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October 31, 2003

VIA AIRBORNE EXPRESS

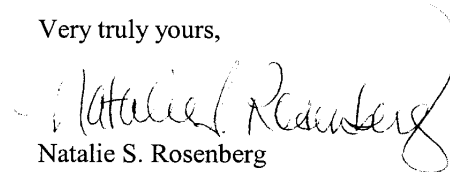
Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, NW
Washington, D.C. 20006

**Re: STB Docket No. AB-55 (Sub-No. 643X)
CSX Transportation, Inc. - Abandonment
Exemption in LaPorte, Porter and Starke Counties, Indiana**

Dear Mr. Williams:

Enclosed for filing are the original and ten copies of CSX Transportation, Inc.'s Petition for Exemption in the above-captioned proceeding. A check in the amount of \$4,700.00 to cover the filing fee is also enclosed. Finally, I am enclosing the original and ten copies of a draft Federal Register notice along with a computer diskette compatible with the Board's current word processing capabilities. I would appreciate your acknowledgment of receipt of these documents by stamping the enclosed extra copy of this letter and returning it to me in the enclosed self-addressed stamped envelope.

Very truly yours,


Natalie S. Rosenberg

NSR/shg

Enclosures

FILED

NOV 03 2003

SURFACE
TRANSPORTATION BOARD

FEE RECEIVED

NOV 03 2003

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings

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Office of
Public Record

STB Docket No. AB-55 (Sub-No. 643X)

Notice of Petition for Exemption to Abandon

On October 31, 2003, CSX Transportation, Inc. filed with the Surface Transportation Board, Washington, DC 20006, a petition for exemption to abandon a line of railroad in the Western Region, Chicago Division, Wabash Subdivision, extending from Milepost CF 0.63 to Milepost CF 15.23, and from Milepost CI 212.55 to CI 230.92, (hereinafter referred to as "the line"). The line traverses through United States Postal Service ZIP Codes 46382, 46340, 46390, 46348, 46383 and 46366.

The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the labor protective conditions imposed in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after

notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-55 (Sub-No. 643X)

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN LAPORTE, PORTER & STARKE COUNTIES, INDIANA

P E T I T I O N F O R E X E M P T I O N

NATALIE S. ROSENBERG
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1253

Counsel for
CSX TRANSPORTATION, INC.

Dated: October 31, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 643X)

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN LAPORTE, PORTER, & STARKE COUNTIES, INDIANA

P E T I T I O N F O R E X E M P T I O N

CSX Transportation, Inc. ("CSXT") proposes to abandon a line of railroad in its Western Region, Chicago Division, Wabash Subdivision, extending from Milepost CF 0.63 at LaCrosse to Milepost CF 15.23 at Wellsboro and from Milepost CI 212.55 at North Judson to Milepost CI 230.92 at Malden, a total distance of approximately 32.97 miles, in LaPorte, Porter and Starke Counties, Indiana (hereinafter referred to as "the line"). The line traverses through United States Postal Service ZIP Codes 46382, 46340, 46390, 46348, 46383, and 46366. Maps showing the trackage proposed for abandonment, as well as the location of the trackage in the State of Indiana, are attached to this petition as Exhibit A. CSXT files this petition under 49 U.S.C. 10502 for an

exemption from the provisions of 49 U.S.C. 10903, with regard to the proposed abandonment. In support of its petition, CSXT states the following:

1. CSXT proposes to abandon a 32.97 mile portion of its Western Region, Chicago Division, Wabash Subdivision, extending from Milepost CF 0.63 at LaCrosse to Milepost CF 15.23 at Wellsboro and from Milepost CI 212.55 at North Judson to Milepost CI 230.92 at Malden in LaPorte, Porter and Starke Counties, Indiana. Abandonment of this line will allow for the elimination of approximately 61 highway rail at-grade crossings.¹

- a. Traffic

CSXT previously interchanged with the Toledo, Peoria, and Western Railroad ("TPW") at North Judson. Because of a decrease in rail traffic, the TPW has ceased interchanging with CSXT at this location and, in fact, has filed for a discontinuance of service in STB Docket No. AB-847 (Sub-No. 1X).

There are two rail patrons located on the line. The first is Bruder Fertilizer, Inc. ("Bruder") which is located at LaCrosse. Bruder is a modest user of rail transportation. Bruder shipped 14 carloads in 2001; 24 carloads in 2002 and 16 carloads in 2003. See the Verified Traffic Statement which is attached hereto as Exhibit E.

¹There are 61 grade crossings on the line. It is anticipated that after the abandonment, however, the LaPorte County Farm Bureau may enter into an agreement with CSXT to utilize approximately 4,000 feet of the track as part of a super-loading facility. As a result, the grade crossings on this portion of the line would necessarily remain in place.

Because the Bruder facility is not located adjacent to the CSXT track, Bruder currently utilizes a sidetrack and transloads goods to their facility. Bruder is exploring an alternate transload location. Additionally, Bruder has motor carrier transportation available as an alternative.

The other rail patron located on the line is the LaPorte County Farm Bureau ("Bureau"). The Bureau has facilities at both Wellsboro and Malden. The Wellsboro facility is not being impacted by this proposed abandonment because CSXT will continue to serve this facility from the mainline. In the event the Board grants CSXT's request for abandonment authority, CSXT is willing to consider leasing a portion of the line (approximately 4,000 feet) near Wellsboro, post-consummation, for use by the Bureau as an industrial track as part of a superloading facility.

The rail traffic at Bureau's Malden facility has decreased in 2003. This facility required 476 railcars in 2001; 447 railcars in 2002 and only 107 railcars in 2003. The main alternative transportation option available to the Bureau at Malden is motor carrier transportation.

The Bureau and Bruder have both been made aware that this abandonment filing was forthcoming.

b. Rehabilitation Expenses

The line is in extremely poor condition and is classified as excepted track. In order to continue to operate on the line, CSXT would be required to make a significant capital expenditure in the very near future.

As is more fully set out in the Verified Statement of CSXT Engineer of Track, Bruce A. Fowler, which is attached hereto as Exhibit G, the grade crossings on this line require imminent replacement. In Mr. Fowler's opinion, 41 of the 61 grade crossings on the line will require replacement in 2004 at an estimated cost of \$453,550.00. For purposes of this filing, that is the figure included in the Subsidy Year calculation. Mr. Fowler also believes, however, that the 20 remaining crossings will need to be replaced in 2005 and 2006 with an estimated cost of \$152,470.00 and \$195,316.00, respectively. Finally, Mr. Fowler believes that a major tie replacement program will be required within the next two years to keep the line in service.

In addition to the work required to be performed on the grade crossings, several bridges on the line have reached the end of their useful lives and require replacement. According to Richard P. Garro, Jr., CSXT Assistant Chief Engineer Bridge Maintenance, there are five bridges on the line that require immediate replacement. See Verified Statement of Mr. Garro attached hereto as Exhibit H. These bridges, which were originally constructed in the 1920's, will cost approximately \$1,114,500.00 to replace. Although there are ten other bridges on the line that will require work, some sooner than others, it is the five that are described in Mr. Garro's statement that are of particular concern.

Although the line is currently classified as excepted track, it is likely that CSXT would be required to embargo the line at some point unless the above described repairs are

performed. CSXT estimates the total cost of immediate capital rehabilitation expenses to be \$1,568,050.00 for grade crossing and bridge replacement. As will be more fully set out below, the nominal amount of traffic on the line does not justify this type of expenditure.

c. Economic Analysis

Ellen Preslar, Senior Manager of Costing in the Finance Department of CSXT prepared revenue and cost data for the line in conformity with 49 CFR §1152.36. This analysis (See Exhibit F) shows the following:

	Base Year	Forecast Year	Subsidy Year
Revenues Attributable	\$628,110	\$652,784	\$658,953
Avoidable Costs	\$637,055	\$648,278	\$650,635
Subsidization Costs	-	-	\$316,746
Return on Value	\$ -	\$175,286	\$175,286
Avoidable Loss	\$ 8,945	\$ (4,506)	\$ (8,318)
Avoidable Loss/Opportunity Costs	-	\$170,780	-
Subsidy Year Loss	-	-	\$483,715

As is evident from the above, CSXT is losing money on the operation of the line before any of the major repair work is factored in. Once the subsidy costs² are factored in, it is clear that CSXT would incur a significant loss if CSXT is forced to continue to maintain the line.

2. Under 49 U.S.C. 10903, a rail line cannot be abandoned without the prior approval of the Board. However, under 49 U.S.C.

²The subsidy costs factored into the analysis are conservative in that additional work that would need to be performed within the next 2 years was not included.

10502, the Board must exempt a rail transaction from regulation when it finds that (1) application of the pertinent statutory provisions is not necessary to carry out the rail transportation policy of 49 U.S.C. 10101; and (2) either the transaction is of limited scope or regulation is unnecessary to protect shippers from the abuse of market power. The proposed abandonment falls squarely within the statutory standards requiring exemption.

3. The rail transportation policy set forth in 49 U.S.C. 10101 requires, as relevant here, that in exercising its regulatory authority, the Board will minimize the need for Federal regulatory control over the rail transportation system and, when regulation is necessary, render fair and expeditious regulatory decisions; reduce barriers to exit from the industry; foster sound economic conditions and encourage efficient management; ensure the operation of transportation facilities and equipment without detriment to the public health and safety; and promote a sound transportation system meeting the needs of the public and the national defense.

Exemption of the proposed abandonment well serves all of these elements of the rail policy. Specifically, by minimizing the regulatory expense and time lag inherent in a full abandonment application, exemption will expedite regulatory decisions and reduce regulatory barriers to exit. Exemption will also foster sound economic conditions and encourage efficient management. As earlier indicated, the rail patrons located on the line are making

minimal use of the line. Finally, the proposed abandonment will relieve CSXT from the costs of owning and maintaining an under-utilized line of railroad that is need of significant repairs.

The line does not serve a military facility. Given this fact, it seems very unlikely that the line proposed for abandonment is necessary for the national defense. Nevertheless, CSXT has served a copy of this petition on the Military Traffic Management Command, which shall advise the Board of any national defense concerns about the line.

In short, full abandonment proceedings are unnecessary to carry out any of the relevant rail transportation policy elements of 49 U.S.C. 10101. No vital interest of shippers, competitors or communities will be adversely affected, and the abandonment exemption CSXT seeks here will free it from the burdens associated with ownership and maintenance of the line.

4. The Environmental Report required by 49 C.F.R. Section 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits B and C, respectively, to this petition for exemption. Attached as Exhibit D is a certificate showing CSXT's compliance with 49 C.F.R. 1105.11.

5. CSXT understands that the Board will impose labor protective conditions as stated in Oregon Short Line R. Co. -- Abandonment -- Goshen, 360 I.C.C. 91 (1979), to satisfy the requirements of 49 U.S.C. 10502(g).

6. The rail patrons located on the line are making minimal use of rail transportation. Furthermore, the patrons have

alternative transportation options available. It is therefore clear that the proposed abandonment presents no opportunity for an abuse of market power. Further, the proposed abandonment is of limited scope, because it involves only 32.97 miles of trackage.

7. All communications with respect to this petition should be directed to:

Natalie S. Rosenberg
Senior Counsel
500 Water Street - J150
Jacksonville, Florida 32202
(904) 359-1253

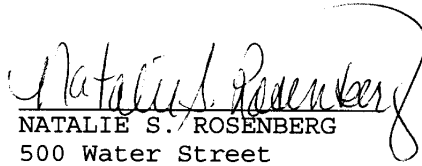
8. Based on information in our possession, the line does not contain federally granted right-of-way. Any documentation in petitioner's possession will be made available promptly to those requesting it.

9. The newspaper notice required by 49 C.F.R. 1105.12 was published in the *The Post-Tribune*, Gary, IN on October 31, 2003. An Affidavit of publication from the newspaper will be forwarded to the Board as soon as it is received by CSXT.

CSXT accordingly requests that the Board grant an exemption from the provisions of 49 U.S.C. 10903, with regard to the proposed abandonment of that portion of its Western Region, Chicago Division, Wabash Subdivision, extending from Milepost CF 0.63 at LaCrosse to Milepost CF 15.23 at Wellsboro and from Milepost CI 212.55 at North Judson to Milepost CI 230.92 at Malden

in LaPorte, Porter and Starke Counties, Indiana.

Respectfully submitted,


NATALIE S. ROSENBERG
500 Water Street
Jacksonville, Florida 32202

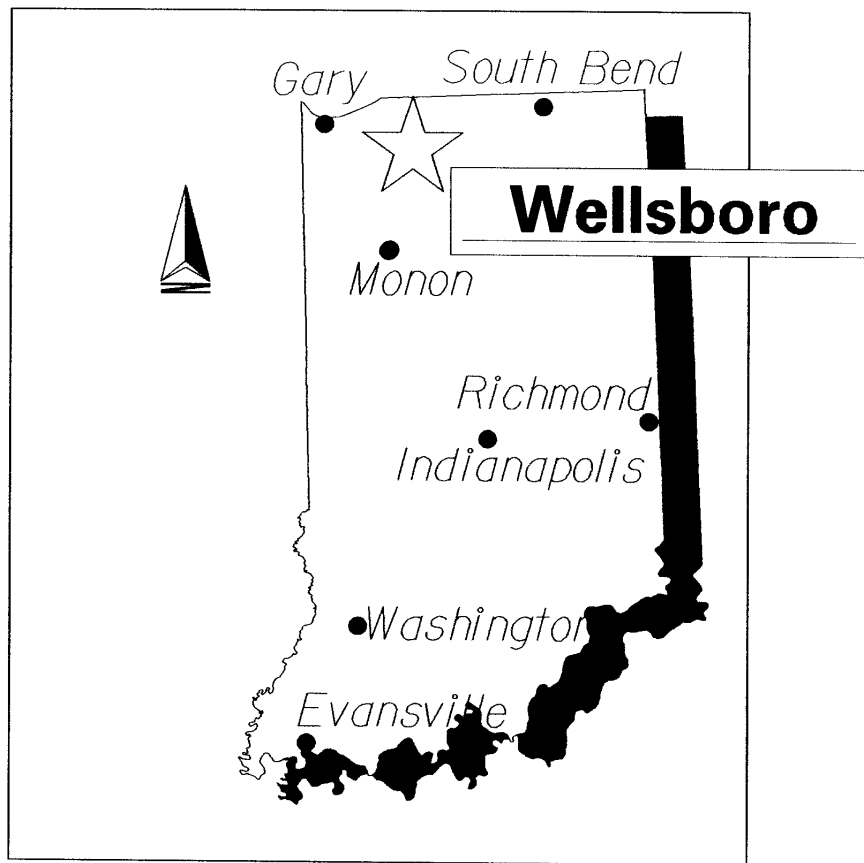
Counsel for
CSX Transportation, Inc.

Dated: October 31, 2003

Proposed Abandonment of 32.97 Miles

Line Name: Wabash Sub.	VAL: C&O V-51/180-199
County: LaPorte,Stark, Porter	V3IND/1-11
State: Indiana	GIS: 17360-17380,22851-22865
Fips: 18091,18149,18127	Scale: 1" = 16,500'
Site ID: IN-091-0997878	Date: 08/20/03
	Drawn By: J.H. Sullivan

CN LINE
 ##### CSX LINES
 ##### NS LINE
 PROPOSED ABANDONMENT
 #####
 Total Distance = 32.97 Miles + -
 Western Region
 Chicago Division
 Wabash Subdivision



**AREA MAP
STATE OF INDIANA**

**Proposed Abandonment - 32.97 Miles
LaPorte, Porter & Stark Counties
Wellsboro, Indiana**

WESTERN REGION - CHICAGO DIVISION - WABASH SUBDIVISION

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC.

**LACROSSE TO WELLSBORO AND NORTH JUDSON TO MALDEN
LAPORTE, PORTER AND STARKE COUNTIES, INDIANA**

DOCKET AB-55 (SUB-NO. 643X)

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

(1) PROPOSED ACTION AND ALTERNATIVES

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

CSX Transportation, Inc. (CSXT) proposes to abandon 32.97 miles of its rail line from La Crosse to Wellsboro and from North Judson to Malden, in LaPorte, Porter and Starke Counties, Indiana. This line has generated minimal originating and terminating traffic during the past several years, and future prospects appear bleak. During the past several years, the principal commodity transported over the line has been feed grains and fertilizers.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast; subsequently, the operations and maintenance of this line will cease.

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

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

(2) TRANSPORTATION SYSTEM

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

There will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

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

Applicant has not received a response to its inquiries of August 8, 2003 to the Town of LaCrosse, the Town of North Judson, the LaPorte County Planning Commission, the Starke County Planning Commission and the Porter County Planning Commission, seeking information regarding this statement. (See Attachments 3 - 7.)

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

Applicant has not received a response to its inquiry of August 8, 2003 to the Natural Resources Conservation Service, District Conservationist - Porter County, seeking information regarding this statement. (See Attachment 8.)

On approximately August 22, 2003, Applicant received a response to its inquiry of August 8, 2003 to the Natural Resources Conservation Service, District Conservationist - LaPorte County, seeking information regarding this statement. The District Conservationist advised, "the railroad is adjacent to prime agricultural land." (See Attachment 9, with excerpts relating to the subject rail line from the map provided by the District Conservationist. The line to be abandoned has been identified on these excerpts by a heavy black and white diagonal line for ease of reference.)

On August 13, 2003, the Natural Resources Conservation Service, District Conservationist for Starke County

responded to Applicant's inquiry of August 8, 2003 seeking information regarding this statement. The District Conservationist advised, "there are soils adjacent to the rail line that are classified as prime farm land. There are also soils adjacent to the rail line which are classified as soils of statewide importance." (See Attachment 10.)

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

Applicant has not received a response to its inquiry of August 8, 2003 to the Indiana Department of Natural Resources, Director of the Division of Soil Conservation, seeking information regarding this statement. (See Attachment 11.)

- (iv) **If the proposed action is an abandonment, state whether or not the right of way is suitable for alternative public use under 49 U.S.C. 10906 and explain why.**

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

(4) ENERGY

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

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

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

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

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

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

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

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

(5) AIR

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

The above thresholds will not be exceeded.

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

The above thresholds will not be exceeded.

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

Not applicable.

(6) NOISE

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

The above thresholds will not be exceeded.

