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214025

GC&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

May 16, 2005
VIA: FEDERAL EXPRESS

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburg & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)



Environmental/Historic Report

Dear Secretary Williams:

Enclosed for filing are the original and ten copies of the Environmental/Historic Report being filed in connection with the above-referenced matters. Although the matters have not been consolidated, we are filing a single Report because both filings relate to the same line of railroad.

Please time-stamp the extra copy of this letter to indicate receipt, and return it to me in the stamped, self-addressed envelope provided for your convenience.

Respectfully,

Leanore D. Bellis
Leanore D. Bellis

ENTERED
Office of Proceedings

MAY 19 2005

Part of
Public Record

Enclosures

cc: Kevin Bowser
William V. Gentilman
Eric M. Hocky, Esquire
All Parties on Service List



Before the

SURFACE TRANSPORTATION BOARD

**BUFFALO & PITTSBURGH RAILROAD, INC.
NOTICE OF EXEMPT DISCONTINUANCE
PURSUANT TO**

**49 CFR 1152 SUBPART F
DOCKET NO. AB-369 (No. 5X)**

—214025

**PITTSBURGH & SHAWMUT RAILROAD, LLC
PETITION OF EXEMPT ABANDONMENT
PURSUANT TO
49 USC 10502 and 49 CFR 1152 SUBPART G
DOCKET NO. AB-976 (X)**

ARMSTRONG AND JEFFERSON COUNTIES, PENNSYLVANIA

—214026

ENVIRONMENTAL/HISTORIC REPORT

ENTERED
Office of Proceedings

MAY 19 2005

Part of
Public Record

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Suite 200
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Philadelphia, PA 19103
(215) 563-9400
Attorney for
Buffalo & Pittsburgh Railroad, Inc. and
Pittsburg & Shawmut Railroad, LLC

Dated: May 16, 2005

Before the
SURFACE TRANSPORTATION BOARD

**BUFFALO & PITTSBURGH RAILROAD, INC.
NOTICE OF EXEMPT DISCONTINUANCE
PURSUANT TO
49 CFR 1152 SUBPART F
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**PITTSBURGH & SHAWMUT RAILROAD, LLC
PETITION OF EXEMPT ABANDONMENT
PURSUANT TO
49 USC 10502 and 49 CFR 1152 SUBPART G
DOCKET NO. AB-976 (X)**

ARMSTRONG AND JEFFERSON COUNTIES, PENNSYLVANIA

ENVIRONMENTAL/HISTORIC REPORT

Buffalo & Pittsburgh Railroad, Inc. ("BPRR") will be seeking authority to discontinue its operations over a line of railroad between milepost 22.0 south of Brookville, Pennsylvania, and milepost 62.0 in Mahoning, Pennsylvania. Pittsburg & Shawmut Railroad, LLC ("PSR, LLC") will be seeking authority to abandon the same line. (BPRR and PSR, LLC are sometimes referred to collectively as the "Applicants"). BPRR expects to file its notice, and PSR, LLC expects to file its petition, on or about June 6, 2005. Although the BPRR and PSR, LLC proceedings are not consolidated, Applicants are filing this joint report since both proceedings involve the same rail line. To prepare this report, Applicants jointly consulted with various state and federal agencies. See the letters attached as Exhibit A. Based on the written responses

attached as Exhibit B, and the responses (both oral and written) noted in the Response Log attached as Exhibit C, Applicants state as follows:

A. ENVIRONMENTAL REPORT
(49 CFR 1105.7)

1. **Proposed action and alternatives**

PSR, LLC proposes to abandon its line of railroad which runs in a southwest direction from milepost 22.0 south of Brookville in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning in Armstrong County (the "Subject Line"). BPRR will discontinue its operations over the line at the same time. At this time, Applicants plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. See Norfolk Southern Railway Company – Abandonment Exemption – In Mecklenburg County, NC, STB Docket No. AB-290 (Sub-No. 247X) (served April 9, 2004); Missouri Pacific Railroad Company – Abandonment Exemption – In Marion County, IL, ICC Docket No. AB-3 (Sub-No. 77X). They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. See Exhibit D for a topographical map of the Subject Line. No service has been provided on the Subject Line by Applicants, or BPRR's predecessor, since September 1999.

2. **Effects on transportation system**

No traffic has been handled on the Subject Line for nearly 6 years. Thus, the proposed abandonment¹ will have no effect on regional or local transportation systems or patterns.

¹ For ease of reference Applicants will refer only to "abandonment" although BPRR will be filing for discontinuance and PSR, LLC will be filing for abandonment.

3. **Land use**

(i) Applicants are unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicants served notices of the proposed abandonment on the following land use agencies: Pennsylvania Department of Conservation and Natural Resources, Jefferson County Commissioners, Armstrong County Commissioners, and US Department of Commerce/NOAA N-NGS2 (The National Geodetic Survey). Copies of these letters are attached as part of Exhibit A. Copies of the responses received are attached as part of Exhibit B, and are summarized below. Direct responses were only received from the agencies identified below.

- On March 28, 2005, Armstrong County's Department of Planning and Development ("Armstrong County") sent Applicants a letter expressing their interest in the conversion of the Subject Line to a rail-trail. Armstrong County understands that their request must wait for the verified filings to be made with the Board. (Further, according to the April 18, 2005 letter from Armstrong County's attorney, Jefferson County is also interested in the rail-trail option.)
- On March 29, 2005, the Pennsylvania Department of Conservation and Natural Resources ("PaDCNR") wrote the Applicants stating that the proposed abandonment does not cross state park land. PaDCNR noted that there is strong local interest in converting the right of way into a rail-trail. In order to facilitate Armstrong County's request, PaDCNR has requested documentation as to the real estate ownership of the proposed abandonment for same. (On April 18, 2005, counsel for Armstrong County also requested documentation concerning the title to the

property.) Finally, PaDCNR requested information as to Applicants' intention to retain a portion of the line to be abandoned.

- The US Department of Commerce/NOAA N-NGS2 (The National Geodetic Survey) sent a letter to the Applicants on March 23, 2005 stating that they have reviewed the proposed actions and found that one geodetic station marker at MP 54.82 may be affected. The National Geodetic Survey is to be notified if there is a possibility of its being disturbed.

No other land use agency has responded. Applicants' responses to Armstrong County and PaDCNR are described in Exhibit C.

(ii) The proposed abandonment will have no affect on any prime agricultural land. Notice of the abandonment has been served on the USDA Natural Resources Conservation Service and the USDA Natural Resources Conservation Service (State Conservationist), copies of which are attached as part of Exhibit A. No responses have been received.

(iii) Notice of the abandonment was served on the PA Department of Environmental Protection Coastal Zone Management Program. A copy of this letter is attached as part of Exhibit A. In a letter dated March 29, 2005, the Coastal Zone Management Program confirmed that the Subject Line is not in Pennsylvania's coastal zones. See Exhibit B.

(iv) Applicants believe that both Armstrong County and Jefferson County are interested in converting the Subject Line into a trail. Applicants are willing to discuss the possible conversion with the Counties.

4. **Energy**

Since the Subject Line has not been used for nearly six years:

(i) The proposed abandonment will have no effect on the transportation of energy resources.

- (ii) The proposed abandonment will have no effect on recyclable commodities.
- (iii) There will be no effect on overall energy efficiency.
- (iv) The proposed abandonment will not divert any traffic from rail to motor carriage.

5. **Air**

(A) – (C) The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity.

6. **Noise**

The proposed abandonment will not result in any increase in noise levels.

7. **Safety**

The proposed abandonment will not have any effect on public health or safety.

