



NATALIE S. ROSENBERG
Counsel

DID # 0102208001

206020

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FILED

August 9, 2002

AUG 9

Via Airborne Express

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, D.C. 20423

**SURFACE
TRANSPORTATION BOARD**



**RE: STB Docket No. AB-55 (Sub-No. 619X)
CSX Transportation, Inc.-Abandonment
Exemption in Allegan County, Michigan**

**ENTERED
Office of Proceedings**

AUG 12 2002

**Part of
Public Record**

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 extra enclosed copy of this letter and returning it to me in the enclosed self-addressed envelope.

Very truly yours,

Natalie S. Rosenberg
Natalie S. Rosenberg

Enclosures

FEE RECEIVED

AUG 12 2002

**SURFACE
TRANSPORTATION BOARD**

206020

FILED

AUG 12 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (SUB-NO. 619X)



**SURFACE
TRANSPORTATION BOARD**

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION
IN ALLEGAN COUNTY, MICHIGAN

ENTERED
Office of Proceedings

AUG 12 2002

Part of
Public Record

FEE RECEIVED

AUG 12 COMPETITION FOR EXEMPTION

**SURFACE
TRANSPORTATION BOARD**

CSX Transportation, Inc. ("CSXT") proposes to abandon that portion of its Western Region, Chicago Division, Grand Rapids Subdivision, Hamilton Industrial Track extending between Milepost CGB 19.00 in Holland and CGB 12.90 in Hamilton, Michigan, a total distance of approximately 6.1 miles (hereinafter referred to as "the line"). The line traverses through United States Postal Service ZIP Codes 49423 and 49419. Maps showing the trackage proposed for abandonment, as well as the location of the trackage in the State of Michigan, 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 6.1 mile portion of its Western Region, Chicago Division, Grand Rapids Subdivision, Hamilton Industrial Track extending between Milepost CGB 19.00 in Holland and CGB 12.90 in Hamilton, Michigan.

There is only one rail patron on the line and that patron's use of the line has historically been very marginal. The patron's use of the line does not justify the continuance of service because the amount of business does not cover the operating and capital expenses associated with the line. Hamilton Farm Bureau ("Hamilton") operates a facility at the end of the line in Hamilton. The principal commodities shipped by Hamilton are feed ingredients, fertilizer and lumber. Hamilton received 183 carloads in 2000; 195 carloads in 2001; and 79 carloads between January and June, 2002. See attached Exhibit E.

Additionally, continued common carrier service to Hamilton will cause CSXT to sustain economic losses because the line requires significant maintenance. First, the bridges on the line are in need of rehabilitation in the near future. Additionally, the line requires significant rail and tie work.

A Hamilton representative has been contacted by CSXT and has been made aware that this abandonment filing was forthcoming. No opposition has been expressed by Hamilton. In fact, Hamilton

intends to purchase the line post-abandonment for continued rail purposes. A copy of this petition is being served on Hamilton.

As mentioned above, following abandonment of the line, Hamilton intends to purchase the line for use as a private sidetrack. In the event, however, that Hamilton decides not to purchase the line, alternative transportation options available to Hamilton include the use of truck transportation or the use of a nearby transload facility. Hamilton currently utilizes truck transportation for all outbound shipments as well as certain inbound shipments.

The line has been designated on CSXT's System Diagram Map in Category 1 since 1985 due to the low traffic density and the continuous maintenance issues on 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. 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 one (1) rail patron located on the line makes minimal use of the line. CSXT will likely incur avoidable losses upon continued operation over the line. Furthermore, CSXT could suffer considerable economic losses upon performance of the requisite maintenance. Accordingly, the proposed abandonment will

relieve CSXT from the costs of owning and maintaining an under-utilized line of railroad.

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 sole rail patron located on the line has made minimal use of rail transportation. Furthermore, this patron has alternative transportation options available to it. 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 6.1 miles of trackage.

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

Natalie S. Rosenberg
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 to be published in *The Holland Sentinel*, Holland, Michigan on August 8, 2002. 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, Grand Rapids Subdivision, Hamilton Industrial
Track, extending between Milepost CGB 19.00 in Holland to Milepost
CGB 12.90 in Hamilton, Michigan.

Respectfully submitted,

A handwritten signature in cursive script, reading "Natalie S. Rosenberg".

NATALIE S. ROSENBERG
500 Water Street
Jacksonville, Florida 32202

Counsel for
CSX Transportation, Inc.

Dated: August 9, 2002

CERTIFICATE OF SERVICE

I certify that on August 9, 2002, 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, VA 23606-2574

National Park Service
Recreation Resources Division
P. O. Box 37127
Washington, D.C. 20013

National Park Service
Land Resources Division
P. O. Box 37127
Washington, D.C. 20013

U. S. Department of Agriculture
Chief of the Forest Service
P. O. Box 96090
Washington, D.C. 20050

Mr. David Steenstra, President
Hamilton Farm Bureau
4670 East Washington
P.O. Box 186
Hamilton, MI 49419

Ms. Susan Brook
Administrator Freight Services and Safety Div.
Michigan Department of Transportation
P. O. Box 30050
Lansing, MI 48909

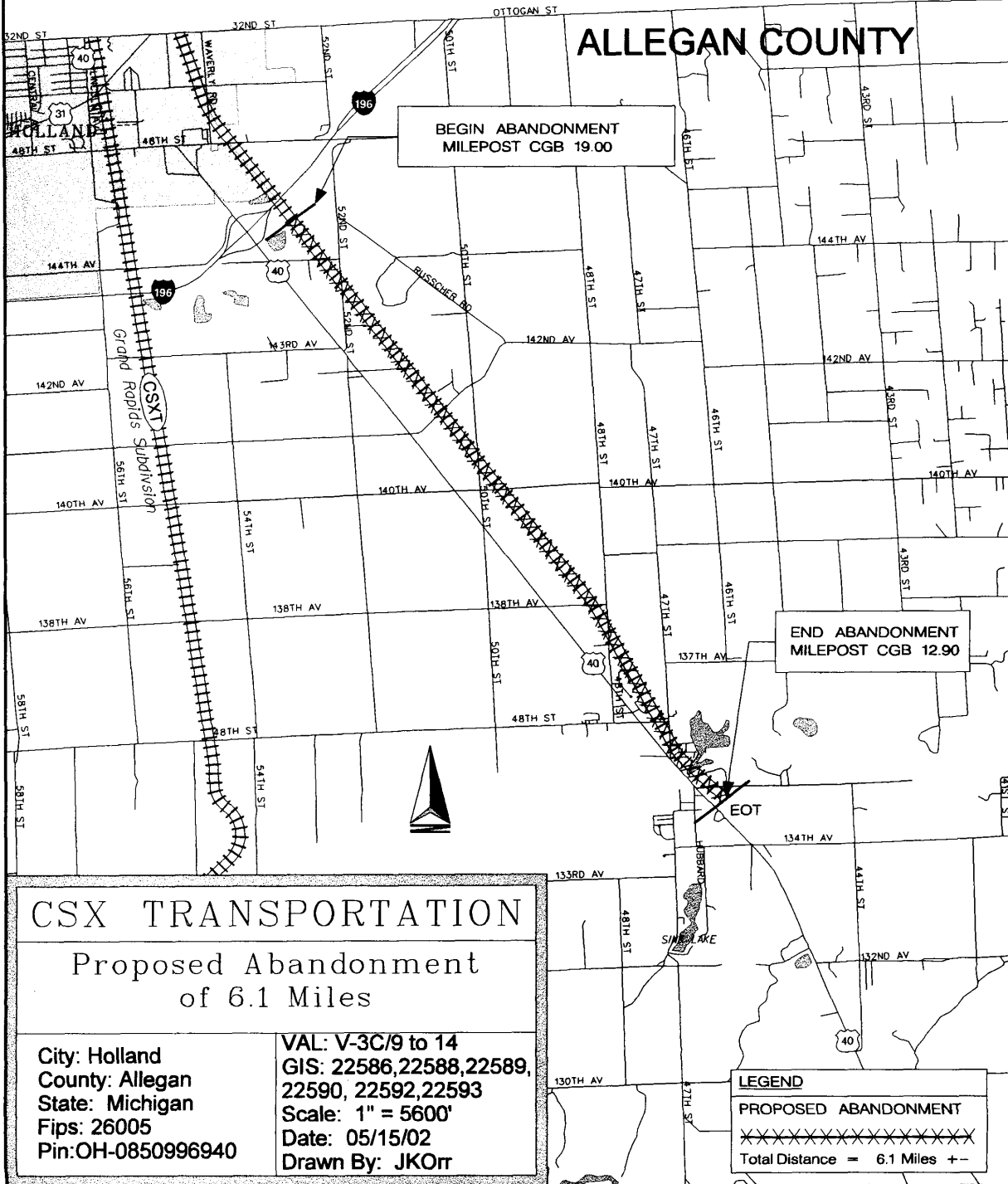
Mr. K. L. Kool
Director
Michigan Department of Natural Resources
P. O. Box 30028
Lansing, MI 48909

