

STB FD 33388 (Sub 6) 6-24-97 A 180345 1/2



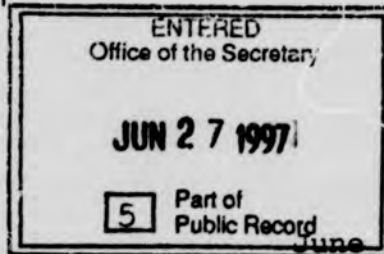
Norfolk Southern Corporation  
Law Department  
Three Commercial Place  
Norfolk, Virginia 23510-9241

James R. Paschall  
General Attorney

NS-5

Writer's Direct Dial Number

(757) 629-2759  
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June 23, 1997

Mr. Vernon A. Williams, Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington DC 20423

Re: STB Finance Docket No. 33388 (Sub-No. 6), Norfolk and Western Railway Company - Construction and Operation Exemption - Connecting Track with Consolidated Rail Corporation at Alexandria, IN

Dear Mr. Williams:

I am writing in connection with one of the three petitions for exemption that were the subject of the Board's Decision No. 9 in Finance Docket No. 33388, served June 12, 1997. Separate letters are being submitted regarding the other two petitions.

In Decision No. 9, the Board granted the petition (NS-1) of Norfolk Southern Corporation ("NSC") and Norfolk Southern Railway Company ("NSRC") (collectively, with their subsidiaries, "NS") for waiver of regulations at 49 C.F.R. 1180.4(c)(2)(vi). The decision authorized NS to file, separately from the primary control application, petitions for exemption for authority to construct three connecting tracks needed to permit NS to compete effectively with CSX Transportation, Inc. ("CSXT") if the primary control application is approved.

The purpose of the waiver petition was to permit NS to begin construction of the three connecting tracks (if the exemption petitions were granted) in advance of the Board's final ruling on the primary application. Authorization for operation of the connecting tracks will be sought as a "related application" to the primary application and will not be permitted until the Board's final ruling on the primary application. The connecting tracks will connect current lines of Norfolk and Western Railway Company ("NW"), an NSRC subsidiary, with current lines of Consolidated Rail Corporation (in the case of Sub-Nos. 6 and 7) and Union Pacific Railroad Company (in the case of Sub-No. 5). Decision No. 9 stated that the exemption petitions for these track constructions will be filed in separate "sub-dockets 5, 6

Mr. Vernon A. Williams  
Finance No. 33388, Sub 6  
June 23, 1997  
Page 2

and 7 under STB Finance Docket No. 33388." (Decision No. 9 at 3 and n. 6).

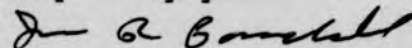
On June 23, 1997, applicants filed the primary control application in Finance Docket No. 33388, together with various "related" petitions and notices of exemption, and filing fees therefor. These included, as Sub-Docket Nos. 5, 6 and 7 in Finance No. 33388, petitions for exemption by NW to construct and operate the three connecting tracks referred to above. These petitions had already been prepared and sent for printing in the form of related applications when Decision No. 9 was served.

In anticipation that the NS-1 petition for waiver might be granted, the petitions for exemption in Sub-Nos. 5, 6 and 7, request and demonstrate the need for expedited handling of the construction part of each petition. An analysis of the environmental implications of each construction are included in the Environmental Report filed in Volume 6 of the primary application (CSX/NS-23). Each of those petitions and the Environmental Report therefore contain all the information needed by the Board to act upon the requested construction exemptions; no further filing is needed or contemplated by NS in regard to these petitions, except for the Preliminary Draft Environmental Assessment for each project that NS will file no later than Day F+75 as required by Decision No. 9.

Pursuant to Decision No. 9, therefore, NS requests that the Board give consideration to the construction aspects of the Sub-Nos. 5, 6 and 7 petitions on an expedited basis separately from the primary application, and to consider the operating authority requests in those dockets in connection with the primary control application. For the Board's convenience, I enclose 11 extra, loose copies (one to serve as an "original") of the petition in Finance Docket No. 33388, Sub-No. 6, together with pertinent pages from the Environmental Report in Finance Docket No. 33388, to facilitate the Board's separate and expedited handling of the petition.

I hope the Board will find the enclosures useful in handling this matter. If you need anything further, please let me know and I will furnish it as quickly as possible.

Very truly yours



James R. Paschall

Encl.

DUPLICATE "ORIGINAL" OF PETITION FILED WITH FINANCE NO. 33388

BEFORE THE

SURFACE TRANSPORTATION BOARD

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Finance Docket No. 33388 (Sub-No. 6)

NORFOLK AND WESTERN RAILWAY COMPANY  
-- CONSTRUCTION AND OPERATION EXEMPTION --  
CONNECTING TRACK WITH CONSOLIDATED RAIL CORPORATION  
AT ALEXANDRIA, IN

---

PETITION FOR EXEMPTION  
EXPEDITED HANDLING OF ACTION ON CONSTRUCTION AUTHORITY REQUESTED

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Norfolk and Western Railway Company ("NW"), a wholly-owned subsidiary of Norfolk Southern Railway Company ("NSRC"), hereby petitions the Board under 49 U.S.C. 10502 and 49 CFR 1121.1 and 49 CFR 1150.1(a) for an exemption from the requirements of 49 U.S.C. 10901 to construct and operate connecting track at Alexandria, IN between its Muncie, IN-Frankfort, IN line and Consolidated Rail Corporation's ("CRC") Anderson, IN-Goshen, IN line. The requested construction and operation exemption authority is related to NSRC's and Norfolk Southern Corporation's ("NSC") primary application in Finance Docket No. 33388 to acquire control and operation, with CSX Corporation and CSX Transportation, Inc. ("CSXT"), of CRC and Conrail Inc. ("the Primary Application").

Petitioner requests expedited handling of the construction authority part of this petition so that construction may begin as soon as possible. It is vitally necessary that this connection be available for the efficient routing of traffic on the day the authority requested in the primary application becomes effective



in order for NSRC/NW/CRC to compete effectively with CSXT/CRC and to provide improved service to the shipping public. Petitioner requests that operation exemption authority be approved in the final decision on the Primary Application and made effective on the same date that decision becomes effective.

Waiver of Environmental Rules: Pre-Filing Notice. In Decision No. 7 concerning the Primary Application in Finance Docket No. 33388, served May 30, 1997, the Board granted the primary applicants, including NSRC and its subsidiaries, such as NW, a waiver of the environmental rule in 49 CFR 1105.10(a) that requires six months advance written notice to the Board's Section of Environmental Analysis ("SEA") before filing a construction application under 49 U.S.C. 10901, if an Environmental Impact Statement ("EIS") is required or contemplated.

The environmental rule also requires an applicant to begin consultation with SEA six months before the filing of a construction application. (The Board said this is applicable to petitions, as well.) The Board stated that the 6-month waiting period is unnecessary because applicants have been engaged for some time in on-going consultations with SEA about the proposed Primary Application and related applications, petitions and notices and the potential associated environmental impacts.

Name and Address of Railroad Proposing to Construct and Operate the Track. Norfolk and Western Railway Company  
Three Commercial Place  
Norfolk, VA 23510-2191

Narrative Description of the Proposal. Petitioner proposes

to construct and operate a new connection track between the CRC line between Anderson, IN and Goshen, IN and the NW line between Muncie, IN and Frankfort, IN at Alexandria, IN. The track will be approximately 970 feet in length, occupy approximately 2.3 acres of land and will be in the northeast quadrant of the intersection of the two lines.

This connecting track will permit efficient movements between Chicago, IL and Cincinnati, OH and on to Atlanta, GA and points in the Southeast U. S. via Alexandria, IN and Muncie, IN.

It is projected that eight trains per day would be operated over the proposed track.

Name and Address of Petitioner's Representative to Receive Correspondence Concerning This Matter.

James R. Paschall  
General Attorney  
Norfolk and Western Railway Company  
Three Commercial Place  
Norfolk, VA 23510-2191  
(757) 629-2759

Common Carrier Status of Petitioner. Petitioner is a common carrier by railroad.

Operation. Petitioner will operate the rail line to be constructed.

Industry Affiliation. The track to be constructed is a short connecting track. Petitioner is not affiliated with any industry currently to be served directly by the track.

Incorporation of and Further Information Concerning Petitioner. Petitioner, Norfolk and Western Railway Company, was incorporated in the Commonwealth of Virginia for railroad

purposes by special act of the Virginia legislature, approved on January 15, 1896. Petitioner's parent company, Norfolk Southern Railway Company, was incorporated in the Commonwealth of Virginia for railroad purposes on June 18, 1894 as Southern Railway Company. The name Southern Railway Company was changed to Norfolk Southern Railway Company, effective December 31, 1990. Norfolk Southern Railway Company is a wholly-owned subsidiary of Norfolk Southern Corporation, a non-carrier holding company.

Officers, Directors, Shareholders, Affiliates. See Exhibit 11 (Volume 1) of the Primary Application.

Board Resolution. Norfolk Southern's Board gave authority to file the Primary Application. This carries with it authority to make the related applications. See Volume 1 of the Primary Application.

Description of Proposed Construction and Operation.  
Location. Petitioner proposes to construct and operate a new connection track between the CRC line between Anderson, IN and Goshen, IN and the NW line between Muncie, IN and Frankfort, IN. The track will be approximately 970 feet in length, occupy approximately 2.3 acres of land and will be in the northeast quadrant of the intersection of the two lines.

This connecting track will permit efficient movements between Chicago, IL and Cincinnati, OH and on to Atlanta, GA and points in the Southeast U. S. via Alexandria, IN and Muncie, IN.

Relevant Agreements. There are no relevant agreements concerning the proposed track constructions (other than those

that pertain generally to the Primary Application).

Traffic. The track will connect a through route that carries all general commodities. Since new territory is not being opened, more specific traffic information would be difficult to compile and would not be relevant. Petitioner incorporates by reference the traffic studies and operating plan in the Primary Application (See Volume 2, Exhibit 12 and 13).

Purpose. The purpose of the proposed construction is to link the NSRC/NW/CRC rail systems, to provide an efficient, less route between Chicago, IL and Cincinnati, OH and on to Atlanta, Ga and points in the Southeast U.S., to improve the efficiency and quality of the rail service offered by the consolidated system, and to add or expand facilities to handle anticipated increased rail traffic.

Map. A map showing the location of the proposed track construction is attached as Exhibit "C." (Even though there are no Exhibits A and B, this Exhibit is labelled "C" to conform to the regulations at 49 CFR 1150.4(d).)

Proposed Start and Completion Dates of Construction. The proposed date the track construction will begin is as soon as possible after the Board approves the construction aspect of this petition. The proposed connecting track construction is related to the Primary Application in Finance Docket No. 33388. A final decision on that Primary Application and on the petition for authority to operate the track being constructed is expected to be 350 days after the filing of this petition as a related



application. Operation will begin on the effective date of a final decision, if the application is approved, or as soon thereafter as construction may be completed.

Area to Be Served. The track to be constructed is a connecting track that will improve the handling of through traffic in the vicinity of its construction (Alexandria, IN) and between Chicago, IL and Cincinnati, OH and on to Atlanta, GA and points in the Southeast U. S. via Alexandria, IN and Muncie, IN in general, but will not add additional industries or territory to be served to the combined NSRC/NW/CRC system.

Nature and Type of Industries in Area. Because the track to be constructed is a connecting track that will expedite through traffic, a description of the nature and type of industries in the area of the construction is irrelevant. Petitioner incorporates by reference evidence concerning marketing plans submitted with the Primary Application.

No Crossing of Another Rail Line. No other rail line will be crossed by the track to be constructed.

Operational Data. Eight trains per day would be operated over the proposed track. Because this is a connecting track, there are no other specific operational data. Petitioner incorporates by reference the operating plan in Exhibit 13 to the Primary Application (Volume 1).

Financing. The construction will be financed from income or the funds borrowed to complete the primary transaction. Petitioner incorporates by reference Exhibit 18 of the Primary



Application (Volume 1) and the supporting information in the Primary Application regarding the nature and amount of any new securities or other financial arrangements to be made in connection with the primary and related transactions and the effect of any increase in total fixed charges (Volume 1).

Financial Information. Relevant financial information concerning NSRC/NW and the effect of the overall transaction is in the Primary Application. See Volume 1, Exhibits 16 and 17 for pro forma balance sheets and income statements and Volume 7, Exhibits 20 and 21 for current balance sheets and income statements. Petitioner incorporates these by reference, rather than repeating them.

Costs. The cost of the proposed connecting track construction is estimated to be about \$1,400,000.00.

Net Income. Operating economies and increases in traffic, revenue and earnings are in the Primary Application (Volume 1).

Environmental and Historic Reports. There is no separate environmental and energy exhibit "H" because this will be covered by the Environmental Report in Exhibit 4, which is in Volume 6, Part 5 of the Primary Application.

Class Exemption Apparently Unavailable. This proposed construction requires the acquisition of property. Therefore, even though this petition only concerns construction of a short connecting track, use of the class exemption at 49 CFR 1150.36 for this transaction appears not to be available.

Consultations on Environmental and Historic Reports.

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Class Exemption Apparently Unavailable. This proposed construction requires the acquisition of property. Therefore, even though this petition only concerns construction of a short connecting track, use of the class exemption at 49 CFR 1150.36 for this transaction appears not to be available.

Consultations on Environmental and Historic Reports.

Consultations have been made or are being made in connection with required environmental and historic reports that are part of the Environmental Report in the Primary Application in Finance Docket No. 33388.

Compliance With the Board's Environmental Regulations. NW has complied or will comply with the Board's environmental regulations.

Draft Summary. A draft of the proposal to provide notice, in compliance with 49 CFR 1150.9 is attached. However, since this proceeding concerns a related application to Finance Docket No. 33388, and expedited and split handling of the application is requested, the Board may wish to revise the summary or incorporate it into a more general notice.

Legal Standards Met: Proper Subject for Exemption. Due to the length and routine nature of the construction, the environmental review that will take place, and the project's connection as an integral part of the transaction that is the subject of the Primary Application in Finance Docket No. 33388, NW requests that the Board find that prior review by the Board is unnecessary and that the construction and operation of the track is the appropriate subject for an exemption from the prior approval requirements of the Board.

Under 49 U.S.C. 10502, the Board must exempt construction and operation from regulation if the Board finds that (1) application, in whole or in part, of a provision of the rail laws administered by the Board is not necessary to carry out the rail

transportation policy of 49 U.S.C. 10101; and (2) either (a) the transaction or service is of limited scope or (b) regulation is not necessary to protect shippers from the abuse of market power.

Detailed scrutiny of this transaction under 49 U.S.C. 10901 is not necessary to carry out the rail transportation policy. The requested exemption will promote that policy by enabling NSRC/NW/CRC to compete more effectively and efficiently with other rail carriers, especially CSXT/CRC. The proposed construction will increase competition [49 U.S.C. 10101a(1) and (4)], and thus will minimize the need for federal regulatory control over rates and services [49 U.S.C. 10101a(2)]. The proposed construction and operation will reduce the possibility of predatory pricing and avoid undue concentrations of market power [49 U.S.C. 10101a(13)]. Other aspects of the rail transportation policy will not be adversely affected.

Regulation of the proposed transaction is not necessary to protect shippers from the abuse of market power. The proposed track connection will increase, rather than reduce, rail competition and thus will tend to reduce market power and increase the welfare of shippers.

The transaction is limited in scope because the length of the track to be constructed is short (approximately 970 feet) and although it may shorten routes or expedite traffic and provide additional connections between main line tracks, it will not extend the line into new territories or specific new industries.

Labor Protection. Applicants have addressed the need for



labor protection in Volume 3 of the Primary Application.

Request for Expedited Handling. Petitioner has requested expedited handling of the construction authority part of this petition. It is vitally necessary that this connection be available for the efficient routing of traffic on the day the authority requested in the primary application becomes effective in order for NSRC/NW/CRC to compete with CSXT/CRC and to provide improved service to the shipping public. Winter weather could delay construction until many months after the effective date of the final decision on the Primary Application. (Petitioner is willing to take the risk of disapproval of the Primary Application or of the operating authority part of this petition in order to have the construction ready to use.) Petitioner requests that the operation exemption authority part of this petition be approved in the final decision on the Primary Application and made effective on the same date that decision becomes effective.

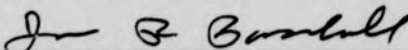
Request for Relief. In addition to the expedited and split handling requested above, NW requests that the Board find that prior review of the proposed construction and operation of this connecting track under 49 U.S.C. 10901 is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101; that continued regulation is not necessary to protect shippers from an abuse of market power; that the construction of the connecting track will be of limited scope and that the construction and operation of the track is appropriate for an exemption from 49



U.S.C. 10901 under 49 U.S.C. 10502.

