice was published one time on March 7, 2014, in *The Farmville Herald*, a newspaper of general circulation in Prince Edward County, Virginia.

March 18, 2014

  
\_\_\_\_\_  
Robert A. Wimbish  
Attorney for Norfolk Southern  
Railway Company

Complete Printing and Advertising Service

**The Farmville Herald, Inc.**

Published Wednesday and Friday

114 North Street • Farmville, Virginia 23901

Phone (434) 392-4151

March 7, 2014

Baker & Miller, PLLC  
Jennifer Spanos  
2401 Pennsylvania Ave NW, Ste 300  
Washington, DC 20037

The below is a correct copy of the publication as clipped from the columns of The Farmville Herald.

**LEGAL NOTICE**

**NOTICE OF INTENT TO  
ABANDON RAIL SERVICE  
STB Docket No. AB-290  
(Sub-No. 361X)**

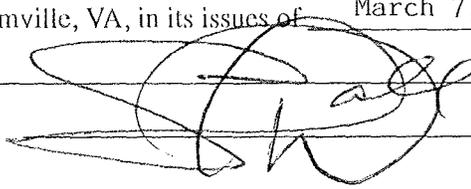
Norfolk Southern Railway Company ("NSR") gives notice that on or about March 17, 2014, it intends to file with the Surface Transportation Board, Washington, DC 20423, a Notice of Exemption pursuant to 49 C.F.R. Part 1152 Subpart F - *Exempt Abandonments*, permitting NSR to abandon approximately 1 mile of rail line (hereinafter, the "Line") located in Prince Edward County, Virginia. The Line extends from milepost N 167.9 (a point roughly 0.6 miles east of the Appomattox County-Prince Edward County line) to milepost N 168.9 (a point roughly 0.6 miles east of the Appomattox County-Prince Edward County line), all of which is located in the Town of Pamplin City. The Line traverses United States Postal Zip Code territory 23958. The pro-

**CERTIFICATE OF PUBLICATION**

This is to certify that the Order of Publication

Notice of Intent  
to Abandon Rail Service

was published once a week for 1 successive weeks  
in THE FARMVILLE HERALD, a newspaper published at  
Farmville, VA, in its issues of March 7, 2014



**INVOICE**

To 14.5 inches 1 insertions at 8.00 \$ 116.00

This invoice will be included on your computer statement at the end of the month.

The proposed action entails the abandonment of, and discontinuance of rail service over, the Line. The Board's Office of Environmental Analysis (OEA) generally will prepare an Environmental Assessment (EA), which normally will be available 25 days after the filing of the abandonment 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. Such comments 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 OEA, Surface Transportation Board, 395 E Street, SW, Washington, D.C. 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 public use, and offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423 [See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' 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 202-245-0230. Copies of any comments or requests for specific Board action should be served on the applicant's representative: Robert A. Wimbish, BAKER & MILLER PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037; phone: 202-663-7824; fax 202-663-7849.

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-290 (Sub-No. 361X)**

---

**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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## **EXHIBIT D**

# **CERTIFICATE OF COMPLIANCE WITH ENVIRONMENTAL AND HISTORIC REPORT REQUIREMENTS**

Environmental and Historic Report  
Certificate of Service

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-290 (Sub-No. 361X) was mailed via first class mail on January 8, 2014 to the following parties:

STATE ENVIRONMENTAL PROTECTION AGENCY

Virginia Department of Environmental Quality  
Central Office  
629 East Main Street  
P.O. Box 1105  
Richmond, VA 23218

REGIONAL ENVIRONMENTAL PROTECTION AGENCY

Regional EPA – Region 3  
1650 Arch Street  
Philadelphia, PA 19103

STATE COASTAL ZONE MANAGEMENT

Laura McKay  
Program Manager  
State Coastal Zone Management  
629 East Main Street  
P.O. Box 1105  
Richmond, VA 23218

NATURAL RESOURCES CONSERVATION SERVICE

USDA NRCS  
1606 Santa Rosa Road  
Richmond, VA 23229-5014

FISH AND WILDLIFE SERVICES

U.S. Fish and Wildlife Service  
Region 5  
300 Westgate Center Drive  
Hadley, MA 01035-9589

US ARMY CORPS OF ENGINEERS

U.S. Army Corps of Engineers  
Norfolk District  
Waterfield Building  
803 Front Street  
Norfolk, VA 23510

COUNTY OF PRINCE EDWARD

Mr. Wade Bartlett, County Administrator  
P.O. Box 382  
Farmville, VA 23901

STATE CLEARINGHOUSE (DOT)

Virginia Department of Transportation  
Central Office  
1401 E. Broad Street  
Richmond, VA 23219

Department of Rail & Public Transportation

600 E. Main Street, Suite 2102  
Richmond, VA 23219

STATE HISTORIC PRESERVATION OFFICE

Virginia Department of Historic Resources  
Central Office  
2801 Kensington Avenue  
Richmond, VA 23221

NATIONAL PARK SERVICE

Charlie Stockman  
National Park Service  
Rivers and Trails Conservation Program  
1201 Eye Street, NW 9<sup>th</sup> floor  
Washington D.C. 20005

NATIONAL GEODETIC SURVEY

National Geodetic Survey  
Geodetic Service Division  
Room 9202 NGS/12  
1315 East-West Hwy  
Silver Spring, MD 20910-3282

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

USEPA  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Mail Code 1101-A  
Washington, D.C. 20460-0002



Marcellus C. Kirchner  
January 8, 2014

**ATTACHMENT 1**  
**ENVIRONMENTAL AND HISTORIC REPORT**  
**INCLUDING SAMPLE TRANSMITTAL LETTER**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB DOCKET NO. AB-290 (Sub-No. 361X)  
NORFOLK SOUTHERN RAILWAY COMPANY  
PROPOSED RAIL LINE ABANDONMENT  
BETWEEN MILEPOST N 167.9 AND MILEPOST N 168.9  
IN PRINCE EDWARD COUNTY, VIRGINIA**

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**Combined Environmental and Historic Report**

Norfolk Southern Railway Company (NSR) submits this Combined Environmental and Historic Report (“EHR”) pursuant to 49 C.F.R. § 1105.7(e) and 49 C.F.R. § 1105.8(d), respectively, in connection with the proposed abandonment of one mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia.

**January 8, 2014**

## **ENVIRONMENTAL REPORT**

### **49 CFR 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.*

RESPONSE: NSR proposes to abandon one mile of rail line between Mileposts N 167.9 and N 168.9 in Prince Edward County, Virginia. Following abandonment, the right-of-way will be conveyed to permit extension of the adjacent High Bridge Trail State Park into the Town of Pamplin, Virginia. There are no customers served on the segment to be abandoned.

Following abandonment, the rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, NSR believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap. Crossties may be reused in other railroad operations, or they will be disposed of in accordance with applicable federal and state laws and regulations. There are no bridges on the line segment.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory as it would not permit extension of the adjacent trail/park into Pamplin.

A map depicting the line proposed for abandonment is attached as **Appendix A**. An example of the railroad's letter to federal, state and local government agencies along with a list of the consulting agencies NSR has contacted is attached as **Appendix B**. Comments received as a result of NSR's written requests for feedback can be found in **Appendix C**.