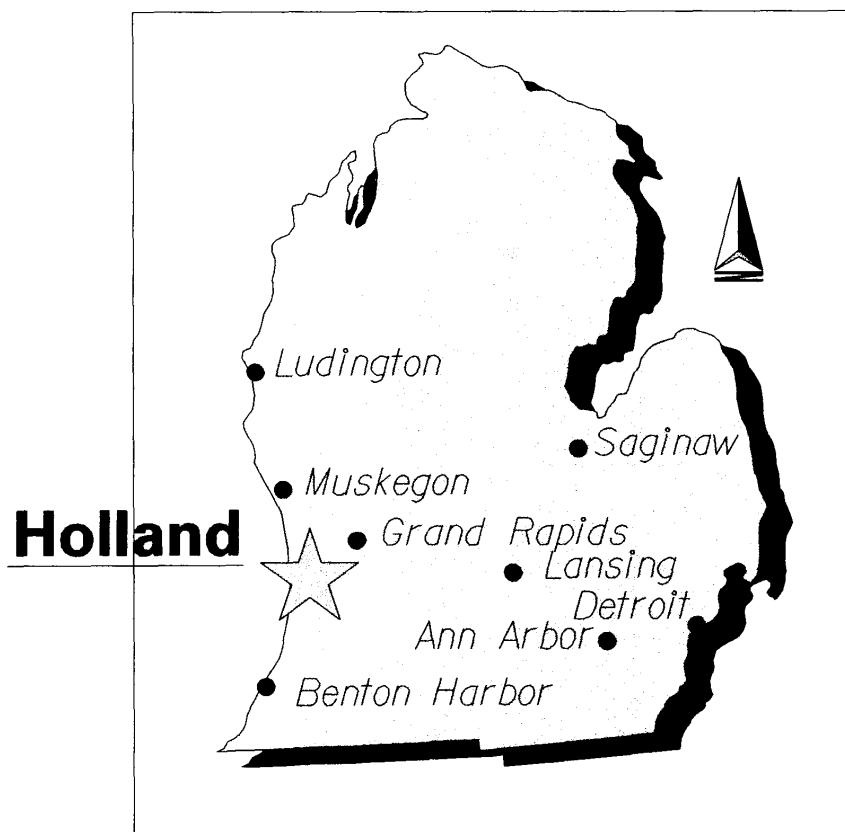

Natalie S. Rosenberg

EXHIBIT A

OTTAWA COUNTY

ALLEGAN COUNTY





AREA MAP
STATE OF MICHIGAN

Proposed Abandonment - 6.1 Miles
Allegan County
Holland to Hamilton, MI

WESTERN REGION - CHICAGO DIVISION - GRAND RAPIDS SUBDIVISION

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
HOLLAND TO HAMILTON, ALLEGAN COUNTY, MICHIGAN
DOCKET AB-55 (SUB-NO. 619X)**

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 its common carrier obligation over 6.1 miles of its rail line between Holland and Hamilton, Allegan County, Michigan. The only active patron, Hamilton Farm Bureau, whose principal commodities are feed ingredients, fertilizer and lumber, will not generate sufficient rail carloading revenue for CSXT to cover the operating expense and capital costs associated with ownership.

Upon receiving abandonment authority, CSXT intends to sell the line to Hamilton Farm Bureau. Hamilton Farm Bureau intends to keep the track in place and continue utilizing the line for railroad purposes. The only difference will be that CSXT will no longer have a common carrier obligation over the line.

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 is no CSXT passenger traffic on this line. Freight traffic will continue over the line to serve Hamilton Farm Bureau and will not be diverted to motor carrier as a result of this abandonment.

(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.**

The City of Holland Planning Commission responded to our request for comments in their letter dated June 12, 2002. (See Attachment 3.) As a result of the City's concern for potential rail customers locating into a new industrial development site at 48th Street, CSXT has changed the point of abandonment to begin south of I-196 to preserve rail service to that new industrial development site.

Applicant has not received a response to its inquiry of May 10, 2002 to the Allegan County Planning Commission seeking information regarding this statement. (See Attachment 4.)

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

On May 22, 2002, Applicant received a note from the U. S. Department of Agriculture, Natural Resources Conservation Service for Allegan County, Michigan advising that it responded to the same request for information in 1993 and provided a copy of their response stating *"Abandonment will have no effect on the adjacent existing prime agricultural land."* (See Attachment 5.)

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

On June 5, 2002, the Michigan Coastal Management Program under the Michigan Department of Environmental Quality, advised that *"...this rail line is located outside of Michigan's coastal management boundary. No adverse impacts to coastal resources are anticipated from this activity as described in your letter..."* (See Attachment 6.)

- (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.

CSXT is not proposing a traditional abandonment that would promote an alternative use of the rail corridor. There will no abandonment from a property law perspective since the track will remain on the ground and continue to be utilized for 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.

Since the track will remain in place and rail service will continue to be provided to Hamilton Farm Bureau, Applicant believes there will be no diversion of rail traffic to motor carriage.

(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.

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

Not applicable.

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

Applicant's records do not indicate any hazardous waste sites or sites where there have been hazardous material spills on this line segment.

(8) BIOLOGICAL RESOURCES

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

On May 23, 2002, the U. S. Department of the Interior, Fish and Wildlife Service, East Lansing, Michigan advised that *"...we concur with your finding that the proposed project will have no adverse impact to federally listed endangered or threatened species."* (See Attachment 7.)

- (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.**

On May 16, 2002, the Michigan Department of Environmental Quality in Kalamazoo, Michigan responded that the proposed project is consistent with applicable water quality standards. (See Attachment 8.)

- (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 May 20, 2002, the U. S. Army Corps of Engineers at Detroit, Michigan advised that "...the area contained within the proposed project boundaries are no longer within the Corps' jurisdiction." and recommended that we contact the Lake and Stream Protection Unit, Land and Water Management Division of the Michigan Department of Environmental Quality. (See Attachment 9.)

Applicant has not received a response to its May 29, 2002 letter to the Michigan Department of Environmental Quality requesting information regarding this statement. (See Attachment 10.)

