



STEVEN ARMBRUST
Counsel - Regulatory

Florida Authorized House Counsel
Admitted in New York, Not Admitted in Florida

FILED

AUG - 7 2007

**SURFACE
TRANSPORTATION BOARD**

August 3, 2007

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202

TELEPHONE (904) 359-1229

FAX (904) 245-3357

Steven.Armbrust@csx.com

219961

Via DHI, Express, Overnight (Return Receipt Requested)

Honorable Vernon A Williams
Secretary
Surface Transportation Board
395 East Street, SW
Washington, D C 20423

ENTERED
Office of Proceedings
AUG - 7 2007

Part of
Public Record



Re: Docket No. AB-55 (Sub-No. 680X)
CSX Transportation, Inc. -
Abandonment Exemption in Portsmouth County, Virginia

Dear Secretary Williams

Enclosed are the original and ten copies of a Verified Notice of Exemption for abandonment in the above-entitled proceeding (the "Notice") and a check for the filing fee of \$3,200, together with a compact disk of a copy of the Notice in MSWord

Please time and date stamp the additional copy of this letter and return it to me in the self-addressed, stamped envelope Thank you for your assistance

If you have any questions please call or email me

Sincerely yours,

Steven C. Armbrust

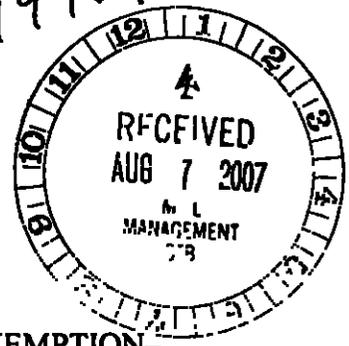
Enclosures

FEE RECEIVED
AUG - 7 2007
**SURFACE
TRANSPORTATION BOARD**

219961

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 680X)



CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN PORTSMOUTH COUNTY, VA

VERIFIED NOTICE OF EXEMPTION

ENTERED
Office of Proceedings
AUG - 7 2007
Part of
Public Record

FILED
AUG - 7 2007
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
AUG - 7 2007
SURFACE
TRANSPORTATION BOARD

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, Florida 32202
(904) 359-1229

Counsel for: CSX TRANSPORTATION, INC

Dated. August 6, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD



Docket No. AB-55 (Sub-No. 680X)

CSX TRANSPORTATION, INC –ABANDONMENT EXEMPTION–
IN PORTSMOUTH COUNTY, VA

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon a 0.50-mile rail line on its Southern Region, Florence Division, Portsmouth Subdivision from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 miles in the City of Portsmouth, Portsmouth County, Virginia (the “Line”). No local or overhead rail traffic has moved over the Line during the past two years.

1. Proposed consummation date. The proposed consummation date is September 26, 2007.
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. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon a 0.50-mile rail line on its Southern Region, Florence Division, Portsmouth Subdivision from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, in the City of Portsmouth, Portsmouth County, Virginia. No stations will be impacted by the proposed abandonment.

(4) Map. See Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Steven C. Armbrust, CSX Transportation, Inc., 500 Water St., J-150, Jacksonville, Florida, 32202 (fax: 904-245-3357).

(8) List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses. The Line traverses ZIP Code 23704.

(c) Rural and community impact. Statement of whether the properties proposed to be abandoned 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

Respectfully submitted,



Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, Florida 32202
(904) 359-1229

Counsel for: CSX TRANSPORTATION, INC

Dated: August 6, 2007

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.

CSXT believes that the properties proposed for abandonment may be suitable for other purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

4. The level of labor protection The interests of railroad employees who may be adversely affected by the proposed abandonment 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), 1105.11 and 1105.12 may be found in Exhibit C (Certificate of Service; Certificate of Publication), Exhibit D (Certificate of Distribution of Environmental Report) and Exhibit E (Certificate of Distribution of Historical Report)

6. Environmental Report, etc. See Exhibit D. Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

7. Historic Report. See Exhibit E.

EXHIBIT A

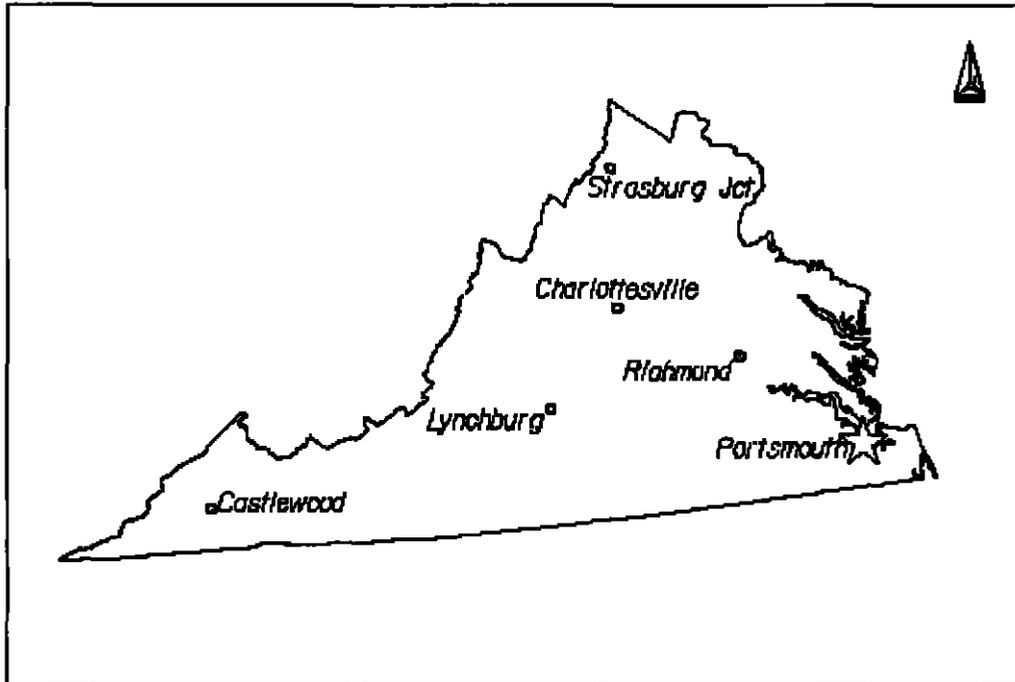
**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