**49 CFR 1105.7(e)(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.*

RESPONSE: Effects of the proposed action on regional or local transportation systems and patterns would be negligible. There is no rail freight or passenger traffic originating or terminating on the line segment proposed for abandonment. The line segment is not in use, and portions of the track have previously been removed.

**49 CFR 1105.7(e)(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.*

RESPONSE: An outline of future land use plans has been requested from Prince Edward County and the Town of Pamplin, which were asked to comment on the consistency of the proposed abandonment with existing land use plans. A copy of each letter received from Prince Edward County and the Town of Pamplin respectively expressing support for the proposed abandonment is attached as part of **Appendix C**.

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

RESPONSE: Consultation was requested from The United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS), which has indicated no impact to prime farmland. A copy of the USDA NRCS response is attached as part of **Appendix C**.

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

RESPONSE: Consultation was requested from the State Coastal Zone Management Program Manager, but NSR has not received a response to date. NSR has no reason to believe that, the proposed abandonment would be inconsistent with the coastal zone management plan as the subject line is not within a coastal zone.

*(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.*

RESPONSE: The railroad has fee title to the right-of-way underlying the line segment proposed for abandonment. Following abandonment, the underlying right-of-way will be sold to the Virginia Department of Conservation and Recreation (VA DCR) to complete a walking trail extension of the High Bridge Trail State Park into the Town of Pamplin, and thus the right-of-way is suitable and intended in this case for alternative public use.

#### **49 CFR 1105.7(e)(4) Energy.**

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

RESPONSE: Development and transportation of energy resources will not be affected by the abandonment.

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

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the abandonment. There is no rail freight or passenger traffic originating or terminating on the line segment proposed for abandonment.

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

RESPONSE: The proposed action will not result in any material impact 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.*

RESPONSE: The diversion of traffic to motor carriers will not exceed the thresholds set forth at 49 CFR §1105.7(e)(4) as no diversions will occur. Accordingly, there is no need to produce data on diverted traffic or to quantify the net change in energy consumption.

**49 CFR 1105.7(e)(5) Air.**

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

RESPONSE: The above thresholds will not be exceeded.

*(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either:  
(A) An increase in rail traffic of at least 50 percent (measured in gross ton miles*

*annually) or an increase of at least three trains a day on any segment of rail line,  
(B) An increase in rail yard activity of at least 20 percent (measured by carload activity),  
or  
(C) An average increase in truck traffic of more than 10 percent 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.*

RESPONSE: The above thresholds will not be exceeded. For the record,  
however, Prince Edward County, Virginia is an attainment for all National Ambient Air  
Quality Standard (NAAQS) pollutants according to the U.S. Environmental Protection  
Agency.

*(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 restrictions); 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.*

RESPONSE: Not applicable.

#### **49 CFR 1105.7(e)(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.*

RESPONSE: The above thresholds will not be exceeded.

#### **49 CFR 1105.7(e)(7) Safety.**

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

RESPONSE: Abandonment of the subject rail line segment will have no adverse  
impact on public health and 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.*

RESPONSE: Not applicable.

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

RESPONSE: The railroad has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way or in adjacent areas.

#### **49 CFR 1105.7(e)(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.*

RESPONSE: The railroad understands that no federally-listed endangered species or their habitats will be adversely affected. The railroad has requested input from the U.S. Fish and Wildlife Service (USFWS) to ascertain any impacts to surrounding habitats and species. USFWS indicated the Dwarf Wedgemussel, Roanoke Logperch, and Smooth Coneflower as endangered species that may occur in the area of the proposed project. The railroad has no reason to believe, however, that any of these species is located within or adjacent to the subject rail line, or that any of these would be adversely affected by the proposed abandonment. A copy of the USFWS response letter is attached as part of **Appendix C**.

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

RESPONSE: The line segment proposed for abandonment does not appear to pass through state parks or forests, national parks or forests, or wildlife sanctuaries. No adverse effects on wildlife sanctuaries, national parks or forests, or state parks or forests are anticipated.

**49 CFR 1105.7(e)(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.*

RESPONSE: The railroad does not intend to remove or alter the contour of the roadbed underlying the rail line to be abandoned by way of excavation or other ground-disturbance activity. Accordingly, no soils will be disturbed as a result of the proposed abandonment, and no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. There are no bridges on the line segment. There are no plans to undertake in-stream work, or dredge and/or use any fill materials in connection with the proposed abandonment, so, for this reason also, the proposed abandonment will not result in water quality impacts.

Consultation has been requested from the Virginia Department of Environmental Quality and from the regional Environmental Protection Agency office.

*(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.*

RESPONSE: The geometry of the roadbed will not be altered and no in-stream work is contemplated. No discernible effects on either 100-year flood plains or adjacent wetlands are expected in connection with the proposed abandonment. Consultation was requested from the U.S. Army Corps of Engineers.

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

RESPONSE: The railroad does not plan to remove or alter the roadbed underlying the line to be abandoned, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and, because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. The railroad anticipates that the abandonment will not affect water quality and that additional permitting under Section 402 will not be required. Nevertheless, NSR has requested input from the Regional Environmental Protection Agency and the Virginia Department of Environmental Quality of Natural Resources.

**49 CFR 1105.7(e)(10) Proposed Mitigation.**

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

RESPONSE: Abandonment of the involved rail line is not expected to produce adverse environmental impacts for the reasons set forth above. Only minimal physical activity may occur as a result of the proposed abandonment, such as removal of rail, ties, and other railroad appurtenances. The railroad will undertake all reasonable mitigation associated with these activities as directed by the Board to assure the abandonment does not produce adverse environmental impacts.

## **HISTORIC REPORT**

### **49 CFR 1105.8(d)**

#### **PROPOSED ACTION AND ALTERNATIVES**

RESPONSE: NSR proposes to abandon one mile of rail line between Mileposts N 167.9 and N 168.9 in Prince Edward County, Virginia. Following abandonment, the right-of-way will be conveyed to permit extension of the adjacent High Bridge Trail State Park into the Town of Pamplin, Virginia. There are no customers served on the segment to be abandoned.

Following abandonment, the line's rail and related track material will be salvaged. Salvage will consist of removing the rail and track material from the existing roadbed. The contour of the existing roadbed will remain as is, and existing drainage systems will remain intact. When the rail and track material are removed, the contractor will smooth the roadbed to a level surface. No ballast will be removed, and no soil disturbance will occur. No digging or burying of any kind will be permitted. Accordingly, NSR believes that no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. All salvaged steel components will either be reused or sold as scrap.

Crossties may be reused in other railroad operations or they will be disposed of in accordance with applicable federal and state laws and regulations. There are no bridges on the line segment.

The alternative to abandonment is to not abandon the line and retain the track in place. This alternative is not satisfactory as it would not permit extension of the adjacent trail/park into Pamplin.

A map depicting the line proposed for abandonment is attached in **Appendix A**.

### **ADDITIONAL INFORMATION**

(1) **U.S.G.S. Topographic Map** - Maps were furnished to the Virginia Department of Historic Resources.

(2) **Written Description of Right of Way** - The right-of-way width ranges from 80 feet to 200 feet along the main track centerline. Pursuant to Surface Transportation Board (STB) policy, the railroad's right-of-way will constitute the Area of Potential Effect (APE) for this undertaking.

(3) **Photographs** – There are no bridges or other structures on the subject line segment.