Upon receiving abandonment authority, CSXT intends to sell the line to Hamilton Farm Bureau. Hamilton Farm Bureau intends to keep the track in place and continue utilizing the line for railroad purposes. Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

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

- (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).**

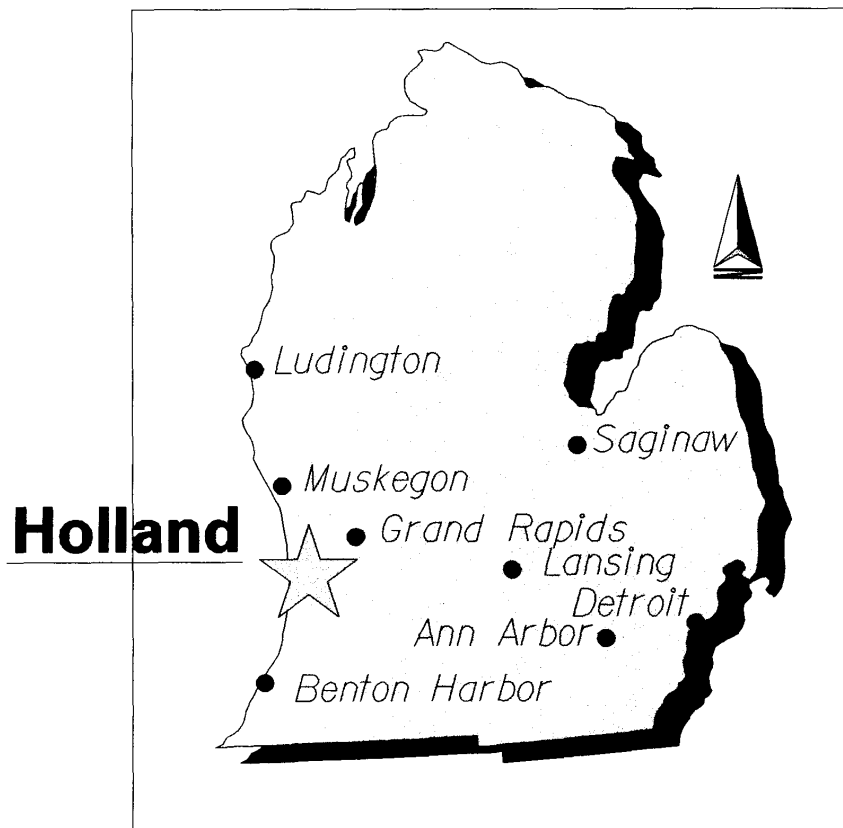
The U.S. Environmental Protection Agency submitted comments under date of June 17, 2002, stating *"The document was given a cursory review, and we determined that there were no significant concerns meriting comment."* (See Attachment 11.)

On May 16, 2002, the Kalamazoo Field Office of the Michigan Department of Environmental Quality advised that the proposed project is consistent with applicable water quality standards, and that no permits under Section 402 are required at this time. (See Attachment 8.)

10. MITIGATION

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

There will be no adverse environmental impacts in the project area as a result of this abandonment; therefore, mitigating action will not be necessary.



AREA MAP
STATE OF MICHIGAN

Proposed Abandonment - 6.1 Miles
Allegan County
Holland to Hamilton, MI

WESTERN REGION - CHICAGO DIVISION - GRAND RAPIDS SUBDIVISION

City of Holland

COMMUNITY SERVICES AND DEVELOPMENT
PLANNING / ENGINEERING
CITY HALL
270 S. RIVER AVENUE
HOLLAND, MI 49423
(616) 355-1360 / FAX (616) 355-1490

June 12, 2002

Ms. Nancy B. Reynolds
Manager Line Transactions/Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

Re: Proposed Abandonment of 7.1 miles of rail line between Holland and Hamilton MI

Dear Ms. Reynolds:

In response to your letter dated May 10, 2002 requesting whether the City of Holland has "a long-range comprehensive planning map for the City of Holland and the (railroad) line's relationship to such planning", please review the highlighted sections in the attached **Master Plan for the Southern Area of the City of Holland Formerly Lying Within Fillmore Township, as Annexed on December 30, 1999.**

As you will note when reviewing this planning document, the City of Holland's planning policy regarding this railroad line within the City limits calls for a future pedestrian and bicycle corridor (rails to trails type corridor) should the line ever be abandoned. That having been said, the City of Holland Planning Commission believes there is a strong demand for continued rail access in this area of the City adjacent to the subject railroad line north of Interstate Route 196. This area of the City is zoned and/or planned for industrial uses that would greatly benefit from continued rail service. Indeed, the Planning Commission just received a letter from Robert Grooters Development Company regarding their development of a new industrial park in this area and the critical importance this developer places on continued rail service to that property (see attachment).

The Planning Commission also realizes that even though there is only one current user of this rail line south of the City (Hamilton Farm Bureau), that business is a large and important employer and provider of goods and services to the Hamilton area and the south side of the City of Holland. The Commission notes that the discontinuance of rail service to the Hamilton Farm Bureau may have adverse impacts in the form of large increases in truck traffic on the adjacent State Highway M-40, as well as the loss of a potential economic development tool/incentive for this whole Hamilton/south side of Holland area. In a nutshell, the Planning Commission believes the rail line should remain in its entirety and be properly upgraded and maintained by CSX to continue to provide invaluable rail service to existing and potential future businesses in the area.

Alternatively, the City would also be interested in potentially seeing a joint use of this railroad line between continued rail service for existing and even new commercial and industrial users and a non-motorized trail use, if possible. The City is willing and

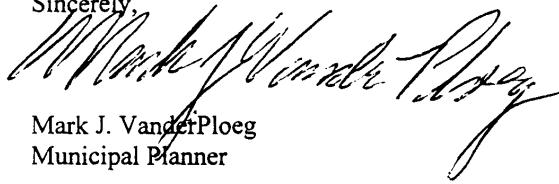
interested in working with CSX and all other parties to assure that any railroad line abandonment result in subsequent improvements and/or control that facilitates area-wide economic development and greenway/rails to trails interests.

Regarding your May 31 letter and your invitation for our comments regarding the preliminary Environmental Assessment (Docket AB-55 (SUB-NO. 619X)), please accept the following comments.

- (1) Proposed Action and Alternatives – As noted above, we are aware of a new potential industrial rail user that may locate a new industrial development on the east side of the rail line south of 48th Street in the City. This new industrial development of approximately 75 acres is actively being marketed by the landowner/developer as having rail access. If CSX determines that this subject rail line will be abandoned, we request that the point of abandonment begin at I-196 instead of 48th Street so rail service is preserved to this new industrial development.
- (2) Transportation System – The comments do not indicate even an estimate of the number of new motor carrier (truck) trips that will be forced onto the area highway and street network to accommodate the potential loss of service to the Hamilton Farm Bureau. State Highway M-40 between Holland and Hamilton would bear the brunt of new truck trips should this line be abandoned. M-40 in this stretch is highly congested with increasing amounts of passenger vehicle and motor carrier traffic as it is. Increasing the amount of truck traffic through this area will press the limits of this highway and the adjacent street network. Has the Michigan Department of Transportation been consulted regarding potential impacts on M-40?
- (3) Land Use Sub-section (i) - See our comments as noted above. Sub-section (iv) – We acknowledge that there may be reversionary interests that may affect a transfer of title for other purposes, but so far we have seen no such interests at this point that would limit the ability for a joint use of the line or a rails to trails alternative.
- (4) Energy Sub-section (iii) – Because there is no estimation of the number of motor carrier trips that would be required to compensate for even the one existing user, we do not see how this statement regarding energy efficiency can presently be made.
- (7) Safety – The elimination of at-grade line intersections with the adjacent road network will increase safety levels at those points, however, the increase in motor carrier traffic to compensate the one existing user will shift potential safety problems associated with large trucks and passenger vehicles onto the adjoining road network, so we may not be able to accurately measure whether the abandonment will have a net positive safety impact or not in the area.

Thank you for giving the City of Holland Planning Commission the opportunity to comment on this proposal. If you have any questions, or require any further clarification of any issues noted in this letter, please contact me at 616-355-1494.

