

220062



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Law

Thomas J. Healey
Counsel - Regulatory

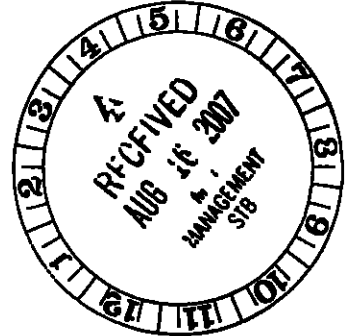
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

August 15, 2007

Surface Transportation Board
ATTN: Vernon Williams, Secretary
395 I Street, SW,
Washington, DC 20424

ENTERED
Office of Proceedings
AUG 16 2007
Part of
Public Record



Re Environmental Report, Historic Report and Required Certifications for
Docket No. AB-88 (Sub-No. 12X),
Bessemer and Lake Erie Railroad Company - - Petition For Exemption for
Abandonment in Butler County, Pennsylvania

Dear Mr. Williams

Bessemer and Lake Erie Railroad Company ("B&LE") intends to file a Petition For Exemption for the above-referenced proposed abandonment any time on or after September 12, 2007. Enclosed for the above-referenced Abandonment Exemption are the following documents, which are required by 49 C.F.R. Part 1105:

1. An original and ten copies of the Environmental/Historic Report,
2. An original and ten copies of the transmittal letter that accompanied the reports, and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Please stamp and return the duplicate copy of this letter to my attention to indicate that you received the items listed.

Feel free to call me if you have any questions.

Respectfully submitted,

Thomas J. Healey
Attorney for
Bessemer and Lake Erie Railroad Company

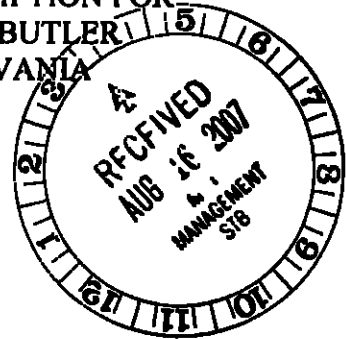
Encls

Docket No AB-88 (Sub-No. 12X)

BESSEMER AND LAKE ERIE
RAILROAD COMPANY

PETITION FOR EXEMPTION FOR
ABANDONMENT IN BUTLER
COUNTY, PENNSYLVANIA

To: Vernon A Williams, Secretary
Surface Transportation Board (STB)
395 E Street, SW
Washington, DC 20424



CERTIFICATE OF COMPLIANCE WITH 49 C F R PART 1105

I hereby certify that on August 15, 2007, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C F R § 1105.7(b), all agencies consulted in preparing the reports, and on the Pennsylvania Department of Archives and History. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Bessemer and Lake Erie Railroad Company intends to file its Petition For Exemption in the above-captioned matter no earlier than September 12, 2007. All appropriate agencies as listed in 49 C F R § 1105.7(c) have been consulted well in advance of preparing the Environmental Report.

I also certify that a newspaper notice was published on June 24, 2007, in the *Butler Eagle*, a newspaper of general circulation in Butler County, Pennsylvania. The notice alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notice is attached to this certificate as Attachment B.

Dated this 15th day of August, 2007

A handwritten signature in cursive script, reading "Tom Healey".

Thomas J Healey

Attorney for Bessemer and Lake Erie Railroad Company

Pennsylvania State Clearinghouse
Health & Welfare Building
7th & Forster Streets
Harrisburg, PA 17120

Pennsylvania Coastal Resources Management
Program
Water Planning Office
2nd Floor
400 Market Street
Harrisburg, PA 17105-2063

US EPA Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029

Ms Tammy Palmatier
U.S Fish & Wildlife Service
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, PA 16801-4850

Mr Ed Voigt
U S Army Corps of Engineers
Philadelphia District
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390

Natural Resources Conservation Service
Butler County Field Office
625 Evans City Road, Suite 102
Butler, PA 16001

Mr. Terry J LaFountain, P L S.
National Geodetic Survey
CORS, Harrisburg, PA
N/NGS1, SSMC3, 1315 East-West Highway
Silver Spring, MD 20910-3282

Mr Jim Rhea, Manager
USDA
Butler County Local Office
625 Evans City Road, Suite 101
Butler, PA 16001-8704

Mr Scott Lowe, Commissioner
Board of Commissioners
5th Floor, County Government Center
124 West Diamond Street
PO Box 1208
Butler, PA 16003

PennDOT Central Office
Keystone Building
400 North Street
Harrisburg, PA 17120

Ms Chrysandra Walter, Regional Director
Northeast Region
National Park Service
U S Custom House
200 Chestnut St., 5th Floor
Philadelphia, PA 19106

Ms Kelly Burch, Regional Director
PA Department of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335-3481

Mr Douglas C McLearen, Chief
Bureau for Historic Preservation
Commonwealth keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093

Proof of Publication of Notice in Butler Eagle

Under Act No 587, Approved May 16, 1929

State of Pennsylvania,
County of Butler

Donna Bobby Of the Eagle Printing Company, Inc , of the County and State aforesaid, being duly sworn, deposes and says that the BUTLER EAGLE, a newspaper of general circulation published at 114 West Diamond Street, City of Butler, County and State aforesaid, was established 1869, since which date the BUTLER EAGLE has been regularly issued in said County, and that the printed notice or publication attached hereto is exactly the same as was printed and published in the regular editions and issues of the said BUTLER EAGLE on the following dates, viz.

_____ and the
24th Day of June A D 2007

Affiant further deposes that the Ad Taker is duly authorized by the EAGLE PRINTING COMPANY, a corporation, publisher of said BUTLER EAGLE, a newspaper of general circulation, to verify the foregoing statement under oath, and Affiant is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statements as to time, place and character of publication are true

Donna Bobby
Butler Eagle

Copy of Notice or Publication

LEGAL NOTICE
THE BESSEMER AND LAKE
ERIE RAILROAD COMPANY
gives notice that, on or
after July 31, 2007, it intends
to file with the Surface
Transportation Board,
Washington, DC 20423, a
notice of exemption under
49 CFR 1152. Subpart F:
Exempt Abandonments, per-
mitting the abandonment of
approximately 3.67 miles of
railroad line between mile-
post 0.00 and milepost 3.67
in Butler County, Branchton
to Annendale, Pennsylvania,
which line traverses through
U.S. Postal Zip Codes
16020 and 16021. The pro-
ceeding will be docketed as
AB-88 (Sub No. 12X).
The Board's Section of
Environmental Analysis
(SEA) will generally prepare
an EA. The Environmental
Assessment (EA), which will
normally be available 25
days after the filing of the
notice of exemption.
Comments on environmental
and energy matters should
be filed no later than 15 days
after the EA becomes avail-

Sworn to and subscribed before me this 24th
Day of June 2007

[Signature]
Notary Public
My Commission Expires:

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Ronald A. Vodenichar, Notary Public
City Of Butler, Butler County
My Commission Expires July 12, 2008

Member, Pennsylvania Association Of Notaries

Statement of Advertising Costs

CN Law Department

17641 South Ashland Avenue

Homewood IL 60430



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Thomas J. Healey
Counsel - Regulatory

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T - 708-332-4381
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tom.healey@cn.ca

August 15, 2007

**Re: Bessemer and Lake Erie Railroad Company Petition For Exemption for Abandonment –
Butler County, Pennsylvania - Docket AB-88 (Sub-No. 12X)**

To Whom It May Concern

Any time on or after September 12, 2007, Bessemer and Lake Erie Railroad Company ("B&LE") expects to file with the Surface Transportation Board ("STB") a Petition for Exemption seeking authority to abandon a railroad line located between milepost 0.00 and milepost 3.67, a distance of 3.67 miles, in Butler County, Pennsylvania. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

B&LE will file the Environmental Report and Historic Report with the STB on or about August 15, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for
Bessemer and Lake Erie Railroad Company

Encls

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB-88 (SUB-NO. 12X)

**BESSEMER AND LAKE ERIE RAILROAD COMPANY
-- PETITION FOR EXEMPTION FOR ABANDONMENT--
IN BUTLER COUNTY, PENNSYLVANIA**

ENVIRONMENTAL/HISTORIC REPORT

Bessemer and Lake Erie Railroad Company ("B&LE") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives B&LE seeks to abandon its line of railroad extending from milepost 0.00 to milepost 3.67 in Branchton, Pennsylvania (the "Line"). The Line is situated in Butler County, Pennsylvania and extends a total distance of approximately 3.67 miles.

This Environmental Report is submitted in anticipation of B&LE's Petition for Exemption to abandon the above-mentioned Line. The Line is operated as FRA Class III. It has been primarily used to service one customer, J.S. McCormick ("JSM"). B&LE has worked with JSM to provide a transloading operation to serve their facility. See attached

correspondence as **Appendix A**. There are no additional customers on this Line. There is no overhead traffic to be rerouted to other lines.

Following abandonment, B&LE intends to salvage rail, ties and track materials from the Line. The rail bed and subgrade of the Line will remain in place and not be disturbed. There are two bridges located along this segment of line. The track will be removed from these bridges. B&LE has heard that state or local parties may be interested in potential trails use of the Line.

A map showing the location of the Line is attached herein as **Appendix B**.

2 Transportation System B&LE does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment.

B&LE has contacted and requested comments from the Pennsylvania Department of Transportation. See correspondence attached herein as **Appendix C**. The DOT has not yet responded.

3 Land Use

(i) B&LE does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the Board of Commissioners, the Pennsylvania State Clearinghouse, and the National Geodetic Survey. See correspondence attached herein as **Appendix D, E, and F**, respectively. There has been no response to date.

(ii) The proposed abandonment lies entirely within the city limits of Branchton, Pennsylvania. The USDA for Butler County has been contacted and requested comments. See correspondence attached herein as **Appendix G**. There has been no response to date.

(iii) The Pennsylvania Department of Environmental Protection, Coastal Zone Management Program has been contacted and comments have been requested. See correspondence attached herein as **Appendix H**. As stated in their response, this abandonment is located outside of Pennsylvania's Lake Erie coastal zone and will not have an impact on that zone.

(iv) B&LE is not aware of any alternative public use under 49 U.S.C. § 10905 for which the right-of-way of this track would be suitable. As indicated above, however, B&LE believes that interest may exist for use of this right-of-way as a recreational trail.

4 Energy

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and B&LE foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on the Line and thus there will be no changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

5 Air

(i) Not applicable Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment

(ii) Not applicable. Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C F R §1105 7(c)(5)(ii)(A), (B) or (C)

(iii) Not applicable There are no shipments of ozone-depleting materials on this line, thus nothing will be diverted as a result of this abandonment

6. Noise. Not applicable As indicated above, none of the thresholds identified in 49 C F.R. § 1105 7(c)(6) will be exceeded as a result of the abandonment

7 Safety

(i) The proposed action will have no adverse effect upon public health or safety During any salvage operations on the track, precautions will be taken to ensure public safety

(ii) Not applicable To B&LE's knowledge, no hazardous commodities were ever handled on this Line Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials

(iii) To the best of B&LE's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved Therefore, B&LE believes that its abandonment will not have any adverse impact on this site

8 Biological Resources

(i) The U S Fish and Wildlife Service indicated that there are no threatened or endangered species affected by this proposed abandonment. Salvage operations will be handled within the right-of-way using existing access routes. See correspondence attached as **Appendix I**.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected B&LE has contacted and requested comments from the National Park Service See correspondence attached herein as **Appendix J** There has been no response to date

9. Water Any water quality effects of the proposed abandonment should be minimal, if any at all. B&LE does not intend to alter the contour of the roadbed underlying this line in connection with the proposed abandonment B&LE likewise does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act.