[See attached]

EXHIBIT B

MAP

[See attached]



AREA MAP

**- Proposed Abandonment -
Beginning Portion of the
Portsmouth Subdivision
SA 0.28 - SA 0.78
0.5 Miles +/-
City of Portsmouth
Portsmouth County, Virginia**

SOUTHERN REGION - FLORENCE DIVISION - PORTSMOUTH SUBDIVISION

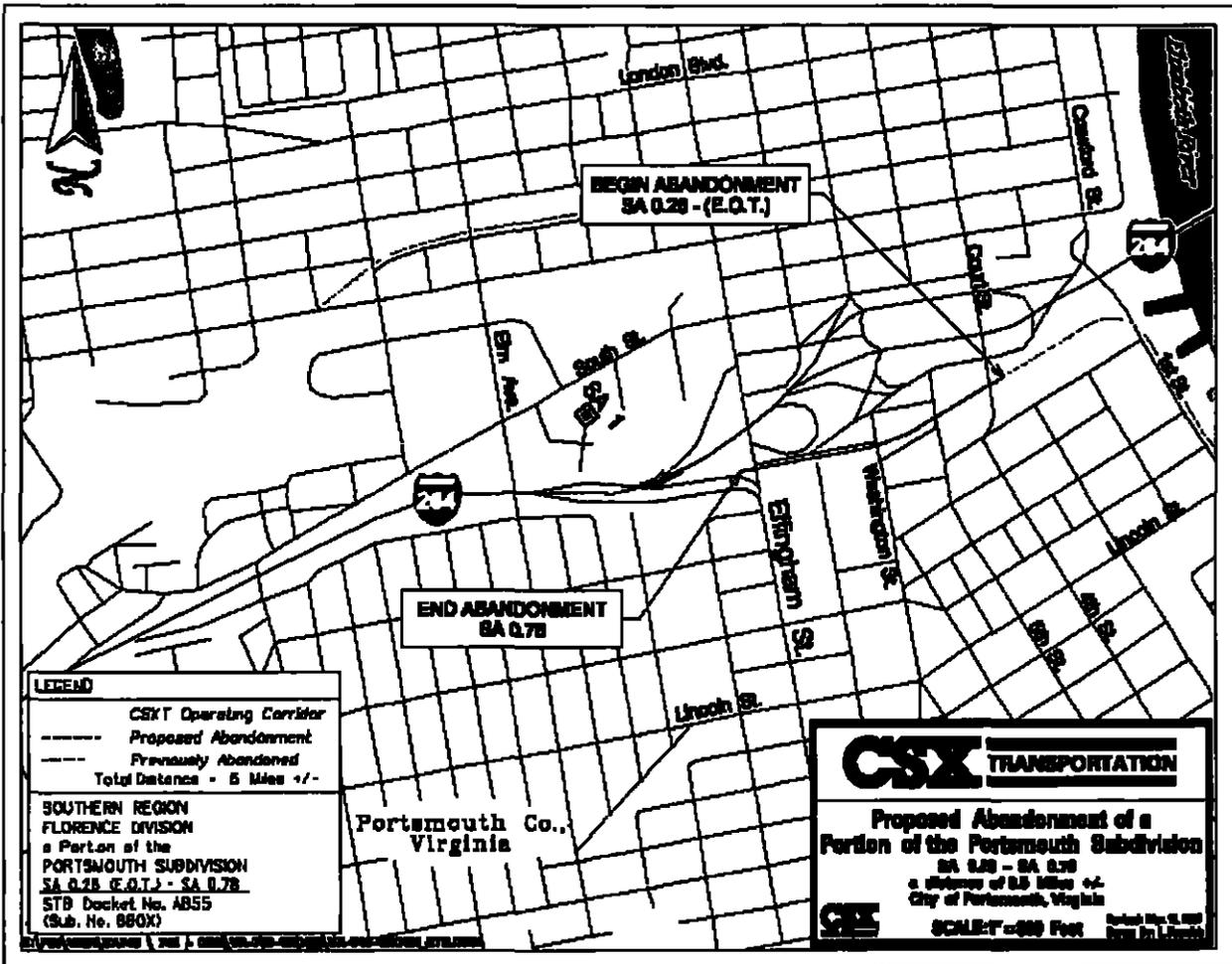


EXHIBIT C

CERTIFICATES OF SERVICE AND PUBLICATION

[See attached]

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 680X) was mailed via DHL overnight mail on July 23, 2007, to the following parties:

State Public Service Commission

State Corporation Commission,
Commonwealth of Virginia
Attn: Chairman Theodore V. Morrison, Jr.
Tyler Building
1300 E. Main St.
Richmond, Virginia 23219

Military Surface Deployment and Distribution Command Transportation Engineering Agency

SDDCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, Virginia 23606-2574

National Park Service

U. S. Department of the Interior
National Park Service
Attention: Mr. Charlie Stockman
Acting Conservation and Outdoor Recreation Manager
1201 I Street, NW, 9th Floor
Washington, DC 20005

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1201 Eye St., N.W.
Washington, DC 20005

U.S. Department of Agriculture

**U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N W , Auditors' Building
14th Street and Independence Avenue, S.W.
Washington, D.C. 20250**

A handwritten signature in black ink, appearing to read 'S. Armbrust', is written over a horizontal line.

**Steven C. Armbrust
August 1, 2007**

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 680X) was advertised on August 3, 2007 in The Virginia Pilot, a newspaper of general circulation in Portsmouth County, VA, as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read 'S. Armbrust', is written over a horizontal line.