Sincerely,



Mark J. VanderPloeg
Municipal Planner

Attachment

Cc w/attach: City of Holland Planning Commissioners
Fillmore Township
Overisel Township
Heath Township
Allegan County Planning Commission
Macatawa Area Coordinating Council
Project file

H:\MVanderPW\WORD\LETTER\CSX Hamilton Spur Abandonment.doc



Nancy B. Reynolds
Manager Line Transactions
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1424
FAX: (904) 359-1111
E-Mail: Nancy_Reynolds@csx.com

May 10, 2002

Allegan County Planning Commission
C/o Allegan County Courthouse
113 Chestnut Street
Allegan, MI 49010

Gentlemen:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line between Holland and Hamilton, Allegan County, Michigan, as depicted on the attached map.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Nancy B. Reynolds". The signature is written in a cursive, flowing style.

Attachment

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
545 JENNER DR., ALLEGAN, MI 49010 (616) 673-8903
October 18, 1993

Patricia A. Collier
CSX Transportation
500 Water St. J200
Jacksonville, FL 32202

To Whom it may Concern:

This letter is to relate the effect of abandonment of a section of CSX rail line in Allegan County, Michigan on Prime Agricultural Land status. The attached soil survey sheets are highlighted where prime soil types abut the existing rail line. Total removal of rails, ties, all bedding and fill would return the land to its original state and it would again be considered Prime Agricultural Land.

Abandonment through disuse alone will have no effect on the agricultural classification of the land where the rail line exists now.

Abandonment will have no effect on the adjacent existing prime agricultural land.

Sincerely;

Bill Semeyn
Bill Semeyn

District Conservationist
USDA, Soil Conservation Service
Allegan Field Office

NANCY
I RESPONDED TO HIS
SAME REQUEST IN 1993.
HERE IS A COPY OF MY
LETTER, AND A COPY OF
THE INITIAL REQUEST
LETTER. I ALSO INCLUDE
NEW COPIES OF THE SOIL
SURVEY SHEETS SHOWING
WHERE THE RR GOES
THROUGH PRIME FARMLANDS



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING

Attachment 6



RUSSELL J. HARDING
DIRECTOR

RECEIVED
6-11-02

June 5, 2002

Ms. Nancy Reynolds
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

Dear Ms. Reynolds:

SUBJECT: Proposed Rail Abandonment, Docket No. AB-55 (SUB. NO. 619X)
Allegan County, Michigan

Staff of the Land and Water Management Division has reviewed the above referenced project for consistency with the Michigan Coastal Management Program (MCMP), as required by PL 92-583, as amended. Our review indicates that this rail line is located outside of Michigan's coastal management boundary. No adverse impacts to coastal resources are anticipated from this activity as described in your letter received May 13, 2002. Therefore, this project is consistent with the MCMP. This consistency determination does not waive the need for permits that may be required under other federal, state, or local statutes.

The Michigan Transportation Preservation Act, 1976 PA 295, requires that railroad companies, when selling an inactive railroad right-of-way, offer it on reasonable terms, first, to the Michigan Department of Transportation, second, to the Michigan Department of Natural Resources (MDNR), and, subsequently, to local communities.

The MDNR may have an interest in acquiring the railroad right-of-way for use as a trail corridor. Please contact Mr. Phil Wells, Forest Management, MDNR, at 517-355-3038, for more information. Thank you for the opportunity to review this project.

Sincerely,

Christy L. Fox
Michigan Coastal Management Program
Land and Water Management Division
517- 335-3452

cc: Surface Transportation Board
Section of Environmental Analysis



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

May 23, 2002

Nancy Reynolds
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202

Re: Request for Threatened and Endangered Species Clearance, Proposed Railroad Abandonment,
Between Holland and Hamilton, Allegan County, Michigan

Dear Ms. Reynolds:

This responds to your letter submitted May 10, 2002 requesting U. S. Fish and Wildlife Service concurrence that the above referenced project is not likely to adversely effect federally listed endangered or threatened species. Our comments are provided in accordance with Section 7 of the Endangered Species Act (Act) of 1973, as amended.

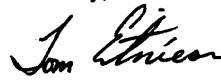
Your letter states the removal of the rail material will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. You do not intend to disturb any of the underlying roadbeds and so not anticipate any dredging or 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 materials from entering any watercourse.

Based on the this information, we concur with your finding that the proposed project will have no adverse impact to federally listed endangered or threatened species. This presently precludes the need for further action on this project as required under Section 7 of the Act.

If the project is modified or new information about the project becomes available that indicates listed species may be affected, or additional listed or proposed species may be present and/or affected, consultation with this Service office should be reinitiated.

The Service appreciates your concern for Michigan's federally listed species. If you have any questions you may contact Tom Eitnien at (517) 351-6283.

Sincerely,


for Craig A. Czarnecki
Field Supervisor

cc: Michigan Department of Natural Resources, Wildlife Division, Lansing, MI
(Attn: Lori Sargent)



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE

RECEIVED
5-20-02

May 16, 2002



RUSSELL J. HARDING
DIRECTOR

Ms. Nancy Reynolds
Manager Line Transactions/Asset Management
CSX Transportation
500 Water Street - J200
Jacksonville, Florida 32202

Dear Ms. Reynolds:

SUBJECT: Abandonment of rail line between Holland and Hamilton, Allegan County, Michigan

Thank you for your letter of May 10, 2002. You requested a letter in response, concurring that the proposed project is consistent with applicable water quality standards, and that no permits under Section 402 are required at this time.

Michigan's permit-by-rule coverage for construction sites is required for sites with 5 or more acres of soil disturbance and a discharge to waters of the state. You have indicated that the underlying roadbed will not be disturbed, and that dredging and use of fill are not anticipated.

Please note that soil disturbances of 1 acre or more or within 500 feet of a water body require a permit from the local soil erosion agent. If project plans change and obtaining a local soil erosion and sedimentation control permit will be necessary, please contact Mr. Patrick Hudson at Michigan Township Services at 1-800-626-5964.

Industrial storm water permit coverage is required for transportation facilities with refueling and/or vehicle maintenance activities. You have indicated that these activities will not take place within the project area.

Please contact me if you require additional assistance. Thank you for doing your part to protect Michigan's water resources.

Sincerely,

Janelle Hohm
Kalamazoo District
Surface Water Quality Division
616-567-3581

jh:km



RECEIVED
5-27-02

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

Attachment 9

May 20, 2002

IN REPLY REFER TO

Engineering & Technical Services
Regulatory Office
File No. 02-200-004-0

Nancy Reynolds
CSX Transportation
500 Water Street-J200
Jacksonville, FL 32202

Dear Ms. Reynolds:

This is in response to your recent correspondence regarding Department of the Army jurisdiction on proposed abandonment of railway line from Hamilton, Michigan to just south of Holland, Michigan (Section 33, Township 5N, Range 15W to Section 6, Township 3N, Range 14W). You indicated that the proposed project involves abandoning an existing railway line and removing the railway track material. We understand the underlying roadbed shall remain in place. Thank you for giving the Corps of Engineers the opportunity to review this project.

As a result of the transfer of a portion of the Corps' regulatory responsibilities to the Michigan Department of Environmental Quality (MDEQ), the area contained within the proposed project boundaries are no longer within the Corps' jurisdiction. Therefore, we recommend that you contact Ms. Peg Bostwick, Lake and Stream Protection Unit, Land and Water Management Division, MDEQ, P.O. Box 30458, Lansing, Michigan, 48909, (517) 335-3470, for a determination of State permit requirements.

If you have any questions please contact David M. Wickens at the above address or telephone (313) 226-7712. Please refer to File Number: 02-200-004-0.

Sincerely,


Robert M. Tucker
Chief, Enforcement Branch
Regulatory Office

Copy Furnished

MDEQ, Kalamazoo Field Office
Grand Haven Field Office, w/encl.



Nancy B. Reynolds
Manager Line Transactions
Asset Management

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1424
FAX: (904) 359-1111
E-Mail: Nancy_Reynolds@csx.com

May 29, 2002

Ms. Peg Bostwick
Lake and Stream Protection Unit
Land and Water Management Division
Michigan Department of Environmental Quality
P. O. Box 30458
Lansing, MI 48909

Dear Ms. Bostwick:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line between Holland and Hamilton, Allegan County, Michigan, as depicted on the attached map.