(i) The Natural Resources Conservation Service has been contacted and comments requested. There have been no comments to date See correspondence attached herein as **Appendix K**

(ii) B&LE also requested comments from the Army Corps of Engineers There have been no comments to date See correspondence attached herein as **Appendix L**

(iii) The US Environmental Protection Agency has been contacted and we have requested comments from them See correspondence attached herein as

Appendix M B&LE believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action

10. Proposed Mitigation. As no adverse impact is anticipated, B&LE does not propose any mitigation activities.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1 Map. A map of the Line is attached hereto as **Appendix B**

2 Description of Line The line to be abandoned extends from milepost 0.00 to milepost 3.67 in Branchton, Pennsylvania. The Line is situated in Butler County, Pennsylvania and extends a total distance of approximately 3.67 miles, or 22,299 feet

3. Photographs Attached as **Appendix N** are copies of color photographs of the Line. Color photographs have been provided to the State Historic Preservation Officer ("SHPO") within the Bureau for Historic Preservation

4. Information on Structures There are no buildings or structures within the proposed Line abandonment. On this Line, there are two crossings – one private and one public, twenty-two culverts - which are a mixture of timber and concrete boxes, and two bridges

5 History of Operations. This Line was used to provide rail service to J S McCormick Co., which is a wholesale company dealing in minerals and ores

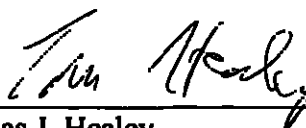
6 Engineering Documents. B&LE will disclose any documents, or drawings that might be useful in preparation for this abandonment

7. Historic Criteria. Based on readily available information in its possession, B&LE believes that no site or structure listed in or meeting the criteria for listing in the Natural Register of Historic Places is located on the Line or will be affected by the abandonment. As noted above, there are no buildings or structures located within the proposed abandonment area. B&LE also believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. B&LE has contacted and given notice of the proposed abandonment to The State Historic Preservation Officer within the Pennsylvania Historical and Museum Commission. See correspondence attached as **Appendix O**. The Commission has stated that they do not oppose this proposed abandonment.

8. Ground Disturbances The abandonment activities should have no impact upon the ground as B&LE simply intends on removing the rail and ties and leaving the right-of-way intact for possible trail-conversion purposes. Access to the line is generally good.

Dated: August 15, 2007

Respectfully submitted,



Thomas J. Healey
Attorney for the Bessemer &
Lake Erie Railroad Company
c/o CN
17641 South Ashland Avenue
Homewood, IL 60430-1345
Telephone 708-332-4381
Fax. 708-332-4361



THE J. S. McCORMICK CO.

1043 BRANCHTON RD , BOYERS, PENNSYLVANIA 16020-6822

TELEPHONE (724) 794-6356 / FAX (724) 794-5882

June 7,2007

Mr Brian Buchanan
CN Railroad
17641 South Ashland Ave
Homewood, IL 60430

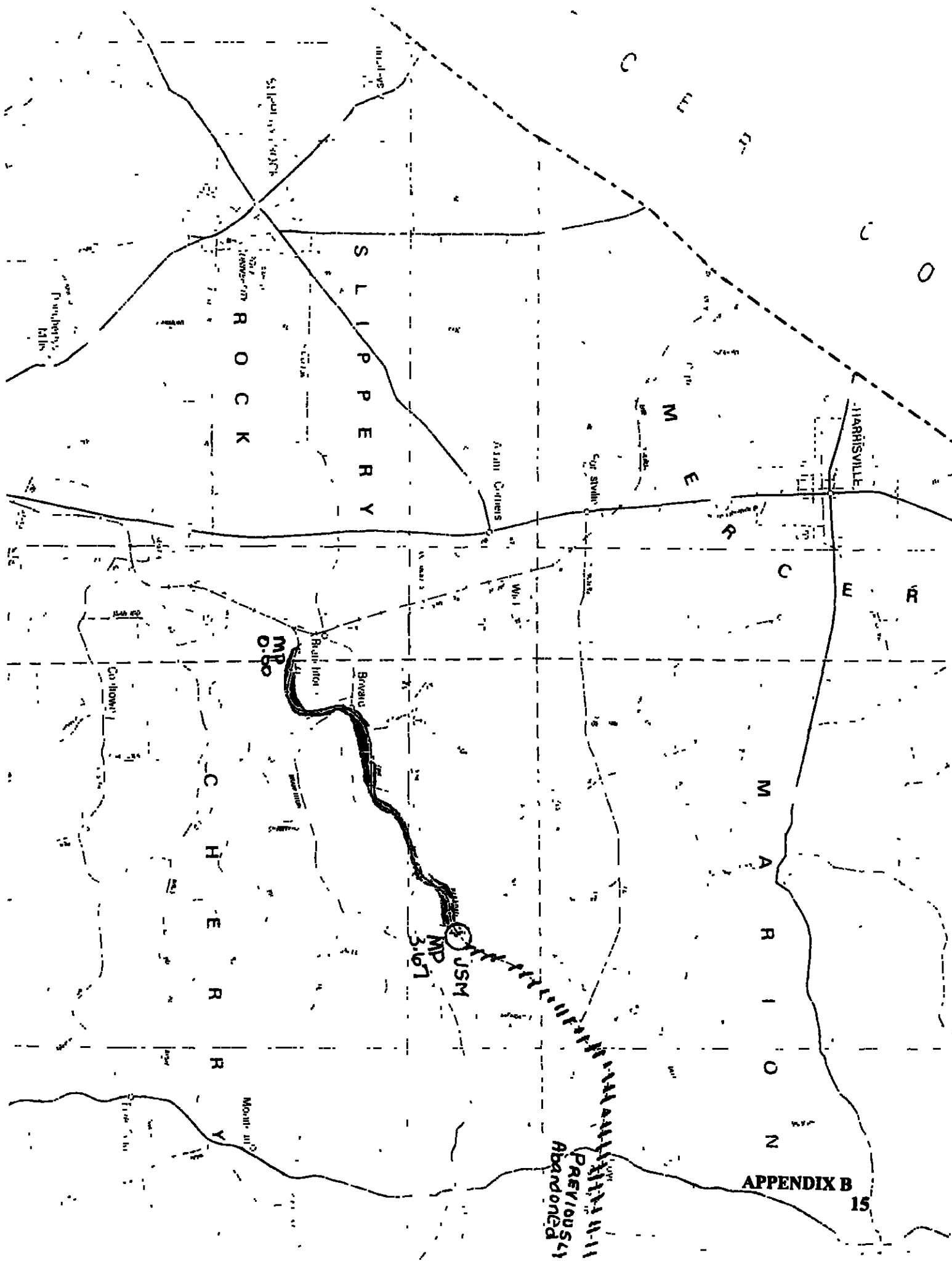
Dear Brian;

As you know, J S McCormick has for many years utilized the rail services of the Bessemer and Lake Erie Railroad Company ("B&LE") Recently, we were advised of B&LE'S intent to seek abandonment authority from the Surface Transportation Board ("STB") for a portion of the Hillard's Branch that serves our facility at Boyers,Pa As we have worked out a transloading operation with B&LE to continue to serve this facility, please be advised that we do not object to the proposed abandonment

I understand that B&LE may submit this letter to the STB as an element of the abandonment proceeding

Sincerely,

Brandon Snyder
President
The J S McCormick Co





www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

PennDOT Central Office
Keystone Building
400 North Street
Harrisburg, PA 17120

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No 12X)

Dear Sir or Madam

Bessemer & Lake Erie Railroad Company ("B&LE") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 3.67 miles of railroad line starting at MP 0.00 and ending at MP 3.67 in Butler County, Pennsylvania. For your convenience, we have attached a map for your reference. B&LE is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX C



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Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
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tom.healey@cn.ca

April 12, 2007

Mr. Scott Lowe, Commissioner
Board of Commissioners
5th Floor, County Government Center
124 West Diamond Street
PO Box 1208
Butler, PA 16003

Re: Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Mr. Lowe:

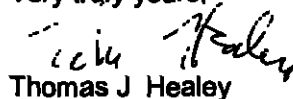
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Thank you for your assistance.

Very truly yours,



Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX D



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

Pennsylvania State Clearinghouse
Health & Welfare Building
7th & Forster Streets
Harrisburg, PA 17120

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No 12X)

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX E



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Counsel - Regulatory

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Homewood, IL 60430-1339

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tom.healey@cn.ca

April 12, 2007

Mr. Terry J. LaFountain, P.L.S.
National Geodetic Survey
CORS, Harrisburg, PA
N/NGS1, SSMC3, 1315 East-West Highway
Silver Spring, MD 20910-3282

Re: Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Mr. LaFountain:

Bessemer & Lake Erie Railroad Company ("B&LE") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 3.67 miles of railroad line starting at MP 0.00 and ending at MP 3.67 in Butler County, Pennsylvania. For your convenience, we have attached a map for your reference. B&LE is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX F



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Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
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tom.healey@cn.ca

April 12, 2007

PA Department of Environmental Protection
Office For River Basin Cooperation
Coastal Zone Management Program
PO Box 2063, 400 Market St., 15th Floor
Harrisburg, PA 17105-2063

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX H

21



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
April 25, 2007

Water Planning Office

717-772-5622

Thomas J Healey
Counsel – Regulatory
CN
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Re: DEP File No. CZ7:FPL

Dear Mr Healy

On April 17, 2007, the Pennsylvania Coastal Resources Management (CRM) Program received your request for information on the following proposed railroad abandonment:

Bessemer and Lake Erie Railroad Company Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania AB-88 (Sub-No. 12X)

The abandonment of rail lines are subject to our federal consistency review under 15 CFR Part 930 Subpart D - Consistency for Federally Licensed and Permit Activities. We have determined that the above rail abandonment is located outside of Pennsylvania's Lake Erie Coastal Zone, and will not impact upon it. Therefore, this rail abandonment is consistent with Pennsylvania's CRM Program.

In conclusion, please note that we are now the Pennsylvania Coastal Resources Management Program, located in the Water Planning Office, on the 2nd Floor at 400 Market Street.

Sincerely,

Lawrence J. Toth
Environmental Planner
Coastal Resources Management Program



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

Ms. Tammy Palmatier
U.S. Fish & Wildlife Service
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, PA 16801-4850

Re: Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Ms. Palmatier:

Bessemer & Lake Erie Railroad Company ("B&LE") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 3.67 miles of railroad line starting at MP 0.00 and ending at MP 3.67 in Butler County, Pennsylvania. For your convenience, we have attached a map for your reference. B&LE is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality,
2. Designated wetlands,
3. 100-year-old flood plains,
4. Endangered or threatened species,
5. Critical habitats,
6. Wildlife sanctuaries or refuges,
7. National or state parks or forests,
8. Coastal zone management,
9. Soil and natural resource conservation,
10. Agricultural land,
11. Regional and/or local use plans, and
12. The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX I

23



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



May 7, 2007

Thomas J Healey
17641 S. Ashland Ave
Homewood, IL 60430-1339

Re USFWS Project # 2007-1587

Dear Mr Healey

This responds to your letter of April 12, 2007, requesting information about federally listed and proposed endangered and threatened species within the area affected by the proposed abandonment of the Bessemer and Lake Erie Railroad line between MP 0 00 and MP 3 67, located in Butler County, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended, 16 U S C. 1531 *et seq*) to ensure the protection of endangered and threatened species

Except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the project impact area. Therefore, no biological assessment nor further consultation under the Endangered Species Act are required with the Fish and Wildlife Service. This determination is valid for two years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office will be necessary. Also, should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

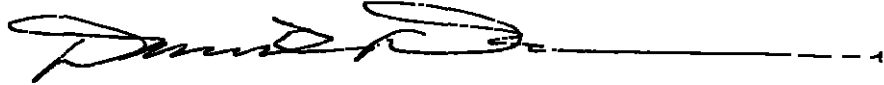
This response relates only to endangered or threatened species under our jurisdiction, based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities

Requests for information regarding State-listed endangered or threatened species should be directed to the Pennsylvania Game Commission (birds and mammals), the Pennsylvania Fish and Boat Commission (fish, reptiles, amphibians and aquatic invertebrates), and the Pennsylvania Department of Conservation and Natural Resources (plants)

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project

Please contact Richard McCoy of my staff at 814-234-4090 if you have any questions or require further assistance

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", followed by a horizontal line.