(7) SAFETY

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

There will be no effect on public health and safety as a result of the proposed action. The removal of 63 grade crossings and the associated signs and structures will enhance public safety by eliminating distractions to vehicular traffic crossing the line.

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

Not applicable.

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

Applicant's records indicate the following incidents involving the release of a hazardous material or petroleum product have occurred along the subject property:

1. April 7, 2001 in LaCrosse, Indiana – Non-accident release of Anhydrous Ammonia – 1lb.

2. April 28, 2001 in LaCrosse, Indiana – Other Fuel Spill,
Locomotive Diesel Fuel – 5 gallons.

There was no environmental clean up necessary for these incidents and there is no long-term environmental concern.

(8) BIOLOGICAL RESOURCES

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

On October 3, 2003, the U.S. Fish and Wildlife Service responded to Applicant's request seeking information regarding this statement. The Department's response is attached hereto as Attachment 12.

Based upon Applicant's intention to remove only the track material and the upper layer of ballast, we do not believe that any federally endangered or threatened species will be negatively affected or critical habitats modified if the line is abandoned.

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

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

(9) WATER

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

Applicant has not received a response to its inquiry of August 8, 2003 to the Indiana Department of Environmental Management, seeking information regarding this statement. (See Attachment 13.)

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

procedures required by regulatory agencies.

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

On September 4, 2003, the Department of the Army, Detroit District, Corps of Engineers responded to Applicant's inquiry forwarded to them by the Louisville District, Corps of Engineers. The Corps advised, "The track abandonment process, as described in your August 8 letter, does not involve discharges of dredged and/or fill material in waters of the United States or in wetlands adjacent to waters of the United States." (See Attachment 14.)

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

On September 3, 2003, the U. S. Environmental Protection Agency, Region 5, requested additional information from Applicant regarding procedures for removal of track materials and their disposal. (See Attachment 15.)

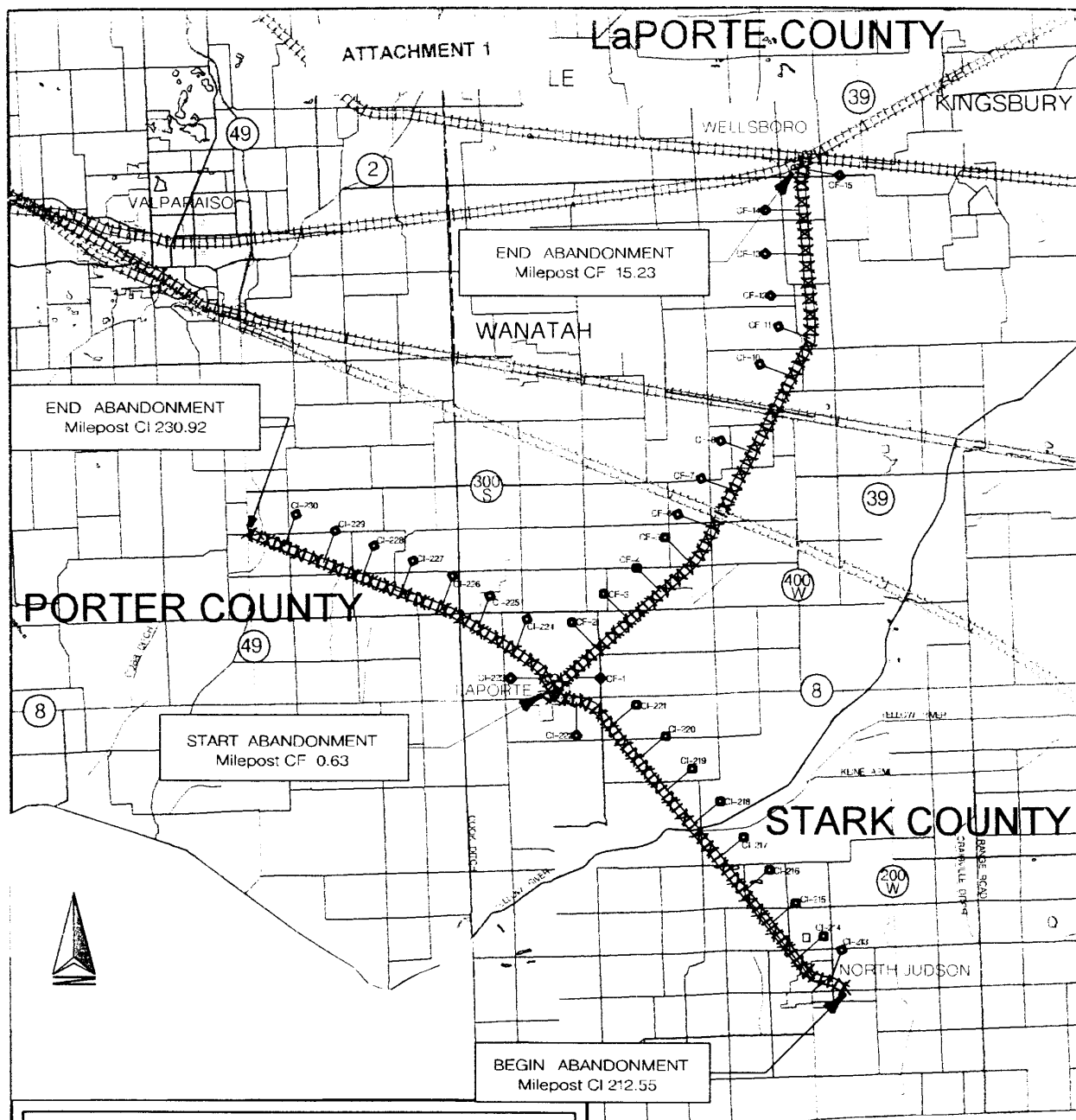
Upon receiving abandonment authority, removal of material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. We do not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and do not anticipate any dredging or use of fill in the removal of the track material. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way nor be placed or left in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

An additional response was received by the EPA, Region 5, outlining their concerns for bridge and culvert maintenance as well as for prime agricultural land in areas adjacent to the proposed abandonment. (See Attachment 16.)

10. MITIGATION

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

To mitigate any adverse environmental impact in the project area, Applicant will comply with State and Federal regulations and obtain any necessary permits required.



CSX TRANSPORTATION

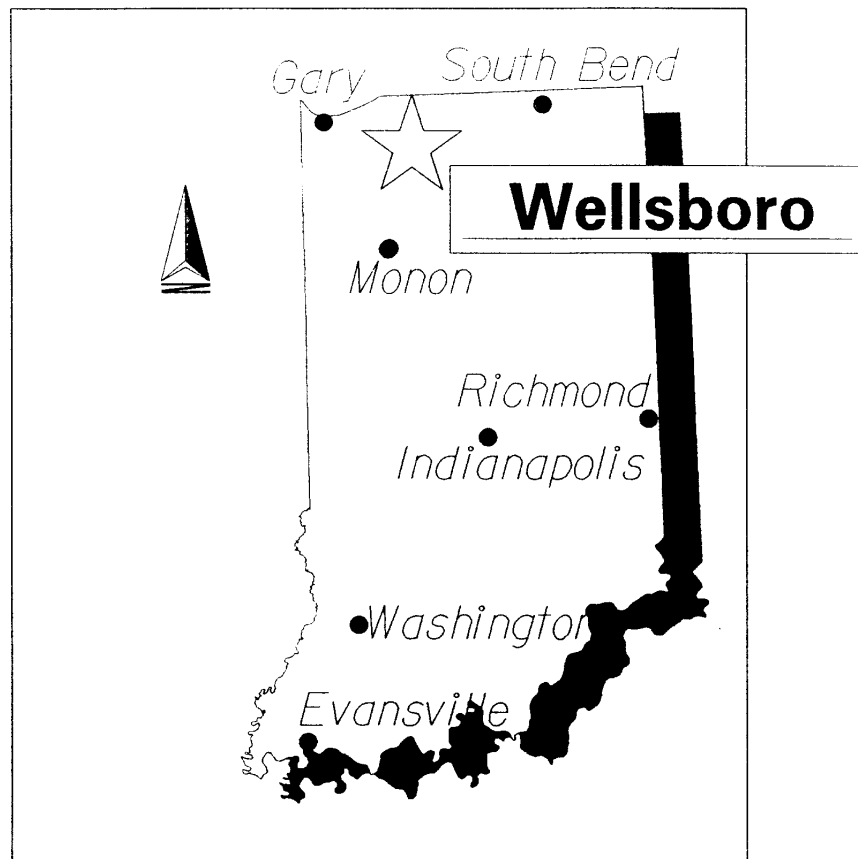
Proposed Abandonment of 32.97 Miles

Line Name: Wabash Sub.
County: LaPorte, Stark,
Porter
State: Indiana
Fips: 18091, 18149, 18127
Site ID: IN-091-0997878

VAL: C&O V-51/180-199
V3IND/1-11
GIS: 17360-17380, 22851-22865
Scale: 1" = 16,500'
Date: 08/20/03
Drawn By: J.H. Sullivan

LEGEND

----- CN LINE
----- CSX LINES
----- NS LINE
----- PROPOSED ABANDONMENT
Total Distance - 32.97 Miles +-
Western Region
Chicago Division
Wabash Subdivision



**AREA MAP
STATE OF INDIANA**

**Proposed Abandonment - 32.97 Miles
LaPorte, Porter & Stark Counties
Wellsboro, Indiana**

WESTERN REGION - CHICAGO DIVISION - WABASH SUBDIVISION



Heidi VanHorn-Bash
Director - Asset Management

ATTACHMENT 3

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

August 8, 2003

Town of LaCrosse
P. O. Box 246
LaCrosse, IN 46348

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Malden, in LaPorte, Starke and Porter Counties, Indiana.

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Heidi Bash", written over a horizontal line.

Attachment



Heidi VanHorn-Bash
Director - Asset Management

ATTACHMENT 4

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

August 8, 2003

Town of North Judson
P. O. Box 56
North Judson, IN 46366

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Maiden, in LaPorte, Starke and Porter Counties, Indiana.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Bash", written over a horizontal line.

Attachment



ATTACHMENT 6

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

August 8, 2003

Starke County Planning Commission
53 E. Mound Street
Knox, IN 46534

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Maiden, in LaPorte, Starke and Porter Counties, Indiana.

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Heidi Bash", written in a cursive style.

Attachment



ATTACHMENT 7

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

August 8, 2003

Porter County Planning Commission
155 Indiana Avenue
Valparaiso, IN 46383

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Malden, in LaPorte, Starke and Porter Counties, Indiana.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Bash", written over a horizontal line.

Attachment



ATTACHMENT 8

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

August 8, 2003

District Conservationist - Porter County
Natural Resources Conservation Service
3001 Leonard Dr.
Valparaiso, IN 46373-2733

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Malden, in LaPorte, Starke and Porter Counties, Indiana.

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

"Based on consultation with the Natural Resources Conservation Service,
state the effect of the proposed action on any prime agricultural land."

Please advise if any of the land adjacent to the rail line proposed for abandonment in Porter County is classified as prime agriculture land.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi VanHorn-Bash", written over a horizontal line.

Attachment

ATTACHMENT 9

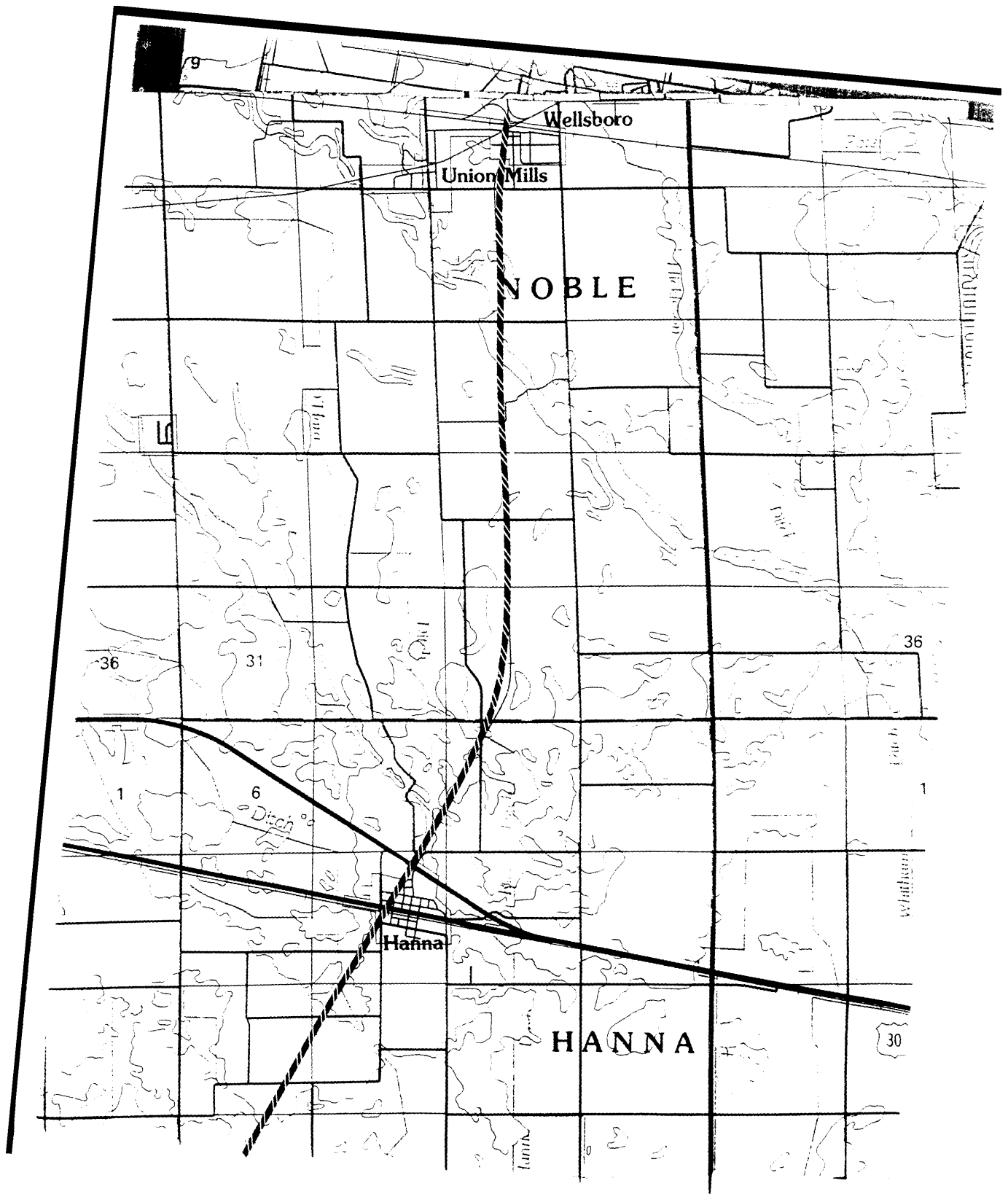
Heidi vanHorn-Bash
500 Water Street -J200
Jacksonville, FL 32202

Dear Ms. vanHorn-Bash,

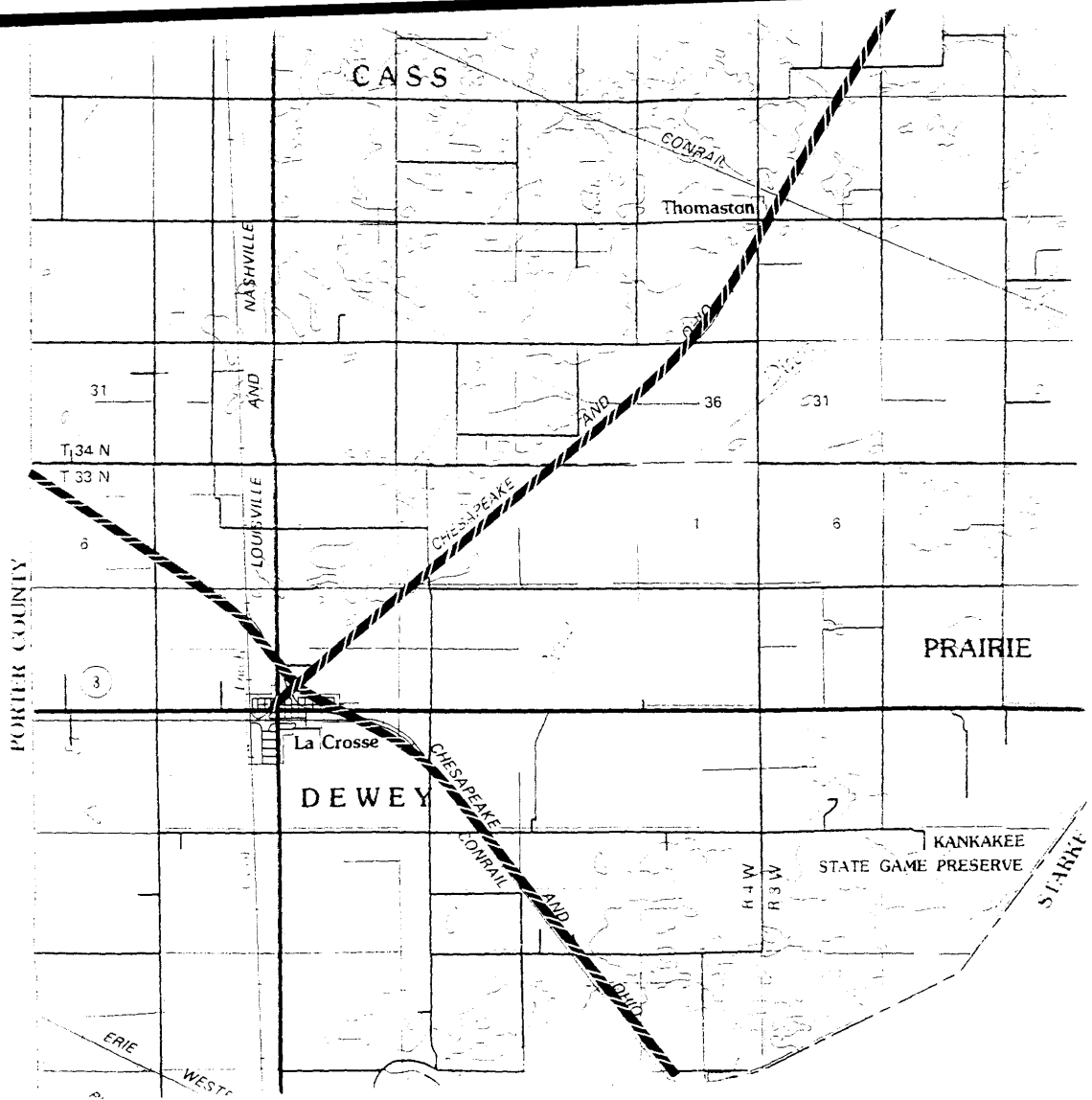
This is in response to your letter regarding the abandoned railroad. A map has been enclosed with the addressed area highlighted. As you can see, the railroad is adjacent to prime agricultural land.