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

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

The Regulatory Office of the Detroit District, Corps of Engineers has advised that regulatory responsibilities for the area contained within the proposed project boundaries are no longer within their jurisdiction and should be directed to your office.

It is our opinion that there will be no impact on designated wetlands or 100-year flood plains because our intent at this time is to only remove the metal track material, crossties and perhaps the upper layer of ballast, and to preserve the existing routes of water flow and drainage. We do not intend to disturb any of the underlying roadbeds or perform any activities that would cause sedimentation or erosion of the soil, and we do not anticipate any dredging or use of fill in the removal of the track material. The track removal will be accomplished by use of the right of way for access, along with existing public and private crossings, and no new access roads are contemplated. The crossties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways.

Based upon the above described actions, we would appreciate your concurrence in CSXT's position that there would be no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

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

Sincerely,

A handwritten signature in dark ink that reads "Nancy B. Reynolds". The signature is written in a cursive style with a large, stylized "N" and "R".

Attachment



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V
77 West Jackson Boulevard
Chicago, IL 60604

Date: 6/17/02

Document: CSX TRANSPORTATION PROPOSED ABANDONMENT, DOCKET # AB-55 (SUB. NO. 619X)
7.1 MILE TRACK BETWEEN HOLLAND AND HAMILTON, ILL

Dear Interested Party:

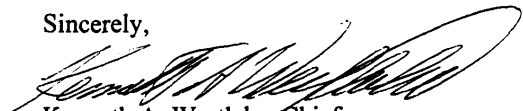
The Environmental Planning and Evaluation Branch has received the document listed above. Under the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act; U.S. EPA reviews and comments on major federal actions. Typically, these reviews focus on Environmental Impact Statements, but we also have the discretion to review and comment on other environmental documents prepared under NEPA if interest and resources permit.

We did not undertake a detailed review of the document you sent to this office, and will not be generating comments because of the reason selected below.

- ☐ The document was not prepared under NEPA.
- ☐ The document was given a cursory review, but other workload priorities precluded us from undertaking a detailed review and generating comments.
- ☒ The document was given a cursory review, and we determined that there were no significant concerns meriting comment.
- ☐ We opted to wait for the next level of documentation on this project before deciding whether or not to comment.

We reserve the right to reconsider undertaking a review at future planning stages, or if significant new data on the project is made available by the sponsoring agency or other interested parties. Thank you for providing information on the project.

Sincerely,


Kenneth A. Westlake, Chief
Environmental Planning and Evaluation Branch

HISTORIC REPORT

CSX TRANSPORTATION, INC.
HOLLAND TO HAMILTON, ALLEGAN COUNTY, MICHIGAN
DOCKET AB-55 (SUB-NO. 619X)

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 its common carrier obligation over 6.1 miles of its rail line between Holland and Hamilton, Allegan County, Michigan. The only active patron, Hamilton Farm Bureau, whose principal commodities are feed ingredients, fertilizer and lumber, will not generate sufficient rail carloading revenue for CSXT to cover the operating expense and capital costs associated with ownership.

Upon receiving abandonment authority, CSXT intends to sell the line to Hamilton Farm Bureau. Hamilton Farm Bureau intends to keep the track in place and continue utilizing the line for railroad purposes. The only difference will be that CSXT will no longer have a common carrier obligation over the line.

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 1981 Hamilton West, Michigan (2 Pages) and 1981 Hamilton East, Michigan (1 Page) 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. There are no CSXT-owned structures 50 years old or older that are part of the proposed action that are eligible for listing in the National Register. (See Attachments 3 and 4.)

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

The right of way width along this line is 100 feet from the centerline of track and travels through rolling countryside, crosses several rivers, and terminates in the small community of Hamilton.

- (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:**

There are no CSXT-owned structures that are 50 years old or older that are eligible for listing in the National Register.

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

Not applicable.

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

This line segment was previously owned by the Pere Marquette Railway Company which 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.

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.

Upon receiving abandonment authority, CSXT intends to sell the line to Hamilton Farm Bureau. Hamilton Farm Bureau intends to keep the track in place and continue utilizing the line for railroad purposes. The only difference will be that CSXT will no longer have a common carrier obligation over the line.

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

Not applicable.

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

A review of our records indicates there are no CSXT-owned structures over 50 years old on this line segment that are eligible for listing in the National Register.

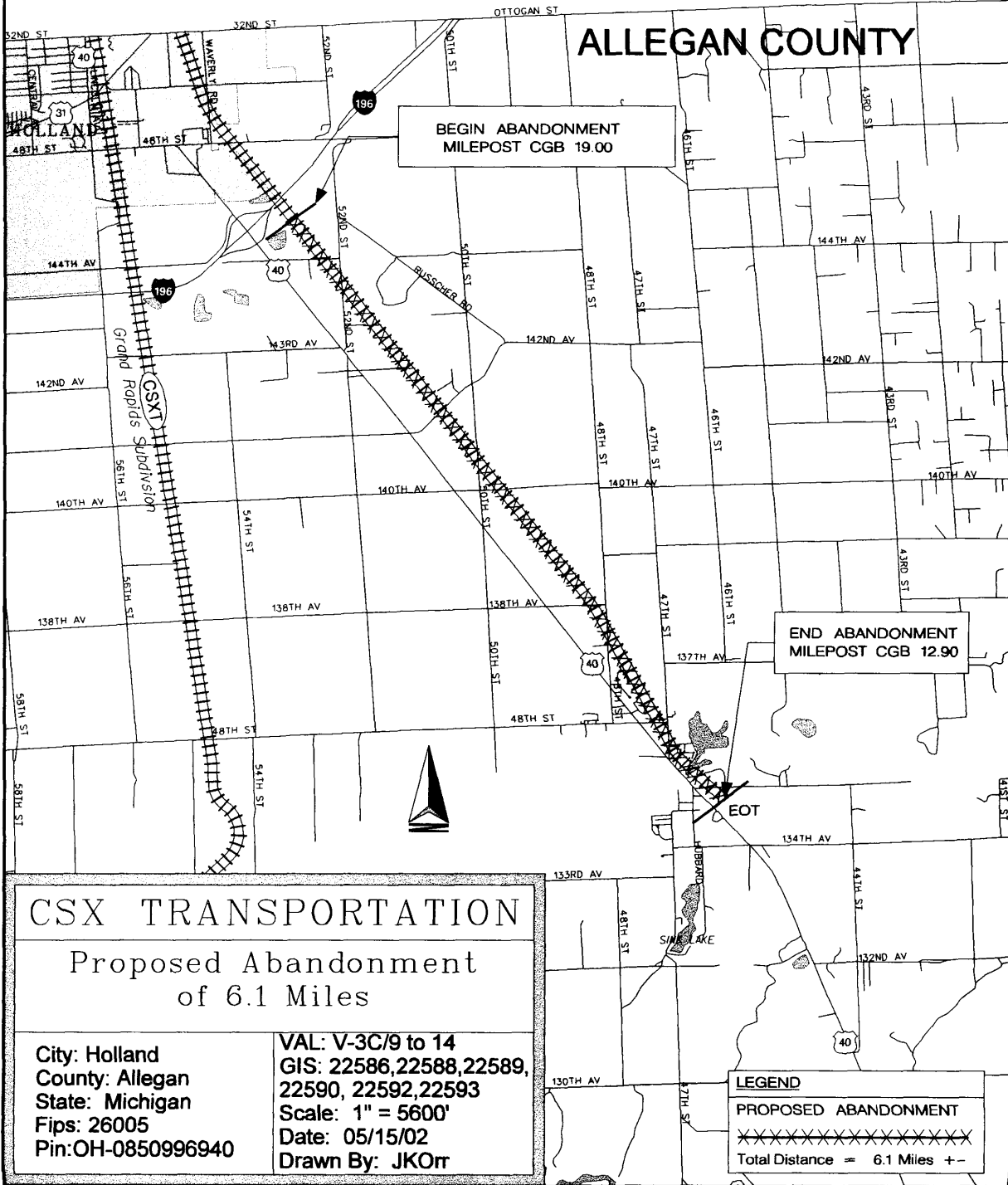
We do not know of any archeological resources or any other previously unknown historic properties in the project area.