David Densmore
Supervisor

Enclosure

Federally Listed, Proposed, and Candidate Species in Pennsylvania
(revised August 17, 2006)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status¹</u>	<u>Distribution (Counties and/or Watersheds)</u>
MAMMALS			
Indiana bat	<i>Myotis sodalis</i>	E	Hibernacula. Armstrong, Beaver, Blair, Centre, Fayette, Lawrence, Luzerne, Mifflin and Somerset Co. Maternity sites. Blair, Berks and York Co.
BIRDS			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Nesting. Adams, Armstrong, Berks, Bradford, Bucks, Butler, Cameron, Centre, Chester, Columbia, Crawford, Dauphin, Erie, Forest, Fulton, Huntingdon, Lancaster, Luzerne, Lycoming, McKean, Mercer, Monroe, Montgomery, Montour, Northampton, Northumberland, Pike, Sullivan, Tioga, Venango, Warren, Wayne, Westmoreland and York Co. Winter: near ice-free sections of rivers, lakes and reservoirs (e.g., Delaware River, Pymatuning Reservoir)
Piping plover	<i>Charadrius melodus</i>	E	Designated critical habitat on Presque Isle (Erie Co.). Migratory. No nesting in PA since 1950s, but recent colonization attempts at Presque Isle
REPTILES			
Bog turtle	<i>Clemmys (Glyptemys) muhlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co. <i>Historically found in Crawford, Mercer and Philadelphia Co.</i>
Eastern massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co. <i>Historically found in Allegheny and Lawrence Co.</i>
MUSSELS			
Clubshell	<i>Pleurobema clava</i>	E	French Creek and Allegheny River (and some tributaries) in Armstrong, Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co., Shenango River (Mercer and Crawford Co.) <i>Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Indiana, Lawrence, and Westmoreland Co.</i>
Dwarf wedgemussel	<i>Alasmodonta heterodon</i>	E	Delaware River (Pike and Wayne Co.). <i>Has not been found recently in streams of historical occurrence in the Delaware River watershed (Bucks, Carbon, Chester, Philadelphia Co.) or Susquehanna River watershed (Lancaster Co.)</i>

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status¹</u>	<u>Distribution (Counties and/or Watersheds)</u>
MUSSELS (continued)			
Northern riffleshell	<i>Epiblasma torulosa rangiana</i>	E	French Creek and Allegheny River (and some tributaries) in Armstrong, Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co <i>Has not been found recently in streams of historical occurrence, including: Shenango River (Lawrence Co.), Conewango Creek (Warren Co.)</i>
Rayed bean	<i>Villosa fabalis</i>	C	French Creek and Allegheny River (Armstrong, Clarion, Crawford, Erie, Forest, Mercer, Venango, Warren Co.); Cussewago Creek (Crawford Co) <i>Has not been found recently in 5 streams of historical occurrence in Armstrong, Lawrence, Mercer and Warren Co.</i>
Sheepnose	<i>Plethobasus cyphus</i>	C	Allegheny River (Forest and Venango Co). <i>Has not been found recently in streams of historical occurrence, including: Allegheny River (Armstrong Co.), Beaver River (Lawrence Co.), Ohio River (Allegheny and Beaver Co.), and Monongahela River (Washington Co.)</i>
FISH			
Shortnose sturgeon ²	<i>Acipenser brevirostrum</i>	E	Delaware River and other Atlantic coastal waters
PLANTS			
Northeastern bulrush	<i>Scirpus ancistrochaetus</i>	E	Adams, Bedford, Blair, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder, Tioga, and Union Co <i>Historically found in Northampton Co.</i>
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Centre, Chester and Venango Co <i>Historically found in Berks, Greene, Monroe, Montgomery and Philadelphia Co.</i>

¹ E = Endangered, T = Threatened; P = Proposed for listing; C = Candidate

² Shortnose sturgeon is under the jurisdiction of the National Marine Fisheries Service



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Law

Thomas J Healey
Counsel - Regulatory

17641 S Ashland Avenue
Homewood, IL 60430-1339

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F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

Ms Chrysandra Walter, Regional Director
Northeast Region
National Park Service
U S Custom House
200 Chestnut St , 5th Floor
Philadelphia, PA 19106

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No 12X)

Dear Ms Walter

Bessemer & Lake Erie Railroad Company ("B&LE") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 3.67 miles of railroad line starting at MP 0.00 and ending at MP 3.67 in Butler County, Pennsylvania. For your convenience, we have attached a map for your reference. B&LE is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

- 1 Water quality,
- 2 Designated wetlands,
- 3 100-year-old flood plains,
- 4 Endangered or threatened species,
- 5 Critical habitats,
- 6 Wildlife sanctuaries or refuges,
- 7 National or state parks or forests,
- 8 Coastal zone management,
- 9 Soil and natural resource conservation,
- 10 Agricultural land,
- 11 Regional and/or local use plans, and
- 12 The need for permits under Sections 402 or 404 of the Clean Water Act

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J Healey
Counsel for Bessemer & Lake Erie Railroad Company

28

Encl

APPENDIX J



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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

Natural Resources Conservation Service
Butler County Field Office
625 Evans City Road, Suite 102
Butler, PA 16001

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Sir or Madam:

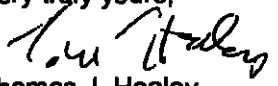
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Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX K



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Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

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F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

Mr. Ed Voigt
U.S. Army Corps of Engineers
Philadelphia District
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390

Re: Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Mr. Voigt:

Bessemer & Lake Erie Railroad Company ("B&LE") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 3.67 miles of railroad line starting at MP 0.00 and ending at MP 3.67 in Butler County, Pennsylvania. For your convenience, we have attached a map for your reference. B&LE is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX L



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

April 12, 2007

US EPA Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed Abandonment in Butler County, Branchton to Annendale, Pennsylvania
AB-88 (Sub-No. 12X)

Dear Sir or Madam:

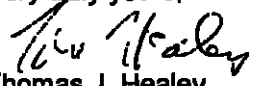
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Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Bessemer & Lake Erie Railroad Company

Encl

APPENDIX M

Tom
Healey/HEALEY03/IL/CNR/C
A

05/08/2007 03 03 PM

To Rebecca Bott/BOTT01/IL/CNR/CA@CNR

cc

bcc

Subject Fw Bessemer Lake Erie RR Co - Butler Co

— Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 05/08/2007 03 03 PM —



"Holden, John"
<johholden@state.pa.us>

05/08/2007 02 57 PM

To <tom.healey@cn.ca>

cc "Williams, Patrick" <patrwillia@state.pa.us>,
<bccd@co.butler.pa.us>

Subject Bessemer Lake Erie RR Co - Butler Co

Mr. Healey - This is in response to your April 12, 2007 letter to Mr. Kelly Burch of this office, regarding the proposed abandonment of 3.67 miles of rail from Branchton to Annendale.

During our telephone conversations we discussed, among other things, who was going to own/operate the bridges/culverts/etc after the abandonment. You indicated that BL&E did not intend to remove any of these water obstructions and encroachments. The ownership of any remaining water obstructions and encroachments is important because the Pennsylvania regulations, 25 Pa Code 105, are specific to the "person" that constructs, operates, maintains, modifies, enlarges or abandons the water obstruction or encroachment (WOE). A permit is required for WOE's. However 105.12 provides for permit waivers for WOE's falling in to 16 separate categories.

You indicated that the ownership determination would be made in the future. I recommend that once that determination is made that you send a letter to my attention that contains a map showing the locations of the WOE's and the ownership status. At that time, DEP will be able to more accurately respond to the permit/waiver issue.

In response to your request to address the potential effects the abandonment has on the 12 items in your letter, the Department recommends:

That you contact the Butler County Conservation District to discuss the need for an erosion and sedimentation control plan; during the rail/tie/ballast removal that erosion and sediment associated with the entire process be controlled using BMPs in the approved erosion and sedimentation control plan (if applicable), that work in/along watercourses, floodway and wetlands be avoided; any work in watercourses, floodways and/or wetlands have prior approval from DEP or the Butler County Conservation District and that you notify the Butler County Commissioners office and the Cherry/Marion township Supervisors of the project, particularly if there are any changes made to the floodplain of Slippery Rock Creek. (See 25 Pa Code 106).

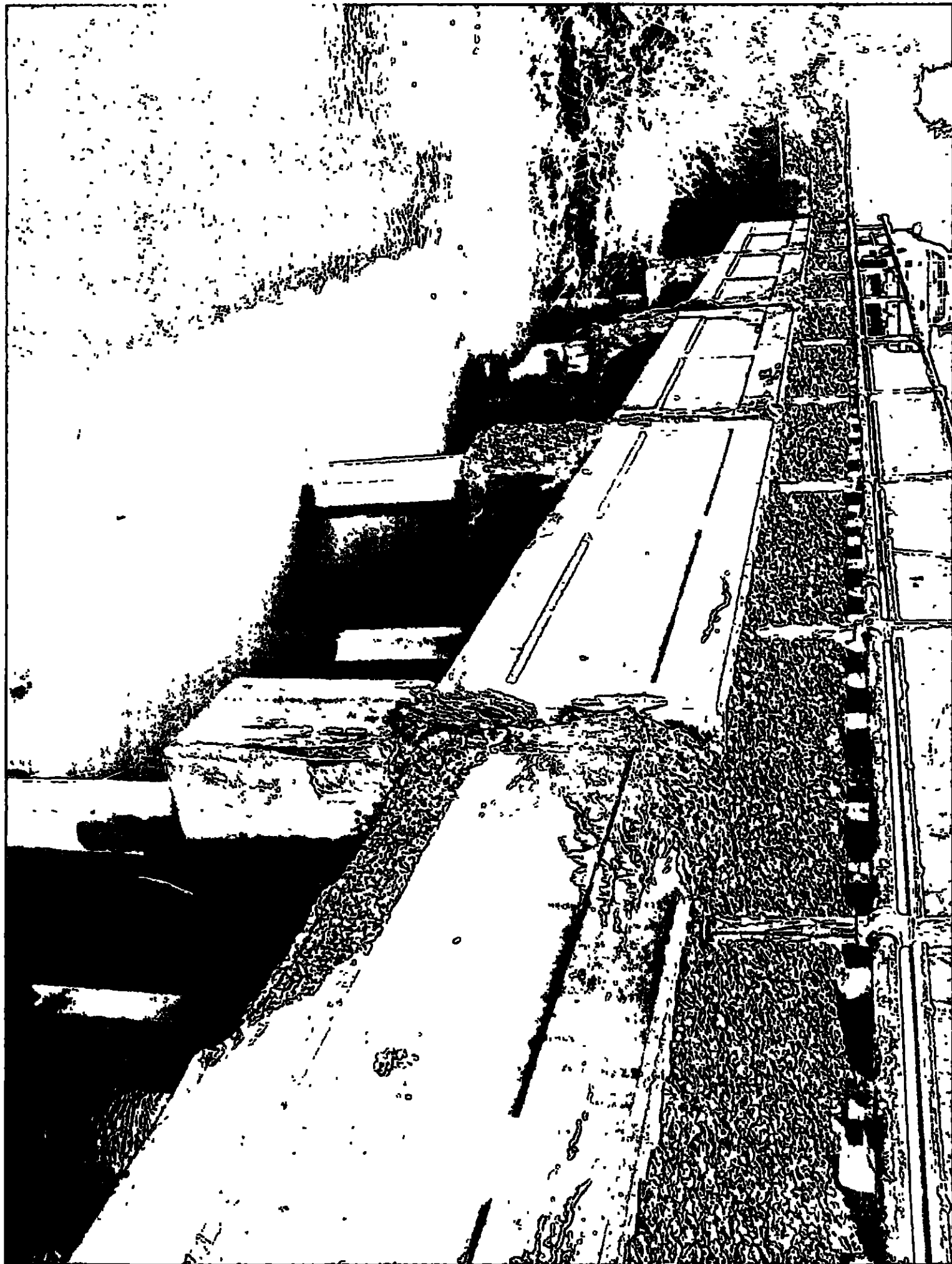
I've copied the Butler County Conservation District on this message and provided them with a copy of your letter.