(4) **Date of Construction of Structures** – Not applicable.

(5) **History of Operations and Changes Contemplated** – The railroad property that is the subject of the proposed abandonment consists of one mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia. The line is a smaller, western segment of a rail route that extended from Pamplin to Burkeville, Virginia.

The subject line segment was originally part of the Southside Railroad which was an important transportation resource during the U.S. Civil War. It was constructed between Petersburg and Lynchburg, Virginia between 1849 and 1854.

In the 1860's, William Mahone, a former general in the Confederate States Army, consolidated the Southside Railroad with two other properties to form the Atlantic, Mississippi and Ohio Railroad (AM&O), which extended from Norfolk to Bristol, Virginia.

The AM&O was acquired by other interests in 1881, and was renamed the Norfolk and Western Railroad Company, which in 1896 became the Norfolk and Western Railway Company (“NW”), an NSR predecessor road.

The roughly 31-mile rail line segment from just east of Pamplin to the western edge of Burkeville (immediately to the east of one-mile the line segment that is the subject of the present abandonment proceeding) was abandoned in 2005, and now comprises High Bridge Trail State Park in its present configuration. The subject one-mile rail line segment will be abandoned in order to permit the extension of the High Bridge State Park directly into Pamplin, with the support of the Town of Pamplin and the County of Prince Edward.

(6) **Summary of Documents In Carrier's Possession That Might Be Useful for Documenting a Structure That Is Found To Be Historic** – Not applicable.

(7) **Opinion Regarding Criteria For Listing In The National Register Of Historic Places** – There are no structures on the subject line or within the APE for this undertaking. The railroad has no reason to believe that there is any likelihood of finding archaeological resources or historic properties on the line proposed for abandonment in the course of track salvage.

(8) **Subsurface Ground Conditions That Might Affect Archaeological Recovery**  
The railroad is not aware of any prior subsurface ground disturbances or environmental conditions that would affect archaeological recovery. Moreover, abandonment of the line and salvage of material from its surface will not affect any potential archaeological resources. The subsurface of the right-of-way was initially disturbed in the construction

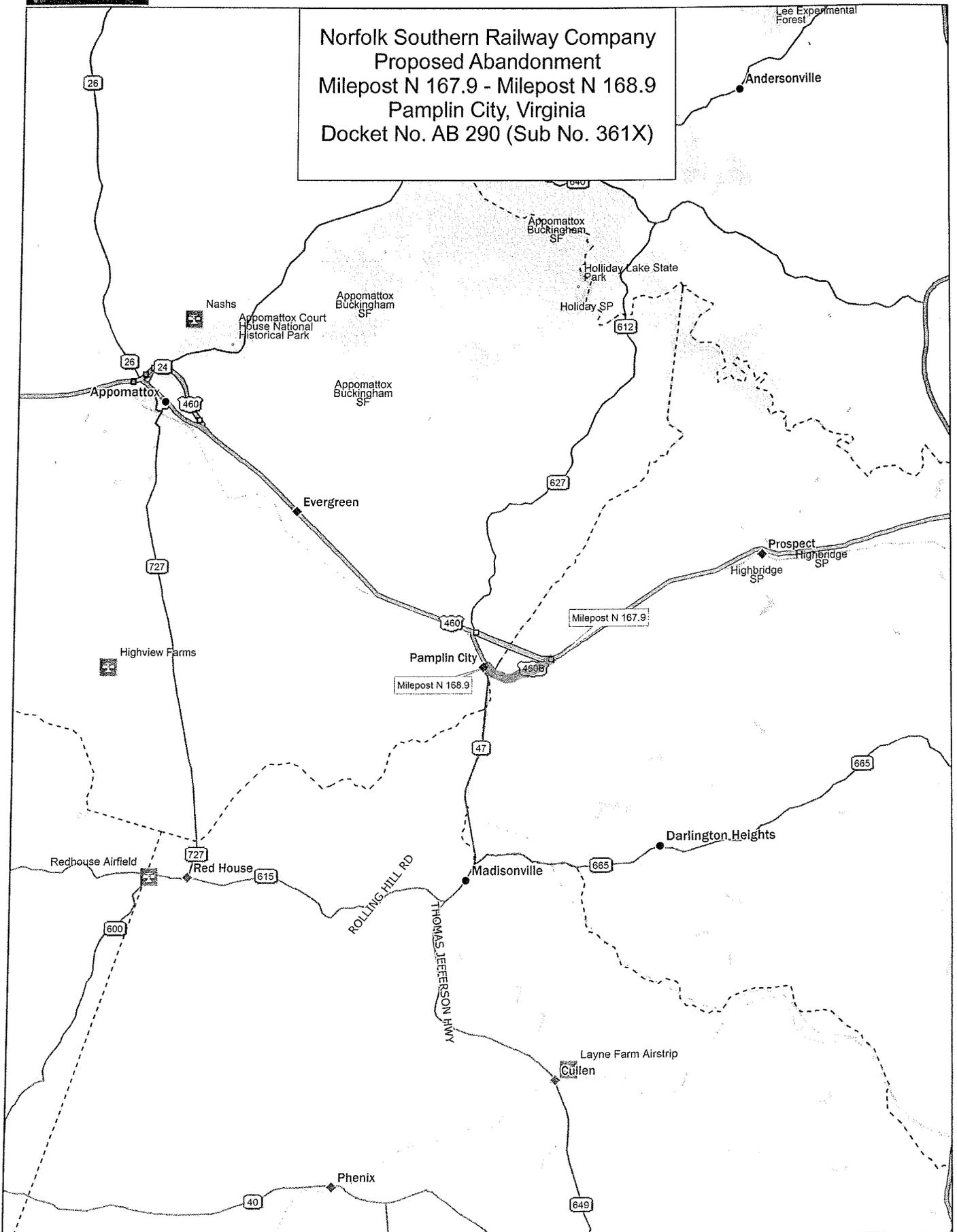
of the railroad line by grading and filling. Abandonment and salvage of the line will not result in activities below the surface, or below the level of initial disturbance.

(9) **Follow-Up Information** - Additional information will be provided as appropriate.

# **APPENDIX A**

## **Site Map**

Norfolk Southern Railway Company  
 Proposed Abandonment  
 Milepost N 167.9 - Milepost N 168.9  
 Pamplin City, Virginia  
 Docket No. AB 290 (Sub No. 361X)



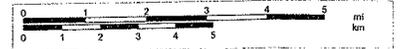
Data use subject to license.

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www.delorme.com



Scale 1 : 200,000



1" = 3.16 mi

Data Zoom 10-0

# **APPENDIX B**

## **Agency Letters**



Norfolk Southern Corporation  
3 Commercial Place  
Norfolk, VA 23510-9207

Strategic Planning Department  
Three Commercial Place  
Norfolk, VA 23510-9207  
(757) 629-2679

January 8, 2014

RE: STB Docket No. AB-290 (Sub-No. 361X), Norfolk Southern Railway Company-  
Abandonment- in Prince Edward County, Virginia

Dear Sir/Madam:

Norfolk Southern Railway Company (NSR) plans to request authority from the Surface Transportation Board (STB) to abandon a segment of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia.