Steven C. Armbrust
August 3, 2007

EXHIBIT D
ENVIRONMENTAL REPORT
[See attached]

**ENVIRONMENTAL REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. §§ 1105.7 and 1105.11, the undersigned hereby certifies that a copy of the Environmental Report in Docket No. AB-55 (Sub-No. 680X) was mailed via first class mail on July 3, 2007 to the following parties:

Mr. George Brisbin
Transportation Planner
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

Mr. Landon Wellford
Planning Director
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

Mr. Richard Hartman
City Engineer
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

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

Virginia Department of Environmental Quality
629 East Main Street
PO Box 1105
Richmond, VA 23218

US Army Corps of Engineers
Norfolk Office
803 Front Street
Waterfield Building
Norfolk, VA 23510-1096

**U.S. Department of the Interior
Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061**

**USDA – NRCS
Courtland Service Center
22313 Main Street
Courtland, VA 23837-1026**

**Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219**

**Mr. Leo Bevon, Director
Virginia Department of Rail
& Public Transportation
1401 East Broad Street
Richmond, VA 23219**

**Mr. Bill D. Ketron
Virginia Department of Rail
& Public Transportation
1401 East Broad Street
Richmond, VA 23219**

**National Park Service
Northeast Region
Attn: Regional Director
U.S. Custom House
200 Chestnut Street
5th Floor
Philadelphia, PA 19106**

**Virginia Department of Environmental Quality
Attn: Coastal Zone Management Program
629 East Main Street
PO Box 1105
Richmond, VA 23218**

National Geodetic Service (NOAA) at 'NGS.InfoCenter@noaa.gov' (via email)

A handwritten signature in black ink, appearing to read 'S. Armbrust', is positioned above a horizontal line.

Steven C. Armbrust
August 3, 2007

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
DOCKET AB-55 (SUB-NO. 680X)
PORTSMOUTH, VIRGINIA**

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.

CSXT proposes to abandon approximately 0.5-mile of its rail operation between from Railroad Milepost SA 0 28 to Railroad Milepost SA 0 78 in the City of Portsmouth, Virginia

The above referenced 0.5-mile line has not generated any originating or terminating traffic in over two years

Abandonment of this line will result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub-grade or sub-grade structures. Finally, the operations and maintenance of this line will cease. Removal of the rail line will result in the elimination of three (3) at-grade crossings.

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

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

Further attached is a list of all agencies which have received a copy of this environmental report. (See Attachment 3)

(2) TRANSPORTATION SYSTEM

Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

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

(3) LAND USE

- (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.**

Applicant has not received a response to its inquiry dated June 5, 2007 to Mr George Brisbin – Portsmouth Transportation Planner, Mr Landon Wellford – Portsmouth Planning Director or Mr Richard Hartman – Portsmouth City Engineer seeking information regarding this statement. (See Attachments 4 – 6)

Based on the fact that the line segment has not generated any traffic in over two years, Applicant does not feel that the proposed action is inconsistent with local and/or regional plans.

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

Applicant received a response dated June 21, 2007 from Mr. Robert Williams – District Conservationist for the U S. Department of Agriculture, Natural Resources Conservation Service in Chesapeake, Virginia stating *"Based on my finding there is no prime agricultural land in the proposed area."* (See Attachment 7)

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

Applicant has not received a response to its inquiry dated June 5, 2007 to the Virginia Department of Environmental Quality – Coastal Zone Management Program in Richmond, Virginia seeking information regarding this statement. (See Attachment 8)

Applicant does not feel that the simple removal of track material should have any adverse impact on 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 the transfer of title for other than rail purposes

(4) ENERGY

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

The proposed action will have no effect on the transportation of energy resources.

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

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

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

The proposed action will not result in an increase or decrease in overall energy efficiency.

- (iv) **If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.**

There will be no diversion of rail traffic to motor carriage in excess of the above thresholds.

(5) AIR

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

The above thresholds will not be exceeded

- (ii) If the proposed action affects a class I or non-attainment area under the Clean Air Act; and will it result in either: (A) an increase in rail traffic of a least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or (B) an increase in rail yard activity of a least 20% (measured by carload activity), or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan.**

The above thresholds will not be exceeded.

- (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity, the frequency of service; safety practices (including any speed restriction); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.**

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

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

Applicant believes that the abandonment will result in an improvement to public health and safety by the elimination of three (3) public road crossings

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

Not applicable.

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

Applicant's records do not indicate that there has been any hazardous material spills or hazardous waste sites located on the line segment.

(8) BIOLOGICAL RESOURCES

- (i) Based on consultation with the U. S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.**

Applicant has not received a response to its inquiry dated June 5, 2007 to the U S. Fish and Wildlife Service – Virginia Field Office in Gloucester, Virginia seeking information regarding this statement. (See Attachment 9)

Applicant does not feel that the simple removal of track material should have any adverse impact on any endangered or threatened species or areas designated as a critical habitat.

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

Based upon Applicant's review of the area, the line segment does not appear to be near any parks, wildlife sanctuaries, refuges, 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 inquiry dated June 5, 2007, to the Virginia Department of Environmental Quality in Richmond, Virginia 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 submitted a copy of this Environmental Report on July 3, 2007 to the Department of the Army – Corps of Engineers, Norfolk District in Norfolk, Virginia seeking information regarding this statement. Comments have not been received to date (See Attachment 11)

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

Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. Applicant does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. 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 inquiry dated June 5, 2007, to the U.S. Environmental

Protection Agency, Region 3 in Philadelphia, Pennsylvania 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 anticipate any adverse environmental impacts in the project area as a result of this abandonment, however, if mitigation is necessary, Applicant will comply with State and Federal regulations and obtain any reasonable necessary permits required.

Elizabeth River

264

1st St.

Lincoln St.

4th St.

5th St.

Crawford St.

Court St.

Washington St.

Effingham St.

Lincoln St.

London Blvd.

BEGIN ABANDONMENT
SA 0.28 - (E.O.T.)