NW further requests that the Board publish notice in the *Federal Register*, within 30 days after this petition for exemption is received, that describes the project and invites comments; prepare an environmental assessment (or EIS, if necessary); conclude that the project will result in no serious adverse environmental consequences (or that such consequences can be mitigated); and, issue an expedited decision on the construction authority part of the petition and a decision on the operating authority part of the petition as part of the final decision on the Primary Application, allowing the construction to proceed as soon as possible and the operation of the track to proceed pursuant to exemption authority on the effective date of the final decision on the Primary Application (which is expected to be 350 days after the notice is filed and 320 days after the *Federal Register* notice).

Respectfully submitted,  
NORFOLK AND WESTERN RAILWAY COMPANY



James R. Paschall  
General Attorney  
Norfolk and Western Railway Company  
Three Commercial Place  
Norfolk, VA 23510-2191  
(757) 629-2759

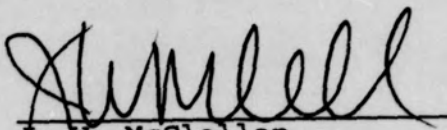
Counsel for  
Norfolk and Western Railway Company

June 4, 1997

Duplicate original printed June 23, 1997

VERIFICATION

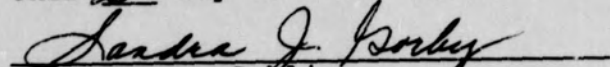
J. W. McClellan, makes oath and says that he is Vice President, Strategic Planning, Norfolk and Western Railway Company, that he has examined all the statements in the foregoing verified notice of exemption in Finance Docket No. 33388 (Sub-No. 6); that he has knowledge of the facts and matters relied upon in the Notice of Exemption; and that all representations set forth therein are true to the best of his knowledge, information and belief.

  
J. W. McClellan

COMMONWEALTH OF VIRGINIA

CITY OF NORFOLK

Subscribed and sworn to before me  
this 20<sup>th</sup> day of June, 1997.

  
Notary Public

My commission expires:

**MARCH 31, 1998**

**SURFACE TRANSPORTATION BOARD**  
**Summary Notice of Petition for Exemption**  
**STB FINANCE DOCKET NO. 33388 (Sub-No. 6)**

**NORFOLK AND WESTERN RAILWAY COMPANY**  
**-- CONSTRUCTION AND OPERATION EXEMPTION --**  
**CONNECTING TRACK WITH CONSOLIDATED RAIL CORPORATION**  
**AT ALEXANDRIA, IN**

Norfolk and Western Railway Company (NW), a wholly-owned subsidiary of Norfolk Southern Railway Company (NSRC), pursuant to the provisions of 49 U.S.C. 10502, 49 U.S.C. 10901(a), (b) and (c), 49 CFR 1121.1 and 49 CFR 1150.1(a) has petitioned the Board for an exemption from the prior review requirements of 49 U.S.C. 10901 for NW's construction and operation of a connecting track, approximately 970 feet in length between the Consolidated Rail Corporation (CRC) line between Anderson, IN and Goshen, IN, and the NW line between Frankfort, IN and Muncie, IN.

This connecting track will permit efficient movements between Chicago, IL and Cincinnati, OH and on to Atlanta, GA and points in the Southeast U. S. via Alexandria, IN and Muncie, IN.

NW has filed a petition for exemption rather than a notice of exemption because some of the track will be constructed on land not currently owned by either railroad, which therefore must be acquired from one or more third parties.

The proposed connecting track construction is related to the primary application of NSRC and its parent, Norfolk Southern Corporation (NSC), a non-carrier holding company (along with CSX Corporation and CSX Transportation, Inc.) in Finance Docket No.

**SURFACE TRANSPORTATION BOARD**

**Summary Notice of Petition for Exemption**

**STB FINANCE DOCKET NO. 33388 (Sub-No. 6)**

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-- CONSTRUCTION AND OPERATION EXEMPTION --  
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NW has filed a petition for exemption rather than a notice of exemption because some of the track will be constructed on land not currently owned by either railroad, which therefore must be acquired from one or more third parties.

The proposed connecting track construction is related to the primary application of NSRC and its parent, Norfolk Southern Corporation (NSC), a non-carrier holding company (along with CSX Corporation and CSX Transportation, Inc.) in Finance Docket No.



33388 to control CRC and Conrail Inc (Primary Application). The purpose of this connecting track is to link the NSRC/NW/CRC rail systems, to improve the efficiency and quality of the rail service and to provide an efficient route between Chicago, IL and Cincinnati, OH and on to Atlanta, GA and points in the Southeast U. S. via Alexandria, IN and Muncie, IN.

The effective date of the exemption for operation of the track will be the effective date of the Board's decision approving NSRC's/NSC's Primary Application, if it is approved, which is expected to be 320 days after the publication of this notice.

NW has requested expedited handling of the construction authority aspect of the petition, which the Board is granting. This changes the comment period for the construction aspect, as noted below.

Comments are invited concerning the proposed construction project. As a related application to the Primary Application in Finance Docket No. 33388, comments are due 90 days after the publication of this notice on the operation aspect of this matter. Because of the expedited handling of the construction aspect of the petition, comments on that matter will be due \_\_ days from the Board's Section of Environmental Assessment (SEA) service of an environmental assessment on the

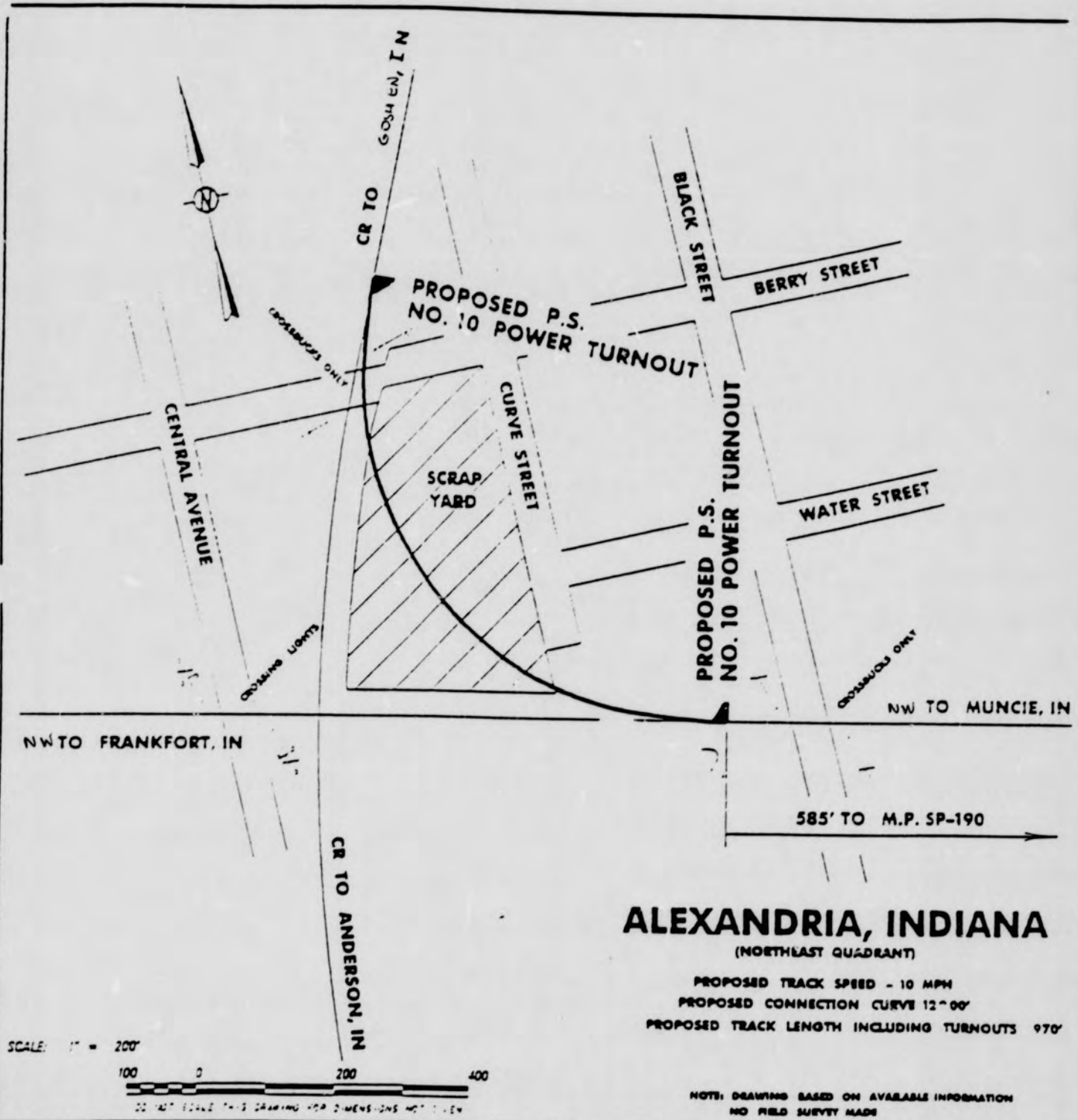


Surface Transportation Board, Notice of Petition for Exemption,  
Finance Docket No. 33388 (Sub-No. 6), Summary, Page 3 of 3

matter. Parties may request a copy from SEA at Surface  
Transportation Board, 1925 K Street, Washington, D.C. 20423.

The name, address and telephone number of NSRC's  
representative who should receive correspondence concerning this  
matter is: James R. Paschall, General Attorney, Norfolk and  
Western Railway Company, Three Commercial Place, Norfolk, VA  
23510-2191.

Page 3 of 3



# ALEXANDRIA, INDIANA (NORTHEAST QUADRANT)

PROPOSED TRACK SPEED - 10 MPH  
PROPOSED CONNECTION CURVE 12°00'  
PROPOSED TRACK LENGTH INCLUDING TURNOUTS 970'

NOTE: DRAWING BASED ON AVAILABLE INFORMATION  
NO FIELD SURVEY MADE

**NORFOLK SOUTHERN**

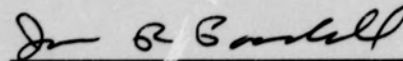
NORFOLK AND WESTERN RAILWAY CO.

LAKE DIVISION

ALEXANDRIA, INDIANA		
PROPOSED CONNECTION TRACK		
WLM	188-24	SP-190.1
JANUARY 16, 1997		TA-97-0003

CERTIFICATE OF SERVICE

I, James R. Paschall, hereby certify that a copy of the foregoing petition for exemption has been served upon all state agencies or other parties required to be served under the Board's regulations, has been served by first class U. S. Mail, postage prepaid, this 23rd day of June, 1997.

  
James R. Paschall

Note: This is a duplicate filing of loose copies for the Board's convenience. The original is being filed (and served) with the primary application in Finance Docket No. 33388 this date by NW's outside counsel, Zuckert, Scoutt and Rasenberger.

STB FINANCE DOCKET NO. 33388 (Sub-No. 6)

EXHIBIT "H"

ENVIRONMENTAL REPORT EXCERPTS

Following are excerpts from the Environmental Report in Finance Docket No. 33388, CSX Corporation and CSXT Transportation, Inc. - Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreements - Conrail Inc. and Consolidated Rail Corporation that relate to constructions in general and the petition for exemption in Finance Docket No. 33388 (Sub-No. 6), Norfolk and Western Railway Company - Construction and Operation Exemption - Connecting Track with Consolidated Rail Corporation at Alexandria, IN in particular.

Cover Sheet of Part 1 of 4, Overview and Description of the Proposed Acquisition.

List of Acronyms and Abbreviations.....TC- 9 - 11

Glossary.....TC-12 - 15

Guide to the Environmental Report

Part 1, Overview and Description of the Proposed Acquisition

Executive Summary.....1-1 - 1-5

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1.1 Overview.....1-1 - 1-6

1.2 Construction Procedures and Types.....1-6 - 1-8

1.3 Potential Impacts and Methodologies.....1-8 - 1-9

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NS Discussion

3.2 ALEXANDRIA.....3-18 - 3-30

Map

Appendix A, Potential Impact Areas and Methodologies for Construction and Abandonment Projects

Land Use.....1 - 3

Water Resources and Wetlands.....4 - 6

Biological Resources.....6 - 8

Historic and Cultural Resources.....8 - 9

Transportation and Safety.....9 - 10

Air Quality.....10 - 11

Noise.....12 - 13

Energy.....13 - 14

Appendix B, Agency Correspondence

(None Available at Time of Preparation)



## LIST OF ACRONYMS AND ABBREVIATIONS

<b>10 log</b>	Log base 10
<b>A</b>	Attainment
<b>ADT</b>	Average daily traffic
<b>BMPs</b>	Best Management Practices
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation, and Liability Act
<b>CERCLIS</b>	Comprehensive Environmental Response, Compensation, and Liability Information System
<b>CFR</b>	Code of Federal Regulations
<b>CO</b>	Carbon Monoxide
<b>COE</b>	United States Army Corps of Engineers
<b>COFC</b>	Container on flat car
<b>Conrail</b>	Consolidated Rail Corporation
<b>CR</b>	Conrail
<b>CSAO</b>	Conrail's Shared Assets Operation
<b>CSX</b>	CSX Corporation and CSX Transportation, Inc.
<b>D-A</b>	Deemed attainment
<b>dB</b>	Decibel
<b>dBA</b>	Decibels (of sound) A weighted
<b>D-N or D-NA</b>	Deemed nonattainment
<b>DNL</b>	Day-night equivalent sound level
<b>DOT</b>	Department of Transportation
<b>EDR</b>	Environmental Data Resources
<b>EPA</b>	Environmental Protection Agency
<b>ER</b>	Environmental Report
<b>ERNS</b>	Emergency Response Notification System
<b>FEMA</b>	Federal Emergency Management Agency
<b>FHWA</b>	Federal Highway Administration



# **ENVIRONMENTAL REPORT**

CSX CORPORATION AND CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY  
-CONTROL AND OPERATING LEASES/AGREEMENTS-  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

## **OVERVIEW AND DESCRIPTION OF THE PROPOSED ACQUISITION**

### **PART 1 of 4**

Prepared by:

Dames & Moore  
One Continental Towers  
1701 Golf Road, Suite 1000  
Rolling Meadows, Illinois 60008

for CSX Corporation  
and CSX Transportation Corporation

Burns & McDonnell  
9400 Ward Parkway  
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for Norfolk Southern Corporation  
and Norfolk Southern Railway Company

<b>FIRM</b>	Flood Insurance Rate Maps
<b>FRA</b>	Federal Railroad Administration
<b>GTM</b>	Gross Ton Miles
<b>HC</b>	Hydrocarbons (in air)
<b>HMMH</b>	Harris Miller Miller & Hanson, Inc.
<b>IHPA</b>	Illinois Historic Preservation Agency
<b>L<sub>dn</sub> or Ldn</b>	Day-night equivalent sound level
<b>L<sub>max</sub></b>	Maximum sound level during train passby, dBA
<b>LUST</b>	State Inventory of Leaking Underground Storage Tanks
<b>M</b>	Maintenance
<b>N or NA</b>	Nonattainment
<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NEC</b>	Northeast Corridor
<b>NHPA</b>	National Historic Preservation Act of 1966
<b>NO<sub>2</sub></b>	Nitrogen dioxide
<b>NO<sub>x</sub></b>	Nitrogen oxides
<b>NPDES</b>	National Pollution Discharge Elimination System
<b>NPL</b>	National Priorities List
<b>NRCS</b>	Natural Resources Conservation Service
<b>NRHP</b>	National Register of Historic Places
<b>NS</b>	Norfolk Southern Corporation and Norfolk Southern Railway Co.
<b>NWI</b>	National Wetlands Inventory
<b>O<sub>3</sub></b>	Ozone
<b>OSHA</b>	Occupational Safety and Health Administration
<b>Pb</b>	Lead
<b>PM</b>	Particulate Matter
<b>RCRA</b>	Resource Conservation and Recovery Act

## **LIST OF ACRONYMS AND ABBREVIATIONS (Cont'd)**

<b>ROW</b>	Right-of-Way
<b>SCS</b>	Soil Conservation Service (currently named Natural Resources Conservation Service, Division of United States Department of Agriculture)
<b>SEA</b>	Section on Environmental Analysis - STB
<b>SEL</b>	Source sound exposure level at 100 feet, dBA
<b>SHPO</b>	State Historic Preservation Office
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>SPL</b>	State Priority List
<b>STB</b>	Surface Transportation Board
<b>SWLF</b>	State Inventory of Solid Waste Facilities
<b>TCS</b>	Triple Crown Services, Inc.
<b>TOFC</b>	Trailer on Flat Car
<b>TSD</b>	Treatment, Storage, or Disposal sites
<b>USDA</b>	United States Department of Agriculture
<b>USDOT</b>	United States Department of Transportation
<b>USFWS</b>	United States Fish and Wildlife Service
<b>USGS</b>	United States Geological Survey

## GLOSSARY

<b>borrow material</b>	Earthen material used to fill depressions to create a level right-of-way.
<b>construction footprint</b>	The area at a construction site subject to both permanent and temporary disturbances by equipment and personnel.
<b>criteria pollutant</b>	Any of six substances ( <i>i.e.</i> lead, carbon dioxide, sulfur dioxide, nitrogen dioxide, ozone, and particulate matter) regulated under the Clean Air Act, for which areas must meet national air quality standards.
<b>dBA</b>	Adjusted decibel level. A sound measurement that adjusts noise by filtering out certain frequencies to make it analogous to that perceived by the human ear.
<b>decibel</b>	A logarithmic scale that comprises over one million sound pressures audible to the human ear over a range from 0 to 140, where zero decibels represents a reference sound level necessary for a minimum sensation of hearing and 140 decibels represents the level at which pain occurs.
<b>deemed attainment</b>	A county treated as attainment for air quality analysis because no rail facilities are in the portion of it that is nonattainment.
<b>deemed nonattainment</b>	A county treated as nonattainment for air quality analysis because rail facilities are in a portion of it that is nonattainment.
<b>endangered</b>	A species that is in danger of extinction throughout all or a significant portion of its range and is protected by state and/or federal laws.
<b>fill</b>	The term used by the United States Army Corps of Engineers that refers to the placement of suitable materials ( <i>e.g.</i> , soils, aggregates, formed concrete structures, sidecast material) within water resources under Corps jurisdiction.
<b>Flood Insurance Rate Maps</b>	Maps available from the Federal Emergency Management Agency that delimit the land surface area of 100-year and 500-year flooding events.