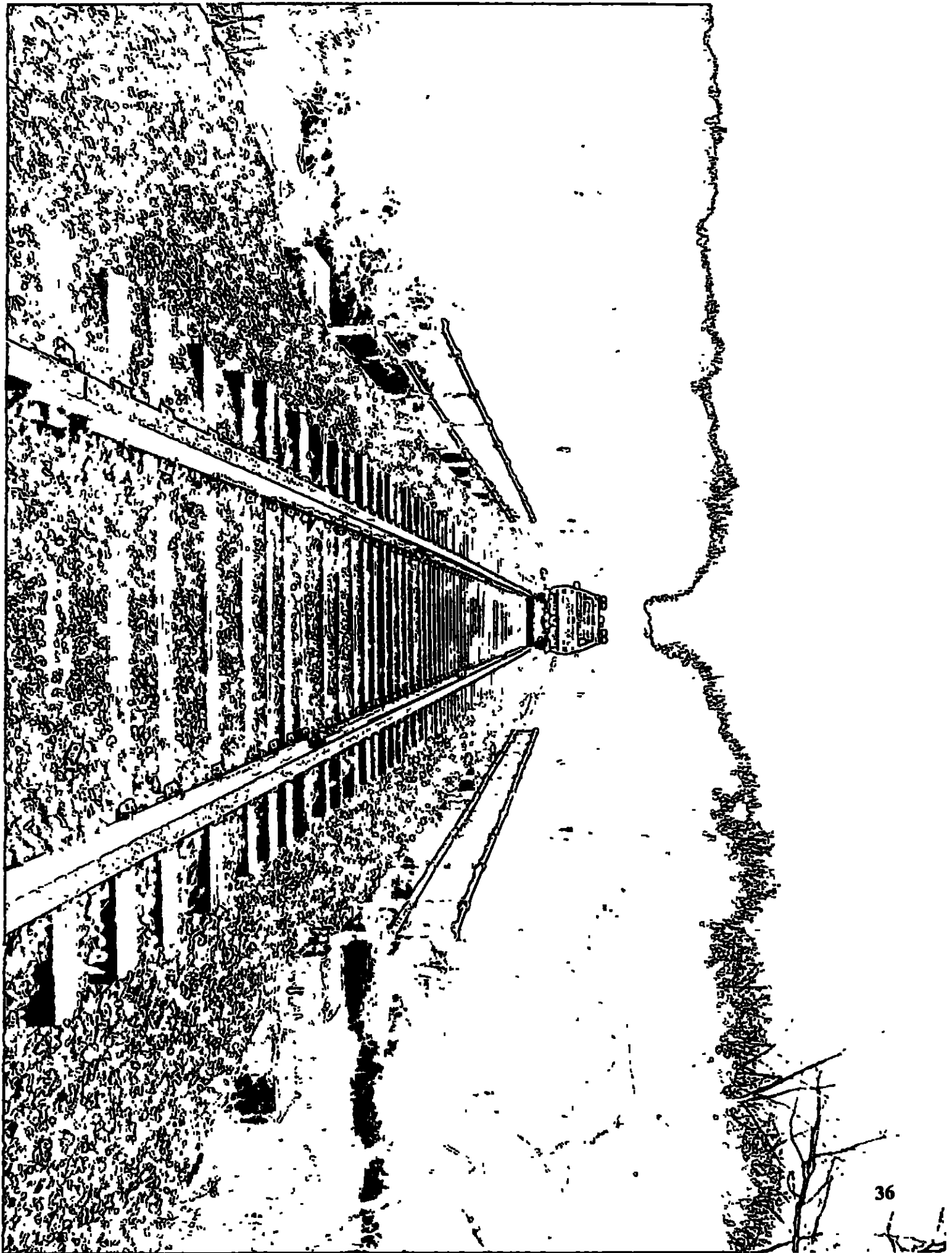
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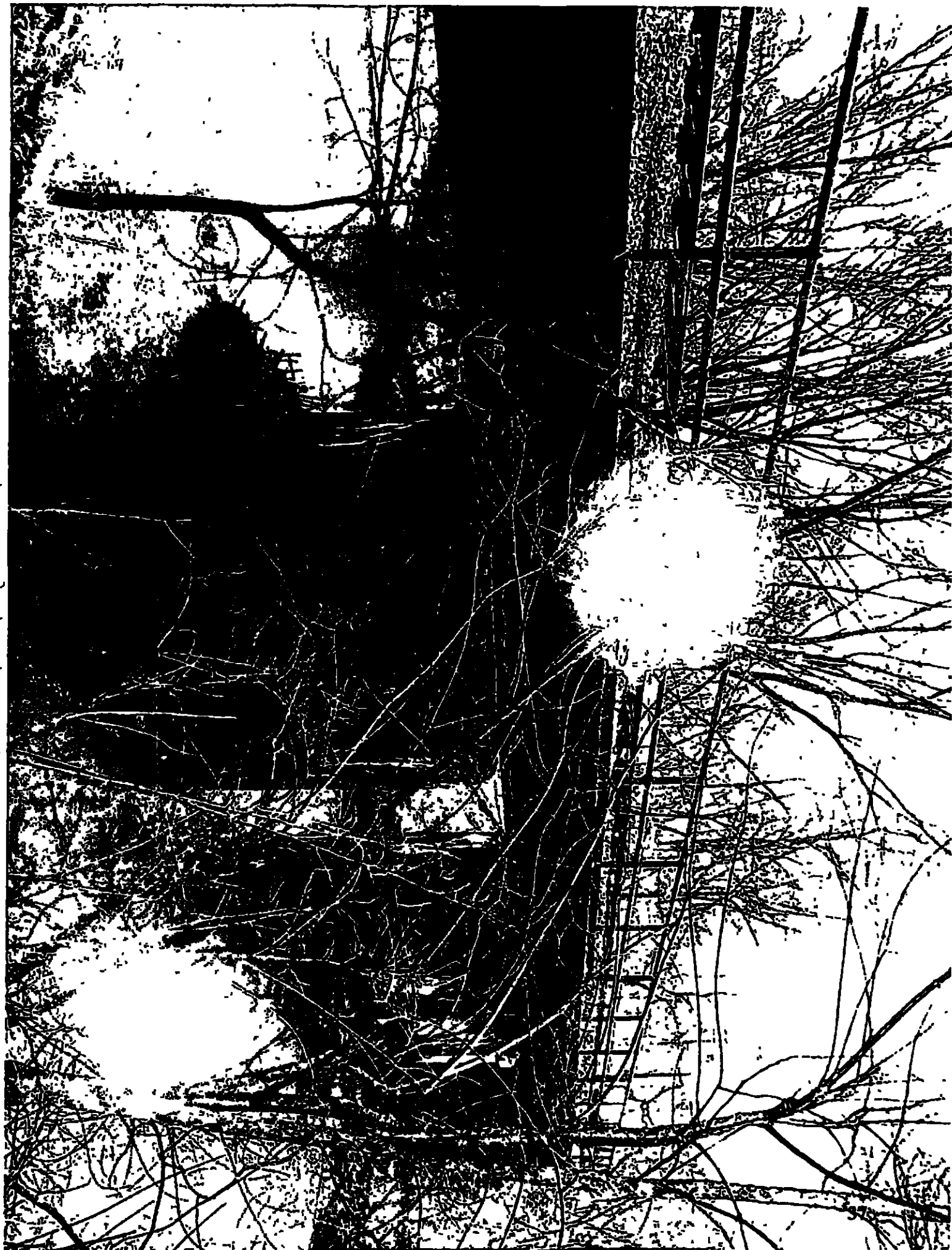
<http://www.pacode.com/secure/data/025/chapter106/chap106toc.html>

John Holden, PE
Program Manager
Watershed Management
PADEP
230 Chestnut Street
Meadville, PA 16335



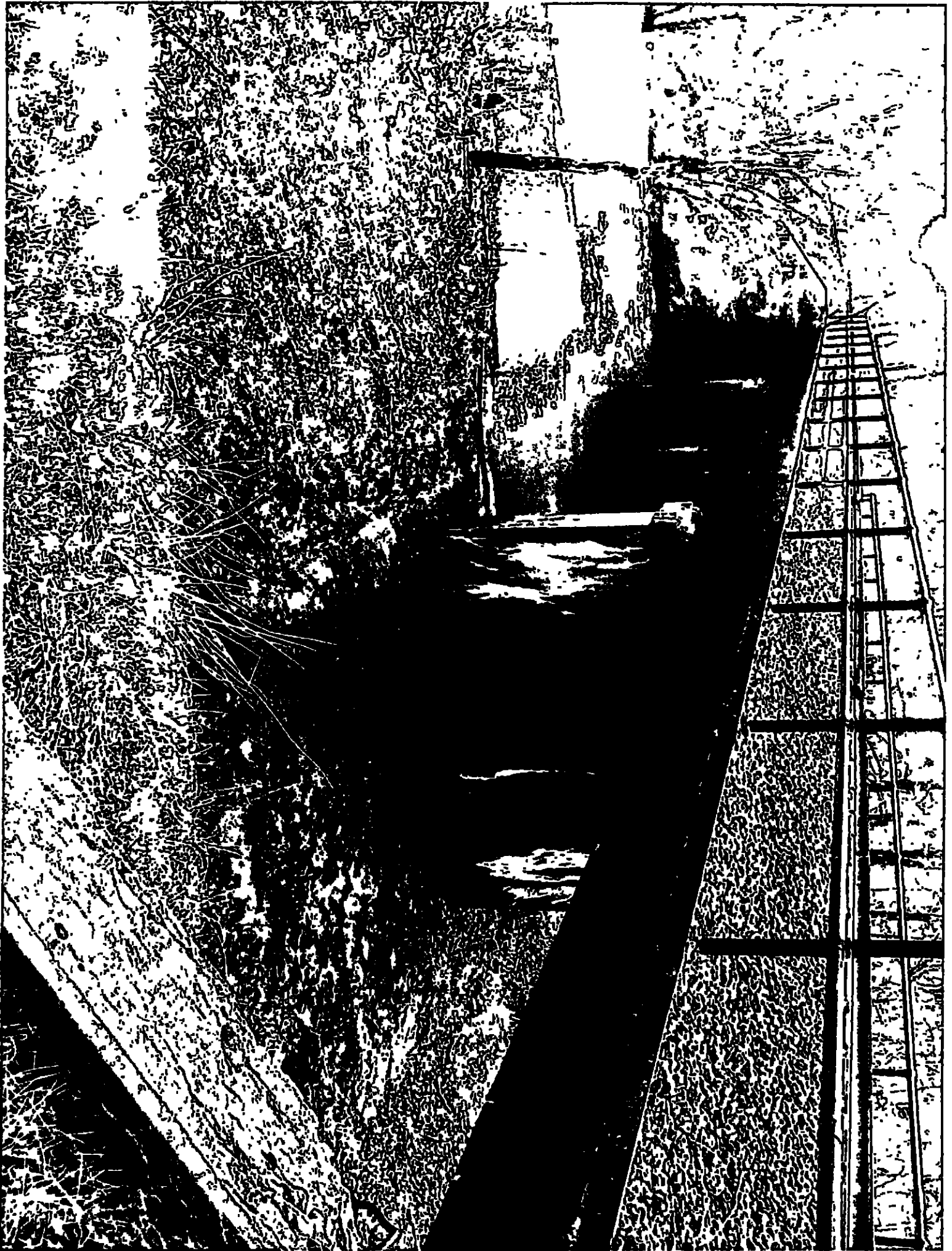
















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Law

Thomas J. Healey
Counsel - Regulatory

17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

June 28, 2007

Mr. Douglas C. McLearn
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093

Re Bessemer and Lake Erie Railroad Company (B&LE) Proposed
Abandonment in Butler County, Branchton to Annendale, Pennsylvania,
AB-88 (Sub-No 12X)
Your File No ER 07-1430-019-A

Dear Mr. McLearn:

I am responding to your correspondence dated May 18, 2007, regarding providing further information for B&LE's proposed abandonment in Butler County.

A.3: RESOURCE IDENTIFICATION, EVALUATION AND PROJECT EFFECT:

Pennsylvania Historic Resources Form is attached.

Hoggs Trestle Bridge at MP 1.66. An exact date of construction is unknown, but from the plans B&LE would estimate construction was in 1929 or 1930. The General Plans were dated March 5, 1928, with ground line revisions in August of 1928. The Detail Plans were dated July 16, 1928, with revisions for the hand railing dated November 12, 1928. The existing concrete bridge is composed of 5 simple spans of cast in place concrete supported on concrete piles. The support piles consist of 12 at 30' in length, 8 at 35' in length, and 12 at 40' in length.

Nelson's Bridge at MP 2.78: The original structure was wooden bent and stringer design. The wooden structure was replaced with a concrete abutment and bent design. The design was three simple spans on steel stringers with a concrete deck. The completion date for the new structure was January of 1950.

B&LE would be happy to provide copies of the plans for each of these bridges.

APPENDIX O

B.1. PROJECT DESCRIPTION:

Following abandonment, B&LE intends to salvage rail, ties and track materials from the Line. The railbed and subgrade of the Line will remain in place and not be disturbed. There is one public crossing located along the Line. This will also be removed. Two bridges (Hoggs Trestle Bridge and Nelson's Bridge) are also located along this Line. The rails, ties and track materials will be removed from these bridges. The structures of the bridges will not be interfered with. Salvage operations will be handled within the right-of-way using existing access routes.

Thank you for your assistance. Please call me should you have questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tom Healey", written in a cursive style.

Thomas J. Healey
Counsel for Bessemer and Lake Erie Railroad Company

Enc



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

May 18, 2007

Thomas J Healey
Bessemer and Lake Erie Railroad Company
17641 S Ashland Avenue
Homewood, IL 60430-1339

RECEIVED
MAY 21 2007

Re File No ER 07-1430-019-A
STB Bessemer & Lake Erie Railroad
Company Proposed Abandonment
Branchton to Annendale, Cherry,
Marion & Slippery Rock Twps, Butler
Co

Dear Mr Healey

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

All federal agency permitted/licensed/funded projects requiring the comments of the Pennsylvania State Historic Preservation Officer should include the funding program, a project description, project location, and cultural resource site information as outlined in 36 CFR Part 800.4 (Identifying Historic Properties). Because your request does not include sufficient information, we are unable to proceed with our review until the information on the attached form is provided. The 30 day review period required by the regulations (36 CFR Part 800.4(d)(1) and Part 800.11) does not begin until adequate information to complete our review is provided.