8. **Biological Resources**

(i) Applicants have given notice of the proposed abandonment to the following agencies: PaDCNR, Pennsylvania Dept. of Environmental Protection (Northwest Regional Office), Pennsylvania Dept. of Environmental Protection (Southwest Regional Office), Environmental Protection Agency (Region 3), US National Park Service (Northeast Region), USDA Natural Resources Conservation Service, the USDA Natural Resources Conservation Service (State Conservationist), US Fish and Wildlife Service (Northeast Regional Office), US Department of the Interior Fish and Wildlife Service (Pennsylvania Field Office), Pennsylvania Game Commission, and Pennsylvania Fish and Boat Commission (Northcentral Region). See Exhibit A. The replies from the only agencies that responded are summarized below. Copies of the responses are included as part of Exhibit B.

- On March 29, 2005, the Pennsylvania Department of Conservation and Natural Resources ("PaDCNR") wrote the Applicants stating that the Subject Line does not cross state park land.
- On April 14, 2005, counsel for the Pennsylvania Dept. of Environmental Protection (Northwest Regional Office) contacted Applicants by telephone to learn if Applicants' engine repair facility in Brookville was included in the proposed abandonment, and if there were any encroachment permits on any part of the Subject Line. On April 15, 2005, Applicants responded to advise the Department that the Brookville engine repair facility is not a part of the proposed abandonment, and that there are no encroachment permits involved with the proposed abandonment.
- On April 14, 2005, US Department of the Interior Fish and Wildlife Service (Pennsylvania Field Office) wrote the Applicants and stated that "except for certain transient species, no federally listed or proposed threatened or endangered species are known to occur within the project impact area."
- On April 14, 2005, the Pennsylvania Fish and Boat Commission (Northcentral Region) wrote the Applicants stating that there are no anticipated conflicts with their programs. This Commission asked that the Pennsylvania Depart. of Environmental Protection be kept informed of any intended disturbances to any waterways.
- On April 25, 2005, the Pennsylvania Dept. of Environmental Protection (Southwest Regional Office) wrote the Applicants and provided guidelines for the handling of certain types of possible issues. This Respondent also

attached an e-Map of known environmental features that may relate to the proposed abandonment.

(ii) Applicants do not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. None of the responses received from the applicable state and government agencies indicated otherwise. The relevant agencies that were sent notices were as follows: US National Park Service (Northeast Region), USDA Natural Resources Conservation Service, the USDA Natural Resources Conservation Service (State Conservationist), US Fish and Wildlife Service (Northeast Regional Office), US Department of the Interior Fish and Wildlife Service (Pennsylvania Field Office), Pennsylvania Game Commission and Pennsylvania Fish and Boat Commission (Northcentral Region). See Section 8(i) above for a summary of the only responses received from the listed agencies.

9. **Water**

(i) The proposed abandonment will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. See Section 8(i) above for a list of the agencies noticed by the Applicants, and the replies received. No responding agency raised any concerns as to the proposed abandonment's effects on water quality, and none are anticipated.

(ii) Applicants sent notice of this proposed abandonment to the US Army Corps of Engineers. See Exhibit A. No response has been received. To the best of Applicants' knowledge, the proposed abandonment will have no effect on wetlands or 100-year flood plains as all water-related structures will remain in place.

(iii) Applicants sent notice of this proposed abandonment to the Pennsylvania Dept. of Environmental Protection (Northwest Regional Office), the Pennsylvania Dept. of

Environmental Protection (Southwest Regional Office), and to the Environmental Protection Agency (Region 3). See Exhibit A. Applicants received a response from the Pennsylvania Dept. of Environmental Protection (Northwest Regional Office) on April 14, 2005. See Exhibit B. The responding agency asked if there were any encroachment permits involved with the proposed abandonment. On April 15, 2005, Applicants advised the agency that there were no encroachment permits. See Exhibit B for a copy of Applicants' response. The proposed abandonment will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards.

10. **Proposed Mitigation**

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. **Additional Information for Rail Constructions**

Not applicable.

12. **Consultation**

As shown by the copies of letters attached hereto as Exhibit A, Applicants have consulted with the following agencies: Secretary of the Commonwealth (Pedro Cortes), PaDCNR, Pennsylvania Dept. of Environmental Protection, Pennsylvania Dept. of Environmental Protection (Northwest Regional Office), Pennsylvania Dept. of Environmental Protection (Southwest Regional Office), Pennsylvania Department of Environmental Protection - Coastal Zone Management Program, Jefferson County Commissioners, Armstrong County Commissioners, Environmental Protection Agency (Region 3), US Fish and Wildlife Service (Northeast Regional Office), US Dept. Of the Interior Fish and Wildlife Service (Pennsylvania Field Office), U.S. Army/Corps of Engineers (Pittsburgh District), National Park Service (Northeast Region), USDA Natural Resources Conservation Service, USDA Natural Resources Conservation Service (State Conservationist), United States Dept. of Commerce (Spatial

Reference System Div.), Pennsylvania Game Commission (Bureau of Law Enforcement, North Central Regional Office), Pennsylvania Fish and Boat Commission (North Central Region).

Written responses were received only from: PaDCNR (Park Planning Section), Pennsylvania Dept. of Environmental Protection (Northwest Regional Office), Pennsylvania Dept. of Environmental Protection (Southwest Regional Office), Pennsylvania Dept. of Environmental Protection (Coastal Zone Management Program), Armstrong County Commissioners (Planning Division), Armstrong County Commissioners (Legal Counsel), US Department of Interior/Fish and Wildlife Service (Pennsylvania Field Office), United States Department of Commerce (Spatial Reference System Division), and Pennsylvania Fish and Boat Commission (Northcentral Region).

Copies of the written responses are attached hereto as Exhibit B. Oral responses were received from: Secretary of the Commonwealth, Environmental Protection Agency (Pittsburgh Office – Legal Counsel), Pennsylvania Dept. of Environmental Protection (Northwest Regional Office – Regional Legal Counsel), Armstrong County Commissioners (Planning Division). See Exhibit C.

13. **Certifications**

Applicants certify that:

(a) It consulted with the agencies listed in 49 CFR 1105.7(b), as described in paragraph No. 12 above.

(b) On this date, it sent copies of this report to each of the agencies consulted.

(c) Notice of the proposed abandonment is being published in the Leader-Times (Armstrong County) on May 4, 11 and 18, 2005, and in the Jeffersonian Democrat (Jefferson County) on May 5, 12 and 19, 2005, in the form specified in 49 CFR 1105.12. As required, the notice alerts the public to the proposed abandonment, to available reuse alternatives, and to how it may participate in this proceeding. A copy of the notice as it is

appearing in the papers is attached as Exhibit E. (The formal proof of publication will be submitted by Applicants in a supplemental filing.)

(d) Applicants will not file their verified notice of abandonment until at least twenty (20) days after the agencies have been served with a copy of this report.

B. HISTORIC REPORT
(49 CFR 1105.8)

The information required by 49 CFR 1105.7(e)(1) is set forth in Section A.1 above.

1. **U.S.G.S. Topographic Map**

A U.S.G.S. topographic map showing the location of the proposed abandonment is attached hereto as Exhibit D. See Exhibit F for a listing of the mileposts of the structures along the Subject Line that are over 50 years old.

2. **Description Of Right Of Way**

The right of way for this proposed abandonment runs through lands that are rural in nature consisting of woodlands and farmlands. The width of the property owned by PSR, LLC through which the Subject Line runs varies from 100 feet to 2,000 feet wide.

3. **Historic Structure(s)**

There are structures along the abandonment which are more than 50 years old. See Exhibit G for photographs of these structures, and Exhibit F for a listing of these structures and their locations along the Subject Line.