## **GLOSSARY (Cont'd)**

<b>floodplain</b>	The lowlands adjoining inland and coastal waters and relatively flat areas and flood prone areas of offshore islands including, at a minimum, that area inundated by a 1 percent (also known as a 100-year or Zone A floodplain) or greater chance of flood in any given year.
<b>habitat</b>	The places(s) where plant or animal species generally occur(s) including specific vegetation types, geologic features, and hydrologic features. The continued survival of that species depends upon the intrinsic resources of the habitat. Wildlife habitats are often further defined as places where species derive sustenance (foraging habitat) and reproduce (breeding habitat).
<b>haulage right</b>	The limited right of one railroad to operate trains over the designated lines of another railroad.
<b>hump yard</b>	A system of tracks within defined limits provided for making up trains, storing cars, and other purposes which utilizes an artificial hill or "hump" to use gravity to sort cars into classification tracks.
<b>interlocking</b>	An arrangement of switch, lock, and signal appliances interconnected so that their movements succeed each other in a predetermined order.
<b>intermodal facility</b>	A site or hub consisting of tracks, lifting equipment, paved areas, and a control point for the transfer (receiving, loading, unloading, and dispatching) of intermodal trailers and containers between rail and highway or rail and marine modes of transport.
<b>intermodal train</b>	A train consisting or partially consisting of highway trailers and containers or marine containers being transported for the rail portion of a multi-modal movement on a time-sensitive schedule. Also referred to as piggyback, TOFC (Trailer on Flat Car), COFC (Container on Flat Car), and double stacks (for containers only).
<b>L<sub>d</sub></b>	Level of noise (measured in decibels) averaged over the daytime period (0700-2200).

## **GLOSSARY (Cont'd)**

<b><math>L_{dn}</math></b>	Nighttime noise level ( $L_n$ ) adjusted to account for the perception that a noise level at night is more bothersome than the same noise level would be during the day.
<b>lift</b>	A lift is defined as an intermodal trailer on container lifted onto or off a rail car. For calculations, lifts were used to determine the activity level of intermodal facilities.
<b>locomotive, road</b>	One or more locomotives (or engines) designed to move trains between yards or other designated points.
<b>locomotive, switching</b>	Locomotive (or engine) used to switch cars in a yard, industrial, or other area where cars are sorted, spotted (placed at a shipper's facility), pulled (removed from a shipper's facility), and moved within a local area.
<b>merchandise train</b>	A train consisting of single and/or multiple car shipments of various commodities.
<b>National Wetlands Inventory</b>	An inventory of wetland types in the United States compiled by the United States Fish and Wildlife Service.
<b>nonattainment</b>	An area that does not meet National Ambient Air Quality Standards (NAAQS) specified under the Clean Air Act.
<b>pick up</b>	To add one or more cars to a train from an intermediate (non yard) track designated for the storage of cars.
<b>rail spur</b>	A track that diverges from a main line, also known as a spur track or rail siding, which typically serves one or more industries.
<b>right-of-way</b>	The right held by one person over another person's land for a specific use; rights of tenants are excluded. The strip of land for which permission has been granted to build and maintain a linear structure, such as a road, railroad, or pipeline.
<b>set out</b>	To remove one or more cars from a train at an intermediate (non yard) location such as a siding, interchange track, spur track, or other track designated for the storage of cars.

## GLOSSARY (Cont'd)

<b>threatened</b>	A species that is likely to become an endangered species within the foreseeable future throughout all or part of its range, and is protected by federal and/or state law.
<b>trackage right</b>	The right or combination of rights of one railroad to operate over the designated trackage of another railroad including, in some cases, the right to interchange with all carriers at all junctions; the right to build connections or additional tracks in order to access other shippers or carriers.
<b>turnout</b>	A track arrangement which enables engines and cars to pass from one track to another.
<b>unit train</b>	A train consisting of cars carrying a single commodity, <i>e.g.</i> , a coal train.
<b>water resources</b>	All-inclusive term that refers to many types of permanent and seasonally wet/dry surface water features including springs, creeks, streams, rivers, ponds, lakes, wetlands, canals, harbors, bays sloughs, mudflats, and sewage-treatment and industrial waste ponds.
<b>wetland</b>	As defined by 40 CFR 230.3, wetlands are "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions". Wetlands generally include swamps, marshes, bogs, and similar areas.
<b>wye</b>	A principal track and two connecting tracks arranged like the letter "Y," on which locomotives, cars, and trains may be turned.

## **GUIDE TO THE ENVIRONMENTAL REPORT**

**(published in three volumes):**

The Environmental Report includes four parts:

### **Volume 6A**

#### **Part 1: Overview and Description of the Proposed Acquisition**

This Part provides an overview of the proposed Acquisition, a summary of the potential environmental impacts and descriptions of analytical methodologies. A Glossary and List of Abbreviations and Acronyms are included in the front of Part 1.

### **Volume 6B**

#### **Part 2: Rail Line Segments, Rail Yards and Intermodal Facilities**

This Part provides detailed analysis of the potential environmental impacts related to proposed changes in traffic and other Acquisition-related activities on specific rail line segments, at rail yards, and at intermodal/Triple Crown Services facilities.

### **Volume 6C**

#### **Part 3: Proposed Abandonments**

This Part provides detailed analyses of each proposed abandonment, proposed mitigation of potential environmental impacts associated with the abandonments and descriptions of analytical methodologies.

#### **Part 4: Proposed Construction Projects**

This Part provides detailed analyses of each proposed construction project (connections and other projects requiring newly acquired rights-of-way or property), proposed mitigation of the potential environmental impacts related to each project and descriptions of analytical methodologies.



## **PART 1**

### **OVERVIEW AND DESCRIPTION OF THE PROPOSED ACQUISITION**

#### **EXECUTIVE SUMMARY**

CSX Corporation and CSX Transportation, Inc. (hereafter collectively "CSX"), Norfolk Southern Corporation and Norfolk Southern Railway Company (hereafter collectively "NS"), and Conrail, Inc. and Consolidated Rail Corporation (hereafter collectively "Conrail"), are filing a joint application with the Surface Transportation Board (the "STB" or the "Board") seeking Board authorization for the acquisition of control of Conrail by CSX and NS and for the subsequent division of Conrail's assets (the "Acquisition"). As used hereafter in this Environmental Report ("ER"), the term "Acquisition" means the entirety of the transactions contemplated in this proceeding.

This ER is filed with the Board concurrent with, and as part of, the Application. The Report has been prepared by Dames & Moore for CSX and Burns & McDonnell for NS to assist the Surface Transportation Board (STB or Board) in its review of the environmental effects of the proposed Acquisition. This environmental review process is required by the National Environmental Policy Act, 42 U.S.C. 4332.

The Board has determined that it will prepare an Environmental Impact Statement (EIS) in this proceeding. The Board will be assisted in this effort by its third party consultants, DeLeuw Cather & Company and HDR Engineering, Inc. The Board will verify the information submitted by CSX and NS, and will conduct its own analysis of the environmental effects of the transaction.

The proposed transaction is expected to result in the efficient rerouting of rail traffic transported on the current CSX, NS and Conrail lines and the diversion of freight from other railroads, as well as the environmentally-beneficial diversion of freight from trucks to the expanded CSX and NS systems. Thus, there will be increased traffic on certain line segments and decreased traffic on others, and increased activity at certain yards and facilities and decreased activity at others. The Board's environmental regulations (49 C.F.R. 1105) direct CSX and NS to focus this Environmental Report on those localized areas where increases in traffic above specified thresholds are expected. The regulations do not direct CSX and NS to provide comparable information where offsetting decreases in traffic are expected, and this Report does not attempt to quantify localized decreases.

Accordingly, the Report overstates the environmental effects of the transaction at any particular locality. Nonetheless, the Report indicates that the transaction will result in a net environmental benefit in areas such as air emissions, use of energy resources and safety.

This ER is being widely circulated to facilitate public review and comment on the potential environmental effects of the proposed Acquisition. In addition to serving the parties in Finance Docket No. 33388, CSX and NS are providing this ER to over 1,800 other persons as requested by the Board's Section of Environmental Analysis. Comments should be directed to the Board's Section of Environmental Analysis at the address or telephone number provided at the front of this volume.

Following its review of the relevant environmental data, the Board will prepare and circulate a Draft Environmental Impact Statement (DEIS) in the next several months. There will be further opportunity to comment on environmental impacts in response to the DEIS.

The benefits of the larger CSX and NS systems, including improved service capabilities and increased operating efficiencies, are addressed briefly in the Description of the Proposed Acquisition. These benefits are more fully set forth in the Application, and in Section 2 of this Part 1 of the ER. As described in the Application, the benefits of the Acquisition include:

- reduced energy usage -- over 120 million gallons of fuel saved annually as a result of diversion of freight off the highway;
- enhanced safety -- approximately 1,700 truck accidents saved annually as a result of diversion of freight to safer rail transport, including 21 fatal crashes;
- reduced highway congestion -- over 782 million highway miles saved;
- reduced systemwide air emissions for NO<sub>x</sub>, CO and other pollutants; and
- a more efficient rail transportation system, with reduced redundancy and improved rail competitiveness

The proposed Acquisition of Conrail by CSX and NS will require the construction of several connections between existing rail lines at points where those lines now intersect or are in close proximity to each other. In addition, two other CSX construction projects are designed to provide added capacity to handle increased traffic. An environmental analysis of all construction projects that are under the Board's jurisdiction and those non-jurisdictional projects requiring the acquisition of new property is presented in Part 4 of the ER.

The CSX and NS operating plans anticipate substantial rerouting of rail traffic within the expanded CSX and NS systems, generating increased traffic densities on some line segments and decreases on other segments. In addition, truck-to-rail diversions, and diversions from other rail carriers, will result in increased rail traffic on certain rail line segments, as well as increased local truck traffic in and around certain intermodal facilities. The corresponding decreased volumes of long haul truck traffic on interstate highways, of truck traffic at facilities where activity is decreased, and of rail traffic on some rail segments in the CSX, NS and other carriers' systems, will result in overall fuel savings and a resulting decrease in emissions of pollutants. These savings are discussed more fully in Section 2, Beneficial Effects of the Acquisition, and Section 7, Systemwide Analyses, of this ER.

The Acquisition will also permit some consolidation of yard activities at single locations, providing the most efficient operation for that traffic, as well as a more efficient routing of traffic to the yards. Several intermodal facilities (two CSX facilities and three NS facilities) will be closed and their operation consolidated with another facility or relocated, providing more efficient operations and better service to customers.

There would be little redundancy within the CSX and NS systems. More efficient routings, made available as a result of the Acquisition, will permit the abandonment of four rail lines and one railroad bridge which currently generate very little local traffic. These proposed abandonments amount to only 79.7 miles of track in total. CSX proposes abandonment of one Conrail rail line in Illinois that totals approximately 29 miles. There are no local shippers on the abandoned line. Four abandonments are proposed by NS within its system in Indiana and Ohio, totaling approximately 50.7 miles. Some of the existing traffic on the NS lines would be rerouted onto other rail lines, while approximately 21 carloads per year on one line and 90 carloads per year on another line from four shippers would be diverted to truck. Section 5 of this Part 1 discusses the proposed abandonments in more detail and Part 3 of this ER discusses the environmental impacts of each of the abandonments.

The Application and the operating plans contain details of the changes in operations which will result from the Acquisition. In general, it is not anticipated that the types of commodities transported would materially change. It is anticipated, however, that diversions from truck and other rail carriers will increase the utilization of the expanded CSX and NS systems, reducing the over the road truck transport of some of these commodities. Most commodities diverted from truck will likely be non-hazardous in nature. The principal environmental benefit from the proposed Acquisition is the significant amount of truck freight which can be diverted to rail transportation, thereby reducing truck traffic and associated air emissions, improving safety by diverting truck traffic to the safe rail mode and reducing fuel consumption by diverting to the more fuel efficient rail mode. These benefits are discussed in Sections 2 and 7 of this Part 1.



CSX and NS have made every effort to review and analyze each of the elements of the Acquisition. The environmental impacts have been thoroughly analyzed using conservative methods as described in the Methodologies which are located in Appendices in Parts 1, 3, and 4 of this ER.

## **1.0 DESCRIPTION OF THE PROPOSED ACQUISITION**

### **1.1 BACKGROUND**

In this proceeding, CSX, NS, and Conrail jointly seek Board authorization for CSX and NS to acquire control of Conrail and thereafter to allocate Conrail's assets. Figure 1-1 shows the Proposed Division of the Conrail System. The fundamental objective of the proposed transaction is to divide existing Conrail operations between CSX and NS. The transaction would be effected through a series of interdependent steps. These steps are described in detail in other volumes of the Application.

In summary, the practical consequence of the proposed transaction is that certain existing Conrail facilities and operations would be assigned individually to either CSX or NS through operating agreements or other mechanisms, and certain other existing Conrail facilities and operations would be shared by, and operated for the benefit of, both CSX and NS. The result would be an expanded CSX rail system as shown in Figure 1-2, an expanded NS rail system as shown in Figure 1-3, and certain Shared Assets Areas.

After the Acquisition, subject to Board approval, CSX and NS would continue to compete with each other in the provision of rail freight services and would expand their head-to-head competition to areas in which Conrail is currently the only major rail carrier. Each of the two railroads would utilize its existing lines (with the exception that operation of one of the existing NS lines from Fort Wayne, IN to Chicago, IL would switch to CSX with NS trackage rights), would operate certain Conrail lines independent of the other, and would operate on certain other Conrail lines in the Shared Assets Areas. As a consequence, there would be two major railroad systems (an expanded CSX and an expanded NS) of roughly equal size and scope operating in the eastern United States.

The proposed Acquisition builds on the two-carrier competitive structure in the Southeast, extending it into the Northeast. Competition between CSX and NS has been and will be vigorous. Both rail systems are efficient, with the necessary traffic density to provide quality

service and achieve low costs. Both systems are financially successful and generate the cash flow required to maintain and improve fixed plant and equipment. The proposed Acquisition will spread this balanced system of competition into the Mid-Atlantic states.

The proposed division of Conrail would provide shippers with the benefits of truly balanced competition to, from, and within the eastern United States. The expanded, balanced CSX and NS systems would ensure competition by providing efficient, seamless service to and from all major eastern metropolitan areas.

### **East-West Routes**

There are two high-capacity, efficient routes out of the Northeast toward the Midwest owned by Conrail. One of those principal routes runs parallel with CSX's Baltimore and Ohio (B&O) line east of Cleveland; this former Pennsylvania Railroad (PRR) route would go to NS. The former New York Central (NYC) Water Level route through Albany would go to CSX. Conrail's lower capacity Southern Tier route, a former Erie Lackawanna line, would go to NS to balance CSX's B&O line. Thus both NS and CSX will have two major Northeast-Midwest routes.

From Cleveland west, Conrail has a main line to Chicago and one to St. Louis. CSX and NS also have existing routes from Ohio to both Chicago and St. Louis, although neither has the capacity of the Conrail routes. Conrail's St. Louis line would go to CSX, and Conrail's Cleveland-Chicago line would go to NS. To address a potential imbalance in capacity between Chicago and Ohio, NS will transfer to Conrail in a like-kind exchange one of NS's two existing lines east from Chicago via Warsaw, IN. CSX then will operate the transferred line to connect with an existing Conrail line between Ft. Wayne, IN, and Crestline, OH also to be operated by CSX. As a result, both carriers will have two routes from the East to Chicago. NS will have one double track and one single track route, and CSX will have two single track routes, one of which it is upgrading to double track capacity.