If you need further information regarding archaeological survey please contact Mark Shaffer at (717) 783-9900. If you need further information concerning historic structures please consult Susan Zacher at (717) 783-9920.

Sincerely,

Douglas C McLearen, Chief
Division of Archaeology &
Protection

Attachment
DCM/tmw

PROJECT INITIATION

() A FUNDING/PERMITTING/LICENSEING/APPROVAL PROGRAM

- () 1. Contact person for federal/state/local agency,
address, phone number.
- () 2. Letter from federal agency initiating
consultation, or a letter from federal agency
authorizing an alternate agency or a consultant to
initiate consultation.
- () 3. Identify the Federal/State Agency and funding
program or permit/license.
- () 4. Identification of all Federal agencies involved
in project.
- () 5. Designated "lead" Federal Agency in complex
or multi-agency project.

() B. PROJECT DESCRIPTION

- (☒) 1. Narrative description of the project and
related actions resulting from the project.
- () 2. Proposed boundary of the project's Area of
Potential Effect (APE) (remember to consider
visual impacts)
- () 3. Description and Justification of selection
of the Area of Potential Effect
- () 4. Plans of existing conditions (as-built or
as-found)
- () 5. Preliminary drawings or plans (floor plans,
elevations, specifications)
- () 6. Work write-ups
- () 7. Plans and specifications

→ Nature and descrip
of ground disturbance

() C. PROJECT LOCATION

- () 1. U.S.G.S. 7.5 min. series quadrangle with
the PROJECT LOCATION(S) AND LIMITS CLEARLY
MARKED using a colored pen. Please include
name of the quadrangle
- () 2. U.S.G.S. 7.5 min. series quadrangle with
Area of Potential Effect marked (potential
area of direct effect can be delineated
inside area of indirect effect)
- () 3. Street map (for properties in densely populated
areas)
- () 4. Street map showing location and historic district
boundaries (if appropriate)
- () 5. Street address of property
- () 6. Municipality in which project is located
(not mailing address location)

()

- () D. PROJECT SIZE (supply as appropriate for project)
 - () 1. Acreage of project area
 - () 2. Miles/feet of project and right-of-way width
 - () 3. Extent and nature of ground disturbing activities (i.e. grading, trenching, foundation excavation)
- () E. PHOTOGRAPHS (no Polaroids, copies or scanned images)
 - () 1. Exterior of building(s) in project area
 - () 2. Interior of building(s) in project area
 - () 3. Interior of building(s) illustrating the proposed work areas/features
 - () 4. Buildings, streetscape, setting of features in Area of Potential Effect (APE)
 - () 5. Views of project site
 - () 6. Other _____

PUBLIC PARTICIPATION

- () 1. Measures which will be/or have been taken to identify consulting parties.
- () 2. List of proposed consulting parties.
- () 3. Measures which will be/or have been taken to notify and involve the public.

RESOURCE IDENTIFICATION, EVALUATION AND PROJECT EFFECT

- (X) A. Cultural Resource Identification
 - () 1. Description of methodology used for identification and sources examined.
 - () 2. Plan proposed for identification of historical (including historic districts, buildings, structures, objects) and archaeological resources and proposed methodology to be used.
 - (X) 3. Pennsylvania Historic Resource form(s) for all properties 50 years or older and potentially eligible for the National Register identified in the APE.
 - () 4. Historical background/context report/information for historic resources identified.
 - () 5. Pennsylvania Archaeological Site Survey form(s) (P.A.S.S) for archaeological sites identified in surveys of APE.
 - () 6. Phase I, II, III Archaeological Survey Reports
 - () 7. 5 Copies of Final Phase I, II, III Archaeological Survey Report(s) (4 bound and 1 unbound copies)
- () B. Evaluation of Project Effect on Cultural Resources (Physical, visual, atmospheric, direct and indirect, secondary)
- () C. Other: _____

PENNSYLVANIA HISTORIC RESOURCE SURVEY FORM - PHOTO/SITE PLAN SHEET
Pennsylvania Historical and Museum Commission

29A

Bureau of Historic Preservation

**Commonwealth Keystone Building, 2nd Floor
400 North Street, Harrisburg, PA 17120-0093**

Survey Code/Tax Parcel/Other No.:

Municipality: Brenton to Appendale

Historic Name/Other Name:

SITE PLAN

County:

Address: Railroad Line.

PHOTO INFORMATION

Attach Photo Here

See Attached Photos

Direction of Camera

Description of View

Number

Photographer Name:**Date:**

Negative Location:

IDENTIFICATION AND LOCATION

Survey Code: _____ Tax Parcel/Other No.: _____
 County: 1. 019-Butler 2. _____
 Municipality: 1. Branchton 2. Annendale
 Address: Bessemer & Lake Erie Railroad Company MP 1.66 and MP 2.78
 Historic Name: _____
 Other Name: B+LE Railroad Co
 Owner Name/Address: 17641 S. Ashland Ave., Homewood, IL 60430
 Owner Category: ☒ Private ☐ Public-local ☐ Public-state ☐ Public-federal
 Resource Category: ☐ Building ☐ District ☐ Site ☒ Structure ☐ Object
 Number/Approximate Number of Resources Covered by This Form: 2
 USGS Quad: 1. _____ 2. _____
 UTM A. _____ C. _____
 References B. _____ D. _____

HISTORIC AND CURRENT FUNCTIONS

Historic Function Category: Subcategory: Code:
 A. Transportation Rail-related 1 6 A
 B. Transportation Rail-related 1 6 A
 C. _____
 D. _____
 Particular Type: A. Railroad bridge
 B. Railroad bridge
 C. _____
 D. _____

Current Function Category Subcategory Code:
 A. Same _____
 B. Same _____
 C. _____
 D. _____

PHYSICAL DESCRIPTION

Architectural Classification: A. Other 8 0
 B. Other 8 0 C. _____
 D. _____ Other: _____
 Exterior Materials: Foundation Concrete 6 5 Roof _____
 Walls _____ Walls _____
 Other _____ Other _____
 Structural System: 1. Concrete 5 0 2. Steel 4 0
 Width _____ Depth _____ Stories/Height _____

HISTORICAL INFORMATION

Year Built: C. 1929 to 1930 Additions/Alterations: C. 1950 C.

Basis for Dating: X Documentary Physical

Explain: Drawings / plans in the possession of B+LE

Cultural/Ethnic Affiliation:	1. <u>N/A</u>	2. <u>N/A</u>
Associated Individuals:	1. <u> </u>	2. <u> </u>
Associated Events:	1. <u> </u>	2. <u> </u>
Architects/Engineers:	1. <u> </u>	2. <u> </u>
Builders:	1. <u> </u>	2. <u> </u>

MAJOR BIBLIOGRAPHICAL REFERENCES

N/A

PREVIOUS SURVEY, DETERMINATIONS

None

EVALUATION (Survey Director/Consultants Only)

Individual NR Potential: Yes No Context[s]:

Contributes to a Potential District: Yes No District Name/Status:

Explain: N/A

THREATS

Threats: 3 1 None 2 Public Development 3 Private Development 4 Neglect 5 Other

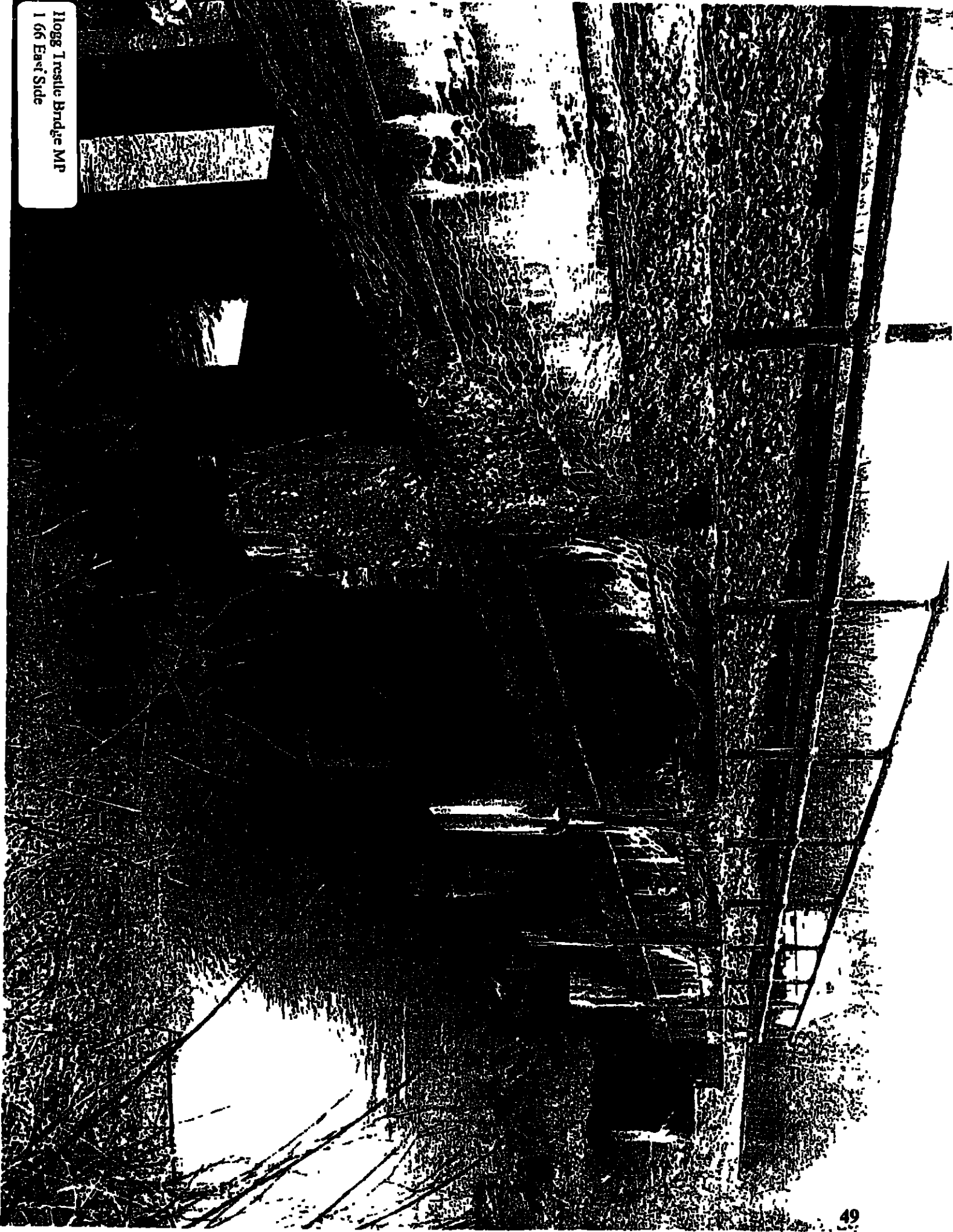
Explain: B+LE plans to abandon its rail service along this line and will remove its track from these 2 bridges.