South St.

SA 1

Elm Ave.

END ABANDONMENT
SA 0.78

264

Portsmouth Co.,
Virginia



**Proposed Abandonment of a
Portion of the Portsmouth Subdivision**
SA 0.28 - SA 0.78
a distance of 0.5 Miles +/-
City of Portsmouth, Virginia



Revised Mar. 15, 2007
Drawn By L. Fennick

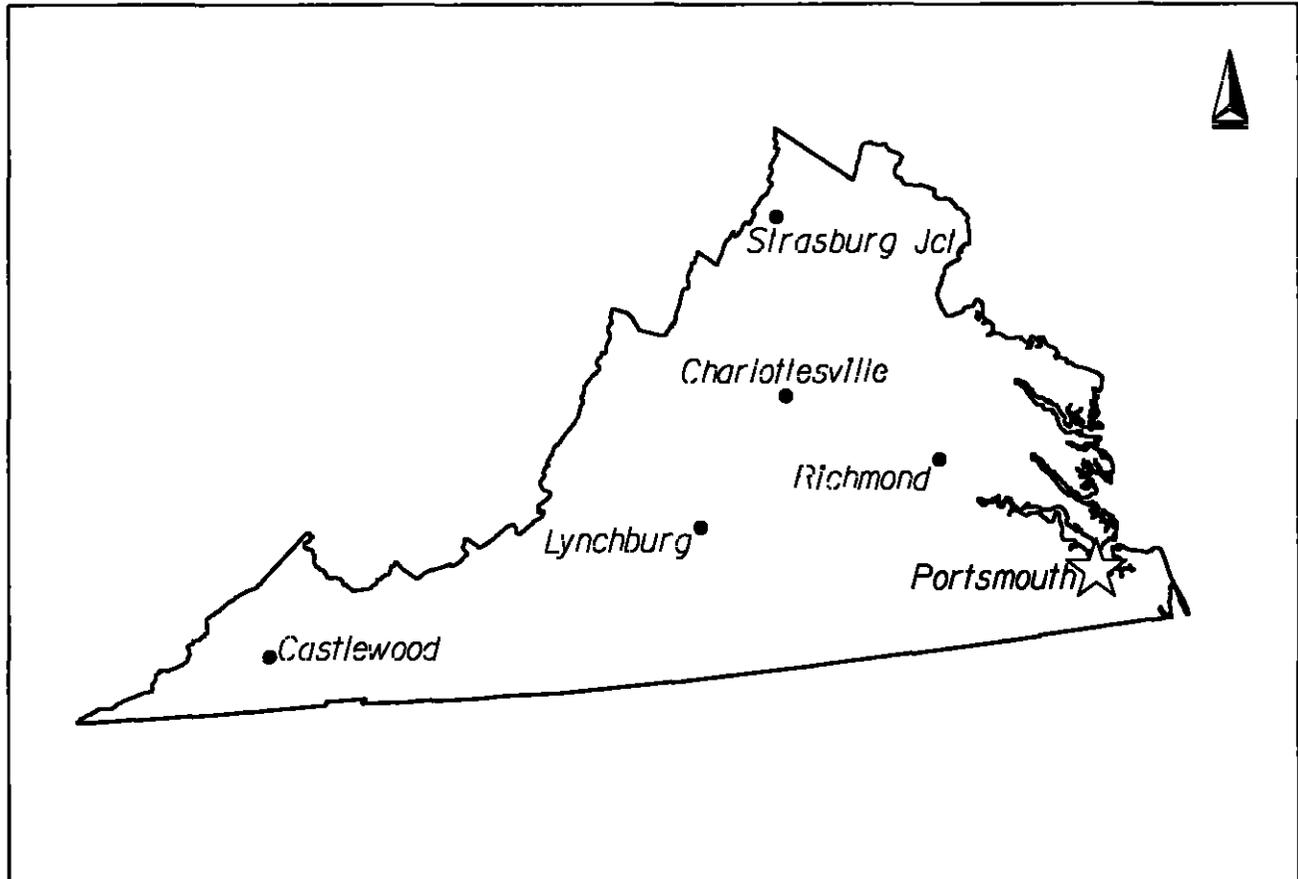
SCALE: 1" = 800 Feet

LEGEND

- CSXT Operating Corridor
 - Proposed Abandonment
 - Previously Abandoned
- Total Distance = 5 Miles +/-

SOUTHERN REGION
FLORENCE DIVISION
a Portion of the
PORTSMOUTH SUBDIVISION
SA 0.28 (E.O.T.) - SA 0.78
STB Docket No. AB55
(Sub No 680X)

S:\P00\VA01\VA740\740-000\VA-740-101051\VA-740-101051_STB.DGN



AREA MAP

- Proposed Abandonment -
Beginning Portion of the
Portsmouth Subdivision
SA 0.28 - SA 0.78
0.5 Miles +-
City of Portsmouth
Portsmouth County, Virginia

SOUTHERN REGION - FLORENCE DIVISION - PORTSMOUTH SUBDIVISION

Attachment 3

**CSXT Abandonment External Distribution List
Portsmouth, VA
AB 55 Sub No. 680X**

**Mr. George Brisbin
Transportation Planner
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704**

**Mr. Landon Wellford
Planning Director
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704**

**Mr. Richard Hartman
City Engineer
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704**

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

**Virginia Department of Environmental
Quality
629 East Main Street
PO Box 1105
Richmond, VA 23218**

**US Army Corps of Engineers
Norfolk Office
803 Front Street
Waterfield Building
Norfolk, VA 23510-1096**

**U.S. Department of the Interior
Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061**

**USDA – NRCS
Courtland Service Center
22313 Main Street
Courtland, VA 23837-1026**

**Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219**

**Mr. Leo Bevon, Director
Virginia Department of Rail
& Public Transportation
1401 East Broad Street
Richmond, VA 23219**

**Mr. Bill D. Ketron
Virginia Department of Rail
& Public Transportation
1401 East Broad Street
Richmond, VA 23219**

**National Park Service
Northeast Region
Attn: Regional Director
U.S. Custom House
200 Chestnut Street
5th Floor
Philadelphia, PA 19106**

**Virginia Department of Environmental
Quality
Attn: Coastal Zone Management Program
629 East Main Street
PO Box 1105
Richmond, VA 23218**

NOAA – VIA EMAIL



Attachment 4

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1000
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

June 5, 2007

Mr. George Brisbin
Transportation Planner
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

Dear Mr. Brisbin:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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

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

I would appreciate your input regarding the proposed action and the long-range plan for the City of Portsmouth.