### **North-South Routes**

CSX currently reaches northeastern markets via its B&O line between Washington, D.C. and Philadelphia, where connection to Conrail's main line to Newark is made. NS connects with Conrail at Hagerstown, MD, and from there a Conrail secondary main line reaches Conrail's east-west line at Harrisburg, PA, for access to Philadelphia, northern New Jersey and New England. Conrail's Philadelphia to Newark route would be operated by CSX and the routes via Harrisburg would be operated by NS.

### **Midwestern North-South Routes**

Midwestern north-south routes were assigned to achieve balance and to avoid anti-competitive results. NS will operate Conrail's Cincinnati-Columbus line, a route that NS now uses under trackage rights as part of its principal route between Cleveland and Southeast. Conrail's West Virginia Secondary between Charleston, West Virginia, and Columbus, Ohio, also will be operated by NS, to preserve rail competition at Charleston. The Conrail lines in Michigan will be operated by NS, to provide more balanced competition in Michigan.

### **Other Routes**

Other trackage was assigned between NS and CSX to preserve the integrity of both networks. For example, Conrail's lines to Montreal and Boston both connect with the NYC Line to be operated by CSX, and Conrail's Buffalo-Harrisburg and Philadelphia-Harrisburg lines fit with the PRR Line to be operated by NS.

Every effort was made to maintain the natural connectivity of the Conrail system and to minimize disruption to service patterns and customers. Thus, line segments that naturally "attach" to a Conrail principal route will be operated by NS or CSX along with each such Conrail route. Few exceptions were made to this general rule.



### **Conrail Shared Assets Areas**

In some major areas--Northern New Jersey, Southern New Jersey, most of Philadelphia and Conrail lines in Detroit--separation of trackage between NS and CSX was not feasible, or was not acceptable to NS or CSX. Therefore, these markets will be in Shared Assets Areas, with both CSX and NS access to all customers within each. The Monongahela coal region in southwestern Pennsylvania presents a similar situation. Because virtually all Monongahela traffic is coal moving in full trainloads, having the Monongahela under NS control with full access CSX trackage rights, will allow both carriers to access all customers directly, in a position of equality.

The proposed division of Conrail would open the New York metropolitan market to direct rail competition for the first time in 20 years. The expanded CSX and NS systems would provide direct competitive access to the Ports of New York/New Jersey, now served solely by Conrail. CSX and NS would each have access to its own terminal facilities and shared facilities there. Similarly, two rail carrier competition would continue at the ports of Baltimore, MD, Wilmington, DE, and Philadelphia, PA.

The expanded CSX and NS systems would provide utility coal shippers with the benefits of balanced rail competition to and within the eastern United States. CSX and NS would each have access to major routes between the Northeast, Midwest and South that would maintain and increase competitive transportation options for the utility coal industry. Prior to Conrail's acquisition of the Monongahela Railway in 1990, the important Monongahela coal-mining region south of Pittsburgh had multiple rail connections. The Monongahela mines annually produce over 80 million tons of coal. CSX and NS would return rail competition to this area by opening all mines located on Conrail south of Brownsville, PA to both CSX and NS rail service. As noted above, both CSX and NS would have full rights to serve all existing and new coal operations in this area.

The expanded CSX and NS systems would provide shippers with a more competitive alternative to truck transportation. Today, with the absence of integrated rail service, over 75 percent of all

manufactured goods shipments between the Northeast and Southeast move by truck. Both CSX and NS would offer single-line intermodal service and compete more effectively for truck traffic currently moving on some of the nation's most dense truck lanes, including the north-south I-95, I-85, I-75, and I-81, and east-west I-70, I-80, and I-90 corridors. Highway congestion and the resulting capacity pressures on some of the nation's most congested truck routes would be reduced as tonnage is transferred from highway to rail.

### **The Expanded CSX System**

The expanded CSX system would have approximately 23,173 route miles of rail line. At present, CSX, through its direct and indirect rail subsidiaries, operates on approximately 18,504 miles of rail line in 20 states and the Province of Ontario. The CSX system extends from western gateways at Chicago, St. Louis, Memphis, and New Orleans to port cities on the Atlantic Ocean and points as far north as Philadelphia, and from the Province of Ontario and the State of Michigan as far south as Miami. Conrail assets proposed to be operated by CSX comprise approximately 4,669 route miles (including in Shared Assets Areas) in 10 states (Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, and West Virginia), the District of Columbia, and the Province of Quebec. The expanded CSX system would operate in a total of 23 states.

The expanded CSX rail system would extend to every major market in the East. The new network will enable shippers, for the first time in history, to enjoy single-line service from the Northeast to the South. CSX will have a direct route from Florida to the New York/New Jersey area running roughly parallel to Interstate 95 and then on to Boston via Albany.

The expanded CSX system would markedly improve coast to coast service by providing improved, single-line service from New York and other East Coast markets to all four major western gateways -- Chicago, St. Louis, Memphis, and New Orleans. The combined operation of CSX and Conrail lines would also enhance the competitiveness of international service through virtually every major port on the East Coast.

The expanded CSX network would provide single-line service over eleven major service routes, including two alternative routes between Chicago and New York, one via Buffalo over the former New York Central line and the other via Pittsburgh and Philadelphia. CSX's Atlantic Coast Service Lane would connect points in the Northeast with the South. Other service routes would connect the Northeast, the Mid-West, and the Mid-Atlantic with major western gateways at Memphis, New Orleans, and St. Louis. The ability to provide single-line service would also enable CSX to create specialized routes to maximize efficient traffic movement. For example, CSX would route time-sensitive traffic between Chicago and Cleveland over the former B&O line, while routing bulk and unit train traffic over its new line between Chicago and Cleveland via Fort Wayne.

CSX would also be able to offer an expanded, more efficient intermodal rail network, that would be highly competitive with truck service in four important intermodal service corridors: the I-95 Corridor between Florida and the Northeast, the I-85 Corridor between Atlanta and the Northeast, the I-75 Corridor between the Midwest and the Southeast/Florida, and the Memphis Gateway Corridor between Memphis and the Midwest or Memphis and the Mid-Atlantic and Northeast.

The expected increase in traffic on the expanded CSX system would enable CSX to build larger blocks of cars, and even solid trains, that would be able to avoid intermediate classification and pass through crowded gateways and capacity-strained yards. CSX would also be able to build solid trains for interchange with western carriers "deep" within the expanded CSX territory.

### **The Expanded NS System**

The expanded NS system would have approximately 21,069 route miles of rail line. At present, NS, through its direct and indirect rail subsidiaries, operates on approximately 14,282 miles of rail line in 20 states and the Province of Ontario. The NS system extends from Kansas City, MO to port cities on the Atlantic Ocean and from the Province of Ontario and the State of Michigan to states on the Gulf of Mexico. Conrail assets proposed to be operated by NS comprise approximately 6,787 route miles (including in Shared Assets Areas) in 10 states (Delaware,

Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, and West Virginia) and the District of Columbia.

NS would offer new single-line, truck-competitive service between points in the Northeast, such as Philadelphia, PA, New York, Baltimore, MD, Pittsburgh, PA, and the Southeast. Single-line service will be available to directly compete with truck traffic currently moving in some of the nation's most dense truck lanes, including north-south I-85, I-75 and I-81, and east-west I-70, I-76 and I-90. These diversions will have a favorable impact upon highway congestion and air quality conditions.

Double-stack offerings between northeastern markets and those in the Southeast and West would be expanded or improved as clearances are raised between Allentown, PA and northern New Jersey; Cincinnati and Columbus, OH; Perryville, MD and Baltimore, MD; and the Shenandoah Valley line between Riverton Junction and Roanoke, VA. For example, NS will connect the Baltimore market with Midwest points by using the Port Road line between Perryville, MD, and Harrisburg, PA. NS proposes to expand the existing Conrail conventional intermodal (TOFC/COFC) facility at Baltimore and raise the catenary on the NEC route from Baltimore to Perryville. This will allow double stack service to the Port of Baltimore. Another example is the clearance project planned for the Pattenburg, NJ tunnel to allow double stack traffic to move through the tunnel on a more efficient route between northern New Jersey and markets on both the South and the Midwest.

NS would expand its bi-modal RoadRailer® Triple Crown Services (TCS) to serve new markets. New TCS terminals would be added on existing railroad property at Baltimore, MD, Charlotte, NC, and Morrisville (Philadelphia), PA. The TCS facilities at Crestline, OH, and Rochester, NY, would be relocated to Bellevue, OH, and Buffalo, NY, respectively, to improve operating efficiencies and service. Subject to agreement with Amtrak, direct new north-south service would be offered on the Northeast Corridor (NEC) between New Jersey and Washington, D.C., a major truck corridor. TCS RoadRailers® are a proven technology that allows NS to successfully compete in short-haul truck markets.



The expanded NS network would have major lines connecting the South to major northeastern and midwestern markets. New single-line service would be added from Tennessee and Alabama into the Northeast via the Shenandoah Valley in Virginia and Hagerstown, MD. General merchandise service between the upper Midwest and deep South currently is hampered by interchange at Cincinnati and Chicago. Combining NS and Conrail volumes and using Conrail's Elkhart yard will create long distance trains and cut one to three days in transit between Elkhart and Chattanooga, TN, and Macon, GA.

The expanded NS would offer improved service between New York and Chicago on two routes, one via Buffalo and one via Pittsburgh. Through service would be operated to eight western gateways: Chicago, Streator, Peoria, Kansas City, St. Louis, Memphis, Meridian, and New Orleans. New north-south routes would be created between the Northeast and the Southeast through Baltimore, Washington, and Charlotte and between Harrisburg and Hagerstown, Roanoke and Knoxville. In the Midwest, Conrail and NS routes would be tied together to create an integrated network from the Great Lakes to the Gulf of Mexico, via Cincinnati.

### **Shared Assets Areas**

The agreement between CSX and NS establishing terms for the Acquisition provides that certain areas would be operated as Shared Assets Areas providing each company with equal access to customers within the defined zones. Unlike routes and facilities which are to be assigned exclusively to CSX or NS, operation of the Shared Assets Areas will be responsive to the commercial and operating needs of both carriers, and these areas will be operated as extensions of each. The rail lines in the Shared Assets Areas total approximately 514 route miles. CSX and NS both will operate trains into, out of and through the Shared Assets Areas and will be able to operate trains to any allocated, shared or customer operated facility as if operating in their own territory. The Shared Assets Areas would be operated by or through Conrail pursuant to a Shared Assets Area agreement.

The three Shared Assets Areas are shown on Figure 1-1 and consist of:

- Conrail lines and facilities in Northern New Jersey ("North Jersey")
- Conrail lines and facilities in Southern New Jersey and certain Conrail lines and facilities in Philadelphia, PA ("South Jersey/Philadelphia")
- Conrail lines and facilities in Detroit, MI ("Detroit")

## **1.2 OVERVIEW OF THE ENVIRONMENTAL REPORT**

This document is Part 1 of 4 of the ER prepared for the proposed Acquisition of control of Conrail, Inc. and Consolidated Rail Corporation (Conrail) by CSX Corporation and CSX Transportation, Inc. (CSX) and Norfolk Southern Corporation and Norfolk Southern Railway Company (NS), and division of Conrail's assets. This Part of the ER presents a summary and overview of the other parts. It also includes the systemwide analyses, and the beneficial environmental effects of the Acquisition.

The pre and post-Acquisition operations changes and the analysis of environmental impacts are presented in Part 2, which concerns the operational impacts of rail line segments, rail yards, and intermodal facilities. Part 3 addresses abandonments, and Part 4 addresses construction projects. Each of these parts is described briefly below, and in more detail in the following summary sections (Sections 3, 4, 5, and 6) in this Part 1. Environmental studies were performed for CSX, NS, and Shared Assets Areas, using the common methodologies presented in appendices to Parts 1, 3 and 4.

Part 1, Overview and Description of the Proposed Action and Alternatives, contains an executive summary, an overview of the proposed Acquisition, a brief description of the areas studied, conclusions regarding potentially significant impacts, a systemwide analysis of operational changes, and the beneficial environmental effects of the proposed Acquisition.

Part 2, Operational Impacts of Rail Line Segments, Rail Yards and Intermodal Facilities, presents the environmental impacts associated with the increases in traffic on affected rail line segments, and increases in activity at rail yards and intermodal facilities that meet or exceed STB

## **6.0 PROPOSED CONSTRUCTION PROJECTS**

Proposed new connections and other construction projects requiring the acquisition of right-of-way are presented in detail in Part 4 Proposed Construction Projects and are listed and briefly described in the summary Tables 1-14, 1-15, and 1-16 in this Part 1. The STB requires analysis of potential environmental impacts associated with all construction projects that are under STB's jurisdiction and those "non-jurisdictional" projects that require acquisition of new property. Jurisdictional constructions consist of new connections between two rail lines.

Proposed construction projects include connections, construction of a fueling facility adjacent to an existing yard, and construction of a new intermodal facility. A number of connections are proposed to be constructed that would allow access between existing rail lines that are in close proximity in order to facilitate more efficient routing of traffic over the expanded CSX and NS systems. The other construction projects would also improve efficiency by improving routing, increasing capacity of yards and lines, avoiding congestion and reducing idle time and fuel consumption.

### **6.1 APPROACH**

The following areas were analyzed for each of the proposed connections and the other construction projects requiring the acquisition of new right-of-way or property: land use, water resources and wetlands, biological resources, historic and cultural resources, safety, transportation, air quality and noise. The methodologies for evaluation of the potential impacts of each of these topics is set forth in Appendix A to Part 4. A discussion of construction procedures is provided in Part 4 of the ER.

A combination of literature review, agency contacts, resource maps, and site visits was used to characterize existing conditions at each of the sites. The focus of the characterization was on aspects of the analyzed resources that might be sensitive to potentially adverse impacts from construction activities, including:

- Land Use - structures within 500 feet of rail lines, occurrence within a coastal zone and presence of prime farmland.
- Water Resources and Wetlands
- Biological Resources - vegetation types; wildlife occurrence of threatened and endangered plant/wildlife species and/or their critical habitat; parks, forests, refuges, and sanctuaries within one mile of rail lines.
- Historic and Cultural Resources - historic or archaeological sites listed or potentially eligible for listing on the National Register of Historic Places.
- Safety - occurrence of hazardous waste sites and at grade crossings.
- Transportation - vehicle traffic levels, rail service, and rail routes.

Criteria were developed to assess the possible significance of construction impacts on the resources itemized above. The key criteria included:

- Land Use - incompatibility with surrounding land use, inconsistency with planning policies/control and coastal zone management plans, and loss of prime farmland.
- Water Resources and Wetlands - substantial interference with drainage flow, loss of wetlands, adverse discharges to waters (sediment increases, pollutants).
- Biological Resources - loss of important vegetation types/wildlife habitats; loss of individuals or habitat for threatened and endangered plant/wildlife species and/or their critical habitat; loss or degradation of parks, forests, refuges, and sanctuaries.
- Historic and Cultural Resources - disturbance to listed or potentially eligible sites.
- Safety - exposure of people to hazardous waste conditions.
- Transportation - substantial increase in truck traffic on local transportation systems.

Safety concerns during construction activities would be addressed by compliance with applicable regulatory requirements. Construction-related transportation impacts were assessed not to be significant, based on the short duration of activities and limited vehicle traffic (worker vehicle and



material delivery trucks). Air quality impacts during construction would be temporary and would generally involve dust from earth-moving activities and emissions from construction equipment and vehicles.

Construction-related noise impacts would be temporary. The potential noise impact from wheel squeal from operations over the connections was analyzed because wheel squeal is more likely to occur on connections than other segments of rail line; wheel squeal is likely to occur on any curve with a radius less than about 1,000 feet or when the curvature is greater than approximately five degrees.

It was determined that wheel squeal would not be a significant source of noise at most of the connection locations, either because there would be no wheel squeal, there would be few sensitive receptors or the noise level would be low compared to other sources of noise. Apart from wheel squeal, the operational impacts of construction projects for these resource areas were evaluated as part of the analysis for rail line segments, rail yards and intermodal facilities.

## **6.2 CONCLUSIONS**

The proposed construction projects would result in a variety of economic benefits, including, increased efficiency, improved transit times, reduced transportation costs, shorter rail routes, more productive use of terminals, fewer terminal and other delays, and heightened reliability of service. These enhanced efficiencies would facilitate in the diversion of traffic from highways to rail. These diversions would result in reduced emissions, fuel usage and congestion, and enhanced highway safety.

Potential impacts were analyzed for all the proposed construction projects in accordance with the approach described in Section 6.1. No significant impacts were identified in the areas of land use, water resources and wetlands, biological resources, historic and archaeological resources, safety, transportation, air quality, noise, and energy. Generally, land affected by constructions would be compatible with adjacent land use, would have minimal impact on prime farmland and would not

be within a coastal zone management area. Surface water and wetland impacts would be minor and minimized by the implementation of Best Management Practices. Only minimal impacts to vegetation and wildlife would occur. Minor impacts to air quality and noise could occur during construction operations but would be eliminated once such operations were completed. Control measures, such as water spraying, would be utilized to minimize the generation of fugitive dust. All needed environmental permits to construct these projects would be secured, and the construction work would be carried out in accordance with applicable federal and state regulations.