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

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

OTTAWA COUNTY

ALLEGAN COUNTY



CSX TRANSPORTATION

Proposed Abandonment of 6.1 Miles

City: Holland
County: Allegan
State: Michigan
Fips: 26005
Pin: OH-0850996940

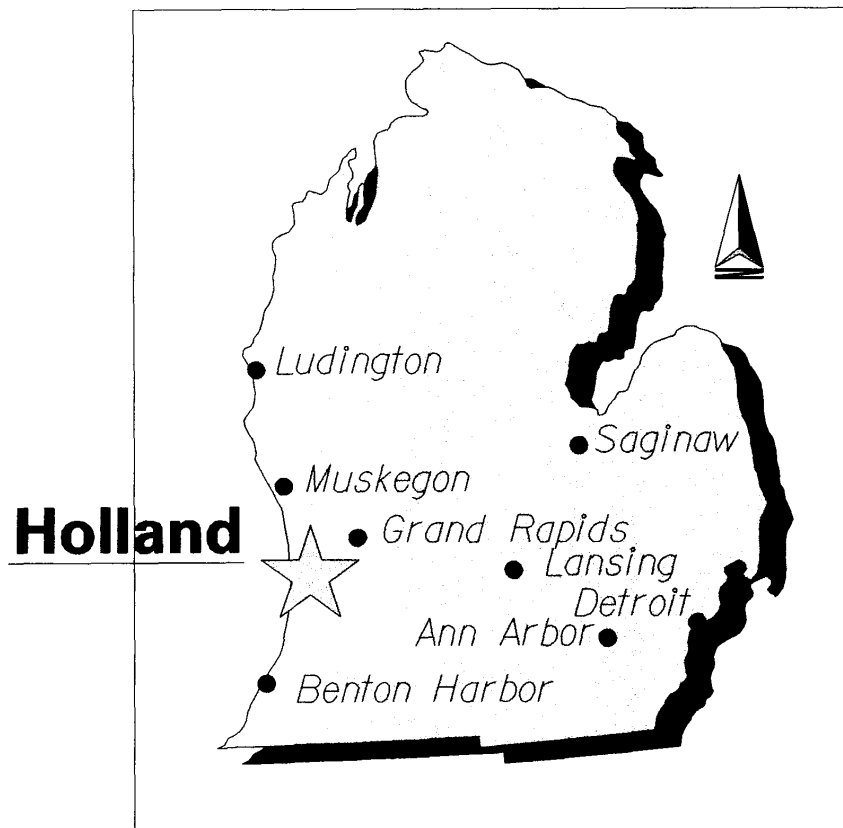
VAL: V-3C/9 to 14
GIS: 22586,22588,22589,
22590, 22592,22593
Scale: 1" = 5600'
Date: 05/15/02
Drawn By: JKOr

LEGEND

PROPOSED ABANDONMENT

XXXXXXXXXXXXXXXXXXXX

Total Distance = 6.1 Miles +-



AREA MAP
STATE OF MICHIGAN

Proposed Abandonment - 6.1 Miles
Allegan County
Holland to Hamilton, MI

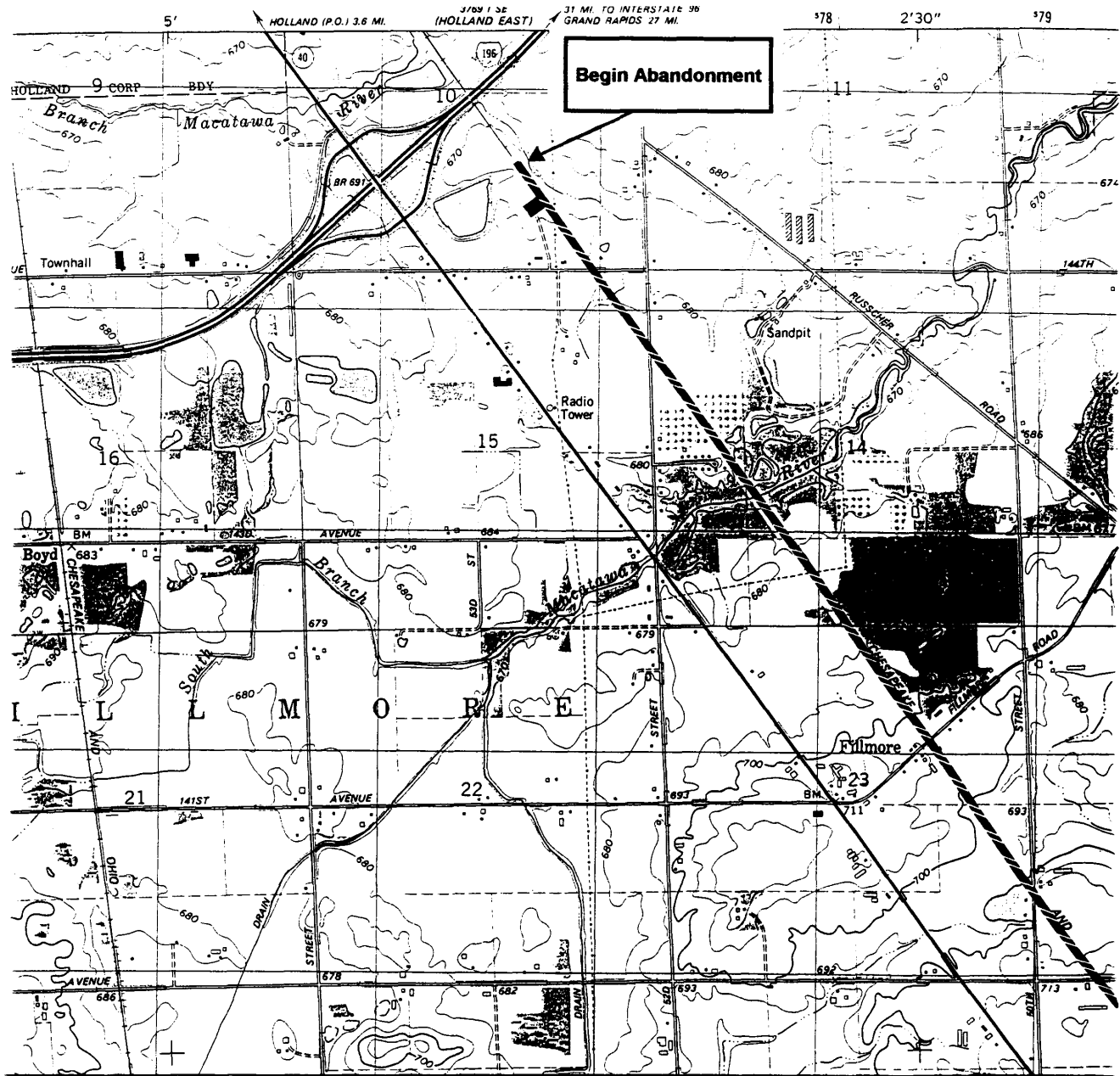
WESTERN REGION - CHICAGO DIVISION - GRAND RAPIDS SUBDIVISION

Attachment 3

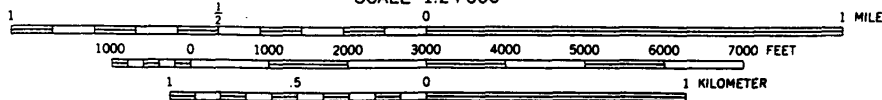
U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