Sincerely,

Theresa Wojcievich
Theresa Wojcievich
District Conservationist



22'30" —
458



57

20 000
111

United States Department of Agriculture



Natural Resources Conservation Service
1406 S. Heaton Street
Knox, Indiana 46534-2395

ATTACHMENT 10

August 13, 2003

Heidi Bash
Director - Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Dear Ms. Bash:

This letter is written in response to your request of August 8, 2003 regarding possible abandonment of the CSX Transportation, Inc. rail line between North Judson and Malden, Indiana. This letter only addresses that part of the proposed rail line abandonment which lies within Starke County, Indiana.

You are advised that there are soils adjacent to the rail line that are classified as prime farm land. There are also soils adjacent to the rail line which are classified as soils of statewide importance. I have enclosed copies of the applicable Starke County Soil Survey sheets on which the affected soils have been highlighted. Please note that Gf, Gilford sandy loam, is the only soil type classified as prime farmland. The other highlighted soil types of Me, Maumee sand; Mh, Maumee mucky sand; and Ho, Houghton muck; are all classified as soils of statewide importance.

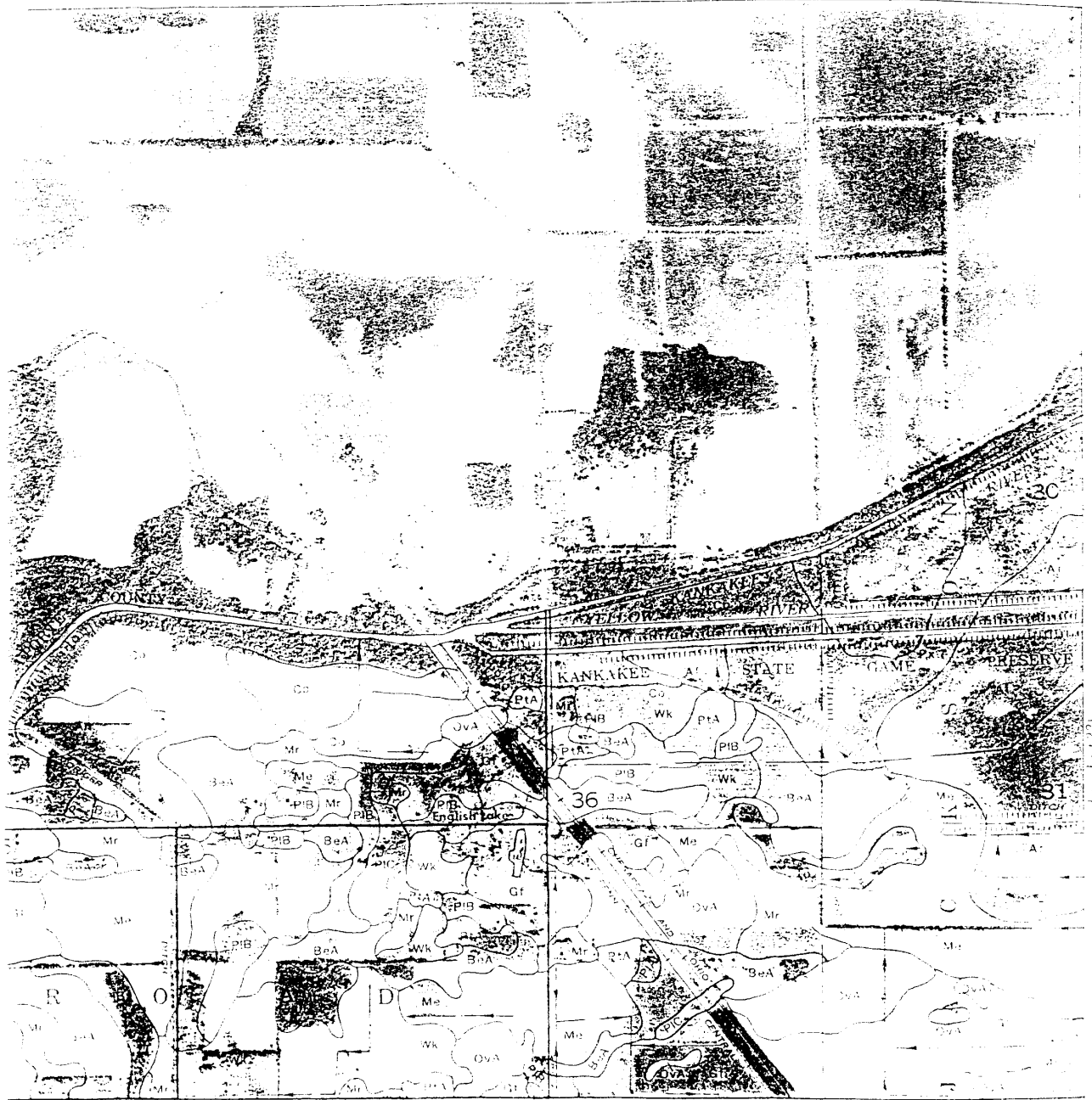
Please contact me if you need further information (phone 574-772-3066, Extension 3).

Sincerely,

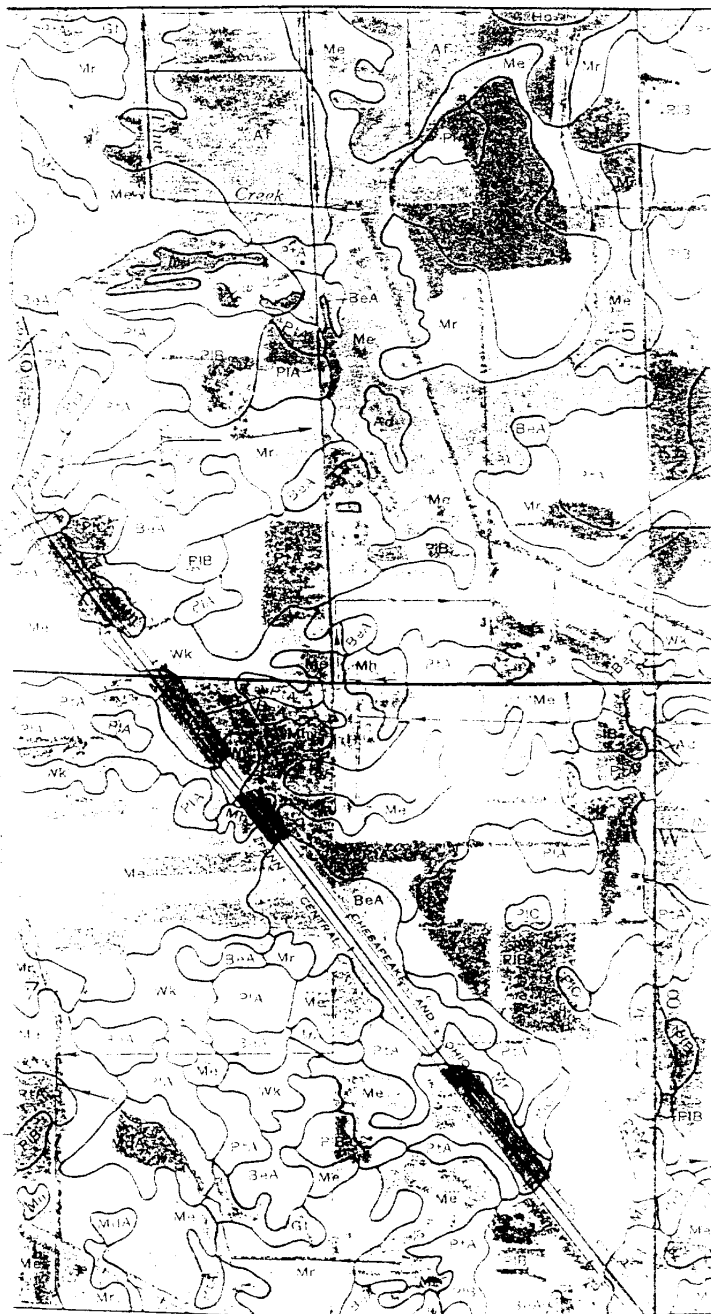
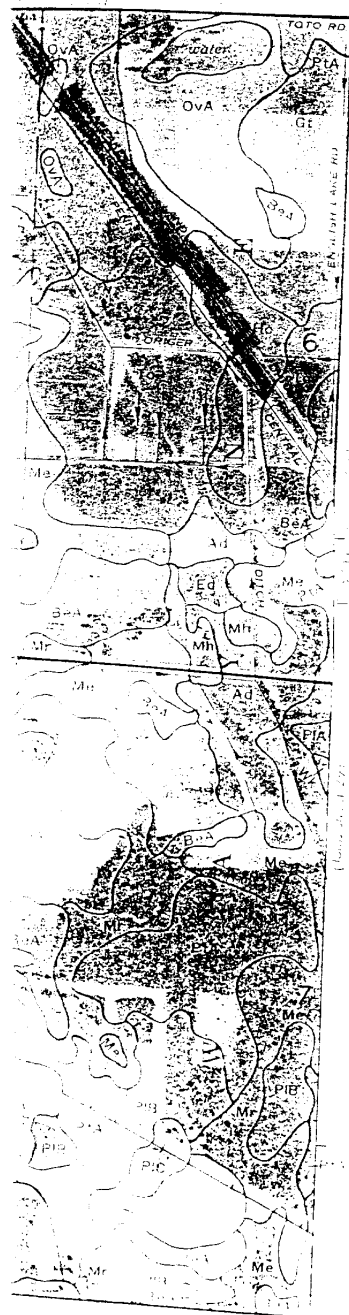
A handwritten signature in cursive script that reads "James Schwanke".

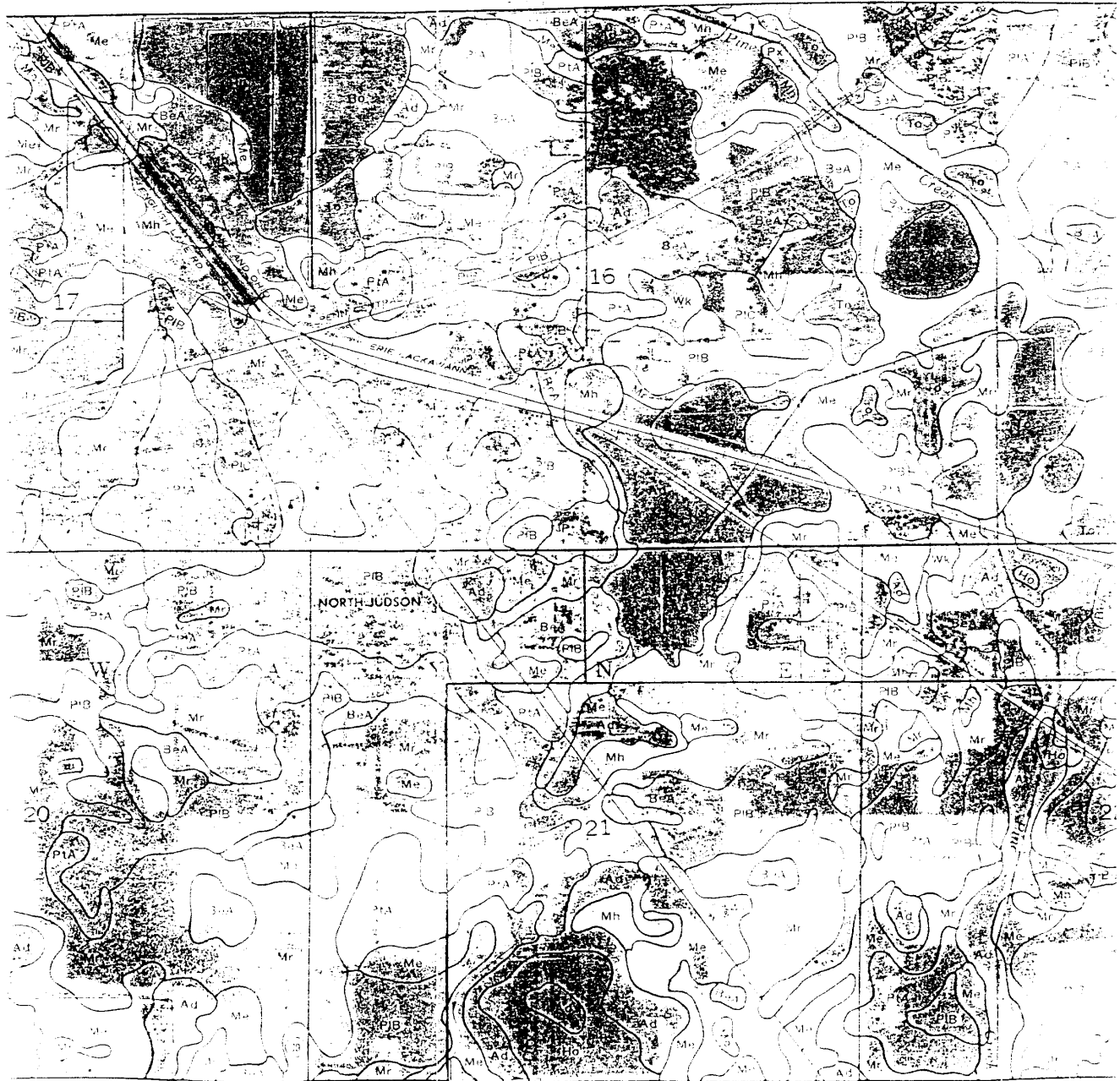
JAMES SCHWANKE
District Conservationist

Enclosures



Rankakee River





SOIL LEGEND

Map symbols consist of a combination of letters. The first capital letter is the initial one of the map unit name. The lowercase letter that follows separates map units having names that begin with the same letter except that it does not separate slope classes. The second capital letter indicates the class of slope. Symbols without a slope letter are for nearly level soils or miscellaneous areas.

SYMBOL	NAME
Ad	Adrian muck, drained
Ar	Adrian muck, frequently flooded
An	Alganssee fine sandy loam, occasionally flooded
As	Alganssee Variant sand, occasionally flooded
BsA	Breams sand, 0 to 3 percent slopes
BsB	Breams sand, 3 to 6 percent slopes
Cs	Changmire fine sandy loam, frequently flooded
CsA	Changmire Variant fine sandy loam, rarely flooded
CsA	Closter fine sandy loam, 0 to 3 percent slopes
rd	Edwards muck, drained
Et	Edwards sandy loam
Hs	Houghton muck, drained
MdA	Mackton sand, 0 to 3 percent slopes
Me	Maumee sand
Mh	Maumee mucky sand
Mn	Maumee Variant loamy sand
MdB	Metra loamy sand, 1 to 4 percent slopes
Mr	Morocco loamy sand
Ns	Napoleon muck, undrained
Nt	Newton loamy sand
OsB	Ormas sand, 1 to 4 percent slopes
OsA	Ormas Variant Morocco loamy sand, 3 to 7 percent slopes
PA	Plainfield sand, 3 to 7 percent slopes
PB	Plainfield sand, 1 to 4 percent slopes
PC	Plainfield sand, 8 to 15 percent slopes
PA	Plainfield sand, wet substratum, 0 to 3 percent slopes
Pd	Plainfield sand, loamy substratum, 1 to 4 percent slopes
Px	Prechaska loamy sand, occasionally flooded
Sh	Shoals Variant loam, rarely flooded
So	Suman silt loam, frequently flooded
Ts	Toto muck, drained
Ud	Udorthents gravelly sand
Wk	Wytseka loamy sand
Wsd	Wawasee fine sandy loam, 1 to 4 percent slopes



ATTACHMENT 11

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

August 8, 2003

Mr. Harry Nikides
Director of the Division of Soil Conservation
Indiana Department of Natural Resources
402 West Washington Street - Room W-255
Indianapolis, IN 46204-2748

Dear Mr. Nikides:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Wellsboro and from North Judson to Maiden, in LaPorte, Starke and Porter Counties, Indiana.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Bash", written over the word "Sincerely,".

Attachment

ATTACHMENT 12



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES)

620 South Walker Street
Bloomington, Indiana 47403-2121
(812) 334-4261 FAX 334-4273

October 3, 2003

Ms. Stephanie M. Lemmon
Asset Management
CSX Transportation, Inc.
500 Water Street - J200
Jacksonville, Florida 32202

Docket No.: AB-55 (Sub. No. 643X)
Project: CSX Transportation, Inc. Proposed Rail Line Abandonment
Location: LaPorte, Porter, and Starke Counties, Indiana

Dear Ms. Lemmon:

This responds to your letter dated September 12, 2003, and the August 8, 2003 letter from Ms. Heidi Bash requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The project consists of the proposed abandonment of approximately 32.97 miles of railroad between North Judson and Malden and between LaCrosse and Wellsboro. If abandonment authority is received, the rail material would be removed from the railbed by use of the existing right-of-way, along with existing public and private crossings. No new access roads are contemplated. The track, crossties, and upper layer of ballast would be removed and transported from the area. No material would be discarded within the right-of-way or any wetlands or waterways. However, based upon a discussion between Elizabeth McCloskey of the U.S. Fish and Wildlife Service and Ms. Heidi Bash on September 25, 2003, it is also possible that some other railroad company might purchase one or both of these lines and retain rail service.

The rail line between North Judson and Malden crosses the Kankakee River at approximate Milepost C1-218, although your map calls it the Yellow River. The Yellow River joins the Kankakee immediately upstream of your bridge (Photograph No. 1). This bridge and the abandoned Penn Central railroad bridge adjacent to it have long been considered impediments to high flows in the Kankakee River because the piers catch logs and other debris, as shown in the photograph, and because they are immediately downstream of the junction of the Yellow and Kankakee Rivers and 2 major ditches at the town of English Lake. We recommend you contact the Kankakee River Basin Commission concerning the disposition of this bridge if the rail line is abandoned. They can be reached at 6100 Southport Road, Portage, Indiana 46368.