Potential minimal impacts could occur at some of the construction project locations to land use, biological resources, historic and archaeological resources, safety, transportation, and noise. These are briefly described below.

- Exermont, IL - Approximately 5.3 acres of land would be converted to railroad right-of-way as a result of the proposed project, including three acres of prime farmland. In addition, the proposed connection is located in an area that has a potential for the presence of significant archaeological resources.
- Lincoln Avenue, IL - The proposed connection is entirely on rail right-of-way. It may require the relocation of a cantilever signal and highway/pedestrian gates west of Park Avenue.
- Kankakee, IL - Approximately 2.3 acres of land would be converted to railroad right-of-way as a result of the proposed project, including some prime farmland in agricultural production.
- Sidney, IL - Approximately 5.3 acres of land would be converted to railroad right-of-way as a result of the proposed project.

- Tolono, IL - The proposed connecting track has the potential to impact a listed National Register of Historic Places (NRHP) eligible site, the former depot where President Abraham Lincoln gave his final speech in Illinois. (Section 106 consultation with the Illinois SHPO has been initiated and will continue.) The proposed rail line connection would require an expanded grade crossing at Benham Street.
- Willow Creek, IN - Approximately 0.2 acres of land would be converted to railroad right-of-way as a result of the proposed project. An area approximately 400 feet by 70 feet would need to be cleared of trees and non-woody vegetation as a result of the proposed project. The proposed project would require the relocation of an existing grade crossing at Willow Creek Road to accommodate the widening of the track corridor.
- Alexandria, IN - Approximately 2.3 acres of land would be converted to railroad right-of-way as a result of the proposed project (including portions of an existing scrap yard which would be assessed for possible site contamination).
- Butler, IN - Approximately 3.9 acres of land would be converted to railroad right-of-way as a result of the proposed project.
- Little Ferry, NJ - The proposed construction project is located on rail right-of-way within a Coastal Zone Management area.
- Blasdell, NY - Approximately 11.9 acres of land would be converted to railroad right-of-way as a result of the proposed project.
- Cleveland, OH - Approximately 23 acres of land adjacent to the existing Collinwood rail yard would be converted to use as an intermodal facility as a result of the proposed project. A building (the age of which has not been determined) located on the property to

be acquired may need to be removed. Further consultations with the Ohio SHPO will be made.

- Greenwich, OH - Approximately 0.5 acres of land, including 0.4 acres of prime farmland, would be converted to railroad right-of-way as a result of the proposed project. Grade crossing protection at Kniffen and Townsend Roads would be relocated.
- Sidney, OH - Approximately 2.6 acres of land would be converted to railroad right-of-way as a result of the proposed project.
- Willard, OH - Approximately 10 acres of land adjacent to an existing rail yard would be converted to railroad use as a fueling facility as a result of the proposed project.
- Bucyrus, OH - Approximately 5.5 acres of land would be converted to railroad right-of-way as a result of the proposed project. Because the connection would be located in a residential area, some residences might be impacted by wheel squeal noise. The former T&OC freight house, which is potentially historic, would be demolished to make way for the new connection. The proposed connection would require two new grade crossings.
- Oak Harbor, OH - Approximately 11.5 acres of land would be converted to railroad right-of-way as a result of the proposed project, including some prime farmland in agricultural production. The proposed project would require one new grade crossing.
- Vermilion, OH - Approximately 12.4 acres of land would be converted to railroad right-of-way as a result of the proposed project. While endangered species such as the Indiana Bat and Bald Eagle are known to be present in Erie County, the Ohio DNR advised that it was unaware of any species or critical habitats in the proposed project area. The proposed project would require one new grade crossing.



Further discussion of the potential impacts is presented in Part 4, Proposed Construction Projects. The construction projects will also have beneficial effects which are discussed in Section 2 of this Part and in Part 4.

## **ENVIRONMENTAL REPORT**

CSX CORPORATION AND CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY  
-CONTROL AND OPERATING LEASES/AGREEMENTS-  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

## **PROPOSED CONSTRUCTION PROJECTS**

### **PART 4 of 4**

Prepared by:

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One Continental Towers  
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for CSX Corporation  
and CSX Transportation Corporation

Burns & McDonnell  
9400 Ward Parkway  
Kansas City, Missouri 64114

for Norfolk Southern Corporation  
and Norfolk Southern Railway Company

# **ENVIRONMENTAL REPORT**

CSX CORPORATION AND CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY  
-CONTROL AND OPERATING LEASES/AGREEMENTS-  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

## **OVERVIEW AND DESCRIPTION OF THE PROPOSED ACQUISITION**

### **PART 1 of 4**

Prepared by:

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for Norfolk Southern Corporation  
and Norfolk Southern Railway Company

CSX Corporation and CSX Transportation, Inc. (CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (NS), are filing an application with the Surface Transportation Board (STB) seeking authority to control Conrail Inc. and Consolidated Rail Corporation and to allocate the assets of Conrail between them.

This Environmental Report describes the proposed action and expected environmental effects. This Environmental Report has been prepared by CSX and NS to assist the STB in its review of the potential environmental effects of the proposed action. The STB has announced its intention to prepare an Environmental Impact Statement on the proposed action. The STB will publish a notice in the Federal Register soliciting comments on the scope of the environmental review process.

We are providing this Environmental Report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If you believe that any of the information is misleading or incorrect or that any pertinent information is missing, or if you have any comments related to environmental matters, you may file comments with the STB. Anyone wishing to file comments on environmental matters should submit an original and ten (10) copies of the comments to:

Office of the Secretary  
Case Control Unit  
Finance Docket No. 33388  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

**Attention:**  
**Elaine K. Kaiser**  
**Chief, Section of Environmental Analysis**  
**Environmental Filing**

Questions and comments on environmental matters may also be directed to the STB's Section of Environmental Analysis at its toll-free number: 1-888-869-1997.

Your comments will be considered by the STB in evaluating the environmental impacts of the proposed action.



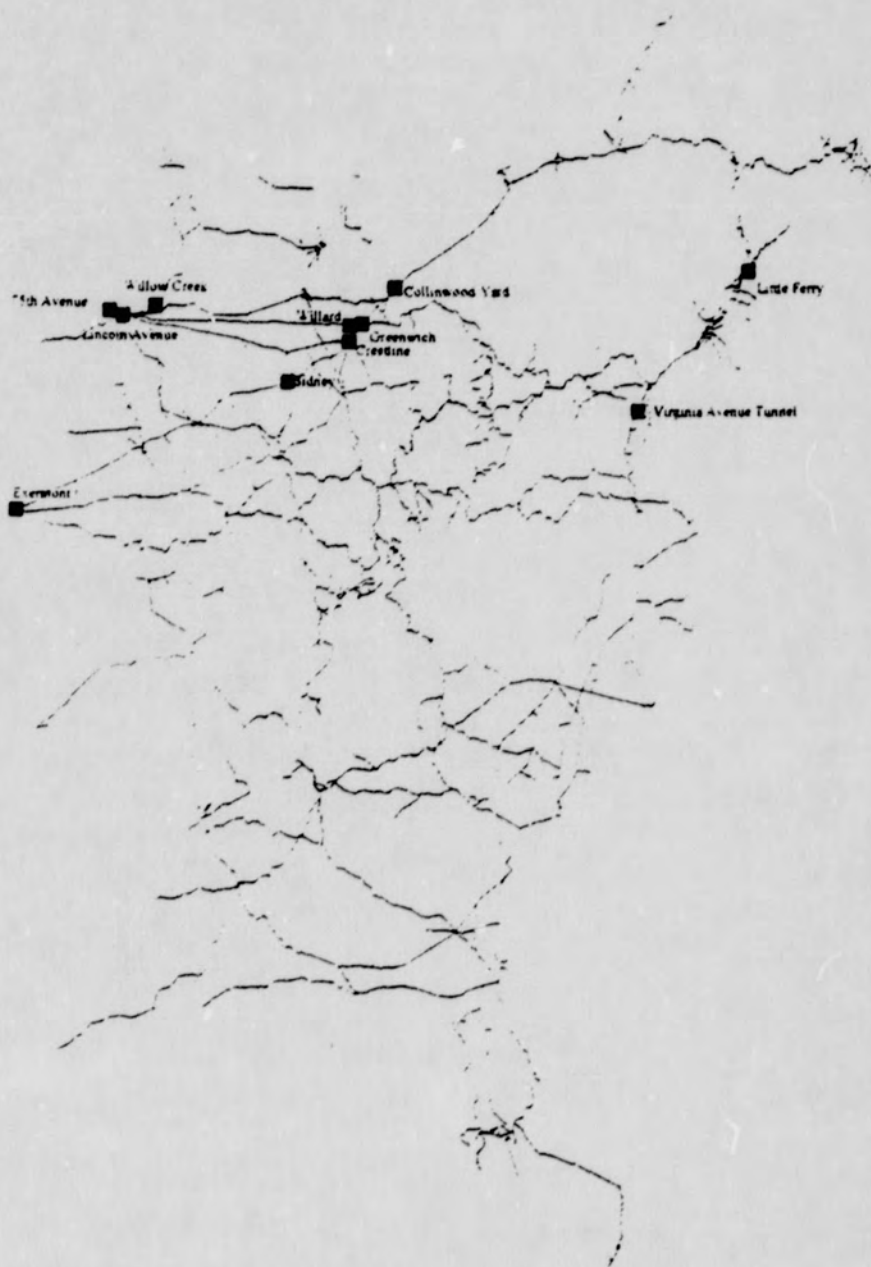
## 1.0 INTRODUCTION

### 1.1 OVERVIEW

This Part 4 of the Environmental Report (ER) is prepared for the proposed Acquisition of Conrail, Inc. and Consolidated Rail Corporation (Conrail or CR) by CSX Corporation and CSX Transportation, Inc. (CSX) and Norfolk Southern Corporation and Norfolk Southern Railway Company (NS) and division of Conrail's assets. The Surface Transportation Board (STB) requires analysis of potential environmental impacts associated with all construction projects that are under STB's jurisdiction and those "non-jurisdictional" projects related to the Acquisition that require acquisition of new property. Jurisdictional constructions consist of new connections between two railroads. As used hereafter in this ER, the term "Acquisition" means the entirety of the transactions contemplated in this proceeding. This Part includes analyses of potential environmental impacts associated with such proposed construction projects for the proposed Acquisition.

Proposed construction projects include connections, construction of a fueling facility adjacent to an existing yard and construction of a new intermodal facility. A number of connections are proposed to be constructed which would allow access between existing rail lines that are in close proximity in order to facilitate more efficient routing of traffic over the expanded CSX and NS systems. The other construction projects would also improve efficiency by improving routing, increasing capacity of yards and lines, avoiding congestion and reducing idle time and fuel consumption.

CSX proposes constructing eight new connections (Figure 4-1), four of which would be built on existing railroad right-of-way and four of which would require the acquisition of additional right-of-way. The proposed connections would be in Illinois, Indiana, New Jersey, and Ohio. CSX also proposes to construct a fueling facility adjacent to an existing rail yard and construction of a new intermodal facility, both in Ohio, that would require acquisition of new right-of-way.

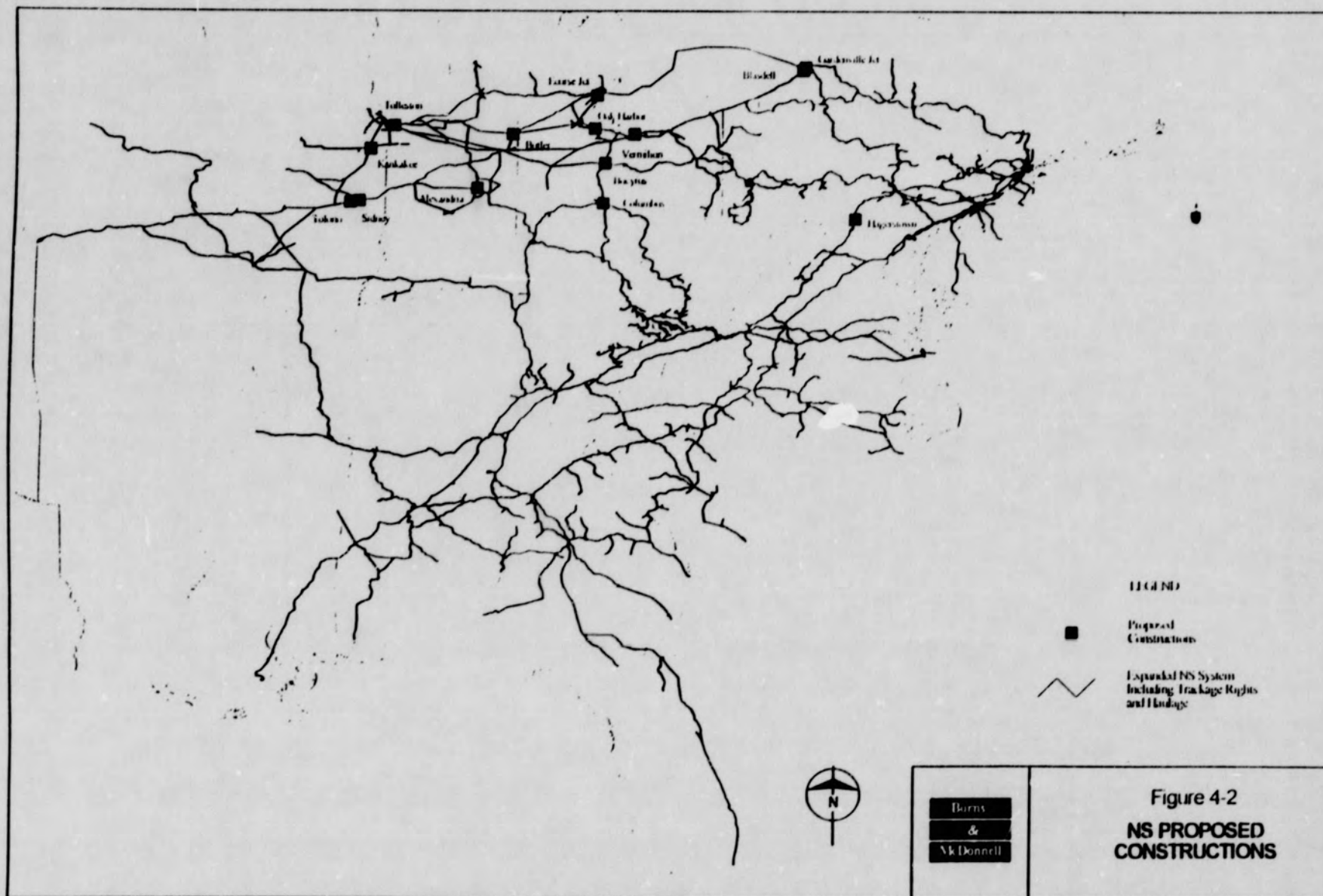


# LEGEND

- Proposed Constructions
- Expanded CSX System including Trackage Rights and Haulage

Figure 4-1  
CSX PROPOSED CONSTRUCTIONS

**DAMES & MOORE**  
A DAMES & MOORE GROUP COMPANY



NS proposes constructing 14 new connections (Figure 4-2), six of which would be built on existing railroad right-of-way and eight of which would require the acquisition of additional right-of-way. The proposed rail line construction projects would be in Illinois, Indiana, Maryland, Michigan, New York and Ohio.

A list of proposed construction projects to be analyzed follows:

<b>Table 4-1</b> <b>CSX PROPOSED CONSTRUCTION PROJECTS</b>			
<b>State</b>	<b>Location</b>	<b>Length (feet)</b>	<b>Description</b>
IL	75th Street SW. Chicago	1,640	Connecting the Belt Railway of Chicago and B&OCT lines to permit eastbound trains from Bedford Park, IL to proceed south to Blue Island, IL.
IL	Exermont	3,590	Connecting the parallel Conrail and CSX lines to allow trains from East St. Louis, IL to proceed onto CSX's mainline.
IL	Lincoln Ave., Chicago	840	Connecting Indiana Harbor Belt (IHB) and B&OCT lines to allow trains to move from the IHB to CSX's Barr Yard.
IN	Willow Creek**	2,800	Connecting CSX and Conrail tracks to facilitate movements between Porter, IN and Chicago, IL.
NJ	Little Ferry	480 600	Two connections between Conrail and NYS&W tracks to allow trains to move between Conrail lines and a CSX Little Ferry intermodal facility.
OH	Cleveland*	N/A	Construction of new intermodal facility at Collinwood Yard.
OH	Crestline**	1,507	Connecting two Conrail tracks to allow movements between Ft. Wayne, IN and Cleveland, OH.