Enclosed is a Combined Environmental and Historic Report (Report) which describes the proposed abandonment and other pertinent information. A map of the proposed track abandonment can be found in **Appendix A** of this report. **Appendix B** of this report lists the various agencies receiving it.

The railroad does not anticipate adverse environmental impacts; however, if you identify any adverse environmental effects please describe the actions that would assist in alleviating them. Please provide us with a written response indicating any concerns or lack thereof, which will be included in the Report and sent to the Surface Transportation Board (STB).

This Report is being provided so that you may submit information that will form the basis for the STB's independent environmental analysis of the proceeding. If you believe any of the information is incorrect, if you think pertinent information is missing, or if you have any questions about the Board's Environmental Review process, please contact the Section of Environmental Analysis (SEA) by telephone at (202) 245-0295 or by mail to:

Surface Transportation Board  
395 E Street, S.W., Room 1106  
Washington DC 20423-0001

Please refer to the above Docket when contacting the STB. Applicable statutes and regulations impose stringent deadlines for processing this action. For this reason your written comments (with a copy to us) would be appreciated within three weeks.

Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. In order for us to consider your input prior to filing with the STB, we must receive your comments within three weeks. Please provide information to LaWada Poarch by email at LaWada.Poarch@nscorp.com, or by mail to:

LaWada Poarch  
Abandonments Coordinator  
Norfolk Southern Corporation  
Strategic Planning Department  
Three Commercial Place  
Norfolk, VA 23510

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Kirchner', with a long horizontal flourish extending to the right.

Marcellus C. Kirchner  
Director Strategic Planning  
Norfolk Southern Railway Company

Attachment

RECIPIENT LIST

Proposed Rail Line Abandonment from Milepost N 167.9 to Milepost N 168.9 in Prince Edward County, Virginia.

STATE ENVIRONMENTAL PROTECTION AGENCY

Virginia Department of Environmental Quality  
Central Office  
629 East Main Street  
P.O. Box 1105  
Richmond, VA 23218

REGIONAL ENVIRONMENTAL PROTECTION AGENCY

Regional EPA – Region 3  
1650 Arch Street  
Philadelphia, PA 19103

STATE COASTAL ZONE MANAGEMENT

Laura McKay  
Program Manager  
State Coastal Zone Management  
629 East Main Street  
P.O. Box 1105  
Richmond, VA 23218

NATURAL RESOURCES CONSERVATION SERVICE

USDA NRCS  
1606 Santa Rosa Road  
Richmond, VA 23229-5014

FISH AND WILDLIFE SERVICES

U.S. Fish and Wildlife Service  
Region 5  
300 Westgate Center Drive  
Hadley, MA 01035-9589

US ARMY CORPS OF ENGINEERS

U.S. Army Corps of Engineers  
Norfolk District  
Waterfield Building  
803 Front Street  
Norfolk, VA 23510

COUNTY OF PRINCE EDWARD

Mr. Wade Bartlett, County Administrator  
P.O. Box 382  
Farmville, VA 23901

STATE CLEARINGHOUSE (DOT)

Virginia Department of Transportation  
Central Office  
1401 E. Broad Street  
Richmond, VA 23219

Department of Rail & Public Transportation  
600 E. Main Street, Suite 2102  
Richmond, VA 23219

STATE HISTORIC PRESERVATION OFFICE

Virginia Department of Historic Resources  
Central Office  
2801 Kensington Avenue  
Richmond, VA 23221

NATIONAL PARK SERVICE

Charlie Stockman  
National Park Service  
Rivers and Trails Conservation Program  
1201 Eye Street, NW 9<sup>th</sup> floor  
Washington D.C. 20005

NATIONAL GEODETIC SURVEY

National Geodetic Survey  
Geodetic Service Division  
Room 9202 NGS/12  
1315 East-West Hwy  
Silver Spring, MD 20910-3282

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

USEPA  
Ariel Rios Building  
1200 Pennsylvania Ave., NW  
Mail Code 1101-A  
Washington, D.C. 20460-0002

# **APPENDIX C**

## **Agency Responses**



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Molly Joseph Ward  
*Secretary of Natural Resources*

Julie V. Langan  
*Acting Director*

Tel: (804) 367-2323  
Fax: (804) 367-2391  
www.dhr.virginia.gov

February 7, 2014

Mr. Marcellus C. Kirchner, Director Strategic Planning  
Norfolk Southern Railway Company  
Three Commercial Place  
Norfolk, VA 23510-9207

Re: Railroad Abandonment between Mileposts N 167.9 and N 168.9  
Prince Edward County  
DHR File No. 2014-0040

Dear Mr. Kirchner,

On January 9, 2014, the Virginia Department of Historic Resources (DHR) received information on the above referenced project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended. We understand that the project will be receiving federal approval from the Surface Transportation Board (STB). Unfortunately, we do not have enough information to complete a review at this time.

DHR understands that the Norfolk Southern Railway Company (NSR) is proposing to abandon service for 1.0-miles of rail between milepost N 167.9 and N 168.9 in Prince Edward County. The line is a smaller, western segment of a rail route that extended from Pamplin to Burkeville, Virginia. The segment was originally part of the Southside Railroad, which was, according to your report, an important transportation resource during the Civil War. It was constructed between Petersburg and Lynchburg between 1849 and 1854. The western segment is roughly 31-miles and was abandoned in 2005, and now largely comprises High Bridge Trail State Park. The purpose of the abandonment is to discontinue service, salvage the track and improvements, and smooth the roadbed for the extension of the adjacent High Bridge Trail State Park directly into the Town of Pamplin.

In order for DHR to make an informed decision on potential effects, please submit the following:

- Map showing the Area of Potential Effects (APE) for direct and indirect effects. Indirect effects in this particular case would include the limits of the abandonment, at a minimum.
- DHR archives search through the Virginia Cultural Resource Information System (V-CRIS) for the area within the indirect effects boundaries of the project, as it is the federal agency's responsibility to identify historic properties under Section 106.

Administrative Services  
10 Courthouse Ave.  
Petersburg, VA 23803  
Tel: (804) 862-6408  
Fax: (804) 862-6196

Capital Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Tidewater Region Office  
14415 Old Courthouse Way  
2<sup>nd</sup> Floor  
Newport News, VA 23608  
Tel: (757) 886-2818  
Fax: (757) 886-2808

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

February 7, 2014  
Mr. Marcellus Kirchner  
DHR File No. 2014-0040

- Several representative photos of the project area within the APE, so we may get an idea of the surrounding environment, regardless of whether bridges are present, in order to assess effects.

Should you have any additional questions, I can be reached at (804) 482-6084 or via email, [andrea.kampinen@dhr.virginia.gov](mailto:andrea.kampinen@dhr.virginia.gov).

Sincerely,



Andrea Kampinen  
Architectural Historian, Office of Review and Compliance

Cc: LaWada Poarch, Norfolk Southern Corp.