There are several areas of forested wetlands along the railroad right-of-way north of North Judson in Starke County and extensive forested wetlands at the Kankakee River crossing. There are also scattered forested and emergent wetlands along the railroad between LaCrosse and Wellsboro in LaPorte County. These wetlands are

within the right-of-way at the Kankakee River and possibly at Mill Creek and may also extend to the edge of the railbed elsewhere. It is important that none of the work activities within the right-of-way adversely affect these wetlands and stream crossings.

Several sections of the railroad right-of-way support prairie habitats which are locally and regionally significant. About 1 mile from North Judson in Starke County, possibly between Mileposts Cl-215 and Cl-216, there is high quality sand prairie which contains extensive amounts of wild lupine, puccoon, wild rose, blazing star, several goldenrods, and numerous other native species (Photograph No. 2). In LaPorte County, native prairie extends for about 3 miles, basically between Mileposts Cl-218 and Cl-221. The highest quality prairie is between the Kankakee River and County Road 2200 South, which is paralleled by Bigler Road (Photographs No. 3 and No. 4). This prairie does not contain wild lupine but does support other sand prairie species including blazing star, several goldenrods, various sunflowers, Indian grass, big bluestem grass, and many other species.

These prairie remnants along the railroad right-of-way are very significant because few native prairie areas remain in the area, particularly in LaPorte County where virtually all of the original prairie has been converted to cropland. This 3-mile stretch of railroad right-of-way, including the abandoned parallel former Penn Central right-of-way, is likely the largest remaining prairie in LaPorte County. Therefore, its preservation is very important.

In addition to their botanical value, these remnant prairies are important for insects and wildlife because they are a refugia in the midst of extensive agricultural development. For example, during an extensive survey for the Indiana endangered Franklin's ground squirrel (Spermophilus franklinii) from July 1984 to August 1990, these railroad prairies were searched for this species (Johnson, S.A. and J. Norris. 1992. Reduction in the eastern limit of the range of the Franklin's ground squirrel [Spermophilus franklinii]. American Midland Naturalist 128:325-331). Several individuals were found along the Starke County portion of the railroad right-of-way north of North Judson. Although not found during the survey, they may also be present within the LaPorte County railroad prairie. This species is not on the Federal list of endangered or threatened species.

If the rail line is abandoned, track material removal activities in these prairie areas of Starke and LaPorte Counties should be confined to the actually railbed area and not extend into the adjacent right-of-way so that the valuable prairie habitat will not be degraded.

The outer edge of railroad right-of-way between LaCrosse and Wellsboro is generally wooded. However, it has been regularly sprayed with herbicide which has affected the trees and limited the growth of herbaceous species. Other than the crossing of Mill Creek and the wetlands previously mentioned, there are no unique habitats along this section of the proposed project area.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (Myotis sodalis), Mitchell's satyr butterfly (Neonympha mitchelli), and Karner blue butterfly (Lycaeides melissa samuelis) and the threatened bald eagle (Haliaeetus leucocephalus) and Pitcher's thistle (Cirsium pitcheri).

Indiana bats utilize wooded riparian and adjacent upland areas as summer maternity habitat. This species has been found along the Kankakee River and may be present in the English Lake area and/or along Mill Creek. However, this species should not be adversely affected by the railroad abandonment if no tree cutting is involved or if any tree cutting is restricted to the time period when bats are not present, which is between September 15 and April 15.

The Mitchell's satyr is restricted to specific wetland habitats and is not found within the proposed project area. Karner blue butterflies utilize wild lupine as their only larval food source. Although there is extensive wild lupine within the railroad right-of-way in Starke County, this area has been thoroughly checked for the Karner blue butterfly and it is not present, nor was it historically present in that area.

Bald eagles may occasionally be found along the Kankakee River as incidental visitors, but there are no known nests in the area. Pitcher's thistle is restricted to the shoreline of Lake Michigan and is not present in the proposed project area.

The proposed project area is also within the range of the eastern massasauga rattlesnake (Sistrurus catenatus catenatus), which has been listed as a Candidate for possible future listing as either threatened or endangered. Candidate species are those for which sufficient information on their biological status exists to warrant listing, but for which listing has not yet occurred. A massasauga was observed on the abandoned Penn Central right-of-way adjacent to your right-of-way on the north side of the Kankakee River in September 1998. Because this species is not yet listed as endangered or threatened, it is not afforded legal protection under the authorities of the Endangered Species Act. However, if it becomes listed prior to initiation of rail material removal activities, you would need to consider possible impacts on this species. Therefore, we request that you re-contact us prior to the initiation of work in this area so that we can inform you of the current status of the eastern massasauga and evaluate any possible impacts on this species.

We appreciate the opportunity to review this railroad abandonment proposal. If you have any questions, please contact Elizabeth McCloskey at (219) 983-9753 or elizabeth_mccloskey@fws.gov.

Sincerely yours,

Elizabeth S. McCloskey
for Scott E. Pruitt
Supervisor

cc: Surface Transportation Board, Section of Environmental Analysis, Washington, DC
Director, Indiana Division of Nature Preserves, Indianapolis, IN
Regional Ecologist, Indiana Division of Nature Preserves, Medaryville, IN
Kankakee River Basin Commission, Portage, IN
Environmental Coordinator, Indiana Division of Water, Indianapolis, IN



Photograph No. 1. The CSX Railroad bridge over the Kankakee River at English Lake is just downstream of the junction of the Yellow River (left) and Kankakee River (right) and 2 major ditches. Log jams often form against the bridge piers.



Photograph No. 2. The CSX Railroad right-of-way north of North Judson in Starke County contains valuable prairie habitat, which includes wild lupine shown in bloom.



Photograph No. 3. The CSX Railroad right-of-way in LaPorte County between the Kankakee River and LaCrosse supports a very high quality remnant prairie. This is looking northwest along Bigler Road between Mileposts Cl-218 and Cl-219.



Photograph No. 4. A view of the railroad prairie along the CSX Railroad looking southeast from County Road 2200 South in LaPorte County.



ATTACHMENT 13

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-2409
FAX: (904) 359-1111
E-Mail: Heidi_VanHorn-Bash@csx.com

Heidi VanHorn-Bash
Director - Asset Management

August 8, 2003

U. S. Environmental Protection Agency
Region 5
77 West Jackson Blvd.
Chicago, IL 60604-3507

Indiana Dept. of Environmental Management
Indiana Government Center
100 North Senate Avenue - P. O. Box 6015
Indianapolis, IN 46204

Dear Sir or Madam:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line from LaCrosse to Weillsboro and from North Judson to Malden, in LaPorte, Starke and Porter Counties, Indiana.

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

- (i) "Based on consultation with State Water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies."
- (iii) "State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action."

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

Based upon the above described actions, we would appreciate receiving your concurrence with CSXT's position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time.

If you have any questions, please feel free to contact me.

Sincerely,

Attachment



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027
DETROIT, MICHIGAN 48231-1027

ATTACHMENT 14

September 4, 2003

IN REPLY REFER TO

Engineering & Technical Services
Regulatory Office
File No. 03-146-027-0

Heidi VanHorn-Bash
CSX Transportation, Inc.
500 Water Street - J200
Jacksonville, Florida 32202

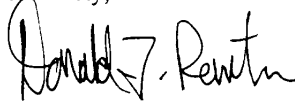
Dear Ms. VanHorn-Bash:

We have reviewed your August 8, 2003 letter requesting a determination of jurisdiction over CSX Transportation's proposed abandonment of rail line from LaCross to Wellsboro and from North Judson to Malden in LaPorte, Porter, and Starke Counties, Indiana. The Louisville District forwarded your letter to us as the area in question is within the boundaries of the Detroit District.

The track abandonment process, as described in your August 8 letter, does not involve discharges of dredged and/or fill material in waters of the United States or in wetlands adjacent to waters of the United States. As such, we have determined that the work is outside of the regulatory jurisdiction of the Corps of Engineers.

Any construction activity other than described in the August 8, 2003 letter may render this determination invalid. Our determination does not relieve you of the obligation to obtain required approvals from other agencies that may have regulatory jurisdiction. If you have any questions, please contact Donald Reinke at the above address or at (313) 226-2220.

Sincerely,


f Robert M. Tucker
Chief, Enforcement Branch
Regulatory Office

Copy Furnished

South Bend Field Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

ATTACHMENT 15

REPLY TO THE ATTENTION OF

B-19J

September 3, 2003

Heidi VanHorn-Bash
Director - Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Re: CSX Transportation, Inc.-Consideration of Abandonment

Dear Ms. VanHorn-Bash:

The U.S. Environmental Protection Agency (EPA) has reviewed your letters dated July 25 and August 8, 2003 advising the CSX Transportation (CSXT) is considering abandonment of a portion of its rail line in Vermilion County, Illinois, and LaPorte, Starke, and Porter Counties, Indiana, respectively. Our comments in this letter are provided pursuant to NEPA, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

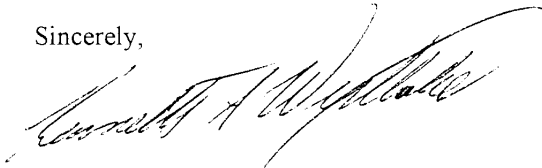
We appreciate the opportunity to review these proposed actions at such an early juncture in the process. Pursuant to a review of these letters, we feel the following issues should be addressed by additional detail in the Environmental Assessment.

- Specific information pertaining to removal of the rail and salvage methods. In particular, applicable environmental regulations for removal and ultimate disposal of rails and roadbed material should be listed;
- The final disposition of crossties preserved with creosote. Per the July 3, 1984 Rebuttable Presumption Against Registration for three major wood preservatives under the Federal Insecticide, Fungicide, and Rodenticide Act, wood treated with creosote should be buried in a non-hazardous waste landfill unless otherwise required by the relevant State;
- Procedures for storing and fueling of construction equipment in upland areas, away from water bodies, floodplains or other sensitive habitat;
- Procedures for the prevention and/or control of spills (i.e., fuels, lubricants or other pollutants) from construction equipment; and
- Soil erosion and stormwater runoff mitigation practices to be utilized during abandonment activities. In particular, consideration of whether all or portions of the right-of-way that the railway owns will be revegetated with native flora should be addressed. Long-term benefits of this mitigation activity go beyond stormwater and soil protection to include development of habitat for wildlife and improved aesthetics.

Inclusion of the above information in the ER would satisfy routine questions from the EPA and facilitate a quicker review and approval process.

Please forward future correspondence regarding these items to me at the above address. Should you have any questions, please contact me or Kathleen Kowal of my office at (312) 353-5206.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Westlake". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

ATTACHMENT 16

REPLY TO THE ATTENTION OF

B-19J

September 30, 2003

Stephanie M. Lemmon
Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Re: Docket No. AB-55 (Sub-No. 643X), *CSX Transportation Proposed Abandonment*

Dear Ms. Lemmon:

The U.S. Environmental Protection Agency (EPA) has reviewed your letter dated September 12, 2003 advising the CSX Transportation (CSXT) is considering abandonment of a portion of its rail line in LaPorte, Porter and Starke Counties, Indiana. Our comments in this letter are provided pursuant to NEPA, the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Pursuant to a review of this letter, we feel two issues should be addressed by additional detail in the Environmental Report (ER) provided to the Surface Transportation Board (STB). First, looking at the attached map, it appears the line proposed for abandonment traverses the Yellow River. To that end, we strongly suggest CSX conduct culvert and bridge maintenance following abandonment. Ideally, culverts, if present, should be maintained at least once per season to prevent blockage and damaging floods, while bridge maintenance activities should be planned yearly. Disposal of obstruction materials should take place away from the streambed, and the use of equipment in the streambed should be minimized and scheduled to coincide with periods of low or normal flow. Consideration of native flora to revegetate around culvert ends and bridge foundations to prevent erosion should be addressed. In particular, provision of maintenance activities for culverts and bridges should be provided until the right-of-way is sold, at which time maintenance activities should be transferred to the new owner via specific real estate provisions. Please include detailed information regarding culvert and bridge maintenance in the final ER.

Second, the District Conservationists for LaPorte and Starke Counties have identified prime agricultural land located adjacent to the proposed rail line abandonment. In addition, soils of statewide importance have been identified adjacent to the railroad passing through Starke County. We strongly suggest CSX contact the above-mentioned conservation offices to discuss appropriate erosion control activities (i.e., revegetation with native flora). Please include detailed information regarding this activity in the final ER.

Inclusion of the above information in the final ER would satisfy EPA concerns and facilitate a quicker review and approval process.

We look forward to receiving a copy of the STB's Environmental Assessment. Should you have any questions, please contact me or Kathleen Kowal of my office at (312) 353-5206.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kenneth A. Westlake", written in a cursive style.

Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch

cc: David Navecky, Surface Transportation Board

HISTORIC REPORT

CSX TRANSPORTATION, INC.

**LACROSSE TO WELLSBORO AND NORTH JUDSON TO MALDEN
LA PORTE, PORTER AND STARKE COUNTIES, INDIANA**

DOCKET AB-55 (SUB-NO. 643X)

1105.7(e)(1)

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

CSX Transportation, Inc. (CSXT) proposes to abandon 32.97 miles of its rail line from La Crosse to Wellsboro and from North Judson to Malden, in La Porte, Porter and Starke Counties, Indiana. This line has generated minimal originating and terminating traffic during the past several years, and future prospects appear bleak. During the past several years, the principal commodity transported over the line has been feed grains and fertilizers.

Abandonment of this line will result in the removal of the rail, crossties, and possibly the upper layer of ballast; subsequently, the operations and maintenance of this line will cease.

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

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

1105.8(d)

- (1) A U.S.G.S. topographic map (or an alternate map drawn to scale**

and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.

Attached are copies of the LaCrosse, English Lake, Hanna, North Judson, Kouts and Valparaiso quadrangle topographic maps prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black and white diagonal line. (See Attachments 3 thru 10.)

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

LaCrosse – Wellsboro:

Starting at LaCrosse the line travels in a northerly direction through a predominantly rural area to Wellsboro. The right of way from LaCrosse to Wellsboro is 50 feet from the centerline of track.

North Judson – Malden:

The right-of-way from North Judson to La Crosse varies in width from 40 to 60 feet from centerline of track. The right of way from LaCrosse to Malden is 50 feet from centerline of track. This line segment runs through fertile farming lands with scattered small stands of forest. There are also several small communities adjacent to the line. On the English Lake and North Judson topographic maps, the Pennsylvania Railroad is shown running parallel to CSXT tracks; however, that line of railroad has been abandoned and has been removed.

The rail line proposed for abandonment does not traverse any historical districts in Knox, La Porte or Porter Counties, Indiana.

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

The photographs will be provided as requested under separate cover.

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

Bridge #0.9 located at Milepost CF 1.10 is a 54-foot timber pile trestle bridge. It was built in 1928.

Bridge #1.5 located at Milepost CF 1.80 is a 72-foot timber pile trestle bridge. It was built in 1922.

Bridge #4.3 located at Milepost CF 4.20 is a 50-foot timber pile trestle bridge. It was built in 1927.

Bridge #4.5 located at Milepost CF 4.40 is a 56-foot timber pile trestle bridge. It was built in 1927.

Bridge #6.6 located at Milepost CF 6.60 is a 46-foot timber pile trestle bridge. It was built in 1925.

Bridge #8.6 located at Milepost CF 8.40 is a 94-foot timber pile trestle bridge. It was built in 1926.

Bridge #10.1 located at Milepost CF 9.80 is a 55-foot timber pile trestle bridge. It was built in 1925.

Bridge #10.8 located at Milepost CF 10.60 is a 40-foot timber pile trestle bridge. It was built in 1925.

Bridge #13.7 located at Milepost CF 13.30 is a 108-foot timber pile trestle bridge. It was built in 1928.

Bridge #14.0 located at Milepost CF 13.90 is an 8-foot timber pile trestle bridge. It was built in 1928.

Bridge #2205 located at Milepost CI 220.50 is an 89-foot timber pile trestle bridge. It was built in 1944.

It is CSXT's required maintenance practice to repair timber trestle bridges on an "ongoing and as needed" basis. Repair and/or maintenance records are not retained.

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

La Crosse to Wellsboro

The Pere Marquette Railway Company previously owned this line segment. It was organized under the laws of the State of Michigan on March 12, 1917, for the purpose of acquiring the property of the Pere Marquette Railroad Company, and its Receivers.

During 1947, the Chesapeake and Ohio Railway Company acquired the Pere Marquette with its 1,941 miles of line in Michigan, Ohio, Indiana, Illinois, Canada and New York.

North Judson to Malden

Under charter dated March 23, 1900, the Cincinnati, Richmond and Muncie Company constructed the line from Cottage Grove to Muncie, of which this line is a part. The contract for construction of this line was let on July 28, 1900, to J. F. Wilcox. The earliest land acquisition for this right-of-way was in July 1901. Various parcels were acquired either by deed, quitclaim, or condemnation. Construction was completed in the autumn of 1902. The C. R. & M. was merged into the Chicago, Cincinnati and Louisville Railway Company of June 1, 1903. This Company was conveyed by deed dated July 28, 1910, to the Chesapeake and Ohio Railway Company of Indiana, which brought the property into the hands of the Chesapeake and Ohio Railway Company through a 999-year lease effective December 31, 1921.

A 1927 history of the Chesapeake and Ohio shows that at La Crosse, IN, the carrier had connections with the Chicago and Eastern Illinois Railroad Company, the Chicago, Indianapolis and Louisville Railway Company and the Pere Marquette Railroad Company. At North Judson, IN, the carrier that connections with the Chicago and Erie Railroad Company and the New York Central

Railroad Company.

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

This is an agricultural area, and the primary operations have been agricultural-based, i.e. feed grains such as corn, as well as potassium chloride.

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

(6) A brief summary of documents in the carrier's possession, documenting a structure that is found to be historic:

Engineering Sketches and Valuation Maps,
Office of Chief Engineer, Jacksonville, Florida.