4. **Description of Structures**

Exhibit F provides a list of the structures along the abandonment which are more than 50 years old. Applicants are unaware of any major alterations to these bridges, arches, tunnels, and/or to the stone box. These structures were generally built in the early 1900's when the Subject Line was constructed.

5. **History of Carrier Operations in the Area**

Based on information in Applicants' possession, the Subject Line was built in the early 1900's by The Pittsburg & Shawmut Railroad Company. It was originally placed in service

in approximately 1908. The Pittsburgh & Shawmut Railroad Company continuously operated the line until April, 1996 when the Pittsburgh & Shawmut Railroad, Inc. ("PSRR") acquired the Subject Line. In December 2003, PSRR was merged into BPRR, and BPRR succeeded to its operating authority. For financing reasons, immediately after the merger, the physical assets comprising the Subject Line were transferred to PSR LLC, a newly formed wholly-owned subsidiary of BPRR.

The last rail service provided on the Subject Line segment was September 1999 when the last customer on the line, Doverspike Brothers Coal Company, closed. There have been attempts to bring new business to the Subject Line, but no other traffic has originated or terminated on this line segment since Doverspike Brothers Coal ceased shipments. All other traffic that traversed the Subject Line has since been re-routed. Because of the lack of use, Applicants propose to discontinue service over the line, abandon the line, and to salvage the track materials. (At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and to operate them as private sidetracks or spurs.)

6. **Summary of Structure Documentation**

A list of the historic structures along the proposed abandonment is provided in Exhibit F. Applicants are in possession of original bridge drawings and a bridge inspection report from 1996. Thus far no additional documentation about the structures has been located.

7. **Opinion Regarding Criteria for Listing**

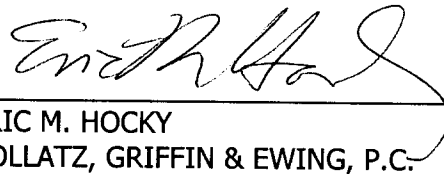
On April 4, 2005, the Pennsylvania Historical and Museum Commission's Bureau for Historic Preservation ("Historic Commission") mailed the Applicants the necessary forms for preparing a Section 106 Report. Applicants are in the process of preparing this report and will be filing it with the Historic Commission shortly.

Applicants' proposed salvage of the rail materials is not expected to disturb any potential archeological resources in the area.

8. **Environmental Conditions**

Applicants are unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archaeological recovery of resources or the surrounding terrain.

Respectfully submitted,



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Attorney for
Buffalo & Pittsburgh Railroad, Inc. and
Pittsburg & Shawmut Railroad, LLC

Dated: May 16, 2005

SERVICE/ADDRESS LIST

Pedro Cortes
Secretary of the Commonwealth
302 North Capitol Building
Harrisburg, PA 17120

George Facer
Park Planning Section
Department of Conservation and Natural Resources
Rachel Carson State Office Building
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400 Market Street
Harrisburg, PA 17105-8767

Pa. Dept. of Environmental Protection
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Harrisburg, PA 17105

Donna Duffy, Esq.
Regional Counsel
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Ronald A. Schwartz, PE
Assistant Regional Director
Southwest Regional Office
Pa.. Dept. of Environmental Protection
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Lawrence J. Toth
Environmental Planner
PA Department of Environmental Protection
Coastal Zone Management Program
P.O. Box 2063
400 Market Street, 15th Floor
Harrisburg, PA 17105-2063

Jefferson County Commissioners
Jefferson County Courthouse Annex
155 Main Street
Brookville, PA 15825

Armstrong County Commissioners
Armstrong County Courthouse
Suite 101
450 East Market Street
Kittanning, PA 16201

Environmental Protection Agency
Region 3
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029

US Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9589

David Densmore
Supervisor
US Dept. of the Interior
Fish and Wildlife Service
Pennsylvania Field Office
315 South Allen Street
Suite 322
State College, PA 16801-4805

U.S. Army, Corps of Engineers, Pittsburgh District
2032 William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Northeast Region
Regional Director
National Park Service
U.S. Custom House
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Philadelphia, PA 19106

USDA Natural Resources Conservation Service
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Beltsville MD 20705-5410

State Conservationist
USDA Natural Resources Conservation Service
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Harrisburg, PA 17110-2993

Mr. Richard A. Snay
Chief, Spatial Reference System Div.
United States Dept. of Commerce
NOAA, N/NGS2
SSMC3, Room 8828
1315 East-West Highway
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Pennsylvania Game Commission
Bureau of Law Enforcement
North Central Regional Office
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Jersey Shore, PA 17740-5038

Pennsylvania Fish and Boat Commission
Northcentral Region
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PO Box 5306
Bellefonte, PA 16823

Ron Tibbott
Fisheries Biologist
Bureau of Fisheries
Division of Environmental Service
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Pennsylvania Historical and Museum Commission
300 North Street
Harrisburg, PA 17120

Susan M. Zacher
PA Historical and Museum Comm.
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

EXHIBIT A

Brookville to Mahoning Abandonment



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G&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Pennsylvania Historical and Museum Commission
300 North Street
Harrisburg, PA 17120

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

Dear Sir or Madam:

This letter is to advise you that Pittsburgh & Shawmut Railroad, LLC ("PSR LLC") proposes to abandon its line of railroad which runs in a southwest direction from milepost 22.0 south of Brookville in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning in Armstrong County. Buffalo & Pittsburgh Railroad, Inc. ("BPRR") will discontinue its operations over the line at the same time. This line traverses through United States Postal ZIP Codes 15472, 15663, 15770, 15778, 15847, 16232, 16259, 17821 and 17844. A map showing the location of the line is attached.

No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X). PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

Based upon information in our possession, 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.

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon historic preservation.

Based on a review of their records, BPRR and PSR LLC believe that the enclosed list represents the bridges, tunnels, arches and the stone box along the line which are 50 years old or older. These structures were constructed in the early 1900's when the line was built. As indicated above, BPRR and PSR LLC intend to retain and operate certain portions of the track, and the use of those structures located on these portions will continue.

In advance of preparing an historic report as required by applicable regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to historic preservation effects of the proposed abandonment and discontinuance.

We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon historic preservation. If you have any questions about the railroads' proposal, or if you need further assistance, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanne D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

Brookville to Mahoning Structure Listing

<u>Mile Post</u>	<u>Structure</u>	<u>Name</u>	<u>Length</u>	<u>Description</u>
23.95	Bridge	23.95	52'	Deck Plate Girder
25.55	Bridge	25.55	21.17'	Stringer
26.50	Bridge	26.50	21.17'	Stringer
26.92	Arch	26.92	15'	Arch
28.02	Arch	28.02	16'	Arch
28.26	Tunnel	Knoxdale	812'	Tunnel
29.11	Arch	29.11	15'	Arch
29.50	Arch	29.50	15'	Arch
33.70	Bridge	33.70	1470'	Deck Plate Girder
35.73	Tunnel	Coulter	2025'	Tunnel
38.42	Bridge	38.42	1430'	Deck Plate Girder
39.73	Tunnel	Mauk	1989'	Tunnel
41.27	Bridge	41.27	21.33'	Deck Plate Girder
42.34	Bridge	42.34	23.33'	Deck Plate Girder
42.39	Arch	42.39	6'	Arch
42.86	Arch	42.86	12'	Arch
43.16	Arch	43.16	8'	Arch
43.59	Arch	43.59	15'	Arch
44.48	Bridge	44.48	23'	Stringer
44.57	Arch	44.57	15'	Arch
45.09	Arch	45.09	12'	Arch
45.59	Bridge	45.59	65.33'	Deck Plate Girder
45.94	Bridge	45.94	23.33'	Deck Plate Girder
46.32	Bridge	46.32	66.33'	Deck Plate Girder
46.67	Bridge	46.67	44.25'	Deck Plate Girder
47.59	Bridge	47.59	55'	Deck Plate Girder
47.92	Arch	47.92	10'	Arch
48.57	Arch	48.57	6'	Arch
48.92	Arch	48.92	16'	Arch
49.06	Bridge	49.06	23'	Stringer
49.73	Arch	49.73	8'	Arch
50.49	Arch	50.49	8'	Arch
51.23	Bridge	51.23	630.2'	Deck Plate Girder
51.86	Bridge	51.86	660'	Deck Plate Girder
52.69	Arch	52.69	10'	Arch
52.75	Bridge	52.75	23'	Stringer
53.56	Arch	53.56	8'	Arch
55.43	Bridge	55.43	508.33'	Deck Plate Girder / Deck Riveted Truss
55.95	Stone Box	55.95	6'	Stone Box Culvert
56.73	Tunnel	Mack	848'	Tunnel
57.81	Bridge	57.81	310.08'	Through Riveted Truss
58.46	Bridge	58.46	23.33'	Deck Plate Girder
59.21	Bridge	59.21	23.33'	Deck Plate Girder
59.41	Bridge	59.41	23'	Stringer
61.66	Arch	61.66	6'	Arch