Administrative Services  
10 Courthouse Ave.  
Petersburg, VA 23803  
Tel: (804) 862-6408  
Fax: (804) 862-6196

Capital Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Tidewater Region Office  
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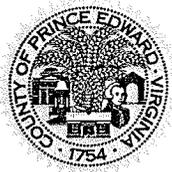
Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

BOARD OF SUPERVISORS

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CHARLES W. MCKAY  
JAMES R. WILCK



COUNTY ADMINISTRATOR  
W.W. BARTLETT

POST OFFICE BOX 382  
FARMVILLE, VA 23901

(434) 392-8837 VOICE  
(434) 392-6683 FAX

WBARTLETT@CO.PRINCE-EDWARD.VA.US  
WWW.CO.PRINCE-EDWARD.VA.US

COUNTY OF PRINCE EDWARD, VIRGINIA

November 15, 2013

Ms. LaWada Poarch, Abandonments Coordinator  
Strategic Planning-12<sup>th</sup> Floor  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, Virginia 23510

**RE: Docket No AB-290 (Sub-No. 361X), Norfolk Southern Railway Company-  
Abandonment-in Prince Edward County, Virginia**

Dear Ms. Poarch:

The County of Prince Edward is in receipt of the letter dated November 11, 2013 from Marcellus C. Kirchner, Director Strategic Planning, regarding the proposed abandonment of 1.00 mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia. At its November 14, 2013 meeting, the Prince Edward County Board of Supervisors approved the attached resolution as its response.

The Board of Supervisors is very interested in seeing this final mile of rail corridor donated to the Commonwealth of Virginia to facilitate the extension of High Bridge Trail State Park into the Town of Pamplin.

The County of Prince Edward looks forward to working with Norfolk Southern and we are most appreciative of this opportunity to comment on the proposed abandonment. If we may provide additional information or be of further assistance, please do not hesitate to contact Sarah Elam Puckett, Assistant County Administrator at [spuckett@co.prince-edward.va.us](mailto:spuckett@co.prince-edward.va.us) or at 434-392-8837.

Sincerely,

  
W.W. Bartlett  
County Administrator

Attachment

cc: Joe Elton, Virginia State Parks (w/attachment)  
The Honorable Robert G. Mitchell, Mayor, Town of Pamplin (w/attachment)

BOARD OF SUPERVISORS

WILLIAM G. FORE, JR.  
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COUNTY ADMINISTRATOR  
W.W. BARTLETT

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WWW.CO.PRINCE-EDWARD.VA.US

COUNTY OF PRINCE EDWARD, VIRGINIA

A RESOLUTION OF THE  
BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA

**WHEREAS**, Norfolk Southern Corporation is considering the abandonment of 1.00 mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia; and

**WHEREAS**, Norfolk Southern Corporation previously abandoned approximately 31 miles of adjoining rail line between the Town of Burkeville, Virginia and the Town of Pamplin, Virginia, which has become *High Bridge Trail State Park*, a 31-mile rails-to-trails, linear state park; and

**WHEREAS**, the development of *High Bridge Trail State Park* along this abandoned rail corridor has resulted in the creation of one of Virginia's premier outdoor recreational and heritage tourism attractions, and has provided for the protection of High Bridge, the iconic and historically-significant railroad bridge structure; and

**WHEREAS**, the proposed abandonment of 1.00 mile of rail line between Milepost N 167.9 and Milepost N 168.9 could enable the Virginia Department of Conservation and Recreation to extend *High Bridge Trail State Park* the last mile into the Town of Pamplin, thus enhancing economic and recreational opportunities in this community;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Prince Edward, Virginia, has determined that the abandonment of the 1.00 mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia is consistent with existing land use plans and the long-range strategic vision of the Board of Supervisors, which is that the abandoned rail corridor will be conveyed to the Commonwealth of Virginia for the singular purpose of extending *High Bridge Trail State Park* into the Town of Pamplin; and

**BE IT RESOLVED, FURTHER**, that the Board of Supervisors of the County of Prince Edward, Virginia, wholeheartedly endorses the abandonment of the 1.00 mile of rail line between Milepost N 167.9 and Milepost N 168.9 in Prince Edward County, Virginia, and hereby respectfully requests that Norfolk Southern Corporation give all possible consideration to immediately conveying the resulting abandoned rail corridor to the Commonwealth of Virginia for the express purpose of extending *High Bridge Trail State Park* into the Town of Pamplin.

Certification

*We hereby certify that the foregoing resolution was duly considered by the Board of Supervisors of the County of Prince Edward, Virginia at a regular board meeting in Prince Edward County, Virginia, at which a quorum was present and that same was passed by a vote of 8 in favor and 0 opposed, this 14<sup>th</sup> day of November, 2013.*

\_\_\_\_\_  
William G. Fore, Jr., Chairman

\_\_\_\_\_  
Howard F. Simpson, Vice-Chair

\_\_\_\_\_  
Howard M. Campbell

\_\_\_\_\_  
Pattie Cooper-Jones

\_\_\_\_\_  
Don C. Gantt, Jr.

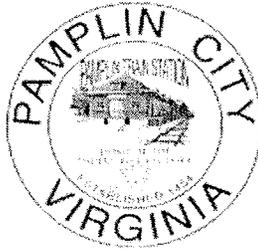
\_\_\_\_\_  
Robert M. Jones

\_\_\_\_\_  
Charles W. McKay

\_\_\_\_\_  
Jim Wilck

Government Representatives

Mayor – Robert G. Mitchell  
Vice-Mayor – William R. Horton  
Clerk-Treasurer – Paulie W. Johnson



Council Members

R. Jacob Hamlett  
Ronald Franklin  
Eugene Robinson  
Andrew Daniels  
Noreen Murray  
William Horton

Mailing Address

P.O. Box 1338  
Pamplin, VA 23958

Phone: 434-248-6514

Fax: 434-248-5084

[TownofPamplin@aol.com](mailto:TownofPamplin@aol.com)

Street Address

115 Main Street  
Pamplin, VA 23958

December 12, 2013

Ms. LaWada Poarch, Abandonments Coordinator  
Strategic Planning-12<sup>th</sup> Floor  
Norfolk Southern Corporation  
3 Commercial Place  
Norfolk, VA 23510

Dear Ms. Poarch:

This letter confirms the Town of Pamplin's agreement with the proposed Norfolk Southern Corporation abandonment of one mile of rail line on the approach to and within the corporate limits of Pamplin. The Pamplin Town Council adopted a resolution to this effect at its regularly scheduled meeting on December 5, 2013. A copy of the resolution is enclosed with this letter.

This action is believed to be consistent with the corresponding resolution by the Prince Edward County of November 14, 2013. Let me add to the County's appreciative comments on the proposed abandonment. The Town also looks forward to working with Norfolk Southern as each step is taken toward completing the trail here. This event has the potential for being one of the most important to modern day Pamplin.

Thank you.