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

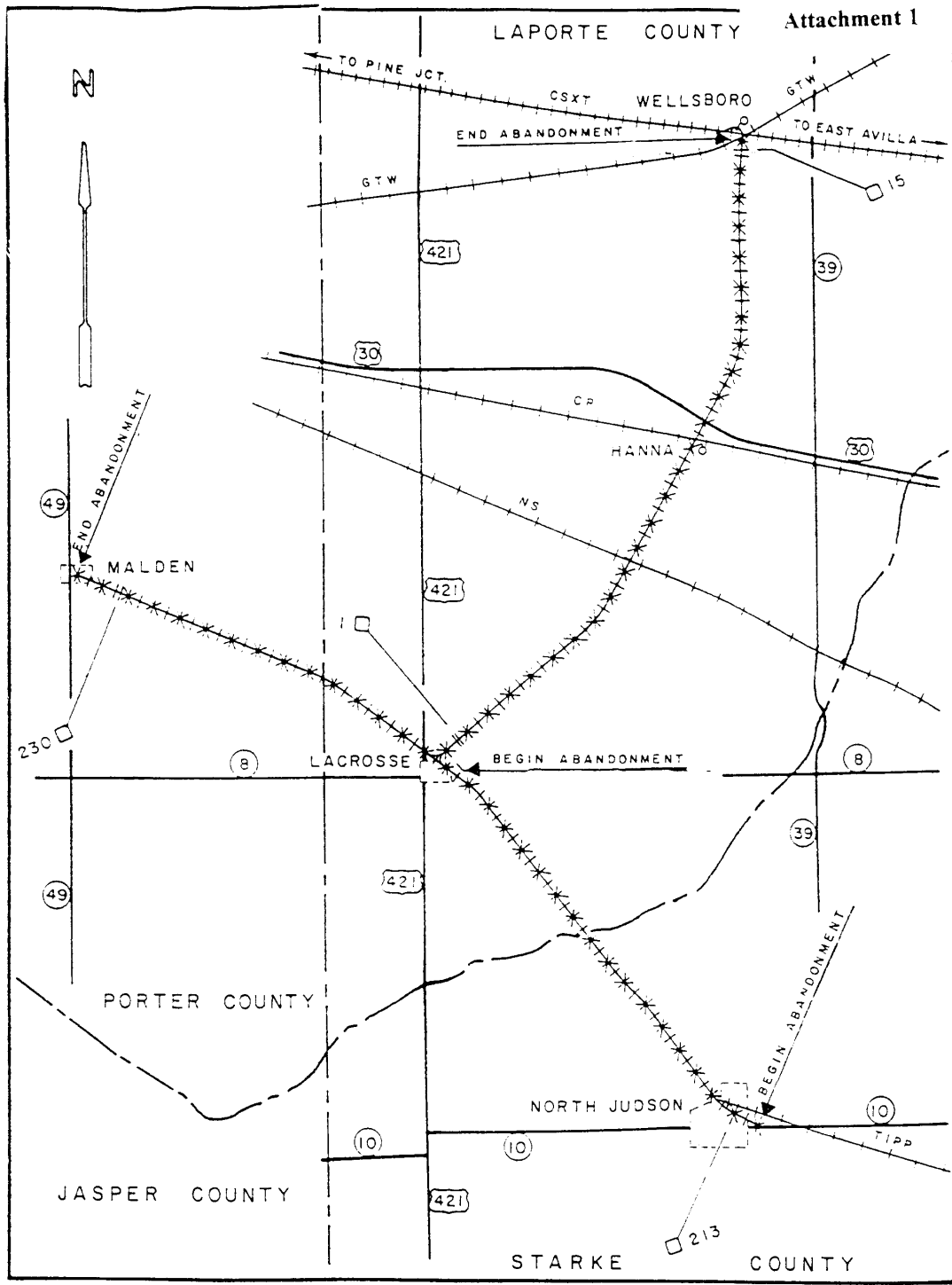
A review of our records indicates there are eleven (11) CSXT-owned structures over 50 years old on this line segment. However, these are timber trestle bridges and CSXT does not consider timber trestle bridges "historic" since it is CSXT's required maintenance practice to repair timber trestle bridges on an ongoing and as needed basis. Therefore, the historic qualities of such bridges are continually being changed.

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

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

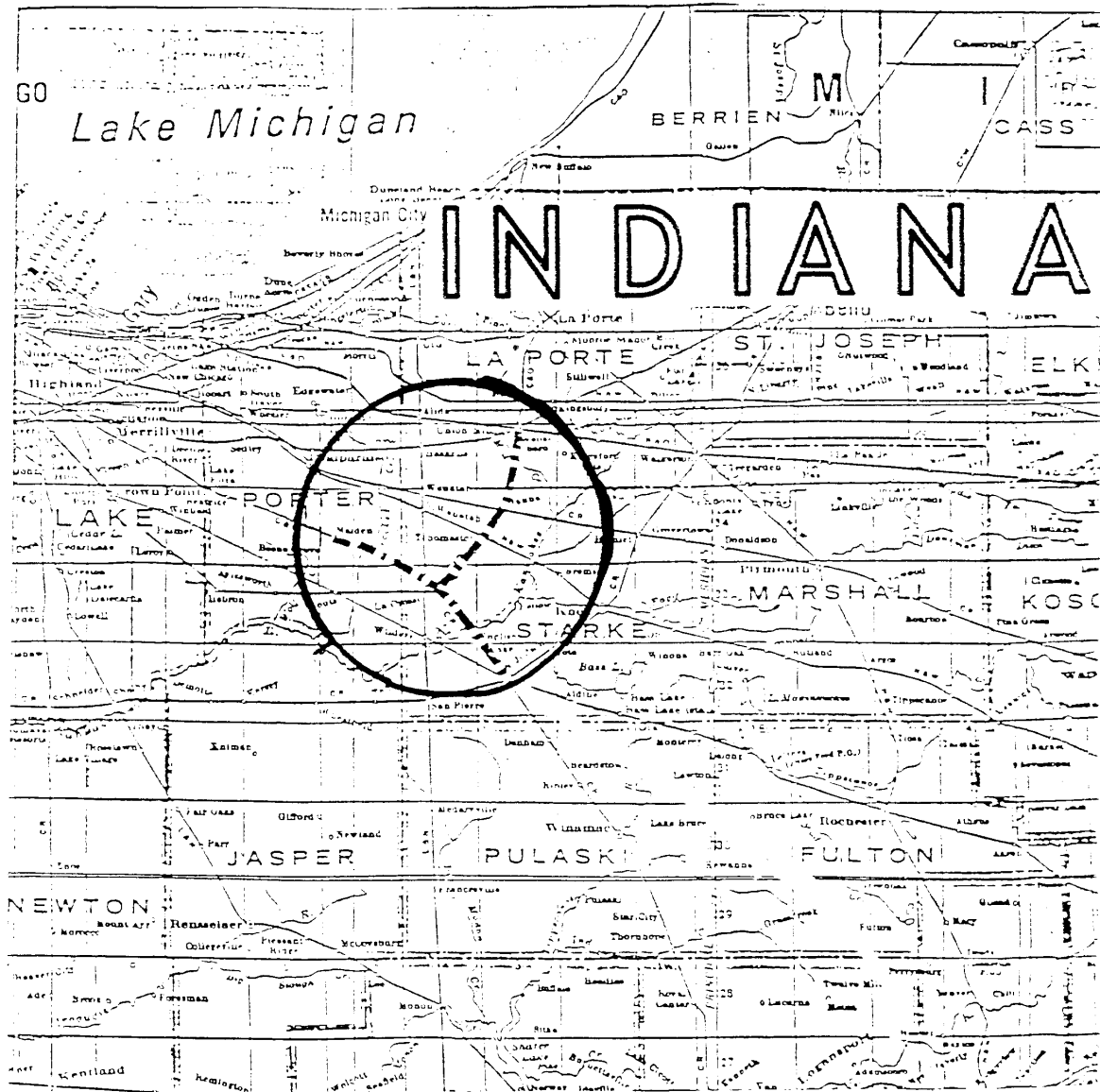
- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the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

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



CSX TRANSPORTATION, INC.
LACROSSE TO WELLSBORO AND NORTH JUDSON TO MALDEN
LAPORTE, PORTER AND STARKE COUNTIES, INDIANA

+*+*+*+*+*+ track proposed for abandonment

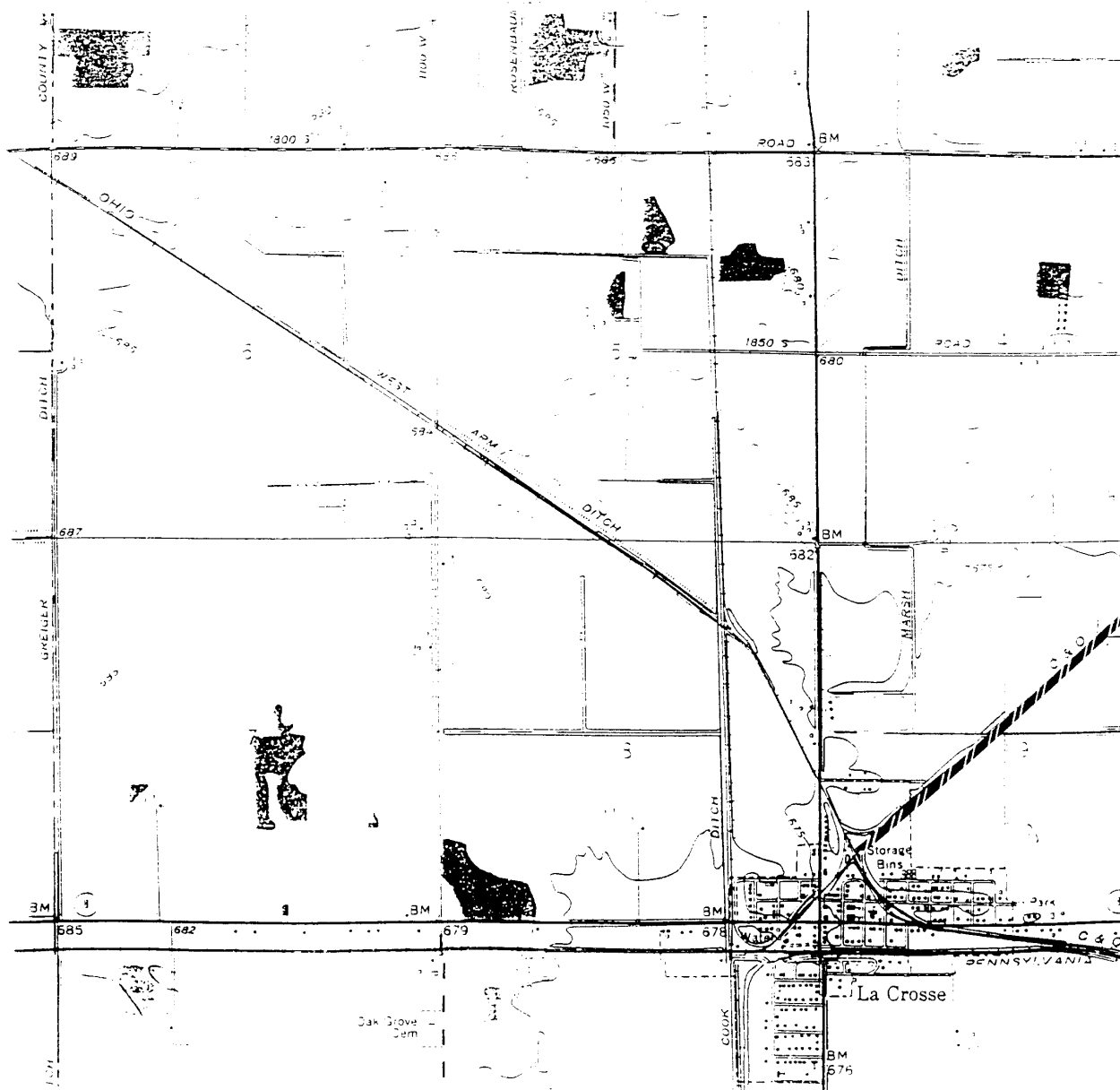


CSX TRANSPORTATION, INC.
LACROSSE TO WELLSBORO AND NORTH JUDSON TO MALDEN
LAPORTE, PORTER AND STARKE COUNTIES, INDIANA

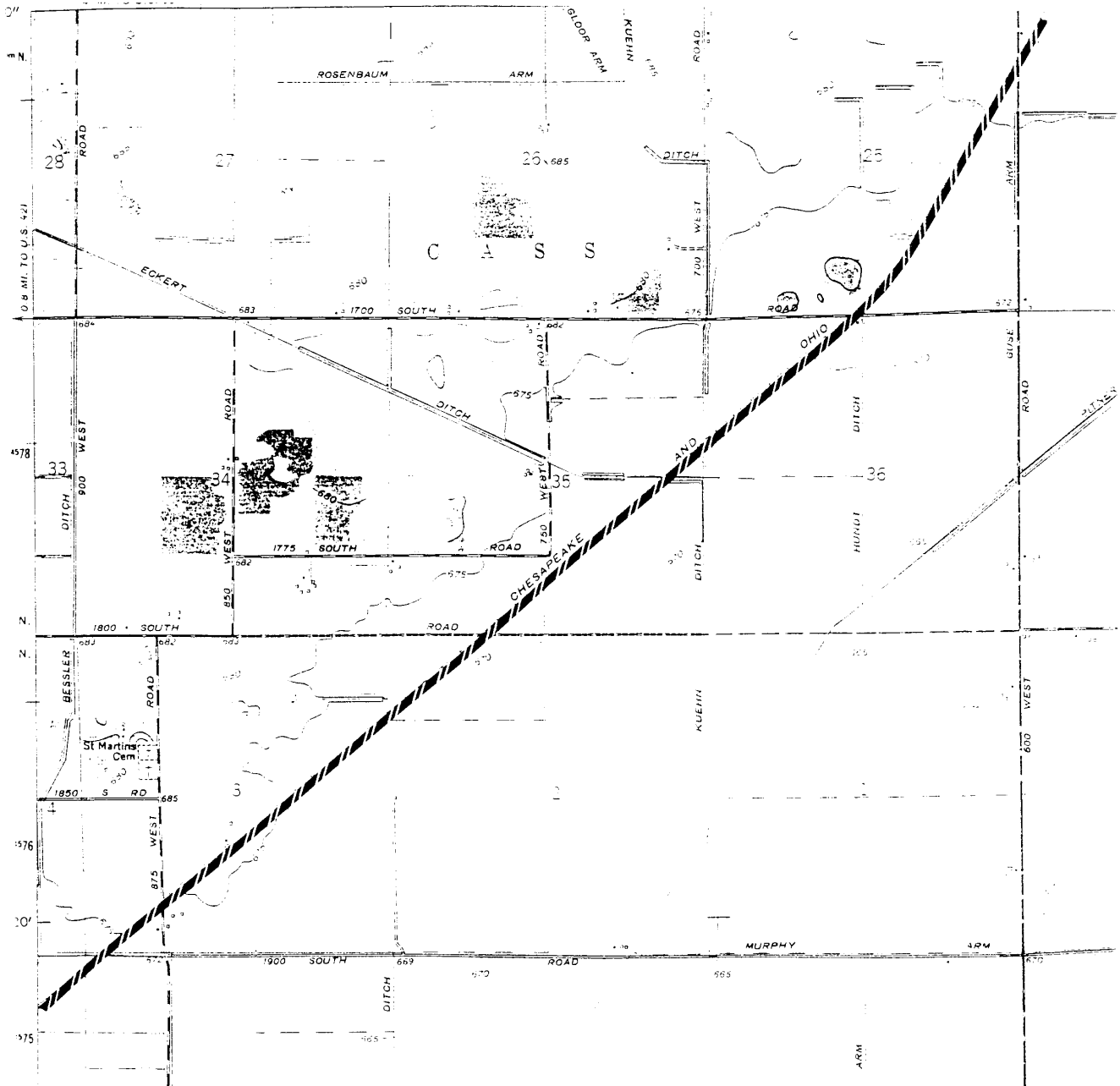
—+—+—+—+— track proposed for abandonment