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

Sincerely,

Attachment



Dave Geraci
Manager - Network Rationalization

June 5, 2007

Mr. Landon Wellford
Planning Director
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

Dear Mr. Wellford:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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

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

I would appreciate your input regarding the proposed action and the long-range plan for the City of Portsmouth.

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

Sincerely,

Attachment



Attachment 6

500 Water Street – J200
Jacksonville, FL 32202
Phone: (904) 368-1000
FAX: (904) 368-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

June 5, 2007

Mr. Richard Hartman
City Engineer
City of Portsmouth
City Hall Building
801 Crawford Street, 4th floor
Portsmouth, VA 23704

Dear Mr. Hartman:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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I would appreciate your input regarding the proposed action and the long-range plan for the City of Portsmouth.

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

Sincerely,

Attachment



Natural Resources Conservation Service
310 Shea Drive
Chesapeake, VA 23322

Attachment 7

Telephone 757-547-7172 Ext 3
Fax 757-436-0285

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

Robert Williams

From: Robert Williams, District Conservationist, NRCS, Chesapeake, Virginia

Date: June 21, 2007

Dear Mr. Geraci:

I received your letter dated June 5, 2007 from Yamika Stokes, District Conservationist in Courtland, Virginia. She passed the letter on to me because I service the Cities of Portsmouth, Norfolk, Chesapeake and Virginia Beach.

Your letter states that you are requesting information from NRCS to determine if your proposed action to the existing rail line in the City of Portsmouth will affect prime agricultural land.

Based on my findings there is no prime agricultural land in the proposed area.

If you have questions, please contact me at 757-547-7172 ext 3.



500 Water Street - J206
Jacksonville, FL 32202
Phone: (904) 369-1086
FAX: (904) 369-1111
E-Mail: Dpve_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

June 5, 2007

Virginia Department of Environmental Quality
Attn: Coastal Zone Management Program
629 East Main Street
PO Box 1105
Richmond, VA 23218

Gentlemen:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

This action requires Surface Transportation Board approval and Federal Regulations require expanded environmental information in connection with rail lines, which are subject to abandonment. One of these is to determine if a designated coastal zone management area is involved, and, if so, if the proposed action is consistent with the affected State's Coastal Zone Management Program.

I would appreciate your advising if the removal of the rail would have an effect on your program. It is CSXT's intention to simply remove the metal material from the top layer of gravel ballast, and to preserve the existing routes of water flow and drainage. We do not anticipate any dredging or use of fill in the removal of the track material.

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 "D. Geraci", written over a horizontal line.

Attachment



Dave Geraci
Manager - Network Rationalization

Attachment 9

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 368-1088
FAX: (904) 368-1111
E-Mail: Dave_Geraci@CSX.com

June 5, 2007

U.S. Department of the Interior
Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Gentlemen:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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

"Based on consultation with the U. S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100 year flood plains will be affected. Describe the effects."

It is our 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 CSXT's metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. We do not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and we do not anticipate any dredging or use of fill in the removal of the track material. The track removal 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.

Based upon the above described actions, we would appreciate your concurrence in CSXT's 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.

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

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

Sincerely,

Attachment



Dave Geraci
Manager - Network Rationalization

June 5, 2007

Virginia Department of Environmental Quality
629 East Main Street
PO Box 1105
Richmond, VA 23218

Gentlemen:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

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

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

Based upon the above described actions, we would appreciate receiving your concurrence with CSXT's 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.

Enclosed, please find a distribution list of all parties that have been copied of the proposed action. If you have any questions, please feel free to contact me.

Sincerely,

Attachment



Dave Geraci
Manager -Network Rationalization

July 3, 2007

US Army Corps of Engineers
Norfolk Office
803 Front Street
Waterfield Building
Norfolk, VA 23510-1096

RE: CSX Transportation, Inc.
Proposed Abandonment
STB Docket No. AB-55 (Sub No. 680X)

Dear Corps of Engineers:

Please be advised that on July 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 0.69-mile of railroad in Orlando from Railroad Milepost ST 815.88 to the end of track at Railroad Milepost ST 816.57, known as the Mills and Nebraska Spur in Orange County, Florida.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental effects. 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. If any of the information is incorrect, if you believe that 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), Surface Transportation Board, 395 East Street, SW, Washington, DC 20423, telephone (202) 245-0245 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by September 7, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



Attachment 12

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 368-1000
FAX: (904) 368-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

June 5, 2007

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

Gentlemen:

Please be advised that CSX Transportation, Inc. is proposing an abandonment of a portion of its rail line in Portsmouth from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78, a distance of 0.5 mile, City of Portsmouth, Virginia, as depicted on the attached map.

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

(i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."

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

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

Based upon the above described actions, we would appreciate receiving your concurrence with CSXT's 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.

Enclosed, please find a distribution list of all parties that have been copied of the proposed action. If you have any questions, please feel free to contact me.