Sincerely Yours,

Robert G. Mitchell  
Mayor

Attachment;

cc; Sarah Puckett, Prince Edward County (w/attachment)  
Joe Elton, Virginia State Parks (w/attachment)

**Government Representatives**

Mayor – Robert G. Mitchell  
Vice-Mayor – William R. Horton  
Clerk-Treasurer – Paulie W. Johnson



**Council Members**

R. Jacob Hamlett  
Ronald Franklin  
Eugene Robinson  
Andrew Daniels  
Noreen Murray  
William Horton

**Mailing Address**

P.O. Box 1338  
Pamplin, VA 23958

Phone: 434-248-6514

Fax: 434-248-5084

[TownofPamplin@aol.com](mailto:TownofPamplin@aol.com)

**Street Address**

115 Main Street  
Pamplin, VA 23958

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF PAMPLIN CITY OF THE COUNTIES OF PRINCE EDWARD AND APPOMATTOX OF THE COMMONWEALTH OF VIRGINIA**

**Whereas** the Norfolk Southern Railway Corporation through its letter of November 11, 2013, has notified the County of Prince Edward, Virginia, that it is considering abandonment of 1.00 mile of rail line between milepost 167.9 and milepost 168.9 on the approach to the Town of Pamplin and,

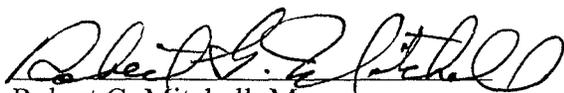
**Whereas** this action would enable continuation of abandonment of the necessary land into and within the Corporate Limits of the Town of Pamplin and,

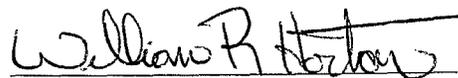
**Therefore** further enable the Commonwealth of Virginia, Department of Conservation and Recreation, to complete the construction of the High Bridge Trail State Park leading to the trail head facilities planned and those already completed by the Town of Pamplin and,

**Now therefore** be it resolved that the aforementioned extension of the rail line abandonment is consistent with the Town's land use plans as depicted on the drawing provided with the Prince Edward County letter of November 15, 2013, to the Norfolk Southern Corporation and Prince Edward County Resolution of November 14, 2013.

**Certification**

*We hereby certify that the foregoing resolution was duly considered by the Pamplin Town Council of the County of Prince Edward and Appomattox, Virginia at a regular council meeting in the Town of Pamplin, Virginia, at which a quorum was presented and that same was passed by a vote of 5 in favor and 0 opposed, this 5<sup>th</sup> day of December, 2013.*

  
Robert G. Mitchell, Mayor

  
William R. Horton, Vice Mayor

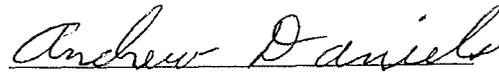
**ABSENT**

R. Jacob Hamlett

**ABSENT**

Noreen Murray

  
Ronald Franklin

  
Andrew Daniels

  
Eugene Robinson

**Poarch, Lawada G.**

---

**From:** Jones, Dennis - NRCS, Farmville, VA <Dennis.Jones@va.usda.gov>  
**Sent:** Monday, November 18, 2013 9:36 AM  
**To:** Poarch, Lawada G.  
**Subject:** RE: Docket No AB-290 (Sub-No. 361X), Norfolk Southern railway abandonment  
**Attachments:** N S Abandonment Pamplin\_Soil\_Map.pdf; Pamplin VA - Farmland Form to USDA-NRCS.pdf

Lawanda,

Attached is the 1006 form with comments. Basically the rail line is considered converted before the FPPA was instituted, even though the PE Soil Survey maps part of the area as prime, it would not be mapped as such today. Determination is abandonment will not be a conversion from prime farmland to another use.

Dennis H. Jones  
USDA-NRCS, District Conservationist  
100-B Dominion Dr.  
Farmville, Va. 23901

434-392-4127, ext. 101  
FAX 434-392-4577

---

**From:** Poarch, Lawada G. [mailto:lawada.poarch@nscorp.com]  
**Sent:** Friday, November 15, 2013 2:32 PM  
**To:** Jones, Dennis - NRCS, Farmville, VA  
**Subject:** RE: Docket No AB-290 (Sub-No. 361X), Norfolk Southern railway abandonment

Mr. Jones,

Attached is the information requested. Please let me know if you need anything else.

Thank you,

LaWada Poarch  
Abandonments Coordinator  
Strategic Planning Department  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, Virginia 23510  
(757) 629-2803 (office)  
(757) 533-4884 (facsimile)

Norfolk Southern Corporation (NYSE: NSC) is one of the nation's premier transportation companies. Its Norfolk Southern Railway Company subsidiary operates approximately 20,000 route miles in 22 states and the District of Columbia, serves every major container port in the eastern United States, and provides efficient connections to other rail carriers. Norfolk Southern operates the most extensive intermodal network in the East and is a major transporter of coal, automotive, and industrial products.

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**From:** Jones, Dennis - NRCS, Farmville, VA [<mailto:Dennis.Jones@va.usda.gov>]  
**Sent:** Friday, November 15, 2013 12:15 PM  
**To:** [lawada.poarch@nscorp.com](mailto:lawada.poarch@nscorp.com)  
**Subject:** Docket No AB-290 (Sub-No. 361X), Norfolk Southern railway abandonment

Ms. Poarch,

Today I was forwarded your request for a Prime Farmland determination on property at Pamplin, Va. Entities making Prime Farmland determination request to meet federal requirements should submit a partially complete Farmland Conversion Impact Rating form. I have attached the form for your use. Please complete Part I and Part II and return the form to my office by email, if possible. I should be able to return the complete form to you the same day. Thank you and please call if you have questions.

Dennis H. Jones  
USDA-NRCS, District Conservationist  
100-B Dominion Dr.  
Farmville, Va. 23901

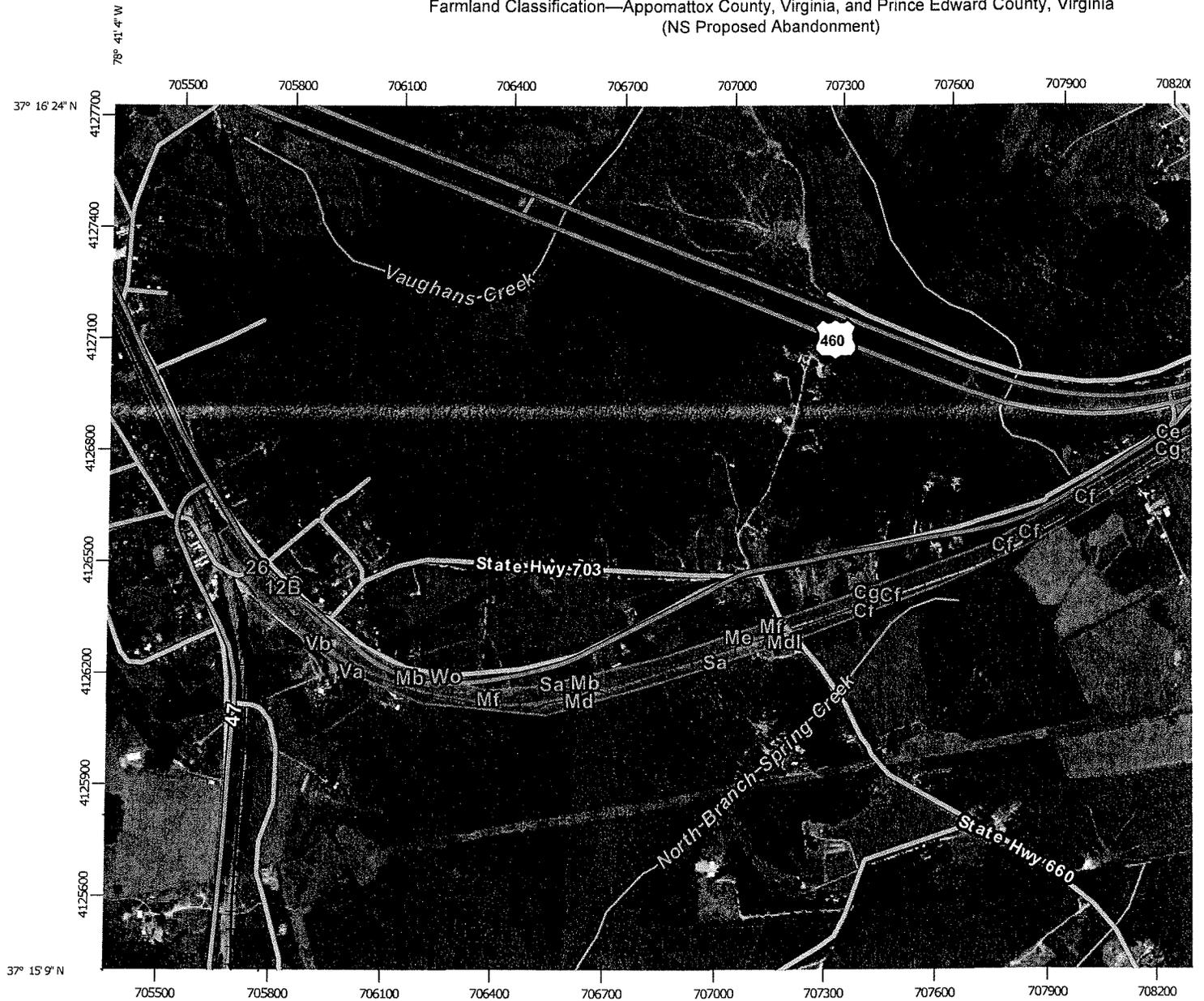
434-392-4127, ext. 101  
FAX 434-392-4577