<b>Table 4-1</b> <b>CSX PROPOSED CONSTRUCTION PROJECTS</b>			
State	Location	Length (feet)	Description
OH	Greenwich**	4,600 1,044	Two connection tracks between CSX and Conrail to enable eastbound trains from Chicago, IL to proceed northeast to Cleveland, OH and to enable northeast bound trains to proceed east to Akron, OH.
OH	Sidney**	3,263	Connecting CSX and Conrail tracks to enable northbound trains to proceed east to Columbus, OH.
OH	Willard*	N/A	Construction of a fueling facility and associated track adjacent to an existing rail yard.

\* These CSX projects are non-jurisdictional but require acquisition of new property.

\*\* These projects are the subjects of a Petition for Waiver of the STB's "related applications" rule filed by CSX and Conrail with the STB on May 2, 1997. If granted these will be the subjects of separate proceedings and environmental review that may be completed before the STB acts on the control application.

<b>Table 4-2</b> <b>NS PROPOSED CONSTRUCTION PROJECTS</b>			
State	Location	Length (feet)	Description
IL	Kankakee	1,000	Connecting track between Conrail and IC to permit efficient movements from the Conrail Chicago mainline and Chicago Terminal area to Kansas City and St. Louis Gateways via Decatur, IL.
IL	Sidney*	3,200	Connecting track between NS and UP to permit efficient movement between UP points in the Gulf Coast/Southwest and NS points in the Midwest and Northeast, and bypassing congestion at E. St. Louis, IL.

<b>Table 4-2</b> <b>NS PROPOSED CONSTRUCTION PROJECTS</b>			
<b>State</b>	<b>Location</b>	<b>Length (feet)</b>	<b>Description</b>
IL	Tolono	1,600	Connecting track between NS and IC to permit efficient movement between Effingham, IL and Lafayette, IN and bypassing congestion at E. St. Louis.
IN	Alexandria*	1,000	Connecting track between Conrail and NS to permit creation of a new, efficient and consolidated through-route from Chicago, IL to Cincinnati, OH; Atlanta, GA and the Southeast via Alexandria and Muncie, IN.
IN	Butler	1,700	Connecting NS and Conrail tracks for direct through-movement of traffic from NS Detroit, MI line to Conrail Chicago, IL line creating an efficient, new route.
IN	Toileston	900	Connecting NS and Conrail tracks to serve NS industry at Gary, IN from Conrail line.
MD	Hagerstown	800	Connecting Conrail and NS tracks to create a straight-line continuous double-tracking route through Hagerstown for efficient train movement between Front Royal, VA and Harrisburg, PA.
MI	Ecorse Junction (Detroit)	400	Upgrade existing Conrail track from NS's Oakwood Yard to Conrail's River Rouge Yard via Junction Yard Secondary and the construction of a connection to permit efficient movements from Conrail track to existing NS track.
NY	Blasdell (Buffalo)	5,200	Connection from the NS Cleveland mainline to the Conrail Buffalo line to provide efficient train movement from Erie, PA to Buffalo, NY. Proposed construction includes rehabilitation of an existing railroad bridge and construction of a new overpass.

**Table 4-2**  
**NS PROPOSED CONSTRUCTION PROJECTS**

<b>State</b>	<b>Location</b>	<b>Length (feet)</b>	<b>Description</b>
NY	Gardenville Junction Ebenezer (Buffalo)	1,700	Connection from the Conrail Buffalo line to Conrail Ebenezer secondary line to provide efficient train movement from Erie, PA to Buffalo, NY or the Conrail Southern Tier avoiding CP-Draw.
OH	Bucyrus*	2,400	Connecting track between NS and Conrail to create an efficient new route from Columbus, OH to Pittsburgh, PA.
OH	Columbus	1,400	Connecting tracks to create efficient movement between Bellevue, OH and Buckeye Yard.
OH	Oak Harbor	5,000	Connecting track between NS and Conrail to create efficient access from the Detroit area to NS Bellevue Yard.
OH	Vermilion	5,400	Connecting track between NS and Conrail to create an efficient new route from Conrail's Cleveland to Chicago mainline to NS's Cleveland to Buffalo mainline to and from eastern destinations and origins, including New York and Northern New Jersey via Buffalo.

\* These projects are the subjects of a Petition for Waiver of the STB's "related applications" rule filed by NS with the STB on May 2, 1997. If granted these will be the subjects of separate applications and environmental review that may be completed before the STB acts on the control application.

The proposed construction projects would result in a variety of economic benefits, including, increased efficiency, improved transit times, reduced transportation costs, shorter rail routes, more productive use of terminals, fewer terminal and other delays, and heightened reliability of service. These enhanced efficiencies will result in the diversion of traffic from highways to rail. This will result in reduced emissions, fuel usage and congestion, and enhanced highway safety.

A discussion of construction procedures is provided in Section 1.2. A discussion of areas

potentially impacted by construction projects is provided in Section 1.3. Methodologies for determining impact significance for construction projects are provided in Appendix A to Part 4 of this ER. The environmental analyses for each proposed construction project in Illinois, Indiana, Maryland, Michigan, New Jersey, New York and Ohio are provided in Sections 2, 3, 4, 5, 6, 7 and 8, respectively. Each state section provides the following information for construction projects: (1) description of the proposed construction and alternatives, (2) description of the existing environment at and around each construction location, (3) potential environmental impacts of the proposed construction and (4) proposed mitigation.

In addition to these rail line construction projects, both CSX and NS will undertake several rehabilitation and upgrade projects to be completed on existing railroad right-of-way or railroad property. With the exception of connections between two railroads, these proposed rehabilitation and upgrading projects on railroad right-of-way do not fall within the jurisdiction of the STB; therefore they will not be analyzed in this ER.

## **1.2 CONSTRUCTION PROCEDURES AND TYPES**

Construction projects include connections, construction of a new fueling facility and intermodal facility. CSX and NS use similar general construction procedures for new track, which are described below. All construction projects will be conducted in a manner to minimize possible environmental impacts as more fully described in the mitigation section for each project. All track construction projects would include the following steps:

- Undertake survey work.
- Obtain permits if required.
- Relocate utilities if required.
- Remove existing ground cover (which might include vegetation, pavement, or existing structures) and scrape area to bare ground.
- Grade surface for roadbed. The amount of grading required varies by location and type



of project.

- Construct (cut or fill or both) the roadbed, which would include placement and compaction of bed material. Borrow material would be imported as necessary.
- Cap the new roadbed with subballast, which is placed and compacted.
- Recompect the subballast.
- Lay the new tracks, either by use of prefabricated panels or use of ties and welded rail strands.
- Add ballast delivered by railcar. Lift the track and compact the ballast by use of tamping machinery.
- Conduct final track alignment.
- Coordinate with the state highway department on installing signs or signals at any new grade crossings as required.

During track-laying at grade crossings, highway traffic could be temporarily disrupted; flagmen would be used as needed. Generally, new track construction at grade crossings can be completed within one day. None of the proposed CSX projects would result in new at-grade crossings. Three of the proposed NS projects (Bucyrus, Oak Harbor and Vermilion, OH) would result in new at-grade crossings. One CSX project would require an expanded grade crossing (Willow Creek, IN). Four NS projects would require expansion of existing grade crossings (Kankakee, IL; Tolono, IL; Alexandria, IN; and Butler, IN). Expanded grade crossings are those which currently have one or more tracks, but would have an additional track added after the proposed construction. The proposed fueling facility to be constructed near Willard Yard by CSX would enable three at-grade crossings to be eliminated.

The size of the construction zone required to complete the proposed connections would differ among the proposed projects. In most areas, work would be completed within a 200-foot-wide construction zone. The permanent right-of-way would generally be 100 feet wide. Consequently, construction activities may result in temporary effects to a narrow strip of adjacent land.

STB FD 33388 (Sub 6) 6-24-97 A 180345 2/2

### **1.2.1 Connections**

Connections involve the construction of a track between two existing rail lines. CSX proposes eight connections, four of which would be built on existing railroad right-of-way and four of which would require the acquisition of additional right-of-way. Four of these would be between CSX and Conrail lines and one each would be between two Conrail lines, the Belt Railway of Chicago and B&OCT line, the Indiana Harbor Belt and B&OCT, and Conrail and NYS&W. Fourteen connections are proposed by NS, six of which would be built on existing railroad right-of-way and eight of which would require acquisition of additional right-of-way. Of these connections, ten would be between Conrail and NS lines; one between Conrail lines; one between NS and Union Pacific Railroad Company (UP) lines, over which NS has trackage rights; one between NS and Illinois Central Railroad Company (IC), over which NS has trackage rights; and one between Conrail and IC, over which NS has trackage rights.

### **1.2.2 Fueling Facility/Intermodal Facilities on New Right-of-Way**

CSX proposes one new fueling facility that would require the acquisition of new right-of-way (Willard, OH) and construction of one new intermodal facility (Cleveland, OH). Because the projects would be adjacent to existing active rail yards, much of the new disturbance would occur in areas that are already impacted by rail operations. Disturbance to previously undisturbed native/natural habitats is anticipated to be limited. Two intermittent streams would be crossed by the proposed siding construction at Willard. Bridges or culverts would be installed, as necessary, for these crossings.

No yard expansions or intermodal facilities requiring new right-of-way are proposed by NS.

## **1.3 POTENTIAL IMPACTS AND METHODOLOGIES**

The following topics were analyzed for each construction project requiring the acquisition of new right-of-way or property:

- land use

- water resources
- biological resources
- air quality
- noise
- historic and cultural resources
- transportation and safety
- energy

Estimates of the number of daily train movements through each connection are provided in this Report. The rail operations conducted over each connection will mirror operations conducted generally over the CSX and NS systems in terms of numbers of cars per train, types of cars, locomotive power requirements, and proposed speeds. Maintenance-of-way practices will also be the same as at other points on each railroad's system.

The methodology for evaluation of the potential impacts of each of these topics is set forth in Appendix A to Part 4. The following sections contain information on each of the topics evaluated for each of the proposed construction projects.



**3.0 INDIANA**

### 3.0 INDIANA

Four proposed connections in Indiana require environmental analysis. One connection is proposed by CSX. Three connections are proposed by NS. This section contains an analysis of the potential environmental impacts associated with the proposed connections. Information on the proposed constructions is provided below:

Location	Length (feet)	Description
Willow Creek (CSX)*	2,800	Connecting CSX and Conrail tracks to facilitate movements between Porter, IN and Chicago, IL.
Alexandria (NS)*	1,000	Connecting track between Conrail and NS to permit creation of a new, efficient and consolidated through-route from Chicago, IL to Cincinnati, OH, Atlanta, GA and the Southeast via Alexandria and Muncie, IN.
Butler (NS)	1,700	Connecting NS and Conrail tracks for direct through-movement of traffic from NS Detroit, MI line to Conrail Chicago, IL line creating an efficient, new route.
Tolleston (NS)	900	Connecting NS and Conrail tracks to serve NS industry at Gary, IN from Conrail line.

\*This project is the subject of a Petition for waiver of the STB's "related applications" rule filed with the Surface Transportation Board on May 2, 1997. If granted, it will be the subject of a separate proceeding and environmental review that may be completed before the STB acts on the control application.

A detailed description of each of these proposed construction projects, including alternative actions considered, the existing environment, the potential environmental impact and proposed mitigation measures are provided in this section.

## NS DISCUSSION

### 3.2 ALEXANDRIA (NS)

Alexandria, IN is in Madison County, 50 miles northeast of Indianapolis (Figure 4-10). Existing lines in the area include the north/south-oriented Conrail Chicago mainline and the east/west-oriented NS mainline.

The proposed construction site is located in the southwestern part of the City of Alexandria. The proposed construction site is southeast of the Berry and Curve Street intersection and would occupy approximately 2.3 acres. The site is bordered on the north by Berry Street, on the east by Curve Street, on the west by Conrail lines and on the south by the NS line. The proposed construction site is dominated by a salvage yard operation. The west and south sides of the site are bordered by 30 foot strips of vegetation dominated by weeds and grasses, characteristic of disturbed areas. A buried AT&T fiber optic cable is along the east side of the Conrail line. A small woodland exists on the south side of the NS line and south of the proposed site. An electrical substation is 500 feet west of the proposed construction. Residential properties are within 500 feet to the north and south of the proposed construction site.

#### 3.2.1 Proposed Action and Alternatives

##### 3.2.1.1 Proposed Action

The proposed action at Alexandria would involve the construction and operation of a new connection between Conrail and NS tracks (see Figure 4-10). The connection would be northeast of the present intersection of the Conrail and NS lines. This new construction would provide a new, more efficient train route from Chicago, IL to Cincinnati, OH; Atlanta, GA; and the southeastern United States and will add capacity and reduce train delays. It will reduce rail traffic congestion in Ft. Wayne. The design includes power-operated turnouts for Conrail and NS mainlines and approximately 1,000 feet of new rail line. The proposed construction would

require acquisition of approximately 2.3 acres of new right-of-way. The existing NS/Conrail crossing diamond would remain intact.

### ***Construction Requirements***

The exact labor force and duration of construction are not available, but are expected to require 10-15 people and three to six months. Borrow material for the project would be obtained from local sources and hauled to the construction site by rail or truck.

### ***Changes in Traffic***

The proposed Acquisition would result in the following estimated changes in traffic over the rail lines connected by the proposed construction:

- Traffic on the existing Conrail line north of the NS/Conrail intersection would increase from five to seven trains per day.
- Traffic on the existing NS line east of the NS/Conrail intersection would increase from 3 to 12 trains per day.
- Traffic on the new construction would be seven trains per day.

### **3.2.1.2 Alternatives**

#### ***Build Alternatives***

No other build alternatives were identified for the proposed rail line connection. The proposed rail line would be the most direct connection between existing rail lines and would minimize the need for new land outside of NS and Conrail rights-of-way. There are no construction, operational, or environmental features that would render another alignment of the proposed rail line more reasonable than the proposed action.

#### ***No-Action Alternative***

Under the no-action alternative, existing and additional post-Acquisition rail traffic would operate over existing NS and Conrail rail lines. Access between the two lines would be limited



to existing interchanges and terminals. The no-build alternative would reduce the total economic and operational efficiency that would have been possible under the proposed Acquisition.

### **3.2.2 Existing Environment**

#### **3.2.2.1 Land Use**

A salvage yard, owned by Azimow and Culbertson Scrap Company and used for recycling batteries, scrap and other metals, is on the property that would be acquired for the proposed right-of-way (Figure 4-10). The land is currently zoned as B2, business. The area around the proposed construction site is dominated by rail, transportation, and utility uses. A buried AT&T fiber optic cable is along the east side of the Conrail line. Other land uses surrounding the proposed site include residential and commercial properties north of the proposed rail line and more residential properties south of the proposed rail line. A small wooded area is southeast of the intersection of the NS and Conrail rail lines.

None of the soils at the site are classified as prime farmland.

The project is not within a designated coastal zone.

According to the Bureau of Indian Affairs, no federally-recognized Indian tribes or Indian reservations exist in the construction area.

#### **3.2.2.2 Water Resources**

No surface waters are on the proposed construction site. The nearest surface water, Pipe Creek, is a small intermittent stream, which is approximately 0.25 mile east and slightly down gradient of the proposed construction site (Figure 4-10). However, due to the surface area and proposed mitigation measures, minimal sedimentation or erosion would occur.

National Wetland Inventory (NWI) maps indicated no wetlands on the proposed construction site. Two wetlands are within 500 feet south of the proposed construction site. However, only one could potentially receive surface water runoff from the site.

Federal Emergency Management Agency (FEMA) maps for the area show that the proposed construction is not within a 100-year floodplain.

### **3.2.2.3 Biological Resources**

#### ***Vegetation***

Portions of the existing Conrail and NS rights-of-way are in the proposed construction area. These areas consist of weeds and grasses. Two strips of vegetation consisting of weeds and grasses are bordering the south and west edges of the site. Because the site is within an area dominated by urban and railroad use, much of the area has previously been disturbed. A small woodland is 200 feet south of the proposed site on the south side of the NS rail line. Vegetation within other existing rights-of-way and adjacent areas consists of weedy, early successional species and species planted and maintained as part of residential lawns. This vegetation is not unique or limited in the area.

#### ***Wildlife***

Because most of the proposed construction is in a developed area (the salvage yard), little wildlife habitat is available. The only existing habitat near the proposed construction is weeds and grasses in railroad rights-of-way and residential yards. The potential for wildlife is low in these areas. Wildlife would mainly be limited to birds and small mammals that have adapted to developed areas. Habitat for small mammals and birds is provided by the small woodland south of the site.

#### ***Threatened or Endangered Species***

The U.S. Fish and Wildlife Service (USFWS) and the Indiana Department of Natural Resources (DNR) were contacted regarding threatened and endangered species in the area. The USFWS did

National Wetland Inventory (NWI) maps indicated no wetlands on the proposed construction site. Two wetlands are within 500 feet south of the proposed construction site. However, only one could potentially receive surface water runoff from the site.