SURVEYOR INFORMATION

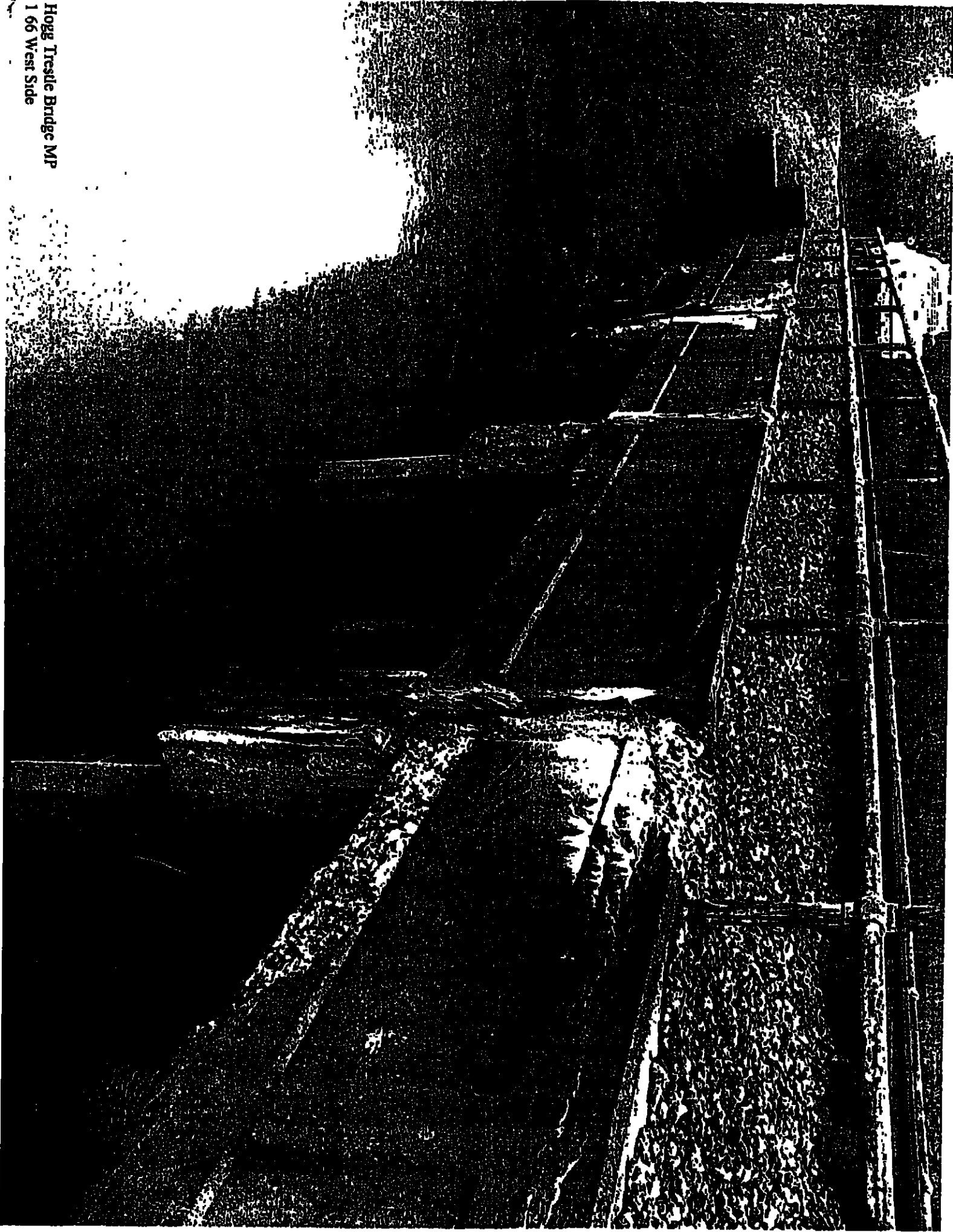
Surveyor Name/Title: N/A
Project Name:
Organization:
Street and No.:
City, State:
Additional Survey Documentation
Associated Survey Codes:

Date:
Telephone:
Zip Code:

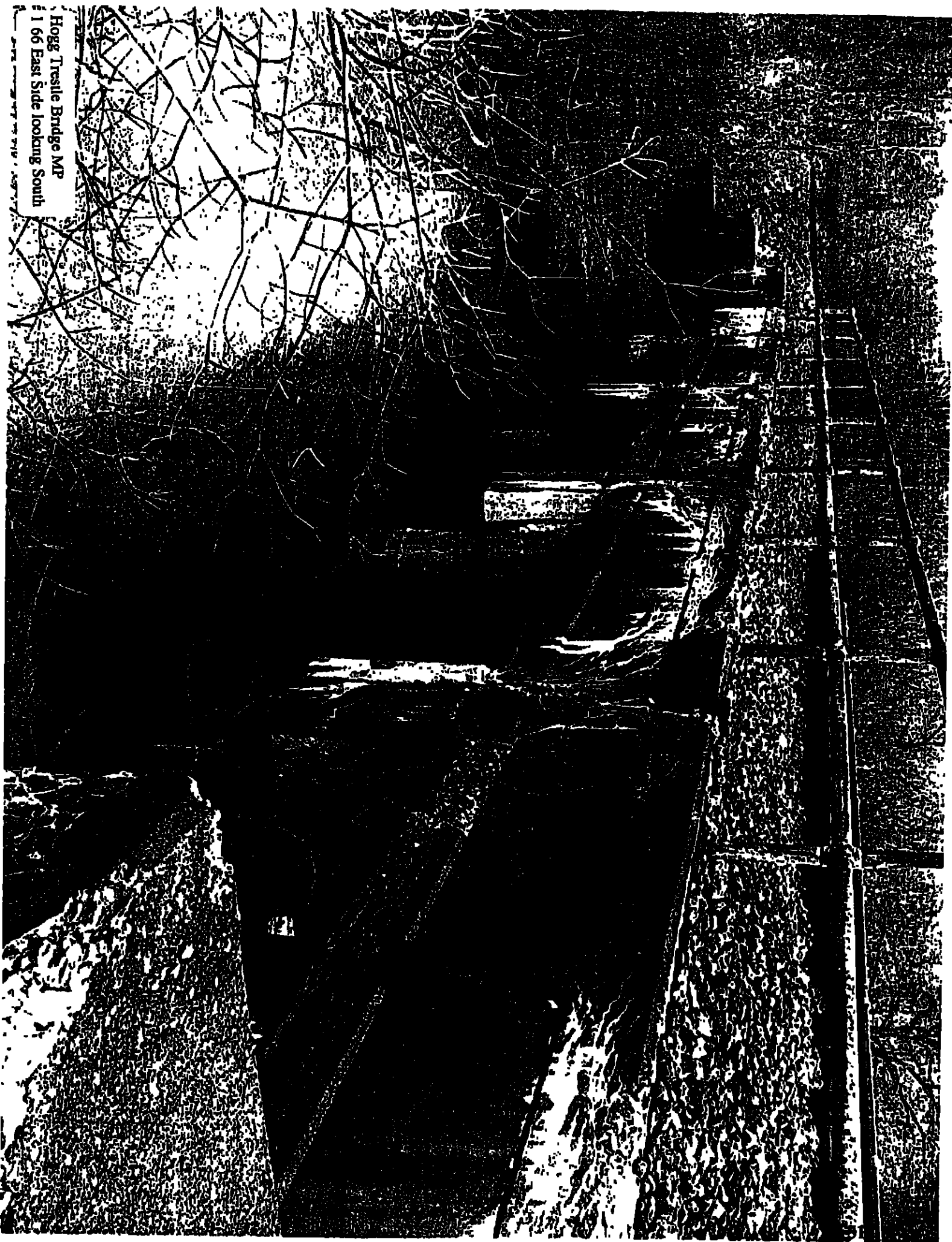
Hogg Trestle Bridge MP
1 66 East Side



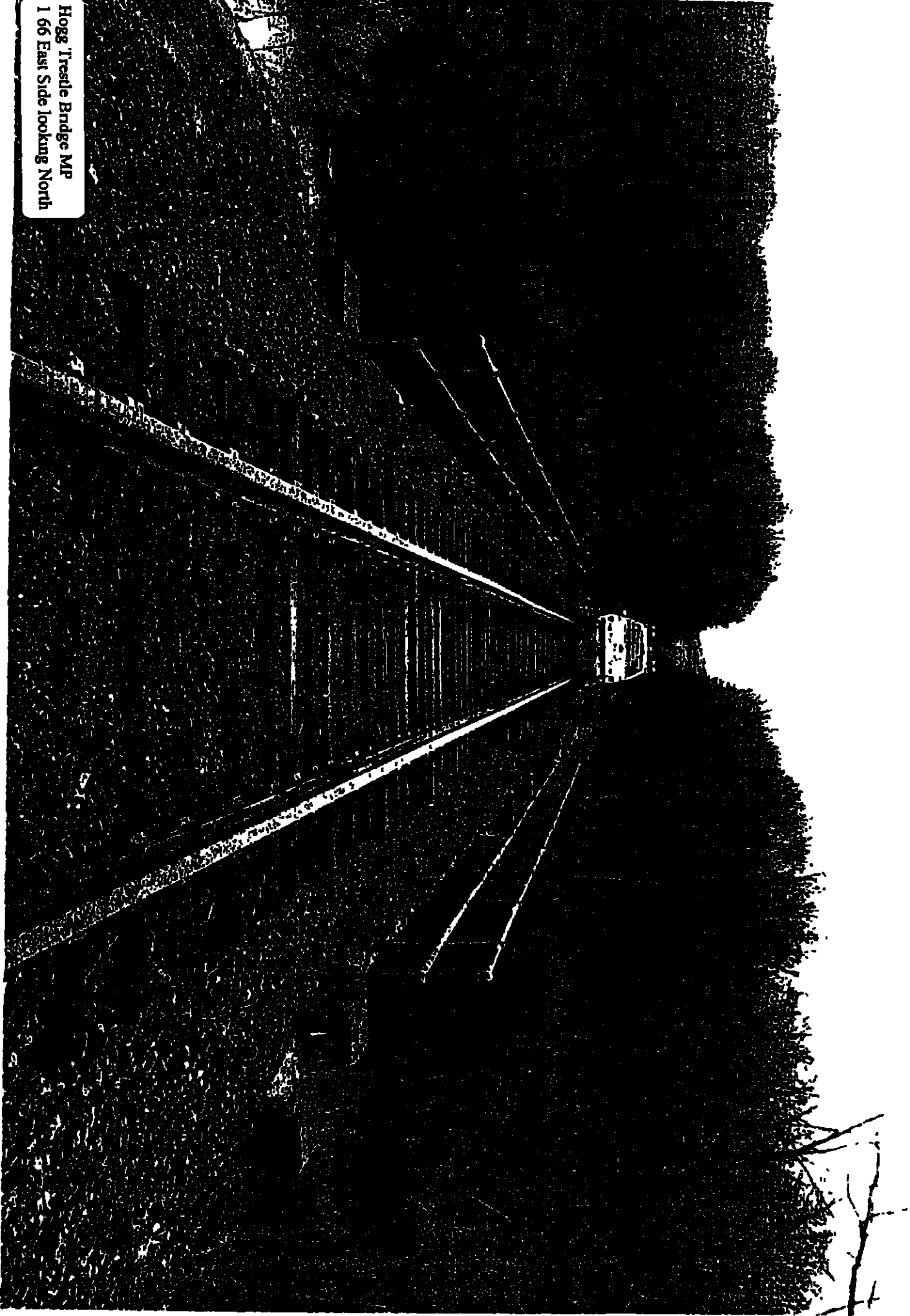
Hogg Trestle Bridge MP
1 66 West Side



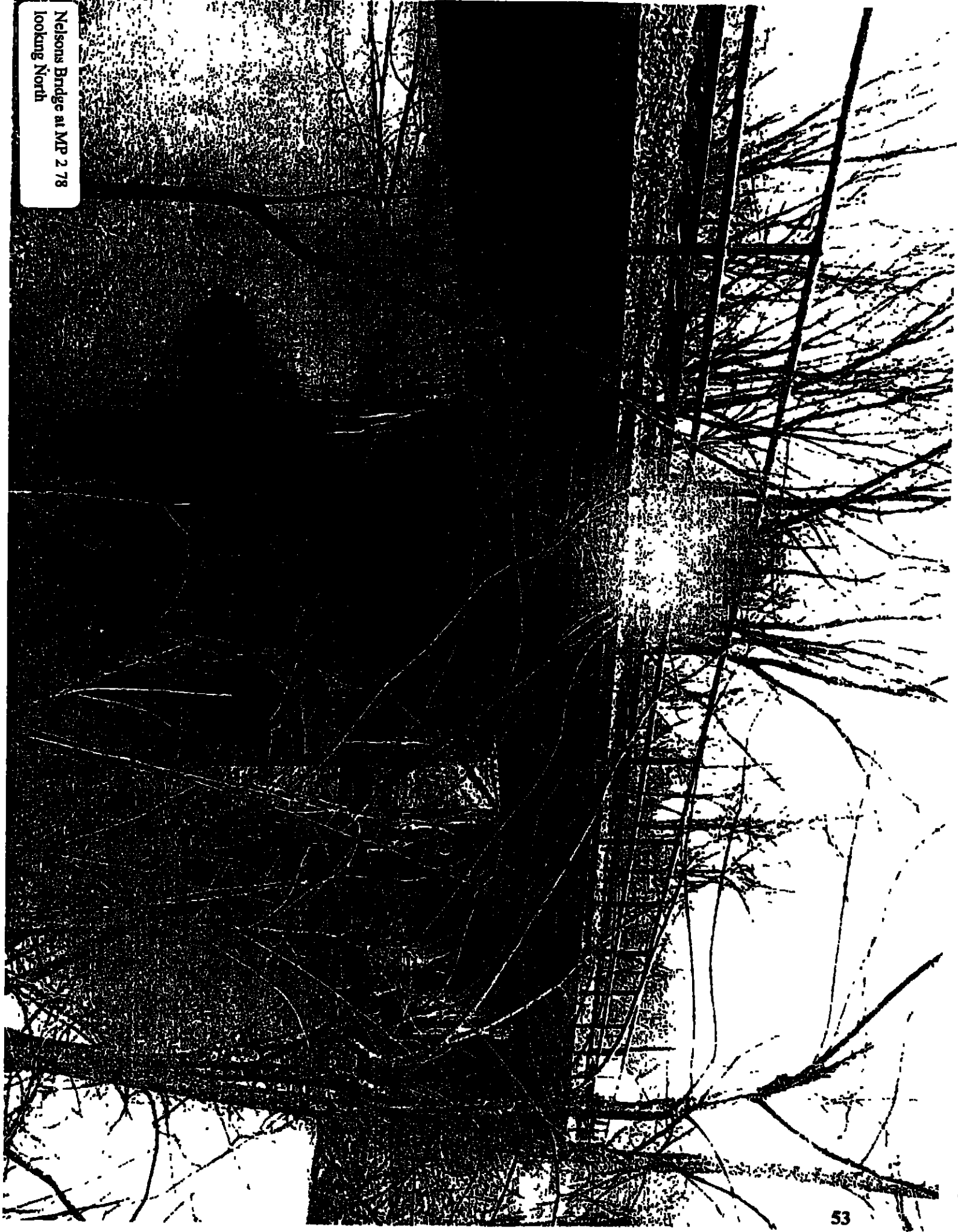
Hogg Trestle Bridge MP
1 66 East Side looking South