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Dear Mr. Cortes:

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No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X). PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

Based upon information in our possession, 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.

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs.

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Secretary of the Commonwealth

March 17, 2005

Page 2 of 2

They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment and discontinuance.

We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

213 WEST MINER STREET
PO Box 796
WEST CHESTER, PA 19381
TELEPHONE 610.692.9116
FACSIMILE 610.692.9177
WWW.GGELAW.COM

G&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

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

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

Dear Sir or Madam:

This letter is to advise you that Pittsburgh & Shawmut Railroad, LLC ("PSR LLC") proposes to abandon its line of railroad which runs in a southwest direction from milepost 22.0 south of Brookville in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning in Armstrong County. Buffalo & Pittsburgh Railroad, Inc. ("BPRR") will discontinue its operations over the line at the same time. This line traverses through United States Postal ZIP Codes 15472, 15663, 15770, 15778, 15847, 16232, 16259, 17821 and 17844. A map showing the location of the line is attached.

No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X). PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

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At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost

GOLLATZ, GRIFFIN & EWING, P.C.

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Coastal Zone Management Program

March 17, 2005

Page 2 of 2

24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

Please advise us whether the line is within Pennsylvania's coastal zone. If it is within the coastal zone, please advise further (1) if the proposed abandonment and discontinuance are actions listed for review in Pennsylvania's coastal zone management plan, and (2) if the actions are so listed, whether the proposed actions are consistent with the coastal zone management plan. We would appreciate a response from you by April 18, 2005.

Additionally, we would appreciate an expression from you that, within the area of your authority, you do not perceive that the abandonment and discontinuance of the line will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

213 WEST MINER STREET
PO Box 796
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G&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Department of Conservation and Natural Resources
Rachel Carson State Office Building
PO Box 8767
400 Market Street
Harrisburg, PA 17105-8767

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Department of Conservation and Natural Resources
March 17, 2005
Page 2 of 2

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Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

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March 17, 2005
VIA: FIRST CLASS MAIL

Pa. Dept. of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Pa. Dept. of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335

Pa. Dept. of Environmental Protection
Southwest Regional Office
400 Waterfront Drive
Pittsburgh, PA 15222-4745

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

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No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X).

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

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WILMINGTON

Departments of Environmental Protection
March 17, 2005
Page 2 of 2

PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

Based upon information in our possession, 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.

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

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We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

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G&E GOLLATZ
GRIFFIN
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ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Pa. Dept. of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Pa. Dept. of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, PA 16335

Pa. Dept. of Environmental Protection
Southwest Regional Office
400 Waterfront Drive
Pittsburgh, PA 15222-4745

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

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WILMINGTON

Departments of Environmental Protection
March 17, 2005
Page 2 of 2

PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

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Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

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ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Pa. Dept. of Environmental Protection
Rachel Carson State Office Building
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RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Departments of Environmental Protection
March 17, 2005
Page 2 of 2

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Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

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G&E GOLLATZ
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& EWING
ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

Jefferson County Commissioners
Jefferson County Courthouse Annex
155 Main Street
Brookville, PA 15825

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

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GOLLATZ, GRIFFIN & EWING, P.C.

Jefferson County Commissioners
March 17, 2005
Page 2 of 2

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G&E GOLLATZ
GRIFFIN
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ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Armstrong County Commissioners
Armstrong County Courthouse
Suite 101
450 East Market Street
Kittanning, PA 16201

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Armstrong County Commissioners
March 17, 2005
Page 2 of 2

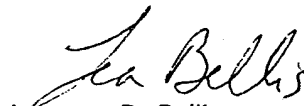
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Thank you for your cooperation.

Very truly yours,



Leanne D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

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G&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

Region 3
Environmental Protection Agency
1650 Arch Street (3PM52)
Philadelphia, PA 19103-2029

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

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WILMINGTON

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Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

213 WEST MINER STREET
PO BOX 796
WEST CHESTER, PA 19381
TELEPHONE 610.692.9116
FACSIMILE 610.692.9177
WWW.GGELAW.COM

GC&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

US Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9589

David Densmore
Supervisor
Fish and Wildlife Service
Pennsylvania Field Office
315 South Allen Street
Suite 322
State College, PA 16801-4805

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

Dear Sirs and/or Madam:

This letter is to advise you that Pittsburgh & Shawmut Railroad, LLC ("PSR LLC") proposes to abandon its line of railroad which runs in a southwest direction from milepost 22.0 south of Brookville in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning in Armstrong County. Buffalo & Pittsburgh Railroad, Inc. ("BPRR") will discontinue its operations over the line at the same time. This line traverses through United States Postal ZIP Codes 15472, 15663, 15770, 15778, 15847, 16232, 16259, 17821 and 17844. A map showing the location of the line is attached.

No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X).

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

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Fish and Wildlife Service
March 17, 2005
Page 2 of 2

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At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment and discontinuance.

We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanne D. Bellis
Paralegal

Enclosure (Map)

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March 17, 2005
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300 Westgate Center Drive
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GOLLATZ, GRIFFIN & EWING, P.C.

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Fish and Wildlife Service
March 17, 2005
Page 2 of 2

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Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

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LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

U.S. Army, Corps of Engineers, Pittsburgh District
2032 William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

U.S. Army, Corps of Engineers, Pittsburgh District
March 17, 2005
Page 2 of 2

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Leanne D. Bellis
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Enclosure (Map)

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March 17, 2005
VIA: FIRST CLASS MAIL

Northeast Region
Regional Director
National Park Service
U.S. Custom House
200 Chestnut St., Fifth Floor
Philadelphia, PA 19106

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

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Based upon information in our possession, 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.

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost

GOLLATZ, GRIFFIN & EWING, P.C.