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#### ***Threatened or Endangered Species***

The U.S. Fish and Wildlife Service (USFWS) and the Indiana Department of Natural Resources (DNR) were contacted regarding threatened and endangered species in the area. The USFWS did

not identify any threatened or endangered species in the project area. Comments have not been received yet from the Indiana DNR. When comments are received, they will be forwarded to the STB's Section of Environmental Analysis.

#### ***Parks, Forest Preserves, Refuges, and Sanctuaries***

No forest preserves, refuges, or sanctuaries are adjacent to or near the proposed construction site. The nearest park is a city park that is approximately 0.5 mile east of the proposed construction. The park is adjacent to the NS rail line.

#### **3.2.2.4 Air Quality**

According to 40 CFR 81, Madison County is in attainment with the National Ambient Air Quality Standards (NAAQS). Vehicles and locomotives are the primary sources of emissions in the project area.

#### **3.2.2.5 Noise**

Rail, vehicular and commercial traffic are the primary sources of noise in the project area.

Thirty seven residences are within 500 feet of the proposed construction site. No schools or churches are within 1,200 feet of the site.

#### **3.2.2.6 Historic and Cultural Resources**

Records at the Indiana State Historic Preservation Office (SHPO) in Indianapolis were reviewed to determine if previously identified historic and cultural resources are in the project area. No National Register of Historic Places (NRHP) sites or archaeological sites have been recorded in the vicinity of the proposed construction. The construction would cross a portion of a salvage



yard. The structures associated with the salvage yard do not meet the criteria for inclusion on the NRHP. Consultation has been initiated with the Indiana SHPO regarding the proposed site.

#### **3.2.2.7 Transportation and Safety**

The existing rail transportation network consists of the NS and Conrail rail lines that intersect in Alexandria. Major roads in Alexandria include State Highways 9 and 28, and some local roads. The Conrail line crosses Berry Street, which has crossbuck warning signs.

The Environmental Data Resources, Inc. (EDR) database search did not identify any hazardous waste sites or other sites of environmental concern in the vicinity of the proposed rail line construction. The database search revealed seven unmappable sites, two within the city limits of Alexandria and five within Madison County. These sites could not be located because of poor address or geocoding information provided to the state and/or federal databases. No evidence at these sites were observed within or adjacent to the construction area during the site visit.

A salvage yard is on the proposed construction site. The salvage yard accepts used batteries, scrap steel and other metals. Observations of the salvage yard could not be made during the site visit because the yard is surrounded by a high fence. While the site is not listed on any of the databases searched by EDR, the property will be assessed prior to conducting any construction activities.

### **3.2.3 Potential Environmental Impacts of Proposed Action**

#### **3.2.3.1 Land Use**

The proposed project would result in minimal impacts to land use. Approximately 2.3 acres would be converted to rail line right-of-way. The majority of the required acreage is currently part of a 3.0 acre salvage yard. Thus, most of the salvage yard property would be converted to rail line right-of-way. NS would purchase all of the salvage yard property. The buried AT&T

fiber optic cable east of the Conrail line potentially may have to be relocated prior to construction. No other land use impacts are expected from the construction of the proposed connection.

The proposed construction would be compatible with surrounding land uses. The soil at the site is not classified as prime farmland.

The proposed site is not in a coastal zone management area.

#### **3.2.3.2 Water Resources**

The proposed construction would not have adverse impacts on groundwater or surface water. The construction would require limited earthwork or fill and would not alter storm water drainage or infiltration patterns in the area. No surface waters or wetlands would be crossed by or within the proposed new rail right-of-way.

#### **3.2.3.3 Biological Resources**

##### ***Vegetation***

The proposed construction site is partially on existing rail rights-of-way that is mostly covered by grasses and weedy plant species. The remainder of the site consists of weeds and grasses characteristic of disturbed areas. The loss of this vegetation is not considered significant. This vegetation is not unique or limited in the area. Following construction, NS would reseed bare soils outside the subgrade slope.

##### ***Wildlife***

No adverse impacts are expected on local wildlife populations. The proposed construction site is small, and the existing habitat is limited and of low quality. The loss of this small amount of habitat would not significantly reduce the availability of wildlife habitat in the area. The construction and operation of this short connecting track should have no impact on local wildlife.

### ***Threatened or Endangered Species***

Responses from all agencies contacted regarding threatened or endangered species have not been received. The USFWS did not identify any threatened or endangered species in the proposed construction area. The area is heavily disturbed and influenced by rail road and urban development. Due to this lack of habitat, no impacts to threatened or endangered species are expected.

### ***Parks, Forest Preserves, Refuges, and Sanctuaries***

No adverse impacts are expected to these resources since no state or federal parks, preserves, refuges or sanctuaries are in the vicinity of the proposed construction.

#### **3.2.3.4 Air Quality**

Madison County is an air quality attainment area. Impacts to air quality would result from construction, operation and maintenance of the proposed project. The operation of heavy equipment would be the primary source of pollutant emissions during construction activities. Such pollutants vary by the source, as described below:

- Particulate matter, volatile organic compounds (VOCs), carbon monoxide (CO) and nitrogen oxides (NOX) resulting from the combustion of diesel fuel
- Fugitive dust emissions along the right-of-way and unimproved roads resulting from the operation of heavy equipment.

Fugitive dust can be controlled by using water sprays or other suitable dust suppressants. The combustion emissions associated with removal operations (VOCs, CO and NOX) generally would be minor and of short duration and would have insignificant impacts on air quality. The amount of overall train traffic on the proposed rail line would exceed STB thresholds for air

quality. General air quality impacts are discussed in Part 4 Appendix A. Air quality impacts related to increased traffic on rail segments are discussed in Part 2.

#### **3.2.3.5 Noise**

Thirty seven residences would be within 500 feet of the proposed construction. All of these residences are currently within 500 feet of the existing rail lines. Presently, these residences are exposed to the noise of approximately seven passing trains per day. The proposed connection would have seven trains per day operating over it. This increase does not exceed STB thresholds for noise evaluation. However, the new connection could create additional noise due to the wheel squeal generated by trains operating on the connection. Seven trains per day would generate an Ldn 65 distance of approximately 700 feet, should wheel squeal occur. Sixty-five residences, including the 37 within 500 feet, would potentially be affected by noise from wheel squeal.

Construction operations could cause temporary increases in noise levels. Construction activities would require the use of trucks and heavy equipment. Noise generated by such equipment would be temporary and limited to the short construction period.

#### **3.2.3.6 Historic and Cultural Resources**

No documented archaeological sites or historic properties are on or near the proposed right-of-way. However, the potential for undocumented archaeological and historic sites has not been dismissed. As part of the Section 106 process, the Indiana SHPO could require site-specific field surveys to verify that no archaeological resources or historic properties would be disturbed or destroyed by the proposed construction. NS has begun consultation with the Indiana SHPO regarding the proposed site. NS will continue consultations with the Indiana SHPO to determine any further requirements.



### **3.2.3.7 Transportation and Safety**

The proposed rail line construction project would improve train movement to destinations, enhancing the efficiency of NS operations. Rail traffic on the proposed rail line (nine trains per day) would cause minor traffic delays. Short-term disruptions of local traffic could occur during the one to two month construction period.

Train traffic on the proposed rail line would increase the potential for vehicle-train accidents at the Berry Street at-grade crossing, which has crossbuck warning signs. Pending final design, the existing at-grade crossing and warning signals at Berry Street may need to be upgraded. Any necessary upgrades will be completed in cooperation with the Indiana Department of Transportation (DOT).

EDR's database search did not identify any hazardous waste sites or other sites of environmental concern in the vicinity of the proposed rail line construction. The database search revealed 7 unmappable sites, two within the city limits of Alexandria and 5 within Madison County. These sites could not be located because of poor address or geocoding information provided to the state and/or federal databases. Based on observations made during the site visit, these sites are not in or adjacent to the proposed right-of-way.

The scrap yard on the proposed construction site was not listed in any of the searched databases. However, the potential for environmental contamination at the site cannot be eliminated. The scrap yard accepts batteries for recycling, in addition to scrap steel and other metals. The property will be assessed prior to conducting construction activities. If any contamination is encountered, proper response and remediation of the property will be implemented.

Fuels and oils necessary for construction equipment would be present only in small amounts. In the unlikely event that a spill occurs, only a small amount would be released. In the case of a

spill, NS will follow appropriate emergency response procedures outlined in its emergency response plans.

### **3.2.4 Potential Environmental Impact of Alternative Actions**

#### **3.2.4.1 Build Alternatives**

No other build alternatives for the proposed rail line construction project were identified. The proposed construction route provides the most direct rail line connection and would minimize land use outside the NS and Conrail rights-of-way and related potential environmental impacts.

#### **3.2.4.2 No-Action Alternative**

If the no-action alternative were implemented, the proposed rail line connection would not be constructed and operated. Land use and other environmental conditions in the region would remain the same. Under this alternative, NS would continue to maintain and/or operate over less efficient rail routes. Improved efficiency between Chicago and Cincinnati and the Southeast for customers would not be realized. This alternative would result in delays from congestion, greater fuel consumption, air emissions, noise and an overall increase in expense to NS and the consumer. The no-action alternative is not considered practical or viable.

### **3.2.5 Proposed Mitigation**

The proposed construction would result in minimal to no impact to land use, water resources, biological resources, air quality, noise, cultural resources, and transportation and safety. In consideration of minimal impacts and general NS practices, NS has proposed the following mitigation measures to minimize environmental impacts:

#### **3.2.5.1 Land Use**

- NS will restore any adjacent properties that are disturbed during construction.

#### **3.2.5.2 Water Resources**

- NS will use Best Management Practices (BMPs) to control erosion, runoff and surface instability during construction. After the new rail line is constructed, NS will reseed outside the subgrade slope to provide permanent cover and prevent potential erosion.

#### **3.2.5.3 Biological Resources**

- NS will use BMPs to control erosion, runoff and surface instability during construction. After the new rail line is constructed, NS will reseed outside the subgrade slope to provide permanent cover and prevent potential erosion.

#### **3.2.5.4 Air Quality**

- NS will comply with all applicable federal, state and local regulations regarding the control of fugitive dust.

#### **3.2.5.5 Noise**

- NS will control temporary noise from construction equipment by ensuring all machinery has properly functioning muffler systems and by work hour controls.

#### **3.2.5.6 Historic and Cultural Resources**

- NS will continue the Section 106 consultation process.

#### **3.2.5.7 Transportation and Safety**

- NS will observe all applicable federal, state and local regulations regarding handling and disposal of any waste materials encountered or generated during the proposed construction project.
- NS will transport all hazardous materials in compliance with the U.S. Department of Transportation Hazardous Materials Regulations (49 CFR parts 171-174 and 177-179).
- In the case of a spill, NS will follow appropriate emergency response procedures outlined in its emergency response plans.

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- NS will use Best Management Practices (BMPs) to control erosion, runoff and surface instability during construction. After the new rail line is constructed, NS will reseed outside the subgrade slope to provide permanent cover and prevent potential erosion.

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- NS will transport all hazardous materials in compliance with the U.S. Department of Transportation Hazardous Materials Regulations (49 CFR parts 171-174 and 177-179).
- In the case of a spill, NS will follow appropriate emergency response procedures outlined in its emergency response plans.



- NS will restore all roads disturbed during construction to the conditions required by state or local regulations.

### 3.2.6 References

City of Alexandria Zoning Maps, April, 1997. Personal communication and faxed map copies.

Federal Emergency Management Agency (FEMA), 1981. *FEMA Flood Insurance Rate Map*.

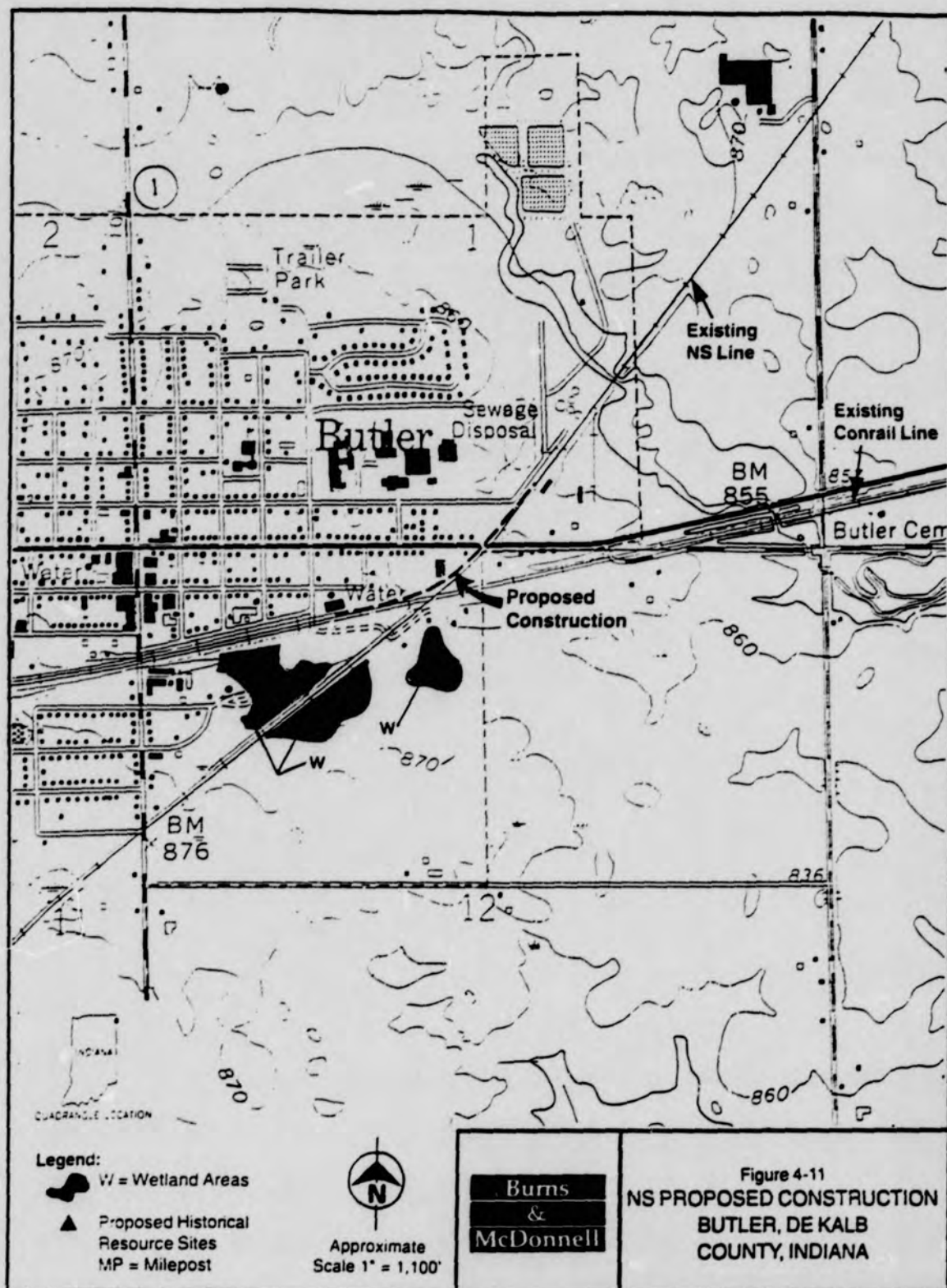
U.S. Department of Agriculture, 1967. *Soil Survey of Madison County*. Natural Resources Conservation Service.

U.S. Fish and Wildlife Service, 1997. Bloomington Field Office. Letter regarding threatened and endangered species.

U.S. Fish and Wildlife Service, 1983. *National Wetlands Inventory Map*. Alexandria Quadrangle.

U.S. Geological Survey, 1994. *1:24,000-scale topographic maps*. Alexandria Quadrangle.

40 CFR Part 81 - Designation of Areas for Air Quality Planning Purposes, Subpart C Section 107. Attainment Status Designations.



**APPENDIX A**  
**POTENTIAL IMPACT AREAS AND**  
**METHODOLOGIES FOR CONSTRUCTION**  
**AND ABANDONMENT PROJECTS**

**APPENDIX A**  
**POTENTIAL IMPACT AREAS**  
**AND METHODOLOGIES FOR**  
**CONSTRUCTION AND ABANDONMENT PROJECTS**

Several environmental impact areas were evaluated for each proposed abandonment and construction project requiring analysis. These include land use, water resources and wetlands, biological resources, air quality, noise, historic and cultural resources, transportation, safety and energy. The methods utilized in the assessment of impacts for each of these categories, with an explanation of the significance criteria, are provided below.

Each of the proposed projects was visited by environmental scientists to assess land use, vegetation (in general terms), presence of potentially historic structures and other characteristics of the areas. During the site reconnaissance visits, information was noted on topographic maps, and photographs of the areas adjacent to the rail lines were taken. Information was also obtained from published reference materials and from federal, state and local agencies.