Sincerely,

Attachment

EXHIBIT E
HISTORIC REPORT

[See attached]

**HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C F R. §§ 1105.8(c) and 1105.11, the undersigned hereby certifies that a copy of the Historic Report in Docket No. AB-55 (Sub-No. 680X) was mailed via first class mail on June 25, 2007, to the following person:

Ms. Kathleen Kilpatrick, SHPO
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221



Steven C. Armbrust
August 3, 2007



500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 350-1000
Fax (904) 350-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

June 25, 2007

Ms. Kathleen Kilpatrick, SHPO
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Docket AB-55 (Sub-No. 680X)

Dear Ms. Kilpatrick:

Please be advised that CSX Transportation, Inc., anticipates filing for abandonment of approximately 0.5-mile of its rail line in Portsmouth, Virginia, as shown in the attached historic report.

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.

I would appreciate receiving a letter from your office confirming that this project will have no effect or impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachment

Cc: STB - SEA, 1925 K Street NW - Suite 534, Washington, DC 20423-0001
Mr. Steve Armbrust, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202

HISTORIC REPORT

CSX TRANSPORTATION, INC.
(CITY of PORTSMOUTH, VIRGINIA)
DOCKET AB-55 (SUB-NO. 680X)

1105.7(e)(1)

PROPOSED ACTION AND ALTERNATIVES. Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable detailed map and drawings clearly delineating the project.

CSXT proposes to abandon approximately 0.5-mile of its rail operation between from Railroad Milepost SA 0.28 to Railroad Milepost SA 0.78 in the City of Portsmouth, Virginia.

The above referenced 0.5-mile line has not generated any originating or terminating traffic in over two years.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Finally, the operations and maintenance of this line will cease. Removal of the rail line will result in the elimination of three (3) at-grade crossings.

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

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

1105.8(d)

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

Attached is a copy of the Portsmouth, USGS Norfolk South quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black diagonal line. (See Attachment 3)

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 right of way on this line segment is approximately thirty (30) feet from the centerline of track. The line runs easterly through a light industrial and commercial segment of Portsmouth adjacent to Interstate 264.

- (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:**

This line segment was acquired and built by the Seaboard & Roanoke Railway (SRRR). The SRRR was part of the Portsmouth and Weldon Railroad (PWRR). The PWRR was eventually acquired by the Seaboard Airline Railway (SAL).

The SAL officially organized in 1900 in a merger that brought several smaller railroads together including its earliest predecessor, the Portsmouth and Weldon Railroad. The SAL operated under this name until it was reorganized due to financial problems stemming from the depression and wartime era as the Seaboard Air Line Railroad in 1946. The Seaboard Airline Railroad operated under its new name until July 1, 1967 when it merged with the Atlantic Coast Line Railroad (ACL) to become the Seaboard Coast Line Railroad (SCL). In 1972, the SCL formed a partnership called The Family Lines System with a number of other railroads. In 1982 the Family Lines System merged in the Seaboard System Railroad. In 1986, the Seaboard System Railroad merged with the Chessie System Railroad to become CSX Transportation.

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

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

Not applicable.

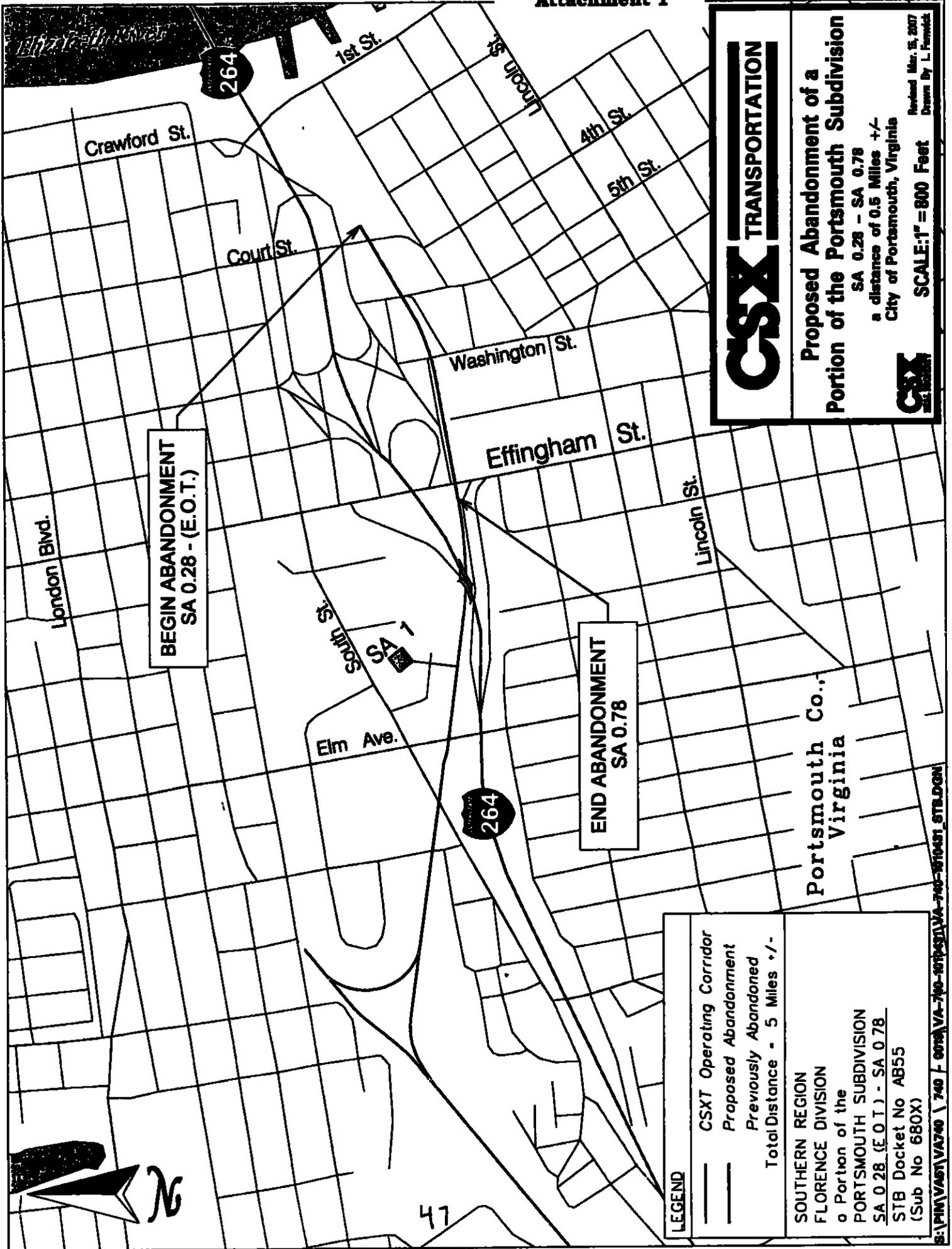
- (7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously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

A review of our records indicates there are no CSXT-owned structures 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 versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.