HAMILTON WEST QUADRANGLE
Michigan, Allegan County

1981
Page 1 of 2



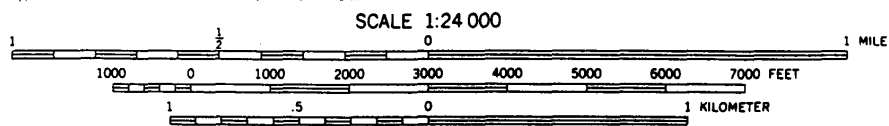
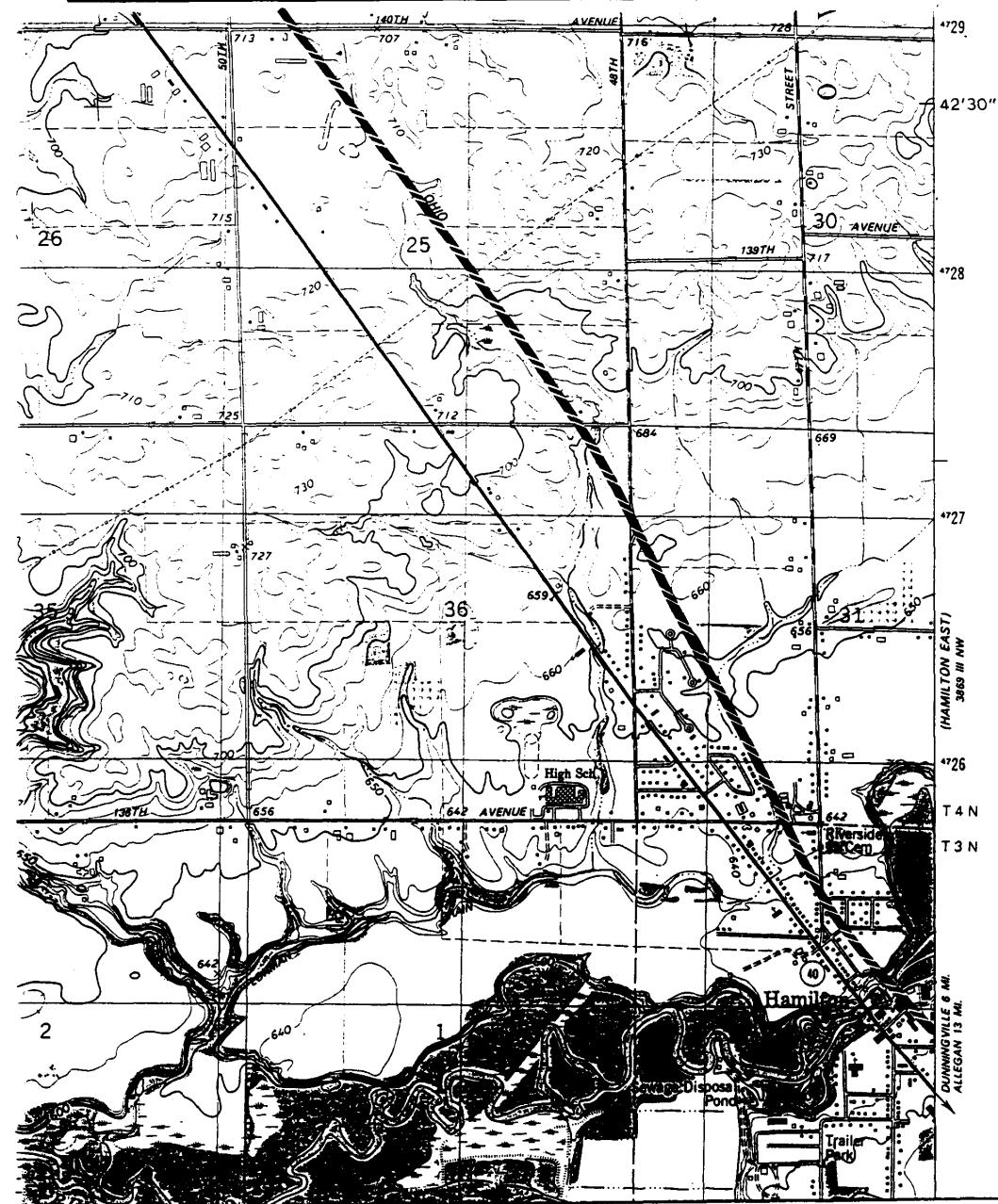
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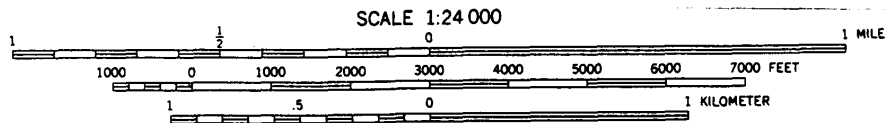
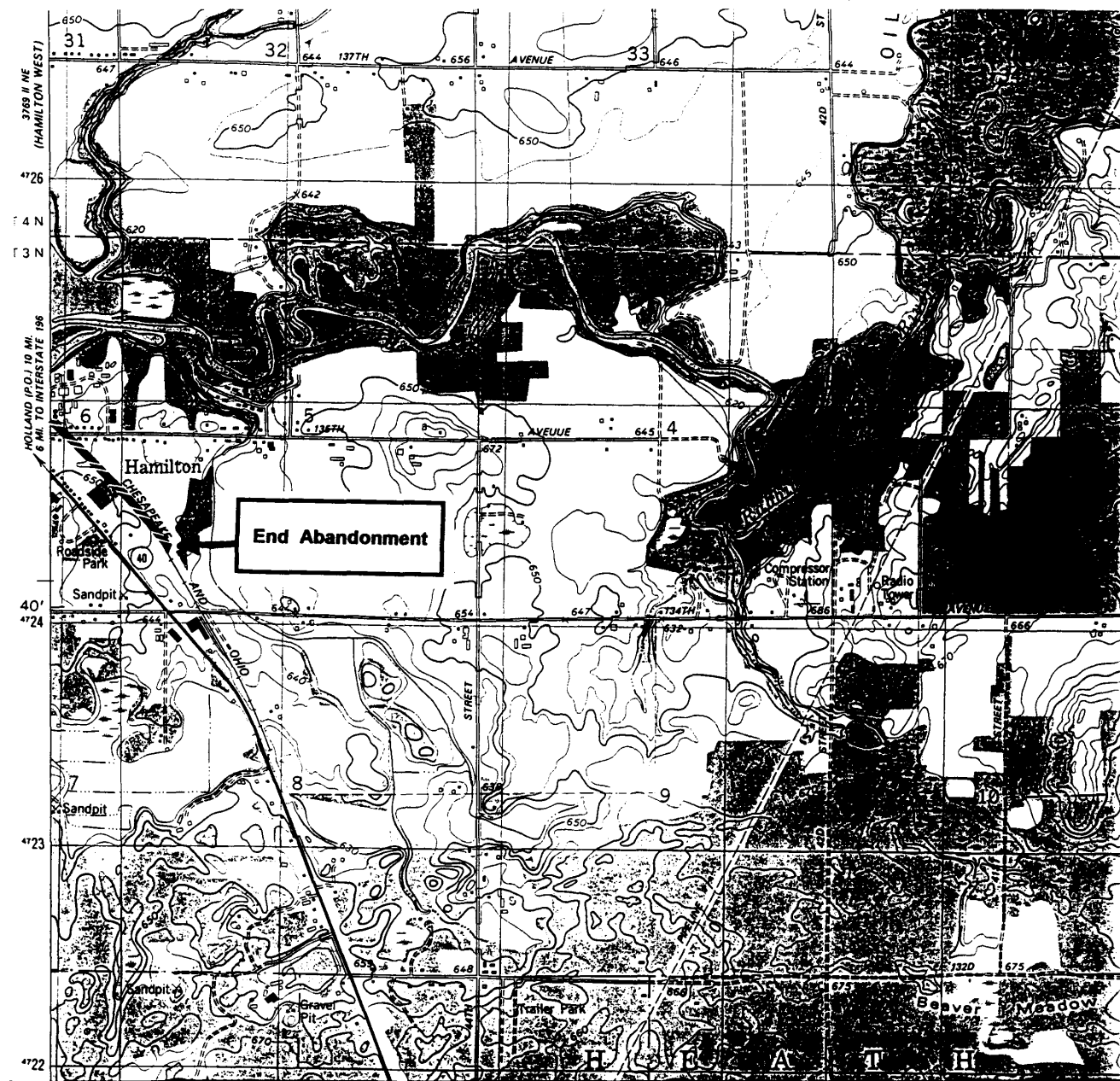
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ITOURS
OF 1929