Dennis H. Jones  
USDA-NRCS, District Conservationist  
100-B Dominion Dr.  
Farmville, Va. 23901

434-392-4127, ext. 101  
FAX 434-392-4577

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Farmland Classification—Appomattox County, Virginia, and Prince Edward County, Virginia  
(NS Proposed Abandonment)



Map Scale: 1:16,400 if printed on A landscape (11" x 8.5") sheet.

0 200 400 800 1200 Meters

0 500 1000 2000 3000 Feet

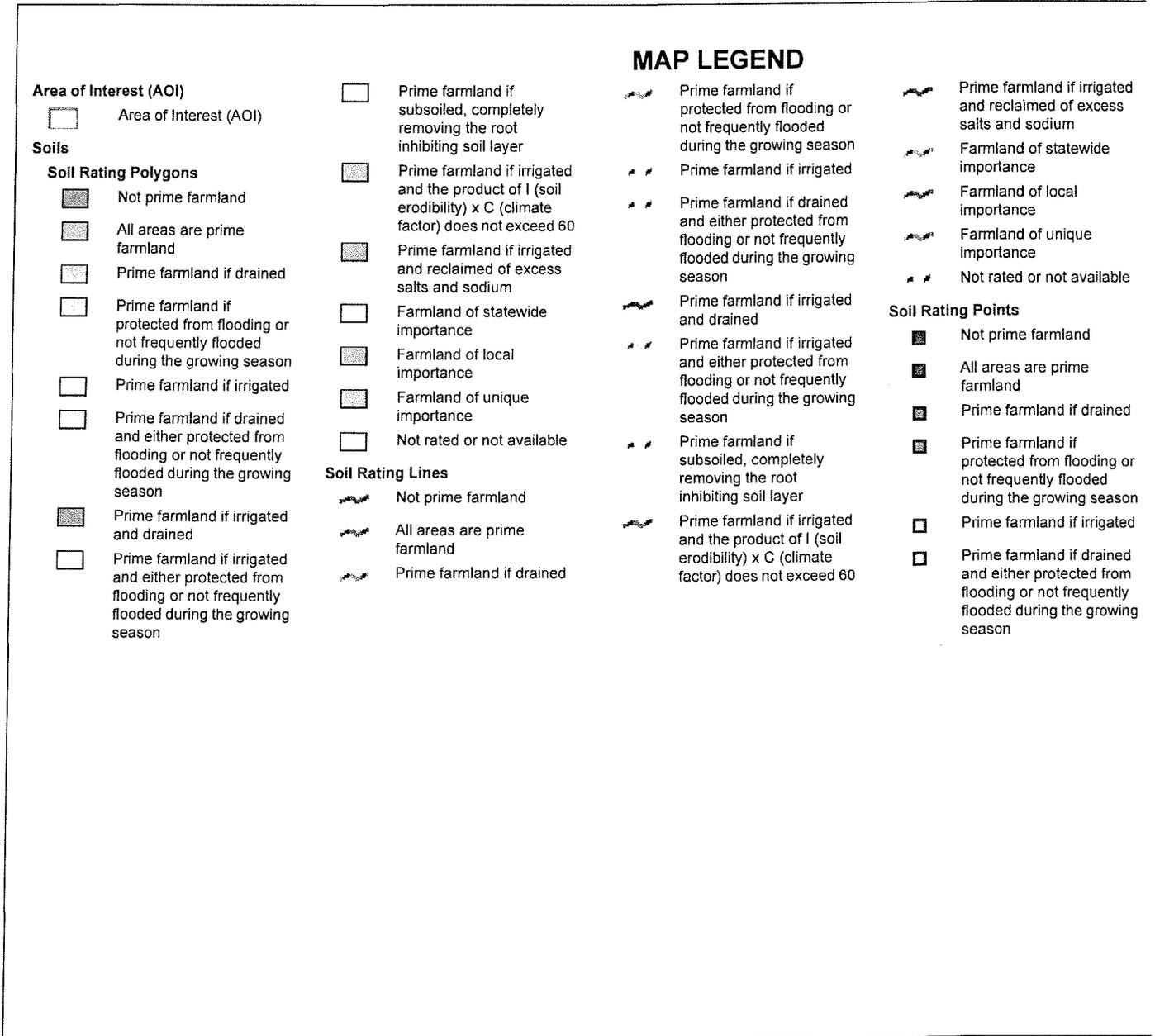
Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

Farmland Classification—Appomattox County, Virginia, and Prince Edward County, Virginia  
(NS Proposed Abandonment)



## MAP INFORMATION

-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

The soil surveys that comprise you ranging from 1:15,800 to 1:20,000

Please rely on the bar scale on ea measurements.

Source of Map: Natural Resourc  
Web Soil Survey URL: <http://websoilsurvey.sc.egov.usda.gov>  
Coordinate System: Web Mercator

Maps from the Web Soil Survey ar projection, which preserves direct distance and area. A projection the Albers equal-area conic projection, calculations of distance or area ar

This product is generated from the the version date(s) listed below.

Soil Survey Area: Appomattox C  
Survey Area Data: Version 11, F

Soil Survey Area: Prince Edward  
Survey Area Data: Version 8, Fe

Your area of interest (AOI) includes These survey areas may have beer a different land use in mind, at diffi of detail. This may result in map ur interpretations that do not complet boundaries.

Soil map units are labeled (as spac or larger.