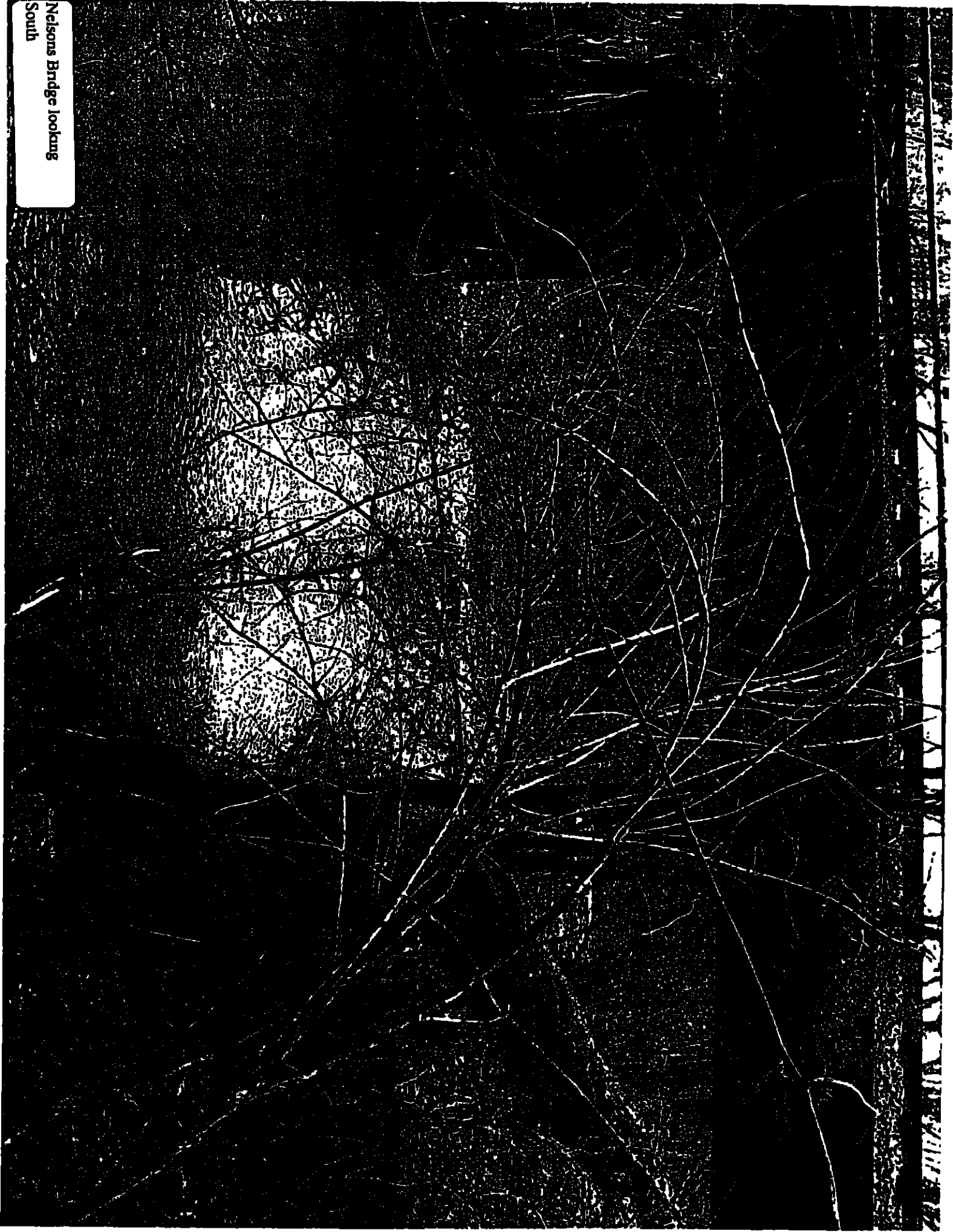
Hogg Trestle Bridge MP
1 66 East Side looking North