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National Park Service
March 17, 2005
Page 2 of 2

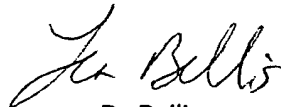
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Very truly yours,



Leanne D. Bellis
Paralegal

Enclosure (Map)

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ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

March 17, 2005
VIA: FIRST CLASS MAIL

USDA Natural Resources Conservation Service
5601 Sunnyside Ave.
Mailstop 5410, Room 1-1290A
Beltsville MD 20705-5410

State Conservationist
USDA Natural Resources Conservation Service
One Credit Union Place, Suite 340
Harrisburg, PA 17110-2993

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

USDA Natural Resources Conservation Service

March 17, 2005

Page 2 of 2

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LEANORE D. BELLIS
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March 17, 2005
VIA: FIRST CLASS MAIL

USDA Natural Resources Conservation Service
5601 Sunnyside Ave.
Mailstop 5410, Room 1-1290A
Beltsville MD 20705-5410

State Conservationist
USDA Natural Resources Conservation Service
One Credit Union Place, Suite 340
Harrisburg, PA 17110-2993

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WEST CHESTER

PHILADELPHIA

WILMINGTON

USDA Natural Resources Conservation Service
March 17, 2005
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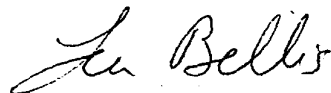
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March 17, 2005
VIA: FIRST CLASS MAIL

Mr. Richard A. Snay
Chief, Spatial Reference System Div.
United States Dept. of Commerce
NOAA, N/NGS2
SSMC3, Room 8828
1315 East-West Highway
Silver Spring, MD 20910

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WILMINGTON

Richard A. Snay
March 17, 2005
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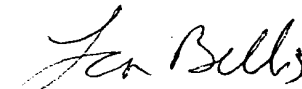
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ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
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March 17, 2005
VIA: FIRST CLASS MAIL

Pennsylvania Game Commission
Bureau of Law Enforcement
North Central Regional Office
1566 South Route 44 Highway
Post Office Box 5038
Jersey Shore, PA 17740-5038

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Pennsylvania Game Commission
March 17, 2005
Page 2 of 2

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DIRECT DIAL 610.350.4132
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March 17, 2005
VIA: FIRST CLASS MAIL

Pennsylvania Fish and Boat Commission
Northcentral Region
466 Robinson Lane
PO Box 5306
Bellefonte, PA 16823

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No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X). PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

Based upon information in our possession, 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.

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0

GOLLATZ, GRIFFIN & EWING, P.C.

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Pennsylvania Fish and Boat Commission
March 17, 2005
Page 2 of 2

BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment and discontinuance.

We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanore D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire

EXHIBIT B

Lea Bellis

From: Eric Hocky [emhocky@ggelaw.com]
Sent: Wednesday, May 04, 2005 2:07 PM
To: ttralston@armstrongpd.org
Cc: panchik@penn.com; Lea Bellis; Kevin Bowser
Subject: Brookville-Mahoning Abandonment

Although I believe that there have already been some discussions with the railroad about preserving portions of the line for trail use/rail banking, I am writing to follow up on our original discussion regarding the timing for such requests.

Trail use/rail banking requests are governed by 49 CFR 1152.29. Section 1152.29(b)(2) provides that a request must be filed within 10 days after notice of an exemption [what BPRR will be filing] is published in the Federal Register, and within 20 days after notice of filing of a petition for exemption [what PSR LLC will be filing] is published in the Federal Register. The requirements of such a request are set forth in the regulations.

I am also copying James Panchik, counsel for Armstrong County with this response since he has also written me to indicate Armstrong County's interest in this line.

Eric M. Hocky

Gollatz, Griffin & Ewing, P.C.
Four Penn Center, Suite 200
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2808
215.320.3720 (direct)
215.563.9400 (phone)
215.665.9988 (fax)
emhocky@ggelaw.com
www.ggelaw.com

5/5/2005

Lea Bellis

From: Eric Hocky [emhocky@ggelaw.com]
Sent: Wednesday, May 04, 2005 2:26 PM
To: gefacer@state.pa.us
Cc: Lea Bellis; Kevin Bowser; Bill Gentilman
Subject: Brookville-Mahoning Abandonment
Attachments: History of Carrier Operations.doc

I am responding to your inquiries to Lea Bellis about the above-referenced abandonment.

A draft of the history of the line which will be part of the environmental and historic report to be filed by BPRR and PSR LLC is attached for your reference. Although the railroads have not pulled their records or the deeds at this point, they believe that they own a fee interest in the line. If they were to convey the property they would do so by quitclaim deed in accordance with generally accepted railroad practice.

The proposed abandonment of the line would terminate the common carrier service obligations of the railroads with respect to the line, and remove the line from the interstate rail network. However, the abandonment would not prevent the railroads from re-classifying the track and continuing to operate certain portions at the ends of the line as side tracks or spurs which are exempt from Surface Transportation Board authority under 49 USC 10906. *See Norfolk Southern Railway Company – Abandonment Exemption – In Mecklenburg County, NC, STB Docket No. AB-290 (Sub-No. 247X) (served April 9, 2004); Missouri Pacific Railroad Company – Abandonment Exemption – In Marion County, IL, ICC Docket No. AB-3 (Sub-No. 77X).*

Please feel free to contact us if you have additional questions.

Eric M. Hocky

Gollatz, Griffin & Ewing, P.C.
Four Penn Center, Suite 200
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103-2808
215.320.3720 (direct)
215.563.9400 (phone)
215.665.9988 (fax)
emhocky@ggelaw.com
www.ggelaw.com

5/5/2005

DRAFT

5. **History of Carrier Operations in the Area**

Based on information in Applicants' possession, the line that is the subject of the proposed abandonment was built in the early 1900's by The Pittsburg & Shawmut Railroad Company. It was originally placed in service in approximately 1908. The Pittsburg & Shawmut Railroad Company continuously operated the line until April, 1996 when the Pittsburg & Shawmut Railroad, Inc. ("PSRR") acquired the line from The Pittsburg & Shawmut Railroad Company. In December 2003, PSRR was merged into Applicant BPRR, and BPRR succeeded to its operating authority. For financing reasons, immediately after the merger, the physical assets comprising the rail lines PSRR were transferred to Applicant PSR LLC, a newly formed wholly-owned subsidiary of BPRR.

The last rail service provided on this line segment was September 1999. (The line remained open to service Doverspike Brothers Coal Company until the company closed in September 1999.) There have been attempts to bring new business to this line segment but no other traffic has originated or terminated on this line segment since Doverspike Brothers Coal ceased shipments. All other traffic that traversed this line has since been re-routed. Because of the lack of use, Applicants propose to discontinue service over and abandon the line, and to salvage the track materials. (At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs.)



Pennsylvania Department of Environmental Protection

400 Waterfront Drive
Pittsburgh, PA 15222-4745
April 25, 2005

Southwest Regional Office

412-442-4189
Fax 412-442-4194

Leanore D. Bellis
Gollatz, Griffin & Ewing, Attorney-at-Law
213 West Miner Street
PO Box 796
West Chester, PA 19381

Re: Railway Project
Pittsburgh & Shawmut Railroad Abandonment
Various
Armstrong County

Dear Ms. Bellis:

The Department of Environmental Protection's (DEP) regional program staff have reviewed the above project for environmental regulatory and policy requirements, and submit the following comments for your attention:

Environmental Cleanup

1. If you plan to seek environmental liability protection under Act 2 or approved-use fill authorization by the DEP, a historical records search should be performed to determine all previous industrial operations conducted on this site. Contaminant testing should be comprehensive enough to indicate all previous sources of contamination. Off-site migration of contaminants through air, soil, or groundwater should be thoroughly addressed.

If you encounter contaminated soil during excavation contact the Southwest Region's Waste Management representative at 412-442-4125, and Environmental Cleanup Program representative at 412-442-5217, for proper management.
2. Release of environmental liability for either the current or future owners depends on attainment of one or a combination of the available standards under Act 2 for the contaminants in question which are defined in 25 Pa. Code Chapter 250. For additional information, contact the Environmental Cleanup Program staff at 412-442-5217.
3. If above or below-ground storage tanks are to be removed, contact the Department's Storage Tank Program representative at 412-442-4091 to ensure that the requirements of 25 Pa. Code Chapter 245 are met.