Attachment 3

La Crosse Quadrangle
Indiana
1958
Page 1 of 1

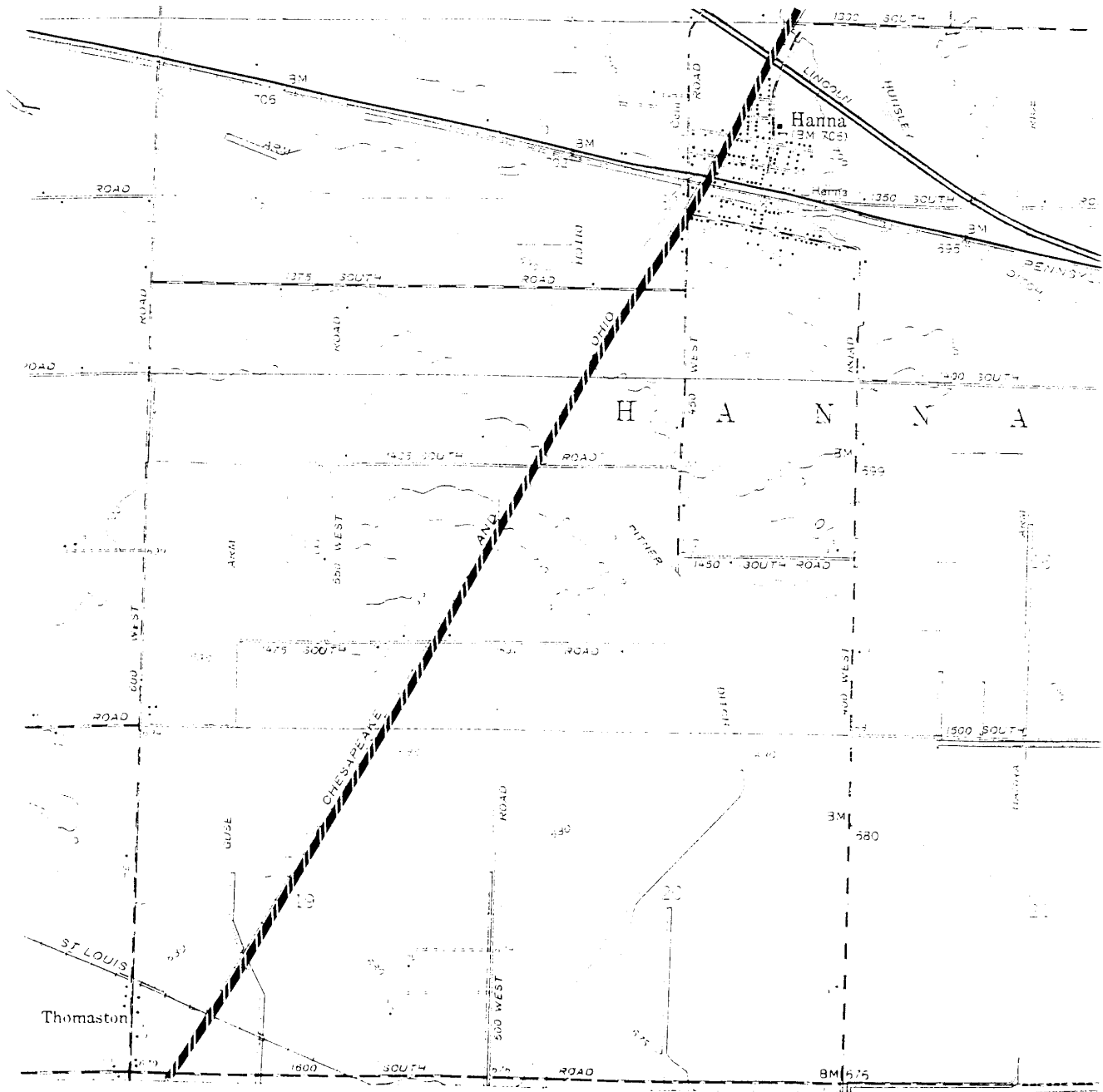


English Lake Quadrangle
Indiana
1959
Page 1 of 1



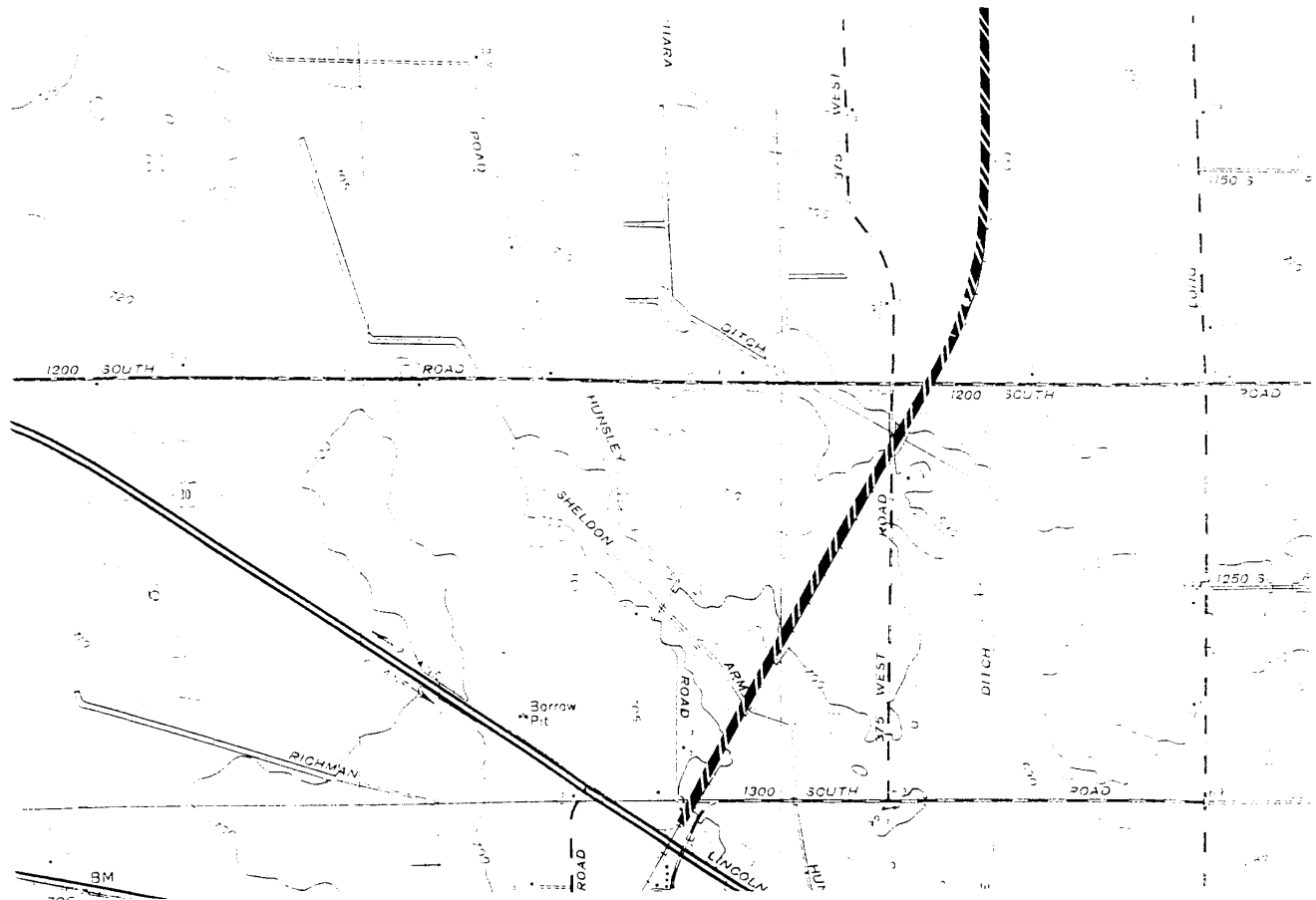
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

Hanna Quadrangle
Indiana-LaPorte Co.
1958
Page 1 of 3



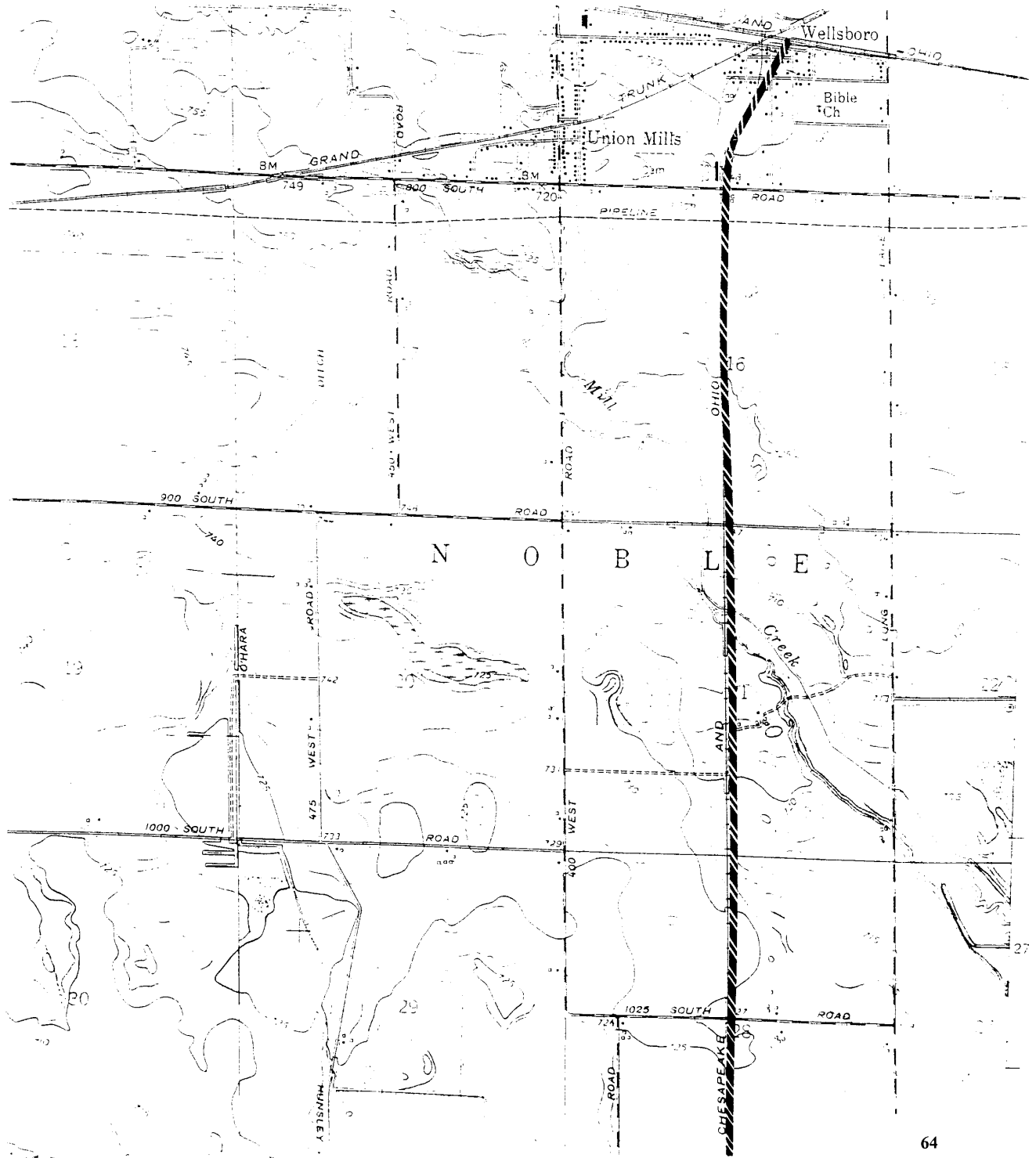
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

Hanna Quadrangle
Indiana-LaPorte Co.
1958
Page 2 of 3



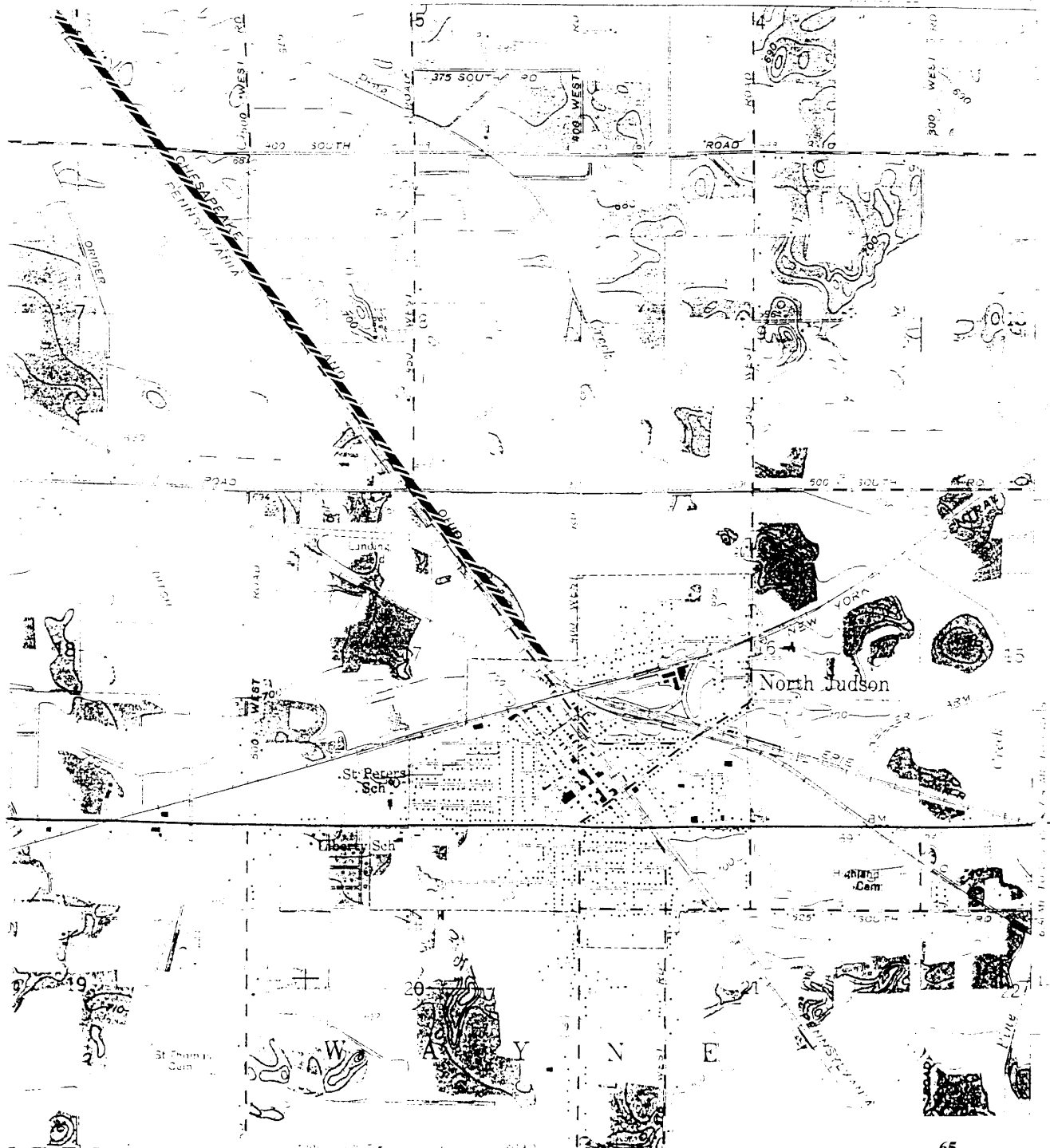
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

Hanna Quadrangle
Indiana-LaPorte Co.
1958
Page 3 of 3



U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

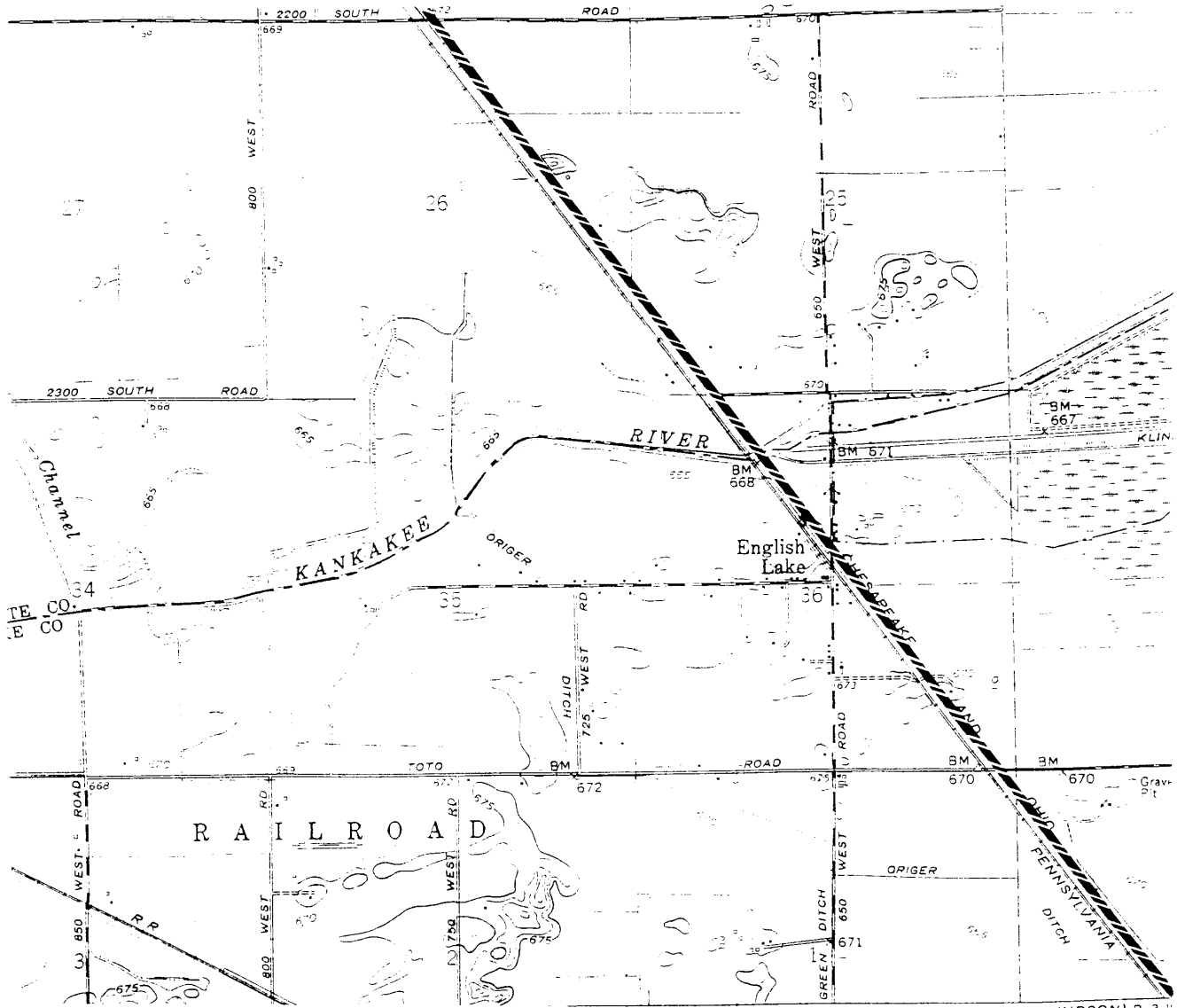
North Judson Quadrangle
Indiana
1959
Page 1 of 1