CSX TRANSPORTATION

Proposed Abandonment of a Portion of the Portsmouth Subdivision

SA 0.28 - SA 0.78
a distance of 0.5 Miles +/-
City of Portsmouth, Virginia

SCALE: 1" = 800 Feet

Revised Mar. 15, 2007
Drawn By L. Farnwick

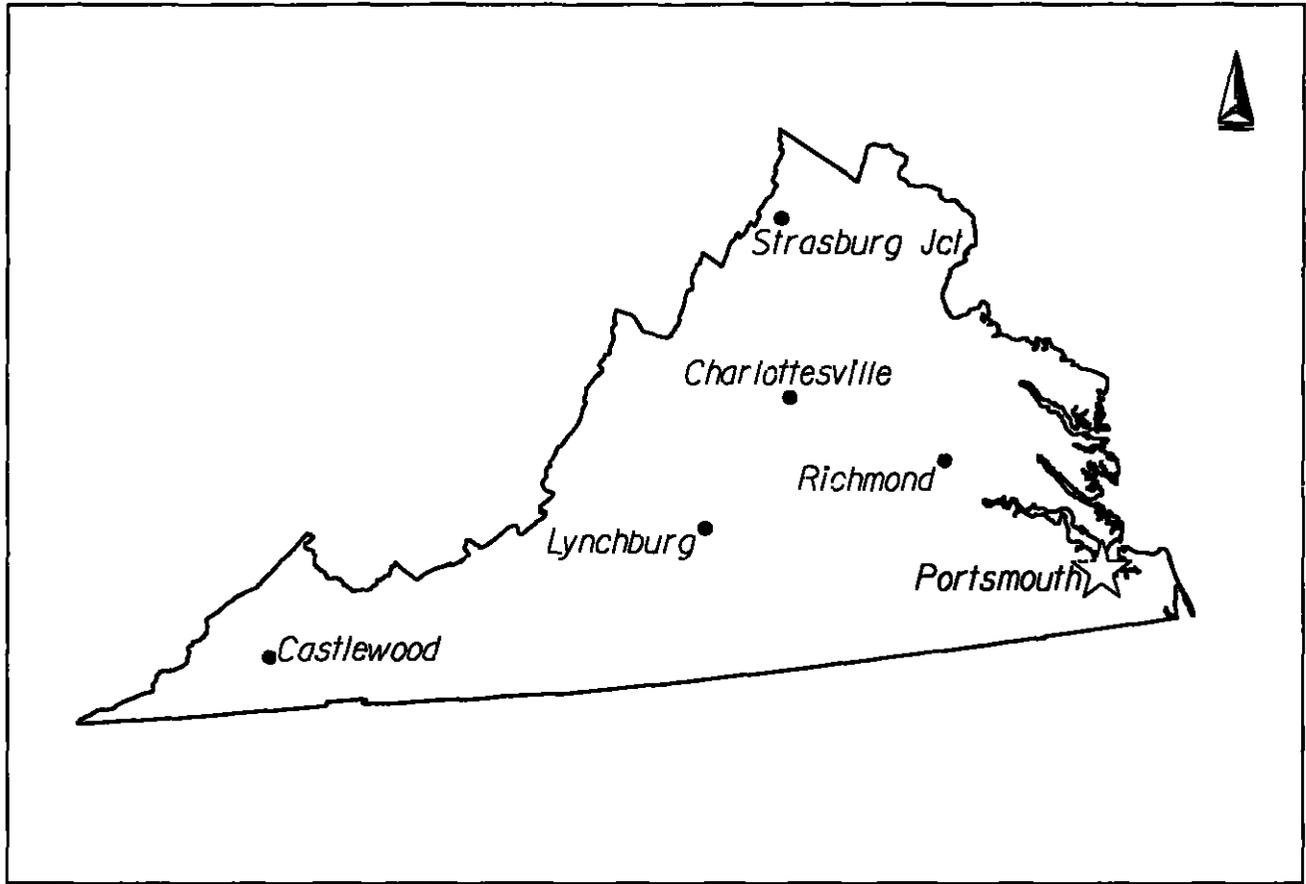
LEGEND

- CSXT Operating Corridor
- Proposed Abandonment
- Previously Abandoned

Total Distance - 5 Miles +/-

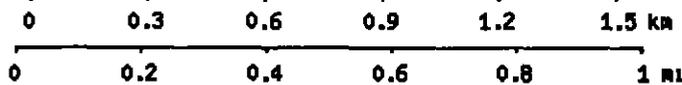
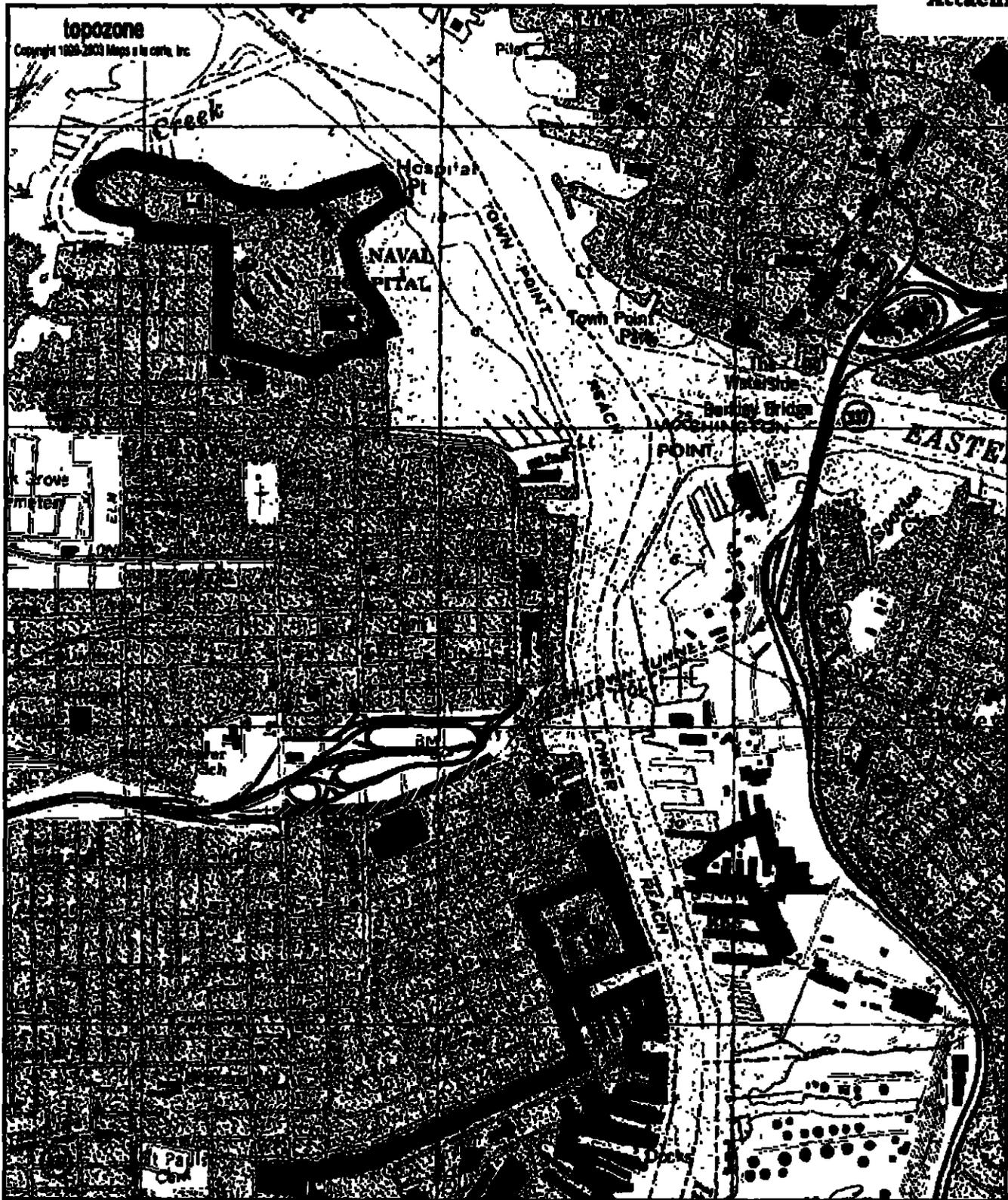
SOUTHERN REGION
FLORENCE DIVISION
a Portion of the
PORTSMOUTH SUBDIVISION
SA 0.28 (E.O.T.) - SA 0.78
STB Docket No AB55
(Sub No 680X)

S:\PIN\VA51\VA740 | 740 - 680X\VA-740-5910451\VA-740-5910451_STB.DGN



AREA MAP

- Proposed Abandonment -
Beginning Portion of the
Portsmouth Subdivision
SA 0.28 - SA 0.78
0.5 Miles +-
City of Portsmouth
Portsmouth County, Virginia



UTM 18 384200E 4077184N (NAD27)
 Portsmouth, USGS Norfolk South (VA) Quadrangle
 Projection is UTM Zone 18 NAD83 Datum

M*
 M=-9.234
 G=-0.778



COMMONWEALTH of VIRGINIA

L. Preston Bryant Jr.
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

Tel (804) 367-2323
Fax (804) 367-2391
TDD (804) 367-2386
www.dhr.virginia.gov

July 6, 2007

Ms. Victoria Rutson
Surface Transportation Board
Environmental Analysis Section
395 E Street, SW
Washington, DC 20423

RE: Abandonment of 0.5 Mile of Rail Line, Portsmouth, VA
Docket AB-55 (Sub-No. 680X)
DHR File No. 2007-0886

Dear Ms. Rutson:

We have received a request to review and comment upon the above-referenced project pursuant to Section 106 of the National Historic Preservation Act. It is our understanding that CSX Transportation proposes to abandon one-half mile of rail line between Mileposts SA 0.28 and SA .078 in the City of Portsmouth. We will need additional information for our review, specifically a fully completed Project Review Application form, available for download from our website at www.dhr.virginia.gov/environmentalreview. Please note that this application includes an archival search of our DSS database and appropriate mapping of any historic resources that may be affected by the proposed line abandonment.

Please contact me if you have any questions regarding our comments. I may be reached at tonia.horton@dhr.virginia.gov, or by phone at (804) 367-2323, extension 137.

Sincerely,

Tonia W. Horton, PhD
Office of Review and Compliance

CC: Mr. Dave Geraci, CSX Transportation

Administrative Services
10 Courthouse Avenue
Petersburg VA 23803
Tel (804) 863-1624
Fax (804) 862-6196

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

Tidewater Region Office
1441 1/2 Old Courthouse Way 2nd Floor
Newport News VA 23608
Tel (757) 886-2807
Fax (757) 886-2808

Roanoke Region Office
1050 Penmar Ave SE
Roanoke VA 24013
Tel (540) 857-7585
Fax (540) 857-7588

Northern Region Office
5357 Main Street
PO Box 519
Stephens City VA 22655
Tel (540) 868-7031
Fax (540) 868-7033