Soils and Waterways

4. As the owner of the railroad line you will be responsible for the operation and maintenance of all of the water obstructions located along the railroad line in accordance with Chapter 105 Dam Safety and Waterway Management, Section 105.171 "Maintenance". Also note that if the line is purchased by a second party the requirement for a water obstruction and encroachment permit are waived for the operation and minor maintenance of the existing bridges and/or culverts located along the line, pursuant to the approval of the Interstate Commerce Commission, the new owners will be required to apply for a permit for any major repairs such as the replacement of bridges and culverts.

Water Supply Management

5. All downstream public water supplies which may potentially be affected by sedimentation or stream flow changes must be directly contacted by the contractor at least 30 days prior to work start. Any public water supply problem resulting from this project must immediately be reported to DEP's Water Supply Management Program at this address.
6. If this project impacts any public drinking water source, both the public water supply and the appropriate DEP District Office or DEP's Water Supply Management Program must be notified at least 30 days prior to work start.

Armstrong-Westmoreland Co.
Armbrust Building
R.D. #2, Box 603-C
Greensburg, PA 15601
724-925-5400

For your convenience, we have enclosed our e-Map information from our website, (http://www.dep.pa.us/external_gis/gis_home.htm) of known environmental features within the area you identified which may be of interest or concern to you with your project.

Should you have any questions or if the project is significantly modified in the future, please contact this office at the telephone number listed above.

Sincerely,



Ronald A. Schwartz, P.E.
Assistant Regional Director
Southwest Regional Office

Enclosures

Oil and Gas Water Pollution Control Facility



Discharge Point -
OGWPC



Internal Monitoring Point
- OGWPC



Treatment
OGWPC

Radiation Facility



Accelerator



Mammography Quality Stds Act Tube



XRay Machine

Residual Waste Operation



Generator



Land Application - RWO



Transfer Station - RWO



Impoundment



Landfill - RWO



Incinerator - RWO



Processing Facility - RWO

Storage Tank Location



Storage Tank

Water Pollution Control Facility



Compost/Processing



Internal Monitoring Point -
WPCF



Storage Unit



Conveyance System



Land Discharge



Treatment Plant - WPCF



Discharge Point - WPCF



Outfall Structure - WPCF



Groundwater Monitoring
Point



Pump Station - WPCF

Water Resource



Discharge



Storage



Ground Water Withdrawal



Surface Water Withdrawal



Interconnection



Water Allocation

-  Submerged Lands License Agreement
-  Temporary Wetland Impact
-  Treatment Wetland System

-  Wetland Impact
-  Wetland Mitigation Bank
-  Wetland Restoration

Encroachment Location for O&G

-  Bridge - OGEL
-  Culvert - OGEL

EPA Toxic Release Inventory

-  EPA Toxic Release Inventory

Erosion & Sediment Control Facility

-  Agricultural Activities
-  Commercial or Ind Dev
-  Government Facilities
-  Oil And Gas Development
-  Private Road or Residence
-  Public Road Construction
-  Recreational Facilities
-  Remediation/Restoration
-  Residential Subdivision
-  Sewerage or Water Systems
-  Silviculture
-  Utility Fac and/or Trans Lines

Industrial Mineral Mining Operation

-  Discharge Point - IMMO
-  Mineral Preparation Plant - IMMO
-  Surface Mine - IMMO
-  Underground Mine - IMMO

Land Recycling Cleanup Location

-  Air Media
-  Contained Release or Abandoned Container
-  Groundwater Media
-  Sediment Media
-  Soil Media
-  Surface Water Media
-  Waste Media

Mine Drainage Trmt/Land Recl Proj Loc

-  Coal Refuse Pile Reclamation
-  Deep Mine Reclamation
-  Internal Monitoring Point
-  Mine Drainage Treatment
-  Oil & Gas Well Reclamation
-  Surface Mine Reclamation

Municipal Waste Operation

-  Composting
-  Land Application - MWO
-  Landfill - Abandoned
-  Landfill - MWO
-  Processing Facility - MWO
-  Resource Recovery
-  Transfer Station - MWO

Oil & Gas Location

-  Land Application - OGL
-  Oil and Gas Well
-  Pit

FACILITIES 2005

Air Emission Plant

-  Air Pollution Control Device
-  Combustion Unit
-  Fuel Material Location

-  General Administrative Location
-  Incinerator - AEP

-  Point of Air Emission
-  Process

Beneficial Land Use

-  Parcel

Brownfields

-  Brownfields

Captive Hazardous Waste Operation

- | | | |
|---|--|--|
|  Boiler Industrial Furnace |  Incinerator - CAHWO |  Treatment Facility - CAHWO |
|  Disposal Facility - CAHWO |  Recycling Facility - CAHWO | |
|  Hazardous Generator Captive |  Storage Facility - CAHWO | |

Coal Mining Operation

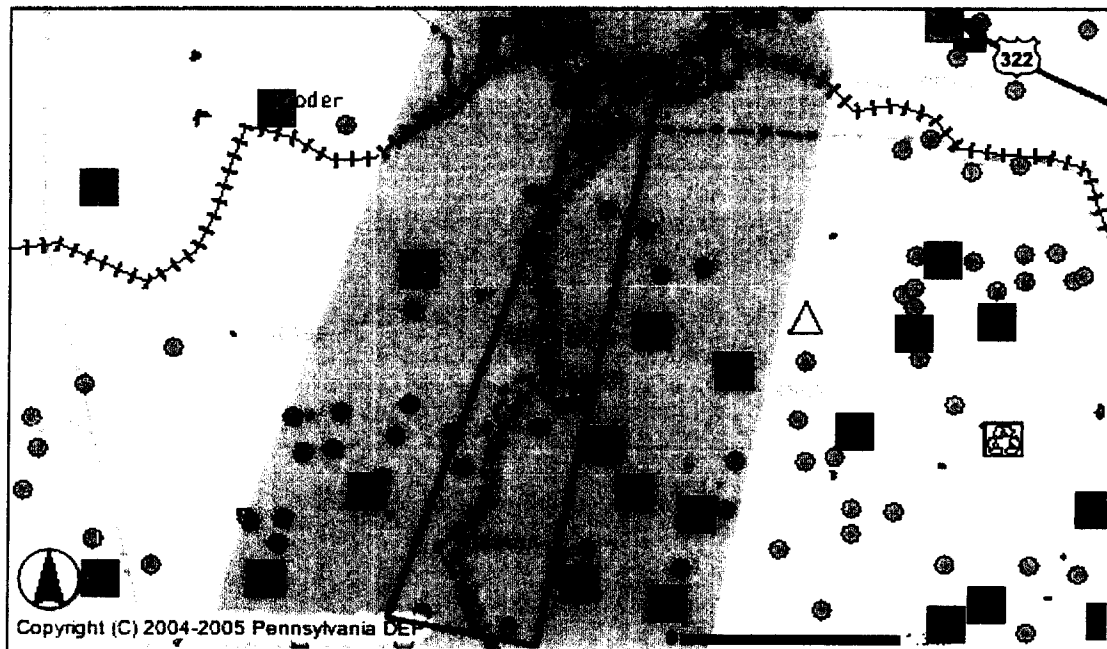
- | | | |
|--|--|--|
|  Discharge Point - CMO |  Refuse Disposal Facility |  Underground Mine |
|  Mineral Preparation Plant - CMO |  Refuse Reprocessing | |
|  Post Mining Treatment |  Surface Mine - CMO | |