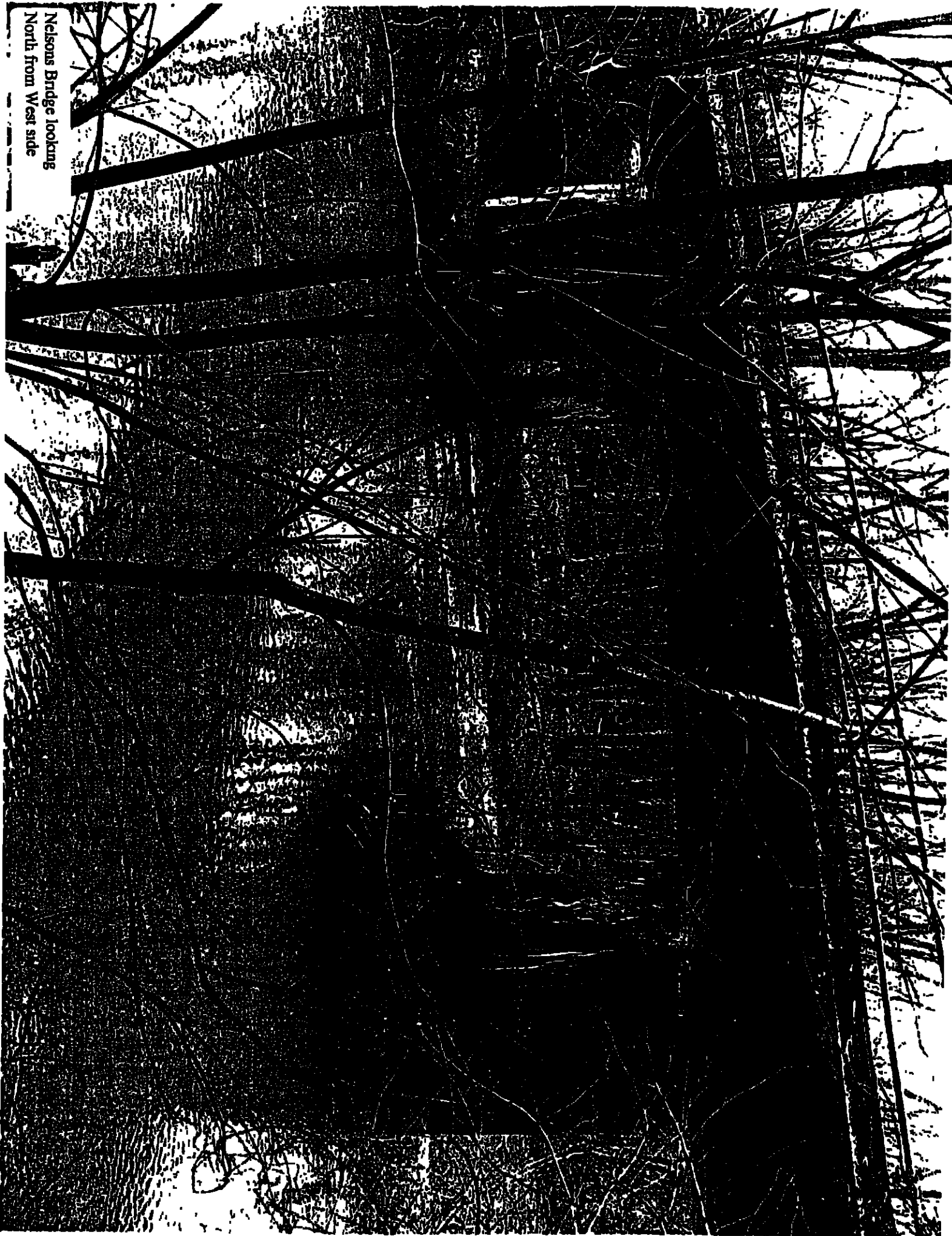
Nelsons Bridge at MP 2.78
looking North



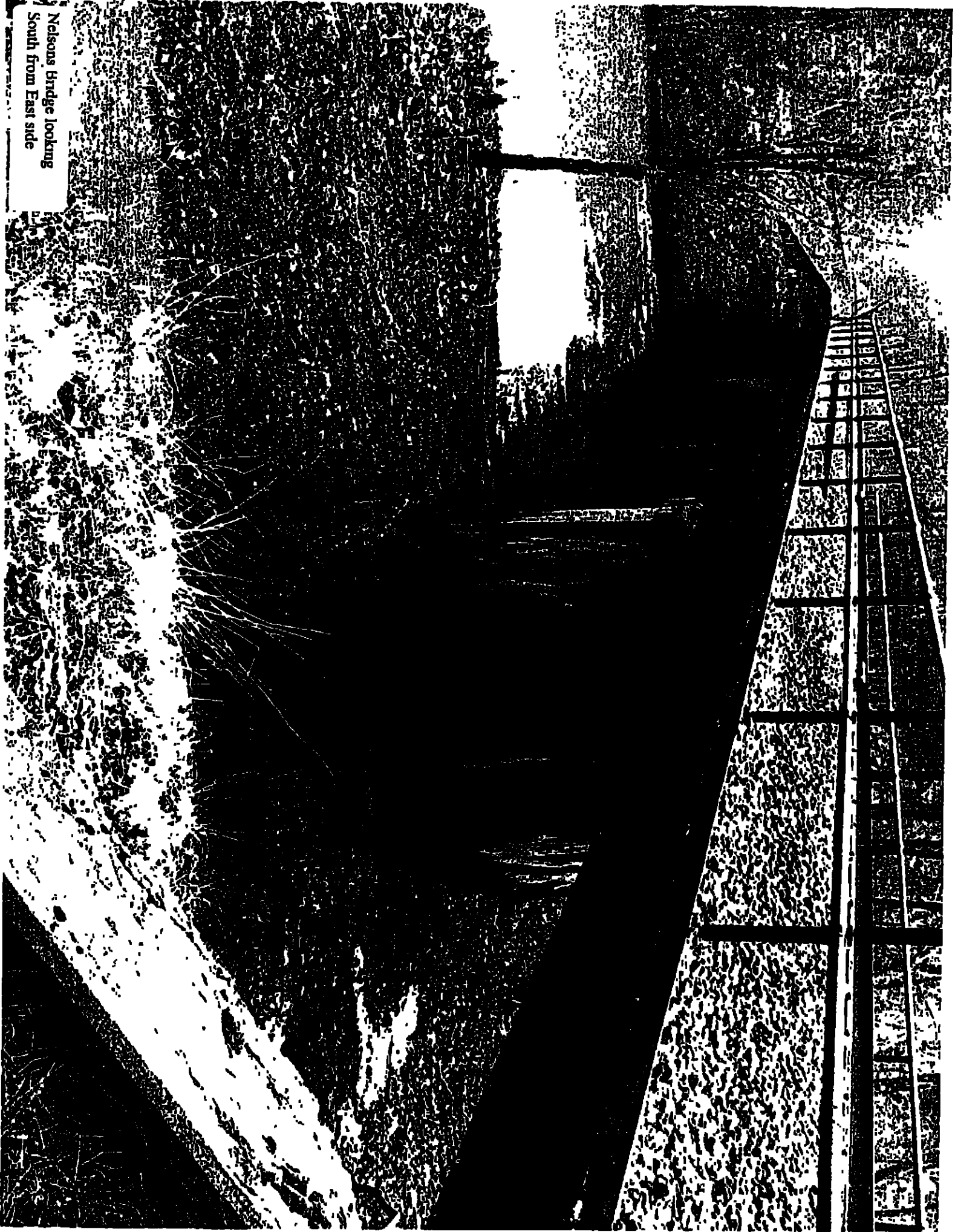
Nelsons Bridge looking
South



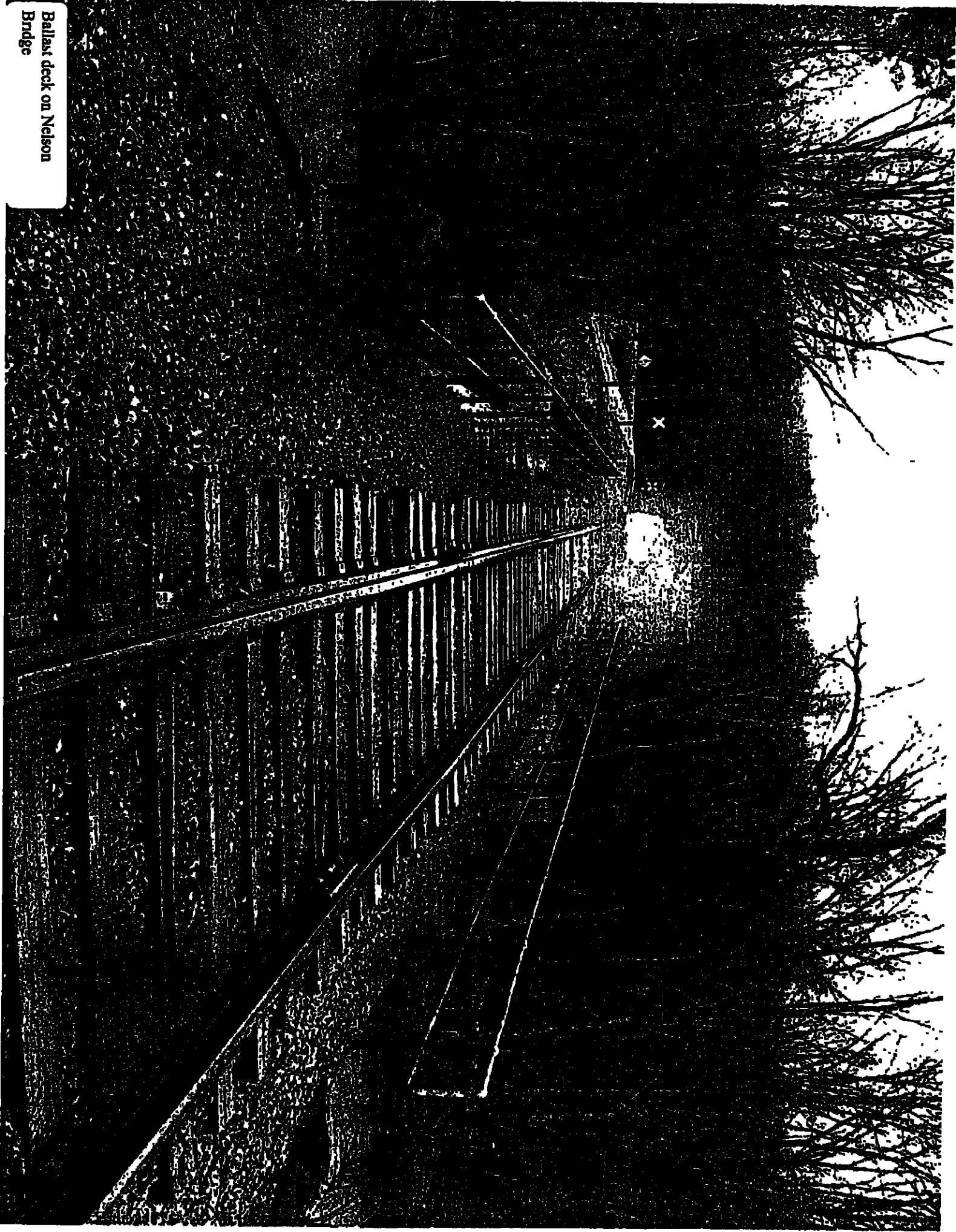
Nelsons Bridge looking
North from West side



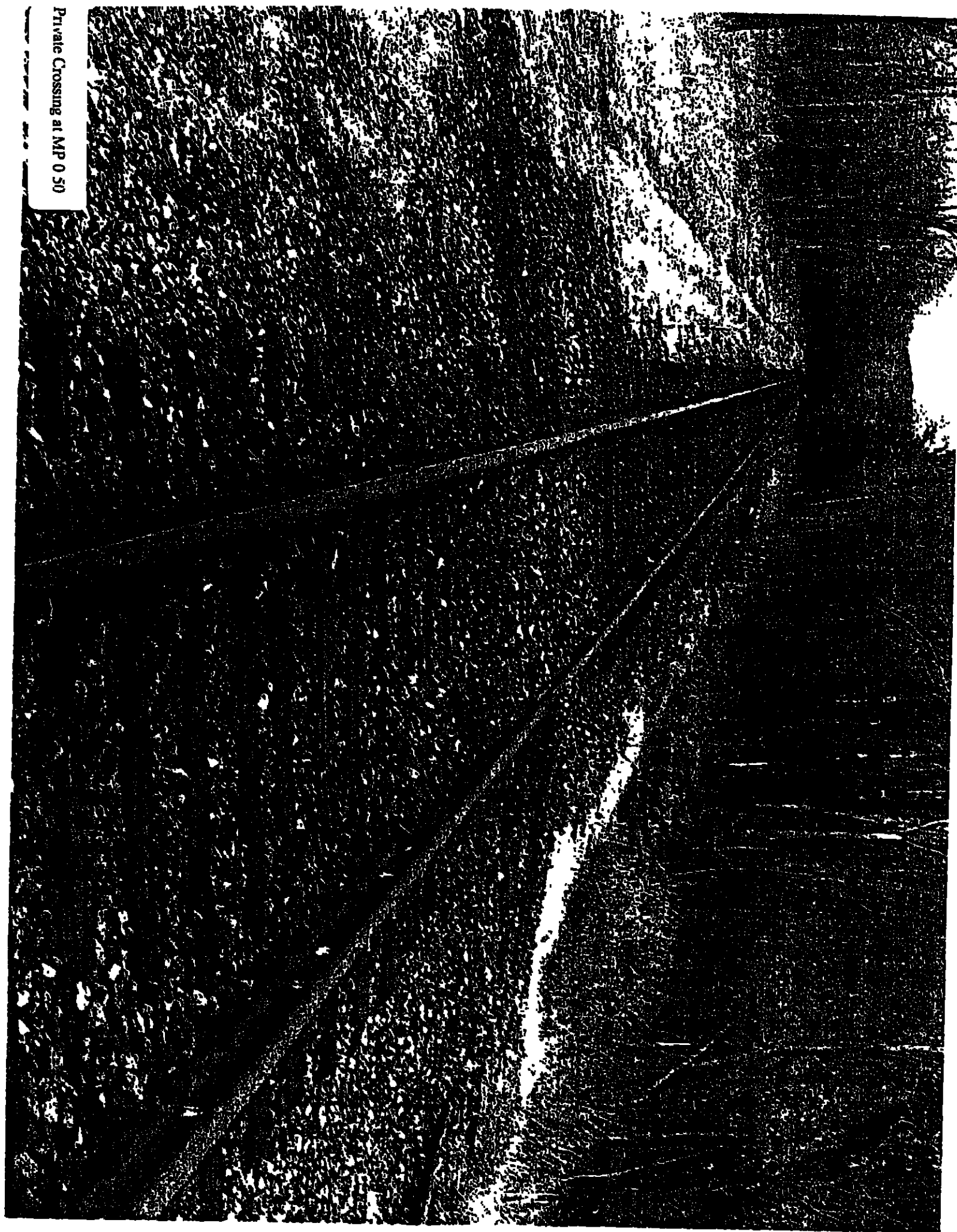
Nelsons bridge looking
South from East side



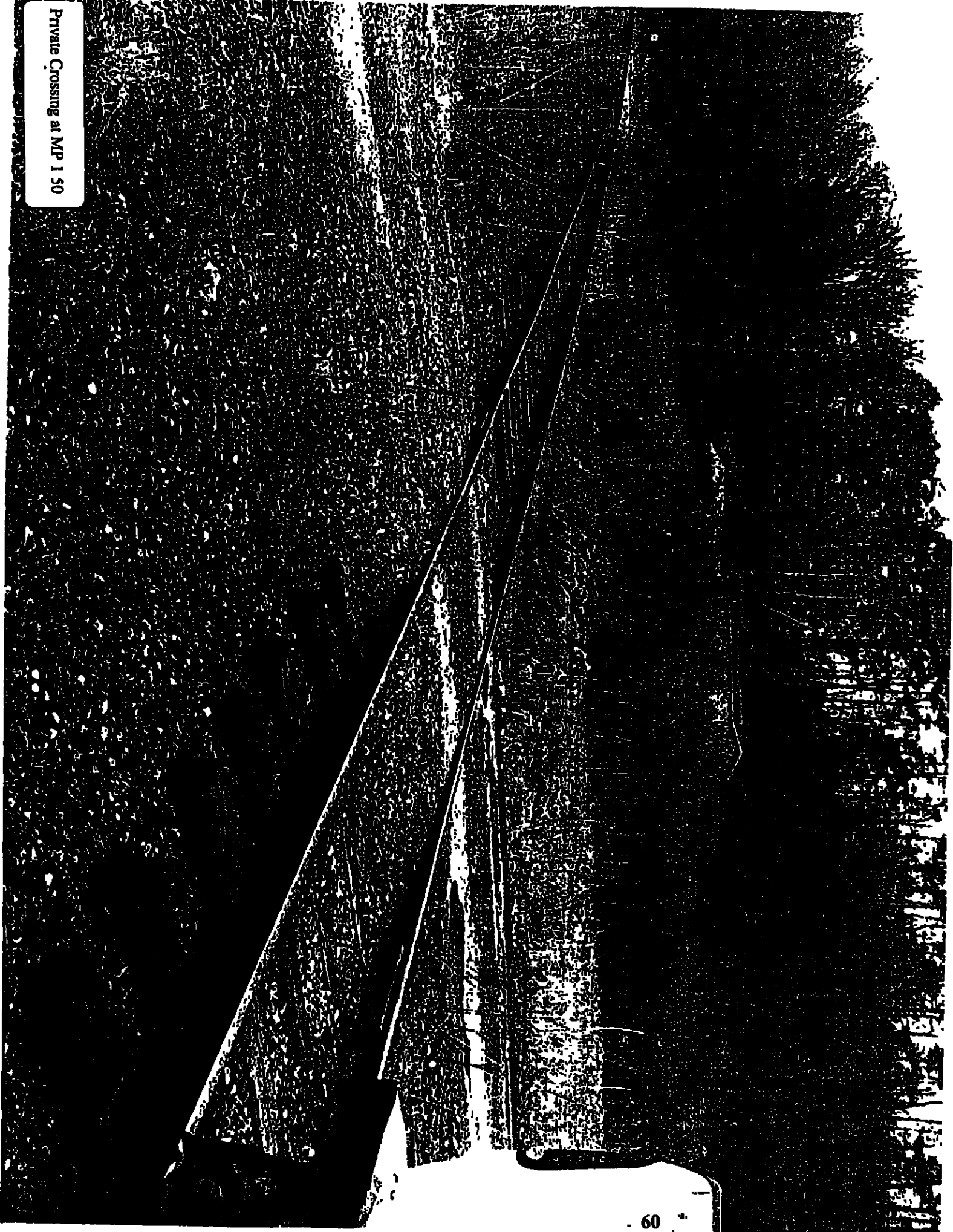
Ballast deck on Nelson
Bridge



Private Crossing at MP 0.50









Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

July 18, 2007

Thomas J Healey
Bessemer and Lake Erie Railroad Company
17641 S Ashland Avenue
Homewood, IL 60430-1339

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: File No. ER 07-1430-019-B
STB: Bessemer & Lake Erie
Railroad Company Proposed
Abandonment, Branchton to
Annendale, Cherry, Marion &
Slippery Rock Twps., Butler Co.

Dear Mr Healey

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

There is a high probability that prehistoric and historic archaeological resources are located in this project area. In our opinion, the activity described in your proposal should have no effect on such resources. Should the scope of the project be amended to include additional ground disturbing activity this office should be contacted immediately and a Phase I Archaeological Survey may be necessary to locate all potentially significant archaeological resources.

In our opinion no evaluation of historic structures will be necessary for this project area.

If you need further information in this matter please consult Kira Presler at (717) 705-0700

Sincerely,

Douglas C. McLearn, Chief
Division of Archaeology &
Protection

DCM/tmw