U. S. DEPT. OF THE INTERIOR
QUADRANGLE GEOLOGICAL SURVEY

HAMILTON EAST QUADRANGLE
Michigan, Allegan County
1981
Page 1 of 1



DOTTEI
NATION

41

ITOURS
OF 1929



Nancy B. Reynolds
Manager Line Transactions
Asset Management

500 Water Street - J-200
Jacksonville, FL 32202
Tel. (904) 359-1424
Fax (904) 359-1111
E-Mail: Nancy_Reynolds@CSX.com

May 31, 2002

Mr. Brian Conway
State Historic Preservation Officer
Michigan Historical Center
State Historic Preservation Office
717 West Allegan Street
Lansing, MI 48918-1800

**RE: HOLLAND TO HAMILTON, ALLEGAN COUNTY, MICHIGAN
CSX Transportation, Inc. - Proposed Abandonment
Docket No. AB-55 (Sub-No. 619X)**

Dear Mr. Conway:

Please be advised that CSX Transportation, Inc., ("CSXT") anticipates filing for abandonment of approximately 7.1 miles of its rail line between Holland and Hamilton, Allegan County, Michigan, as shown in the attached Historic Report.

In connection with rail lines that are to become the subject of applications for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a Historic Report covering the above-proposed abandonment.

This project was originally submitted to the Michigan State Historic Preservation Office for review in October, 1993. At that time, your office determined that the project would not affect any historic properties eligible for listing in the National Register of Historic Places and that the project was cleared under Federal Regulations 36 CFR 800.4 for the "Protection of Historic Properties". Attached, for your ready-reference, is a copy of a letter dated December 2, 1993 from Kathryn B. Eckert, State Historic Preservation Officer.

I will appreciate receiving your letter re-confirming that this project will have no impact upon cultural resources. If you have questions, please feel free to call me.

Sincerely,

Attachments

Copy:
Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW - Suite 534
Washington, DC 20423-0001

Ms. Natalie S. Rosenberg, Counsel, CSXT, 500 Water St.-J150, Jacksonville, FL 32202



Bureau of Michigan History, State Historic Preservation Office
Michigan Library and Historical Center
717 West Allegan Street
Lansing, Michigan 48918-1800

December 2, 1993

MS PATRICIA COLLIER
CSX TRANSPORTATION
500 WATER STREET J200
JACKSONVILLE FL 32202

RE: ER-94034 CSXT proposed abandonment Hamilton to Holland, Ottawa County
(ICC)

Dear Ms. Collier:

Under the authority of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited project at the location noted above. It is the opinion of the State Historic Preservation Officer (SHPO) that the project will affect no historic properties (no known sites eligible for listing in the National Register of Historic Places) and that the project is cleared under federal regulation 36 CFR 800 for the "Protection of Historic Properties."

Please maintain a copy of this letter with your environmental review record for this project. If the scope of work changes in any way, or if artifacts or bones are discovered, please contact this office immediately. This letter evidences your compliance with 36 CFR 800.4, "Identifying Historic Properties," and the fulfillment of your responsibility to notify this office under 36 CFR 800.4(d), "When no historic properties found."

If you have any questions, please contact the Environmental Review Coordinator at (517) 335-2721 or 335-2720. Thank you for this opportunity to review and comment.

Sincerely,

Kathryn B. Eckert
State Historic Preservation Officer

KBE:ROC:cm

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 May 31, 2002, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Allegan County Planning Commission
c/o Allegan County Courthouse
113 Chestnut Street
Allegan, MI 49010

City of Holland Planning Commission
270 S. River Avenue
Holland, MI 49423

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

Ms. Peg Bostwick
Lake and Stream Protection Unit
Land and Water Management Division
Michigan Department of Natural Resources
P.O. Box 30458
East Lansing, MI 48823

Mr. William Semeyn, Resource Conservationist
Natural Resources Conservation Service
Allegan Service Center
1668 Lincoln Road
Allegan, MI 49010-9410

Michigan Dept. of Environmental Quality
Kalamazoo District Office
7953 Adobe Road
Kalamazoo, MI 49009-5026

U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3507
Mr. Craig Czarnecki, Field Supervisor

U.S. Department of Interior
Fish and Wildlife Service
2651 Coolidge Road
East Lansing, MI 48823

Mr. Richard Pfaff
State Clearinghouse Single Point of Contact
Southeast Michigan Council of Governments
660 Plaza Drive - Suite 1900
Detroit, MI 48226

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

Michigan Coastal Zone Management Program
Land and Water Management Division
Michigan Dept. of Natural Resources
P.O. Box 30028
Lansing, MI 48909

In accordance with 49 C.F.R. 1105.8(c), I hereby
certify that on May 31, 2002, a copy of the Historic Report was
served upon the below listed party, by first-class mail, postage
prepaid:

Mr. Brian Conway
State Historic Preservation Officer
Michigan Historical Center
717 West Allegan Street
Lansing, MI 48918-1800


Natalie S. Rosenberg

August 9, 2002

Jacksonville, FL
August 7, 2002

Ms. Natalie Rosenberg – J150

RE: MI-003B - CSXT Proposed Abandonment – Western Region,
Chicago Division, Grand Rapids Subdivision, the Hamilton
Industrial Track between Milepost CGB-19.00 in Holland and
Milepost CGB-12.90 in Hamilton, all in Allegan County,
Michigan, a distance of 6.1 miles
Docket No. AB-55 (Sub-No. 619X)

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 2000, 2001 and 2002 (Jan.-June):

<u>PATRON</u>	<u>STATION</u>	<u>COMMODITY</u>	<u>CARLOADS</u>		
			<u>2000</u>	<u>2001</u>	<u>2002</u>
Hamilton Farm Bureau Mr. David J. Steenstra President / CEO 4670 E. Washington P.O. Box 186 Hamilton, Michigan 49419	Hamilton	feed ingredients, fertilizer and lumber	183	195	79 (Jan.-Jun.)

Upon receiving abandonment authority, CSXT intends to sell the line to Hamilton Farm Bureau. Hamilton Farm Bureau intends to keep the track in place and continue utilizing the line for railroad purposes. The only difference will be that CSXT will no longer have a common carrier obligation over the line.

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


Heidi D. Bash
Director Asset Management

FILED

STB No. AB-55 (Sub-No. 619X)

Notice of Petition for Exemption to Abandon

AUG 12 2002



**SURFACE
TRANSPORTATION BOARD**

On August 9, 2002, CSX Transportation, Inc. filed with the Surface Transportation Board, Washington, DC 20423, a petition for exemption of abandonment of a portion of its line of railroad in the Western Region, Chicago Division, Grand Rapids Subdivision, Hamilton Industrial Track extending between Milepost CGB 19.00 in Holland and CGB 12.90 in Hamilton, Michigan, a total distance of approximately 6.1 miles. The line traverses through United States Postal Service ZIP Codes 49423 and 49419. The line for which the abandonment exemption request was filed includes no stations.

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.

FEE RECEIVED

AUG 12 2002

**SURFACE
TRANSPORTATION BOARD**

ENTERED
Office of Proceedings

AUG 12 2002

Part of
Public Record

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.