Date(s) aerial images were photog 2010

The orthophoto or other base map compiled and digitized probably di imagery displayed on these maps. of map unit boundaries may be evi

## Farmland Classification

Farmland Classification— Summary by Map Unit — Appomattox County, Virginia (VA011)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
12B	Mattaponi-Cecil complex, 2 to 7 percent slopes	All areas are prime farmland	1.3	2.8%
26	Udorthents-Urban land complex, 0 to 15 percent slopes	Not prime farmland	3.0	6.3%
<b>Subtotals for Soil Survey Area</b>			<b>4.4</b>	<b>9.1%</b>
<b>Totals for Area of Interest</b>			<b>48.1</b>	<b>100.0%</b>

Farmland Classification— Summary by Map Unit — Prince Edward County, Virginia (VA147)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Ce	Cecil fine sandy loam, hilly phase	Farmland of statewide importance	0.2	0.3%
Cf	Cecil fine sandy loam, rolling phase	Farmland of statewide importance	2.2	4.5%
Cg	Cecil fine sandy loam, undulating phase	All areas are prime farmland	17.7	36.9%
Mb	Madison clay loam, eroded rolling phase	Not prime farmland	1.4	3.0%
Md	Madison fine sandy loam, hilly phase	Farmland of statewide importance	1.5	3.1%
Mdl	Made Land	Not prime farmland	0.0	0.0%
Me	Madison fine sandy loam, rolling phase	Farmland of statewide importance	1.5	3.2%
Mf	Madison fine sandy loam, undulating phase	All areas are prime farmland	16.2	33.7%
Sa	Seneca fine sandy loam	All areas are prime farmland	2.5	5.2%
Va	Vance fine sandy loam, rolling phase	Farmland of statewide importance	0.0	0.0%
Vb	Vance fine sandy loam, undulating phase	All areas are prime farmland	0.3	0.6%
Wo	Worsham sandy loam	Not prime farmland	0.1	0.3%
<b>Subtotals for Soil Survey Area</b>			<b>43.7</b>	<b>90.9%</b>
<b>Totals for Area of Interest</b>			<b>48.1</b>	<b>100.0%</b>

## Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

## Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE  
6669 SHORT LANE  
GLOUCESTER, VA 23061  
PHONE: (804)693-6694 FAX: (804)693-9032  
URL: [www.fws.gov/northeast/virginiafield/](http://www.fws.gov/northeast/virginiafield/)

Consultation Tracking Number: 05E2VA00-2014-SLI-0442

December 03, 2013

Project Name: Pamplin City, VA

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Pamplin City, VA

## Official Species List

**Provided by:**

VIRGINIA ECOLOGICAL SERVICES FIELD OFFICE

6669 SHORT LANE

GLOUCESTER, VA 23061

(804) 693-6694

<http://www.fws.gov/northeast/virginiafield/>

**Consultation Tracking Number:** 05E2VA00-2014-SLI-0442

**Project Type:** Land - Easement / Right-Of-Way

**Project Description:** Proposed Norfolk Southern Railway abandonment of 1.00 mile of rail line between Milepost N 167.9 and N 168.9 in Prince Edward County, Virginia.



United States Department of Interior  
Fish and Wildlife Service

Project name: Pamplin City, VA

**Project Counties:** Prince Edward, VA



United States Department of Interior  
Fish and Wildlife Service

Project name: Pamplin City, VA

## Endangered Species Act Species List

Species lists are not entirely based upon the current range of a species but may also take into consideration actions that affect a species that exists in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Please contact the designated FWS office if you have questions.

### Dwarf wedgemussel (*Alasmidonta heterodon*)

Population: Entire

Listing Status: Endangered

### Roanoke logperch (*Percina rex*)

Population: Entire

Listing Status: Endangered

### Smooth coneflower (*Echinacea laevigata*)

Listing Status: Endangered

**ATTACHMENT 2**  
**CONSULTING AGENCY RESPONSES TO**  
**ENVIRONMENTAL AND HISTORIC REPORT**  
**(POST-CIRCULATION)**



**FW: 2014-00401 Norfolk and Southern Abandonment in Prince Edward County (UNCLASSIFIED)**

Poarch, Lawada G. to: RWimbish@bakerandmiller.com  
Cc: "Kirchner, Marc C."

03/05/2014 02:53 PM

Rob,

Just in...Please add the response below from the U.S. Army Corps of Engineers to the Pamplin City filing packet I sent to you on February 12, 2014.

Thank you,

LaWada Poarch  
Abandonments Coordinator  
Strategic Planning Department  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, Virginia 23510  
(757) 629-2803 (office)  
(757) 533-4884 (facsimile)

-----Original Message-----

From: Holley, Elaine K NAO [mailto:Elaine.K.Holley@usace.army.mil]  
Sent: Wednesday, March 05, 2014 1:46 PM  
To: LaWada.Poarch@nscorp.com  
Subject: 2014-00401 Norfolk and Southern Abandonment in Prince Edward County (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

I reviewed a report regarding Norfolk Southern Corporation's planned abandonment of one mile of right of way between milepost N 167.9 and Milepost N 168.9 near the intersection of State Route 47 and United States Route 460 at the Town of Pamplin in Prince Edward County. Streams occur within the right of way that are jurisdictional pursuant to Section 404 of the Clean Water Act (33 USC 1344). Since no construction activities are proposed, the abandonment will not affect any waters of the United States, and no permit will be required from this office.

Thank you for this opportunity to comment, Elaine Holley (804) 323-3781.

Classification: UNCLASSIFIED  
Caveats: NONE

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-290 (Sub-No. 361X)**

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**NORFOLK SOUTHERN RAILWAY COMPANY  
– ABANDONMENT EXEMPTION –  
IN PRINCE EDWARD COUNTY, VIRGINIA**

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**VERIFIED NOTICE OF EXEMPT ABANDONMENT**

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**DRAFT NOTICE OF EXEMPTION  
[CAPTION SUMMARY]**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 290 (Sub-No. 361X)]

Norfolk Southern Railway Company – Abandonment Exemption – In Prince Edward County,  
Virginia

Norfolk Southern Railway Company (NSR) has filed on March 18, 2014, a verified notice of exemption under 49 C.F.R. part 1152 subpart F–Exempt Abandonments to abandon approximately 1.0 mile of rail line (the Line) extending from milepost N 167.9 (near the intersection of Pamplin Road/US Rte. 460 Bypass and Heights School Road) to milepost N 168.9 (a point roughly 0.6 miles east of the Appomattox County-Prince Edward County line), all of which is located in the Town of Pamplin City. The Line traverses United States Postal Zip Code territory 23958.

NSR has certified that: (1) no local traffic has moved over the Line for at least 2 years; (2) there is no overhead traffic on the subject line because the subject Line is not a “through line;” (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 C.F.R. § 1105.7(c) (environmental report), 49 C.F.R. § 1105.11 (transmittal letter), 49 C.F.R. § 1105.12 (newspaper publication), and 49 C.F.R. § 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. § 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 7, 2014, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 C.F.R. § 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 C.F.R. § 1152.29 must be filed by \_\_\_\_\_, 2014. Petitions to reopen or requests for public use conditions under 49 C.F.R. § 1152.28 must be filed by \_\_\_\_\_, 2014, with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NSR's representative: Robert A. Wimbish or William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave., NW, Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

NSR has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an

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<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Serv. Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 C.F.R. § 1002.2(f)(25).

environmental assessment (EA) by \_\_\_\_\_, 2014. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 C.F.R. § 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by NSR's filing of a notice of consummation by \_\_\_\_\_, 2015, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: \_\_\_\_\_, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.