U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

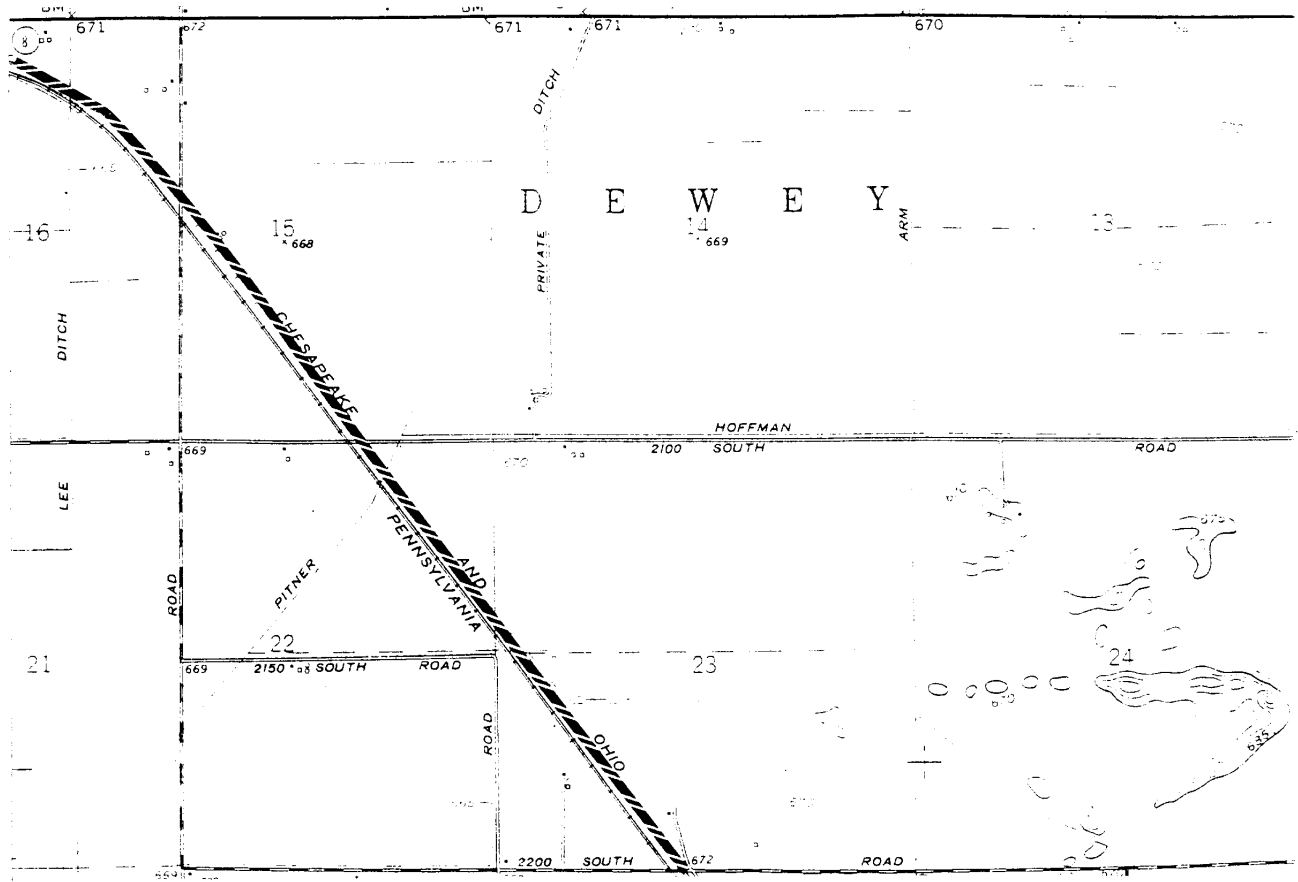
English Lake Quadrangle
Indiana
1959

Page 1 of 2



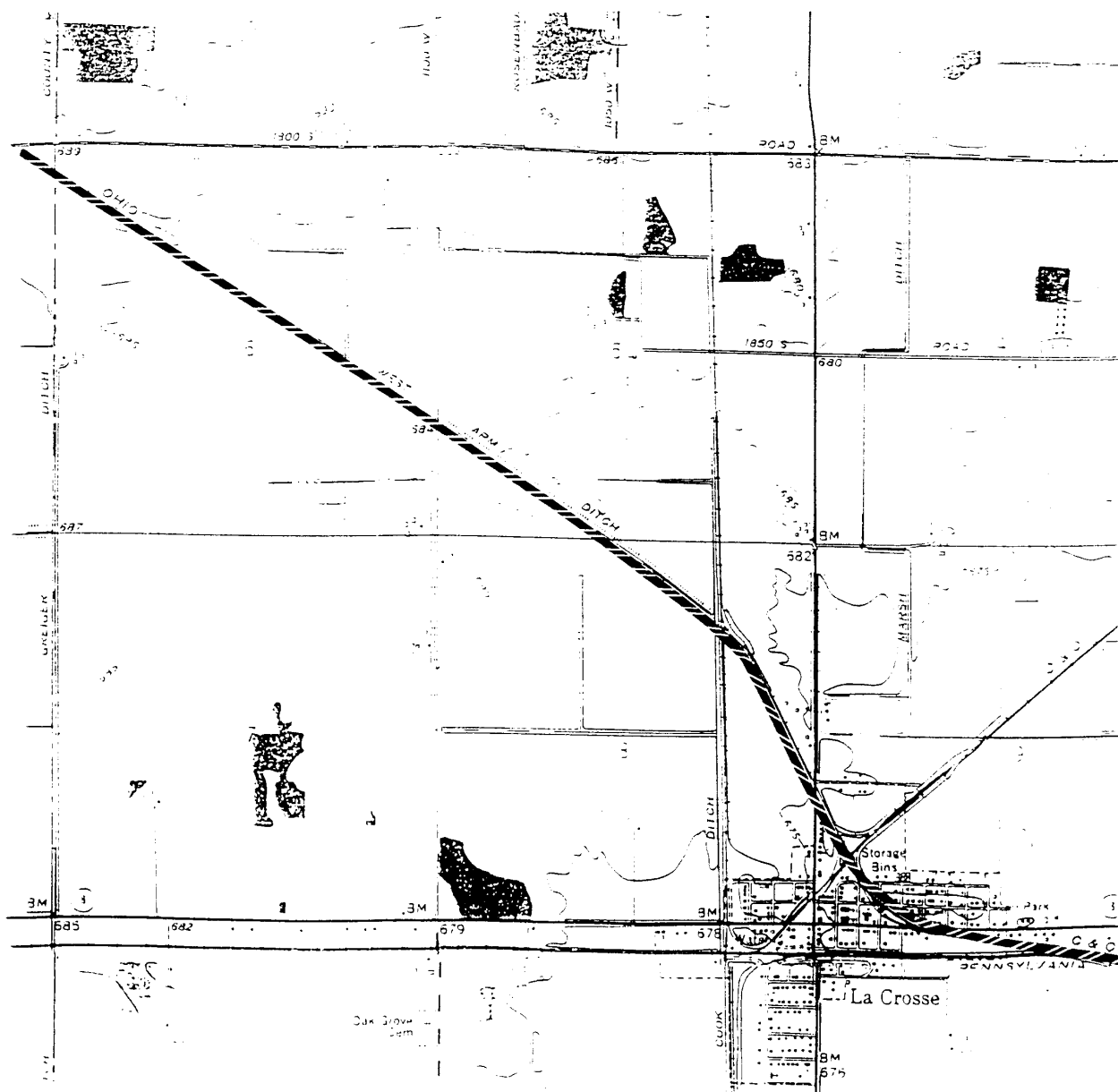
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

English Lake Quadrangle
Indiana
1959
Page 2 of 2



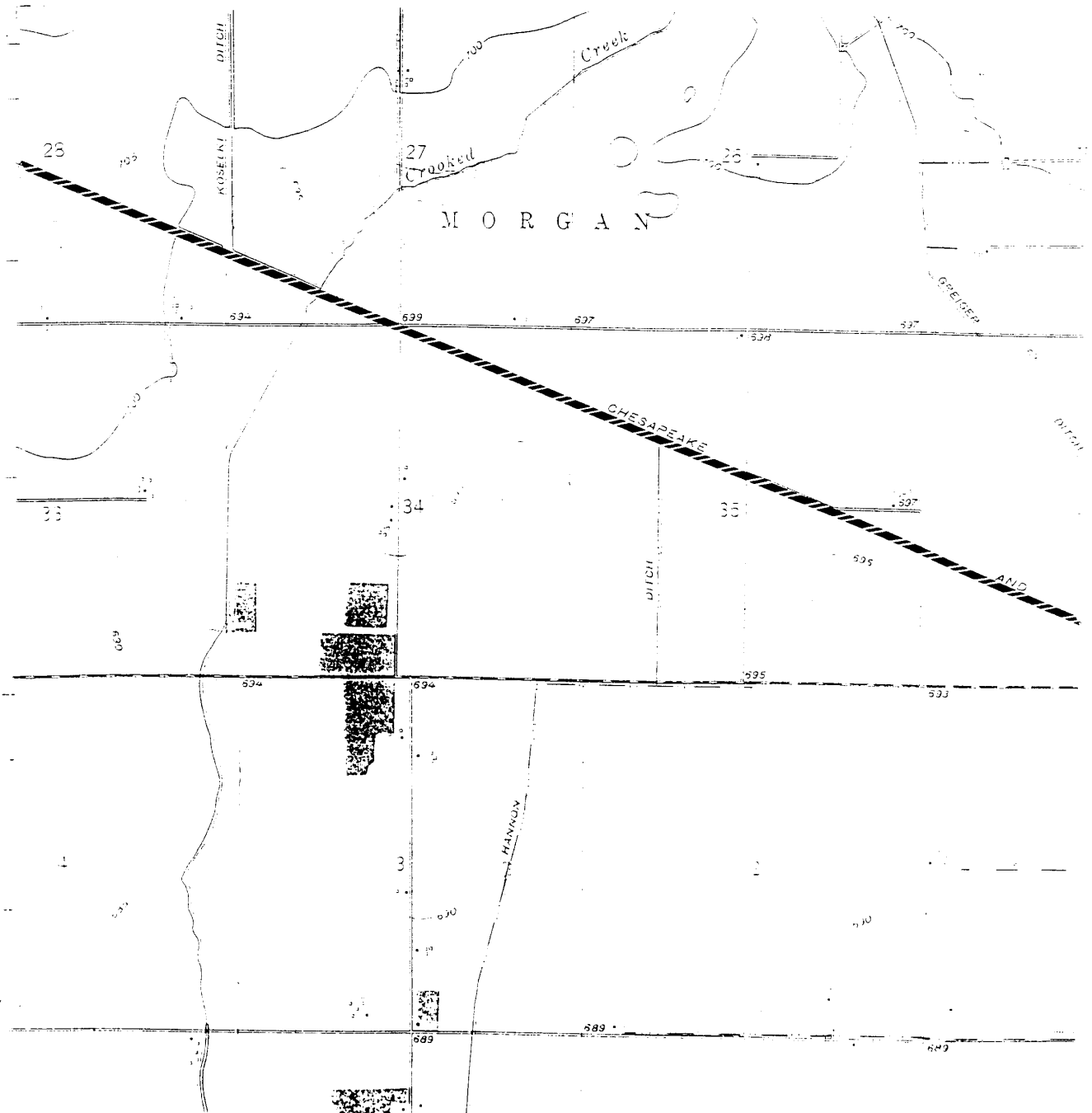
U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

La Crosse Quadrangle
Indiana
1958
Page 1 of 2

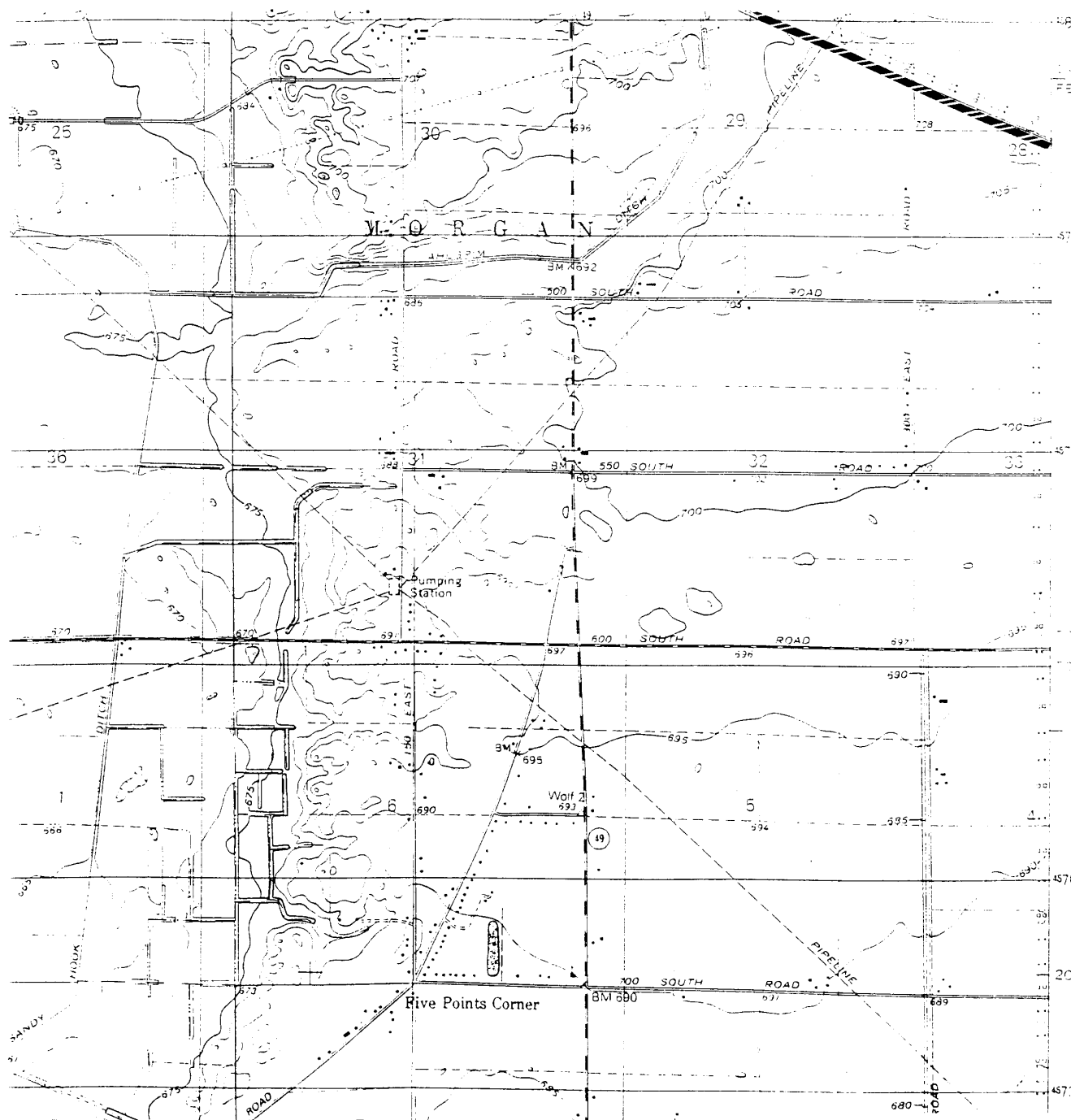


U. S. DEPT. OF THE INTERIOR
GEOLOGICAL SURVEY

La Crosse Quadrangle
Indiana
1958
Page 2 of 2



Kouts Quadrangle
Indiana
1992
Page 1 of 1



1992

Page 1 of 1

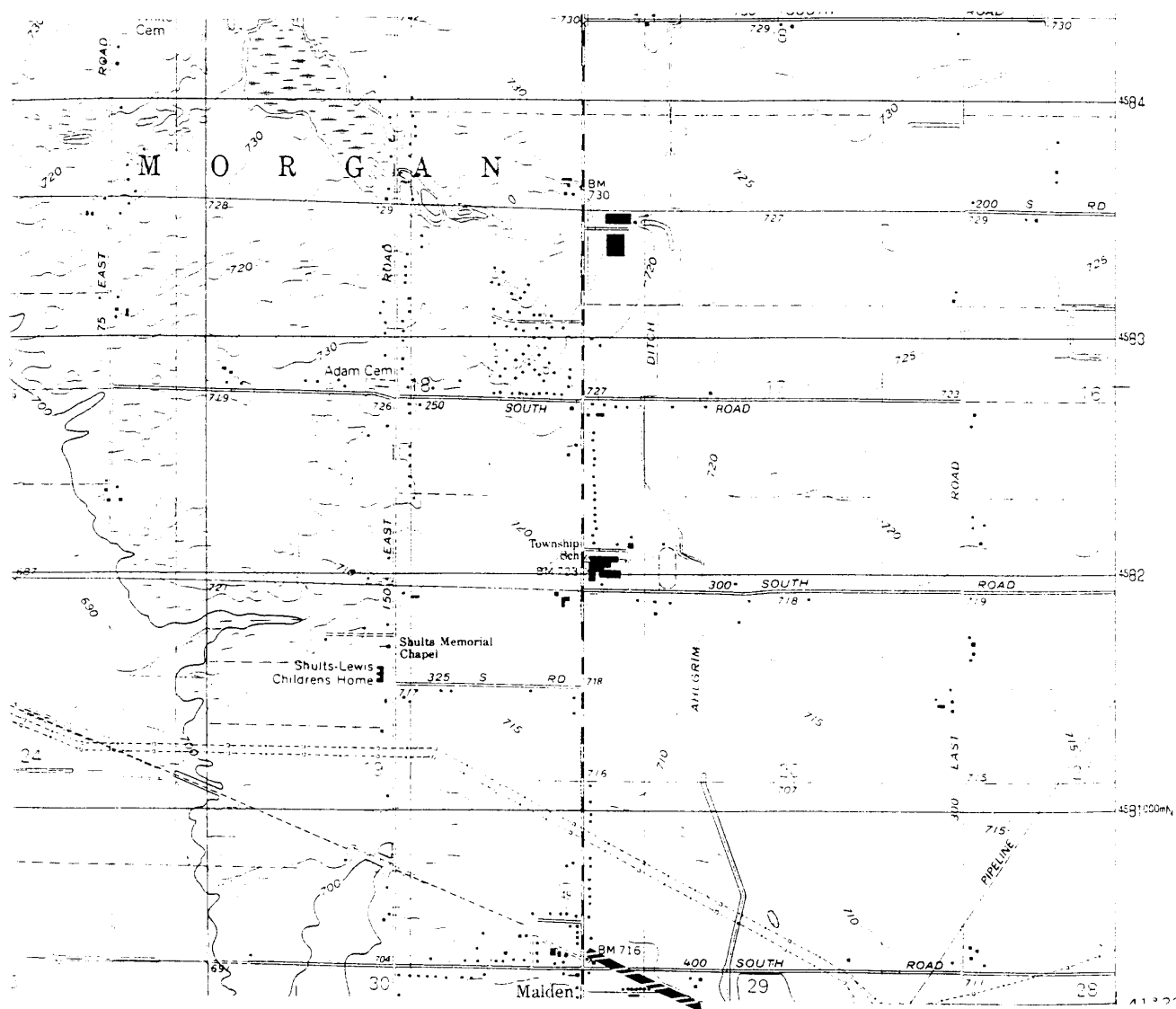


EXHIBIT D

CERTIFICATE OF COMPLIANCE WITH NOTICE REQUIREMENTS OF
49 C.F.R 1105.11

In accordance with 49 C.F.R. § 1105.7(b), I hereby certify that on September 12, 2003, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Mr. Larry Goode
Indiana Department of transportation
Multimodal Division
100 North Senate Avenue, Room N901
Indianapolis, IN 46204