Coal Pillar Location

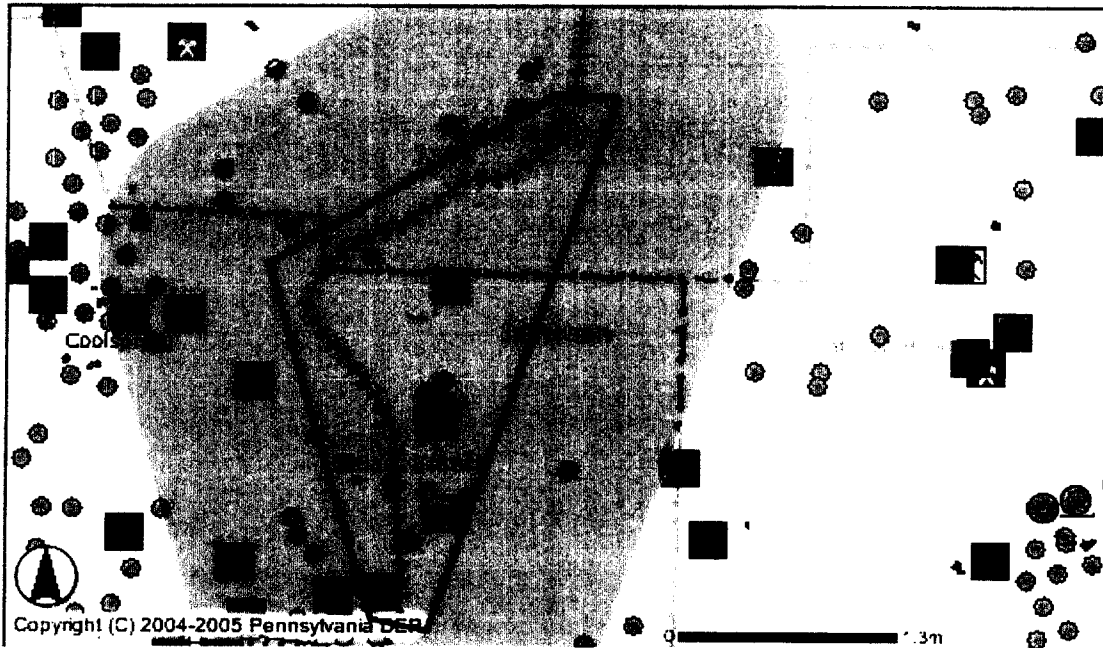
-  Coal Pillar - Mining
-  Coal Pillar - Oil & Gas

Encroachment Location

- | | |
|--|---|
|  Boat Launch Ramp |  Gravel Bar Removal |
|  Bridge - ENCL |  Intake Structure |
|  Bulkhead or Groin |  Non-Jurisdictional Dam - ENCL |
|  Ch 106 Floodplain Permit |  Other Activities |
|  Channel Work |  Outfall Structure - ENCL |
|  Culvert - ENCL |  PA Wetland Replacement Project |
|  Dock |  Pipeline or Conduit |
|  Dredging |  Stream Bank Protection |
|  Fill Stream Channel |  Stream Enclosure |
|  Flood Levee or Walls |  Stream Relocation |
|  Floodway Activity |  Stream Restoration |
|  Ford Crossing |  Stream Restoration w/ Dam Removal |