#### **LAND USE**

Land use information was obtained from site investigations and from U.S. Geological Survey (USGS) topographic maps. Land use information from site visits was noted on USGS 7.5-minute topographic maps for each project. Land use within 500 feet of the proposed construction areas and along lines proposed for abandonment was determined. Buildings (such as residential and commercial buildings, schools and churches) near the proposed construction sites were also noted due to possible sensitivity to noise disturbance or incompatibility with construction. Contacts were made with county planning agencies in each state to obtain information on local planning and zoning requirements to determine if rights-of-way would be consistent with any such requirements. Contacts were made with the U.S. Bureau of Indian Affairs to determine the presence of any officially recognized Native American tribes or reservations near the site.



## **USGS Topographic Maps**

USGS topographic maps were utilized during the site visits for notation of land use, and for preparation of the figures presented. When possible, information depicted on the topographic maps was verified in the field. The maps were also utilized to determine approximate distances not practically measured during the site visits. Proper place names of roads, creeks, and water bodies not readily evident during the site visits were developed from information on these maps.

## **NRCS Maps**

The United States Department of Agricultural Natural Resources Conservation Service (NRCS, formerly known as the Soil Conservation Service) has created a national database of prime farmland. Local NRCS offices were contacted and requested to provide soil surveys, maps or drawings indicating the location of prime farmland at or in the vicinity of the projects. These maps or drawings were reviewed, and the areas of prime farmland adjacent to or within 500 feet of the center line of the railway were inventoried to determine approximate areas or lengths of prime farmland in the area.

## **Flood Zone Maps**

The Federal Emergency Management Agency (FEMA) publishes maps showing areas subject to flooding. These maps were previously published and distributed by the U.S. Department of Housing and Urban Development (USDHUD) and are periodically updated and revised. Maps that cover each proposed project area were obtained and reviewed to determine which portions of the line would be located within the 100-year and 500-year flood plains.

## **Coastal Zone Management Plans**

Any proposed project that may affect land or water uses within a coastal zone designated pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 et seq.) must be found to be consistent with the state's Coastal Zone Management Plan. Contacts were made with state coastal zone agencies to determine if the proposed project was within coastal zone management jurisdictional boundaries.

## **Significance Criteria**

The following criteria were used to assess the significance of land use impacts:

### Land Use Consistency and Compatibility

- The severity of visual, air quality and noise impacts on sensitive land uses.
- Interference with the normal functioning of adjacent land uses.
- Consistency and/or compatibility with local land use plans and policies.

### Prime Agricultural Land

- Permanent loss of NRCS-designated prime farmland.

### Coastal Zone Resources

- Consistency with the State Coastal Zone Management Plan.

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- Consistency and/or compatibility with local land use plans and policies.

### Prime Agricultural Land

- Permanent loss of NRCS-designated prime farmland.

### Coastal Zone Resources

- Consistency with the State Coastal Zone Management Plan.

## **WATER RESOURCES AND WETLANDS**

Identification of the types and extent of surface water features occurring within 500 feet of the center line along proposed construction and abandonment sites was completed using a variety of information sources.

Water resources were primarily identified from site inspection and interpretation of hydrologic features delineated on USGS topos and NWI maps. The other information sources described below were used to confirm and/or refine the locations of these features.

### **USGS Topographic Maps**

USGS topographic maps indicate, among other items, the types and extent of water features on the landscape. These features include permanent and intermittent streams, water bodies, wetlands, tidal channels, mudflats, sewage-treatment ponds, channels, culverts, and ditches. Water resources located within 500 feet of the railroad right-of-way were assessed for each project. Each crossing of a water resource was counted as required by 33 CFR Section 330.2 (I).

### **National Wetlands Inventory Maps**

NWI maps show various water features with a focus on wetland resources. The inventory was completed by USFWS through a stereoscopic analysis of high altitude aerial photography and delineation of wetland types on USGS topos. Wetlands are classified by USFWS in accordance with *Classification of Wetlands and Deepwater Habitats of the United States*. A particular wetland is located and classified in detail on NWI maps by a sequence of alphabetical and numerical symbols based on the attributes of the wetland. A comprehensive explanation of the classification system is provided in the map legend. This classification system includes a broad range of the types and extent of wetland resources, as well as other water features. However, for this evaluation, wetlands were identified as rivers, lacustrine (reservoirs, lakes) or palustrine (any



vegetated wetland). Palustrine wetlands were further identified as forested, shrub/scrub, or emergent (containing herbaceous vegetation) wetlands. There are often differences between the USFWS definition of a "wetlands" and the definitions of various federal, state, and local regulatory agencies. All NWI wetlands that occur within 500 feet of the construction sites are depicted on figures.

### **Soil Survey Maps**

Soil surveys have been completed by NRCS for a large number of counties in the United States. Maps have been prepared for each survey that show the types and extent of soil types. A subset of the soils mapped by NRCS is classified as "hydric;" that is, soils subjected to prolonged periods of flooding, ponding or saturation. The occurrence of a hydric soil provides an indication that an area may be a wetland. Information from the soil survey maps was used to cross-reference other sources of information to better understand the soils and hydrologic conditions at select locations.

### **Site Visits**

Sites of all proposed projects were inspected and reviewed in the field by environmental scientists, as well as by representatives of CSX, NS, or Conrail. Information about water resources and other areas of interest was collected during the inspections. Field notes and photographs taken during the inspections were retained for later review and utilized to amend and refine information derived from other sources.

### **Significance Criteria**

The following criteria were used to assess the potential impacts to water resources and wetlands that could result from the proposed construction projects:

- Alteration of creek embankments with rip-rap, concrete, and other bank stabilization measures.
- Temporary or permanent loss of surface water area associated with the incidental deposition of fill.
- Downstream sediment deposition or water turbidity due to fill activities, dredging, and/or soil erosion from upland construction site areas.
- Direct or indirect destruction and/or degradation of aquatic, wetland, and riparian vegetation/habitat.
- Degradation of water quality through sediment loading or chemical/petroleum spills.
- Alteration of water flow that could increase bank erosion or flooding, uproot or destroy vegetation, or affect fish and wildlife habitats.

The extent and duration of impacts to water resources and wetlands resulting from a specific project would depend primarily on the type of work to be completed and the size of the project. The overall effect could be lessened by avoiding important resources and minimizing impacts to the extent practicable, and by implementing the proposed mitigation measures. Prior to initiating any construction or abandonment, regulatory agencies would be consulted regarding the need to obtain permits, such as U.S. Army Corps of Engineers' (COE) Section 404 permits, National Pollution Discharge Elimination System (NPDES) permits, and state-required permits or agreements, as appropriate.

## **BIOLOGICAL RESOURCES**

Information regarding biological resources potentially occurring at or in the immediate vicinity of each proposed project (within 500 feet of the center line) was collected from a variety of sources, including USGS topographic maps, NRCS soil survey maps, lists of threatened and endangered species, reference books on regional flora and fauna, and information databases. In addition, federal and state agencies such as the U.S. Fish and Wildlife Service and Departments

of Natural Resources were consulted, and specific information concerning the potential occurrence of sensitive plants and animals in the vicinity of the proposed project sites was solicited.      -- ●

Site visits were conducted at all of the project sites to evaluate biological resources (in general terms). These evaluations included general determinations as to the occurrence or potential occurrence of sensitive species and habitat for sensitive species, overall value to wildlife, and use of the area as a migration corridor for animals.

### **Significance Criteria**

The following significance criteria were utilized to assess the potential impacts to biological resources resulting from the proposed projects:

- Loss or degradation of unique or important vegetative communities.
- Disturbance of nesting, breeding or foraging areas of threatened or endangered wildlife.
- Loss or degradation of areas designated as critical habitat.
- Loss or degradation of wildlife sanctuaries, refuges or national, state or local parks/forests.
- Alteration of movement or migration corridors for animals.
- Loss of large numbers of local wildlife or their habitats.

Sensitive animal species with potential to occur in the vicinity of a project may be impacted by abandonment or construction activities. A determination as to the level of impact will depend on many factors including the availability of suitable habitat, previous surveys, and comments from agencies.

Parks, forest preserves, refuges and sanctuaries were identified within one mile of the proposed construction. These areas were visited or local officials contacted to obtain information on what recreational opportunities and facilities were present. Impacts to these areas were determined based on their distance from the proposed constructions and the degree to which rail construction, operation and maintenance would disturb or disrupt activities at these areas.

## **HISTORIC AND CULTURAL RESOURCES**

In order to evaluate the potential impacts to historic and cultural resources, the State Historic Preservation Officer (SHPO), in each state where a rail line abandonment or construction is proposed, was sent a letter requesting information on known historic properties or archaeological sites potentially affected by the project, or the offices were visited by a qualified archaeologist to review records and files. The SHPOs were asked to indicate whether further actions are needed to identify historic properties. Each letter was followed by telephone or personal contact with each SHPO. Documentation of historic and cultural resources in the project area was requested, evaluations of structures (primarily bridges) as potentially eligible for the NRHP was sought, and a determination of the potential impacts of the project on any NRHP eligible structures was requested.

In addition to information provided by the SHPOs, information maintained by CSX, NS, and Conrail, was reviewed to determine what structures, if any, associated with a proposed abandonment project might be eligible for the NRHP. Bridges in particular were reviewed to determine their type, age, length or size, any other distinguishing characteristics, and potential eligibility for the NRHP.

In accordance with 49 CFR 1105.8, each of the proposed rail line abandonments and constructions is shown on USGS topographic maps, as well as the location, if available, of documented historic properties. Known archaeological sites, if within the construction areas,



were not depicted on these figures due to the sensitive nature of these resources. These resources are, however, discussed in the evaluation of each proposed project.

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Impacts to historic and archaeological resources would be considered adverse (as defined in 36 CFR 800.9) if any site listed or eligible for listing on the NRHP would experience destruction of the site; alteration of site characteristics or setting; neglect resulting in deterioration or destruction; or transfer, lease, or sale of the property on which the site occurs if adequate restrictions or conditions are not included to ensure preservation of the property's significant historic features.

## **TRANSPORTATION AND SAFETY**

Potential impacts on local transportation systems are discussed for each proposed project. Railroad safety precautions during construction and abandonment work are also discussed. Safety on the associated rail line segments was evaluated as discussed in the methodologies for Safety and Transportation, included in an Appendix in Part I of the ER.

Hazardous waste sites are also discussed under the Transportation and Safety section. Railroad records or information databases were examined to determine if there are known hazardous waste sites or sites where there have been hazardous materials spills at construction or abandonment locations. The information searches of federal and state environmental databases were used to identify known sites of environmental concern within 500 feet of the proposed construction and abandonment sites. EDR searched the following databases:

- National Priority List (NPL)
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)
- Resource Conservation and Recovery Information System - Treatment, Storage, or Disposal (RCRA-TSD) sites

- Emergency Response Notification System (ERNS) spill sites
- State Priority List (SPL)
- State Licensed Solid Waste Facilities (SWF/LF)
- State Inventory of Leaking Underground Storage Tanks (LUST)
- State Inventory of reported spills (SPILLS)
- Orphan or unmappable sites list

The reports were reviewed to determine if any of these sites would be impacted by the proposed constructions and abandonments. Site visits noted any obvious indications of potential hazardous waste sites within the project areas.

## **AIR QUALITY**

Emissions from trains have the potential to impact air quality. STB regulations contain thresholds for air quality impacts related to rail traffic increases. If STB thresholds would be met, the impact to air quality must be analyzed. Methods for analyzing air quality impacts for projects that would meet STB thresholds are included in an Appendix in Part 1 of the ER. General impacts to air quality are discussed below.

### **Abandonment/Construction**

During abandonment and construction, the air quality in the vicinity of the proposed construction could be impacted by fugitive dust and vehicle emissions. Increases in fugitive dust could occur due to grading and other earthwork necessary for rail bed preparation or removal activities. Emissions from heavy equipment and construction vehicles would also occur. These impacts to air quality would be temporary and limited to the period of construction or abandonment. Additionally, the emissions from the small number of vehicles and equipment would be insignificant compared to the overall train and vehicle emissions in the project areas. Any

impacts would be minimized by CSX's and NS's Best Management Practices that would include dust control and vehicle maintenance measures.

### **Operation**

Following abandonment, trains would no longer operate on the particular rail line. As no operations would occur, there would be no operational impacts to air quality. Current rail traffic on most of the lines that are proposed for abandonment is very low, and will be diverted to other existing lines. Even if some of the traffic would be diverted to trucks, which are less fuel efficient and have greater emissions per ton-mile than locomotives, the total or net impact to ambient air quality is expected to be minimal. Therefore, air impacts from traffic are not addressed on a site by site basis.

For proposed construction projects, the amount of train traffic operating over the proposed project may meet STB thresholds for air quality. For those projects where STB thresholds are anticipated to be met, air impacts were evaluated. The methodology for determining the potential impacts is included in an Appendix in Part 1 of the ER. For those construction where STB thresholds would not be exceeded, the operation of trains over the proposed line is not expected to significantly impact air quality. Further, the proposed Acquisition would result in a significant number of truck-to-rail diversions, potentially improving the ambient air quality in the region of the proposed construction.

### **Maintenance**

No maintenance activities would occur along abandoned lines. Therefore, no impacts to air quality would result.

Right-of-way maintenance activities along new connections would temporarily impact air quality as a result of emissions from vehicles and equipment used to perform maintenance activities. Maintenance activities would be confined to the rail line and occur sporadically for short periods throughout the year. Emissions during maintenance activities would be insignificant compared to the existing emissions in the area and would not significantly impact air quality.

## **NOISE**

### **Abandonment/Construction**

Most of the proposed projects would consist of abandonment or construction activities that last for, at most, a few months at any one location. Temporary increases in noise level would occur during these operations, but the noise level would be similar to that of normal track maintenance procedures. Thus, the abandonment and construction activities are not expected to result in significant adverse noise impacts.

### **Operation**

The proposed abandonment projects are not expected to result in significant long-term adverse noise impacts. Following abandonment and salvage, all adjacent land uses would experience a reduction in noise impact. The only potential long-term adverse noise impacts would result from moving traffic from the abandoned lines to other lines or facilities. Any impacts related to the rerouting of rail traffic resulting in increases on those rail lines that meet STB thresholds are discussed in Part 2.

The noise sources for the operation of new connections would be the same as on line segments with the addition of potential wheel squeal on the connection curves. The noise of through trains on the connections has been modeled using the same approach used to evaluate noise impacts on



the line segments, as assessed in Part 2 of the ER and discussed in the Noise methodology in an Appendix to Part 1 of this ER. Measurements were performed at representative, existing connections to characterize the levels of wheel squeal level. It is commonly accepted that wheel squeal is likely to occur on curves with a radius that is less than 100 times the wheelbase. This means that wheel squeal results on any curve with a radius less than about 1000 feet or when the curvature of the track is greater than approximately 5°. (Rail curvature is usually specified in terms of "degrees of curvature." The relationship between radius and degree of curvature is: Radius = 5370 ÷ Degree.)

The sound exposure level (SEL) of one train on a curve was approximated using the following relationship:

$$SEL = 95 + 10\log(\text{Train length in ft} \times \text{Train speed in mph}) + 15\log(35 - \text{Dist}) - 1.6$$

Noise from rail line construction and operation has the potential to impact noise receptors along the rail line. Sensitive noise receptors include residences, schools, churches, libraries and hospitals. Sensitive noise receptors within 500 feet of proposed projects were identified since these would be the most likely affected by noise from construction or abandonment activities and any subsequent rail operations. For construction projects expected to meet STB noise thresholds, the number of noise receptors experiencing average daily noise levels (Ldn) of 65 decibels or greater was determined.

## ENERGY

The proposed projects would allow CSX and NS to use shorter rail routes between destinations, increasing the efficiency of their systems. Shorter, more direct routes would reduce the overall fuel consumption of locomotives. None of the proposed abandonments would result in the diversion of rail traffic to truck traffic meeting STB thresholds for detailed evaluation. Thus, the

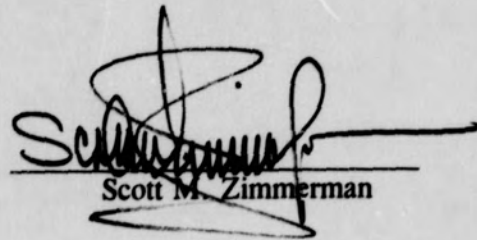
proposed projects would have an overall positive impact on energy use and encourage diversion of truck traffic to more fuel efficient rail transport.

**APPENDIX B**  
**AGENCY CORRESPONDENCE**

CERTIFICATE OF SERVICE

I, Scott M. Zimmerman, certify that on June 24, 1997 I have caused to be served by first class mail, postage prepaid, or by more expeditious means a true and correct copy of the foregoing NS-5, with attachments, on all parties that have appeared in STB Finance Docket No. 33388 and on all persons listed in Attachment A hereto, and by hand delivery on the following:

The Honorable Jacob Leventhal  
Administrative Law Judge  
Federal Energy Commission  
Office of Hearings  
825 North Capitol Street, N.E.  
Washington, D.C. 20426



Scott M. Zimmerman

Dated: June 24, 1997



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To NS-5**

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