Regional Director
National Park Service - Midwest Region
1709 Jackson Street
Omaha, NE 68102

Mr. Edward J. McKay
Chief Spatial Reference System Division
DOC/NOAA
National Geodetic Survey N/NGS2
1315 East West Highway Station 8813
Silver Spring, MD 20910-3282

Mr. James Schwanke
District Conservationist
Natural Resources Conservation Service
1406 S. Heaton Street
Knox, IN 46534-2395

Ms. Theresa Wojkovich
District Conservationist - LaPorte County
Natural Resources Conservation Service
100 Legacy Parkway
LaPorte, IN 46350-5298

District Conservationist - Porter County
Natural Resources Conservation Service
3001 Leonard Drive

Valparaiso, IN 46373-2733

Robert M. Tucker
Chief, Enforcement Branch
U.S. Army Corps of Engineers - Detroit District
Box 1027
Detroit, MI 48231-1027

Mr. Scott E. Pruitt, Field Supervisor
U.S. Department of the Interior
Fish & Wildlife Service
620 South Walker Street
Bloomington, IN 47403-2121

Indiana Dept. of Environmental Management
Indiana Government Center
100 North Senate Avenue - P.O. Box 6015
Indianapolis, IN 46204

Kenneth A. Westlake
Chief, Environmental Planning and Evaluation Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Town of North Judson
P.O. Box 56
North Judson, IN 46366

Town of LaCrosse
P.O. Box 246
LaCrosse, IN 46348

Laporte County Planning Commission
813 Lincolnway Avenue
LaPorte, IN 46350

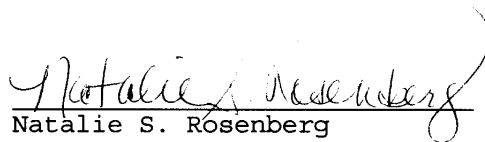
Porter County Planning Commission
155 Indiana Avenue
Valparaiso, IN 46383

Starke County Planning Commission
53 E. Mound Street
Knox, IN 46534

In accordance with 49 C.F.R. 1105.8(c), I hereby
certify that on August 18, 2003, a copy of the Historic Report

was served upon the below listed party, by first-class mail,
postage prepaid:

Mr. Jon C. Smith
Deputy State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 West Washington Street, Room W-274
Indianapolis, IN 46204


Natalie S. Rosenberg

October 31, 2003

Jacksonville, FL September 25, 2003

Ms. N. Rosenberg – J150

RE: IN-001 – CSXT Proposed Abandonment, Western Region, Chicago Division, Wabash Subdivision, from Milepost from LaCrosse (Milepost CF-0.63) to Wellsboro (Milepost CF 15.23) and from North Judson (Milepost CI-212.55) to Malden (Milepost CI-230.92), a total distance of 32.97 miles in LaPorte, Porter and Starke Counties, Indiana.
STB Docket AB-55 (Sub-No. 643X)

In preparation for filing a Petition for Exemption on the above-referenced line segment, listed below are the carloads handled over the line for the years 2001, 2002 and 2003 (through June 2003):

<u>PATRON</u>	<u>STATION</u>	<u>COMMODITY</u>	<u>CARLOADS</u>		
			<u>2001</u>	<u>2002</u>	<u>2003</u>
La Porte County Farm Bureau P.O. Box 96 Union Mills, IN 46382	Malden	Corn, Soybeans Chemicals, Fly Ash	476	447	107
Bruder Fertilizer, Inc. 6666 West 2100 South LaCrosse, IN 46348	La Crosse	Chemicals	14	24	16
North Judson Interchange Mr. Al Satunas Toledo, Peoria and Western Railroad 1990 E. Washington Street E. Peoria, IL 61611-2961	North Judson	Corn, Soybeans Chemicals	714	326	0
TOTAL			1204	797	123

The LaPorte County Farm Bureau facility located at Wellsboro, Indiana, will continue to be served and is not impacted by this abandonment. Their Malden location will have to utilize motor carrier as a means of alternative transportation.

Bruder Fertilizer is not physically located along the railroad right-of-way. They currently transload their carloads from a side track. Another transload location is being explored as a possible alternative to the La Crosse location. Bruder Fertilizer could also utilize motor carrier as a means of alternative transportation.

The Toledo, Peoria and Western Railroad (TPW) previously interchanged with CSX at North Judson. TPW has ceased interchanging with CSX at North Judson due to lack of business, and they have filed for discontinuance of service of this line under STB Docket No. AB-847 (Sub No. 1X).

There are no defense installations served by this line or in the immediate vicinity.


 Heidi Bash
 Director - CSXT Asset Management

Exhibit 1

CSX Transportation, Inc.
Line Segment: Wabash Sub, IN

	Base Year ending June 30, 2003	Forecast Year beginning October 1, 2003	Subsidy Year ending December 31, 2004
	368 CL	368 CL	368 CL
Revenues Attributable			
1. Freight Originated &/or Terminated On Branch	\$616,860	\$641,534	\$647,703
2. Bridge Traffic	-0-	-0-	-0-
3. All Other Revenue and Income	11,250	11,250	11,250
4. Total Revenues Attributable (Lines 1 thru 3)	\$628,110	\$652,784	\$658,953
Avoidable Costs			
5. Total On-Branch Costs (Lines 5a thru 5k)	\$240,239	\$240,919	\$241,017
a. Maintenance of Way and Structures	165,000	165,000	165,000
b. Maintenance of Equipment - Locomotives	8,391	8,591	8,625
c. Transportation	44,356	44,632	44,652
d. Joint Facilities	-0-	-0-	-0-
e. Deadheading, Taxi and Hotel	-0-	-0-	-0-
f. Overhead Movement	-0-	-0-	-0-
g. Freight Car Costs (o/t Return on Freight Cars)	7,471	7,676	7,720
h. Return on Value - Locomotives	10,596	10,596	10,596
i. Return on Value - Freight Cars	4,424	4,424	4,424
j. Revenue Taxes	-0-	-0-	-0-
k. Property Taxes	-0-	-0-	-0-
6. Total Off-Branch Costs (Lines 6a and 6b)	\$396,816	\$407,359	\$409,618
a. Off-Branch Costs (o/t Return on Freight Cars)	385,188	395,731	397,990
b. Return on Value - Freight Cars	11,629	11,629	11,629
7. Total Avoidable Costs (Lines 5 and 6)	\$637,055	\$648,278	\$650,635
Subsidization Costs			
8. Rehabilitation	xxxx	xxxx	\$313,610
9. Administration Costs (1%)	xxxx	xxxx	3,136
10. Casualty Reserve Account	xxxx	xxxx	-0-
11. Total Subsidization Costs (Lines 8 thru 10)	xxxx	xxxx	\$316,746
Return on Value			
12. Valuation of Property (Lines 12a thru 12c)	xxxx	\$1,454,323	\$1,454,326
a. Working Capital	xxxx	9,055	9,059
b. Income Tax Consequences	xxxx	(324,683)	(324,683)
c. Net Liquidation Value	xxxx	1,769,950	1,769,950
13. Nominal Rate of Return	xxxx	14.0%	14.0%
14. Nominal Return on Value (Line 12 * Line 13)	xxxx	203,605	203,606
15. Holding Gain (Loss) 1.60%	xxxx	28,319	28,319
16. Total Return on Value (Line 14 less Line 15)	xxxx	\$175,286	\$175,286
17. Avoidable Loss from Operations (Line 7 less Line 4)	\$8,945	(\$4,506)	(\$8,318)
18. Estimated Forecast Year Loss from Operations (Lines 7 and 16 less Line 4)		\$170,780	
19. Estimated Subsidy Year Loss from Operations (Lines 7, 11, and 16 less Line 4)			\$483,715

CSX Transportation, Inc.
Line Segment: Wabash Sub, IN

Notes to Exhibit 1:

*	Base Year	Analysis covers patron, La Porte County Farm Bureau, located at Malden, IN and patron, Bruder Fertilizer, located at La Crosse, IN.
	Carloads	All three periods reflect carloads actually moving in the base year period. The O/T carloads include traffic originated or terminated by CSXT for patrons included in study.
Line 1	Freight Revenues	Base year = total CSXT waybill revenues; Forecast / Subsidy years = Base year revenues with potential increase as identified by CSXT marketing personnel (4% and 5%, respectively).
Line 3	All Other Revenue and Income	Miscellaneous revenue is for a track lease for loading and unloading.
Line 5	Avoidable On-branch Costs	Costs for base year are based on year 2002 unit costs and reflect indexing adjustments. The forecast year and subsidy year costs reflect indexing adjustments.
Line 5a	Maintenance of Way & Structures	Maintenance expenses are estimated at \$5000 per mile per year.
Lines 5g & 5i	On-branch Car Costs	Standard on-branch car cost calculation using year 2002 unit costs for the base year including indexing factors. Forecast year and subsidy year periods reflect indexing factors.
Line 6	Off-branch Costs	CSXT 2001 URCS indexed to the base year, forecast year, and subsidy year periods.
Line 8	Rehabilitation Costs	Expected Capital Costs are \$1,568,050 (\$453,550 for grade crossings and \$1,114,500 for bridges) with an assumed life of 5 years with application at 20% (1 year of 5) of the Capital Costs in the Subsidy Year.
Line 12	Valuation of Property	The net liquidation value is based on an average land value of \$21,800 per mile (\$719,400) and the net salvage value of track was provided by CSXT Engineering Department (\$1,050,550). Income tax consequences are calculated at 37% of land and re-sale track values.

VERIFICATION

I, Ellen M. Preslar, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on October 29, 2003

Ellen M. Preslar
Ellen M. Preslar

VERIFIED STATEMENT

OF

BRUCE A. FOWLER

My name is Bruce A. Fowler and I am an Engineer of Track employed by CSX Transportation, Inc. ("CSXT") with responsibility for the Chicago Division which includes all Chicago area subdivisions and four other lines that reach across Indiana and Illinois. My office is located in Calumet City, Illinois. I am responsible for planning, design, estimating, materials procurement, construction coordination and quality reviews. I have served as an Engineer of Track for approximately 4 years but have worked at CSXT for 25 years holding various positions including: Engineer of Administration, Roadmaster, Assistant Roadmaster and Track Foreman.

This statement is intended to describe the condition of the line proposed for abandonment from Milepost CF 0.63 to CF 15.23 and from Milepost CI 212.55 to CI 230.92 in the Western Region, Chicago Division (the "Line"). Furthermore, I will outline the significant costs to repair the grade crossings on the Line.

The line is classified as Excepted Track. In order to continue to use the Line for grain traffic, CSXT would be required to make a significant investment in the Line due to the number of grade crossings that require replacement. There are 61 grade crossings located on the Line proposed for abandonment. I have reviewed the condition of each crossing and have devised a three-year plan for the renewal of the crossing surfaces to ensure public safety.

In my opinion, 41 of the grade crossing surfaces will require replacement during 2004. These 41 grade crossings measure a total of 1,175 track feet. CSXT estimates that it costs approximately \$386.00 per track foot to replace grade crossing surfaces. As such, CSXT would be required to spend approximately \$453,550.00 in 2004 on grade crossing renewal.

Eleven grade crossing surfaces will likely require replacement during 2005. These 11 grade crossings measure a total of 395 track feet. Therefore, CSXT estimates that it would cost approximately \$152,470.00 to renew these crossing surfaces in 2005.

Finally, I believe that nine grade crossing surfaces will likely require renewal in 2006. Because several of these grade crossings are on major public roads, these nine grade crossings measure a total of 506 track feet. Therefore, CSXT estimates that it would cost \$195,316.00 to renew these crossing surfaces in 2006.

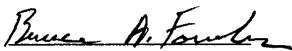
The total cost for grade crossing renewal over the proposed three-year period would be approximately \$801,336.00.

Based on my experience, I suspect that the Line will need to be taken out of service at some point within the next two years absent a significant tie replacement program, regardless of whether the above work is completed.

VERIFICATION

I, Bruce A. Fowler, verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed October 27, 2003.


Bruce A. Fowler

VERIFIED STATEMENT

OF

RICHARD P. GARRO, JR.

My name is Richard P. Garro, Jr. and I am Assistant Chief Engineer Bridge Maintenance for CSX Transportation, Inc. ("CSXT"). My office is located at Liberty Business Park, 4901 Belfort Road, Suite 130, Jacksonville, Florida 32256. My duties include supervising the design, construction and maintenance of railroad bridges and other structures on the CSXT system. I began my railroad career in 1974 as a Management Trainee at Norfolk Southern Railroad. I was promoted to various engineering positions at Norfolk Southern, eventually becoming a Senior Engineer in 1991. In 1996, I accepted the position of Assistant Chief Engineer Bridge Maintenance for CSXT and have held that position since that time.

This statement describes the condition of the bridges on the Wabash Subdivision on the line proposed for abandonment from Milepost CF 0.63 to CF 15.23 and from Milepost CI 212.55 to CI 230.92 in the Western Region, Chicago Division (the "Line"). Although there are 15 bridges on the Line, the bridges that require significant work are primarily located on the portion of the Line between CF 0.63 and CF 15.23.

I have not personally inspected the bridges on the Line lately but have spoken with the local CSXT Bridge Supervisor, R. M. Perry, who has day-to-day responsibility for the bridges. In addition, I have reviewed the most recent bridge inspection reports applicable to the bridges on the Line. Over the years, the bridges have been inspected following the industry standards for bridge inspections outlined in CSXT Fundamentals of Railroad Bridge Inspection.

A typical timber railroad bridge has a life span of approximately 50 years, sometimes longer, depending on the rate of decay, the quality of timber used and the quality of the

preservative treatment, among other factors. When the cost of repairing a bridge is so great that it is not economically feasible to maintain and it becomes unsafe to operate on the bridge, the life of that bridge is considered to have ended. Because there are several bridges on the Line that have effectively reached the end of their useful lives, if the Line were to remain in service, CSXT would be required to make a significant investment in bridge work. This verified statement only addresses the most immediate bridge repair needs. There are ten other bridges on the Line, three of which were originally constructed in the 1920's, that will also require continued maintenance and rehabilitation.

The first bridge on the Line in need of replacement is located at Milepost CF 1.80. Bridge No. 1.8 is a five span timber bridge originally built around 1922, which measures approximately 72.50 feet in length. In my opinion, this bridge has reached the end of its useful life and requires replacement. I have estimated that it would cost approximately \$217,500.00 to replace this bridge.

The second bridge on the Line in need of replacement is located at Milepost CF 4.40. Bridge No. CF 4.4 is a four span timber bridge originally built around 1927, which measures approximately 56 feet in length. In my opinion, this bridge has reached the end of its useful life and requires replacement. I have estimated that it would cost approximately \$168,000.00 to replace this bridge.

The third bridge on the Line in need of replacement is located at Milepost CF 8.40. Bridge No. CF 8.4 is a seven span timber bridge originally built around 1926. It is in particularly poor condition. The bridge measures approximately 94.50 feet in length. In my opinion, this bridge has reached the end of its useful life and requires replacement. I have estimated that it would cost approximately \$283,500.00 to replace this bridge.

The fourth bridge on the Line in need of replacement is located at Milepost CF 10.60. Bridge No. CF 10.60 is a three span timber bridge originally built around 1925, which measures approximately 40.50 feet in length. In my opinion, this bridge has also reached the end of its useful life and requires replacement. I have estimated that it would cost approximately \$121,500.00 to replace this bridge.

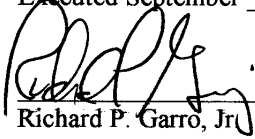
The fifth and final bridge on the Line in need of imminent replacement is located at Milepost 13.30. Bridge No. CF 13.3 is an eight span timber bridge originally built around 1928, which measures approximately 108 feet in length. I have estimated that it would cost approximately \$324,000.00 to replace this bridge.

The total cost to replace these five bridges at one time would be approximately \$1,114,500.00 (approximately 15% of this cost would be allocated as capital expenses for items such as flagging, falsework and debris removal). I believe that the total cost would be higher if the five bridges were replaced one or two at a time because labor, material, and construction efficiencies are attained by replacing all of these similar bridges at once. Although a few of these bridges could probably be patched significantly at least one more time before being taken out of service, the reality is that these bridges are all approximately 75 years old and have outlived their useful lives. Replacement is the only viable remedy. These five bridges are so close to being taken out of service that it only makes sense for CSXT to replace them all at once. Even if repairs were performed to a few of the bridges rather than replacement, it would end up costing more in the long run because the repaired bridges would likely still need to be replaced within 3 years. As such, the only reasonable alternative for CSXT is to marshal all of the materials and forces to do the work once.

VERIFICATION

I, Richard P. Garro, Jr., verify under penalty of perjury under the laws of the United States that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed September __, 2003



Richard P. Garro, Jr.

CERTIFICATE OF SERVICE

I certify that on October 31, 2003, I served by first-class mail, postage prepaid, a copy of the foregoing Petition for Exemption on the following:

MTMCTEA

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

National Park Service
Recreation Resources Division
1849 C Street NW
Washington, D.C. 20240-0001

National Park Service
Land Resources Division
1849 C Street NW
Washington, D.C. 20240-0001

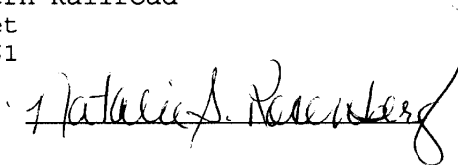
U. S. Department of Agriculture
Chief of the Forest Service
1849 C Street NW
Washington, D.C. 20240-0001

Mr. Mike Schime, Railroad Section Manager
Indiana Department of Transportation
100 North Senate Avenue
IGC-N, Room 901
Indianapolis, Indiana 46204-2219

LaPorte County Farm Bureau
P.O. Box 96
Union Mills, IN 46382

Bruder Fertilizer, Inc.
6666 West 2100 South
LaCrosse, IN 46348

Mr. Al Satunas
Toledo, Peoria and Western Railroad
1990 E. Washington Street
E. Peoria, IL 61611-2961



STB Docket No. AB-55 (Sub-No. 643X)

Notice of Petition for Exemption to Abandon

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The line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the labor protective conditions imposed in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption. .

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after

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notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

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