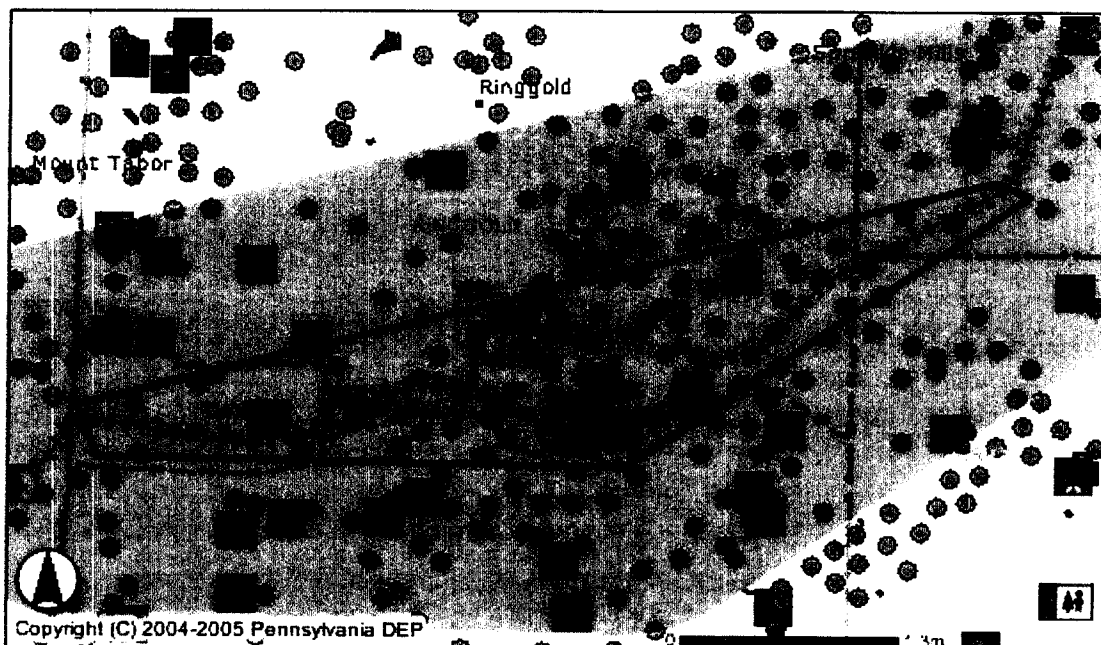
PITTSBURGH & SHAWMUT RR JEFFERSON CO 5



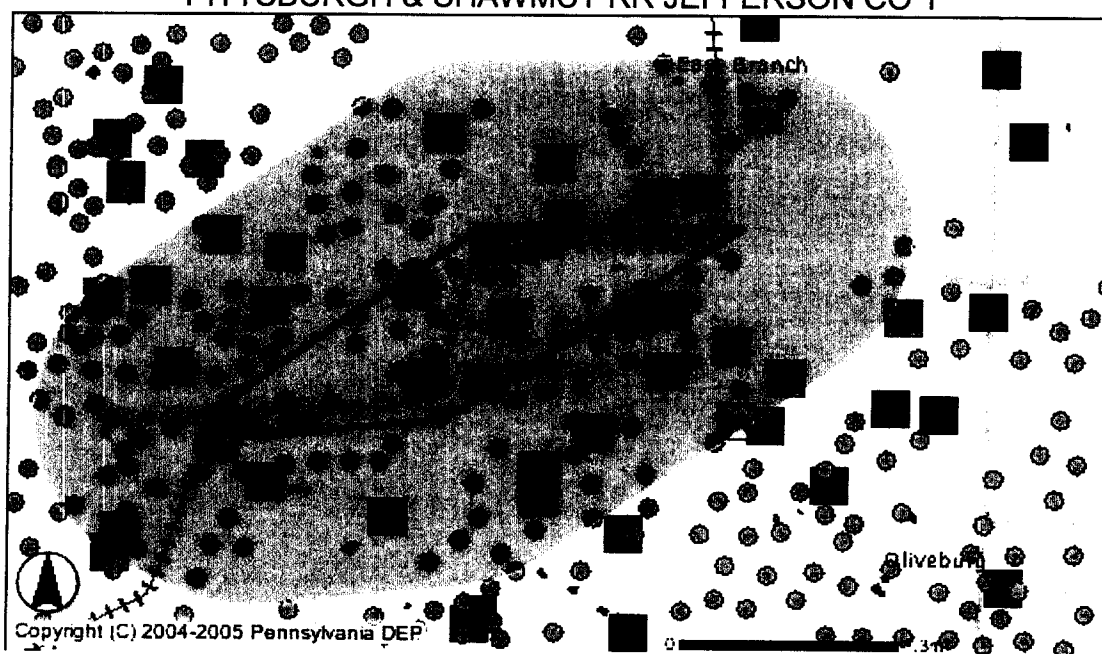
PITTSBURGH & SHAWMUT RR JEFFERSON CO 3



PITTSBURGH & SHAWMUT RR JEFFERSON CO 4



PITTSBURGH & SHAWMUT RR JEFFERSON CO 1



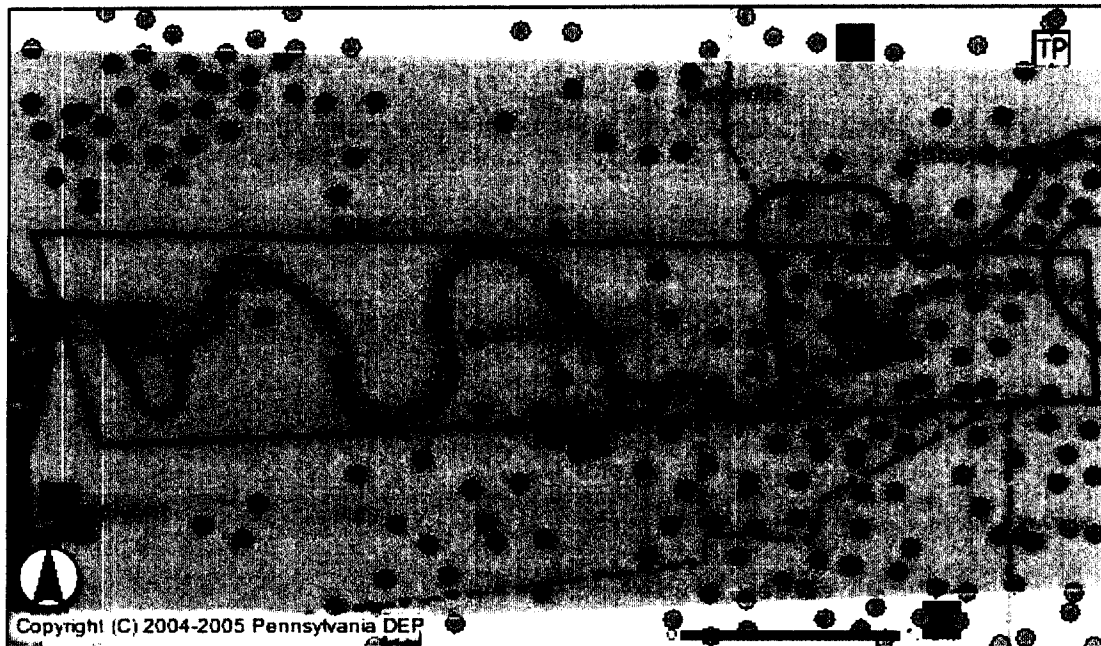
PITTSBURGH & SHAWMUT RR JEFFERSON CO 2



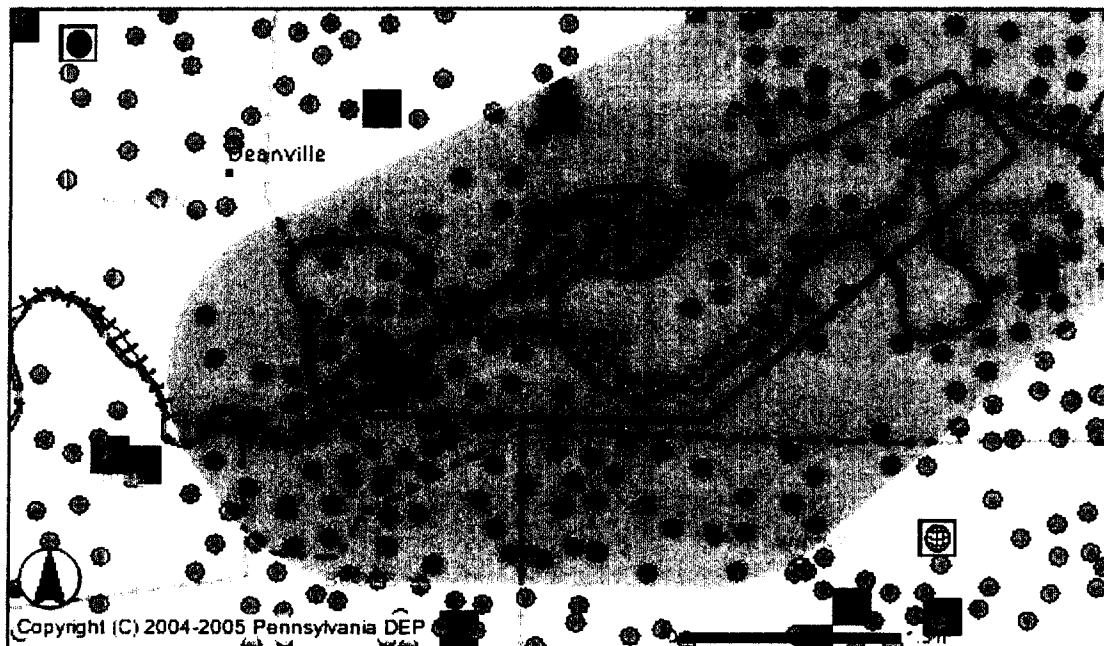
PITTSBURGH & SHAWMUT RR 3



PITTSBURGH & SHAWMUT RR 4



PITTSBURGH & SHAWMUT RR 1



PITTSBURGH & SHAWMUT RR 2

DEP eMapPA

<http://www.emappa.dep.state.pa.us/emappawebiste/HTMLDEMO/>

SEE ATTACHED

APPLICANT:
PITTSBURGH & SHAWMUT RR

RR LINE ABANDONMENT
1 Mile Radius

LEGEND
SEE ATTACHED

PA DEP
SOUTHWEST REGIONAL OFFICE

BY: MARK POREMBKA
DATE: 4/19/05

C O V E R

FAX

S H E E T

To: Mr. Eric M. Hocky, Esquire
Fax #: 1-610-692-9177
Subject: BUFFALO & PITTSBURGH RAILROAD, INC.
DISCONTINUE EXEMPTION
STB DOCKET NO. AB369 (NO. 5X)

PITTSBURGH & SHAWMUT RAILROAD, LLC
ABANDONMENT EXEMPTION
STB DOCKET NO. AB976 (X)

Date: April 18, 2005
Pages: 4, including this cover sheet

Dear Attorney Hocky:

This will confirm my message with your office expressing the County of Armstrong's interest in your communication of March 17, 2005. It is my understanding that the Office of Planning & Development of Armstrong County is in the process of scheduling a meeting with Pittsburgh & Shawmut along with the Officials from Jefferson County. I would appreciate the documentation in your possession concerning the Title to the rail. I would appreciate if you could contact me at your convenience to discuss this matter further.

Very truly yours,

JAMES J. PANCHIK, ESQUIRE

JJP/tt

cc: Armstrong County Board of Commissioners-Rich Fink, Commissioner
Richard Palilla, Director of Planning & Development

THIS FACSIMILE TRANSMISSION CONSISTS OF ATTORNEY WORK PRODUCT. IT IS PRIVILEGED AND CONFIDENTIAL, AND IS INTENDED ONLY FOR THE USE OF THE PARTY TO WHOM IT IS DIRECTED. IF THE READER IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

IN THE EVENT YOU HAVE RECEIVED THIS FACSIMILE TRANSMISSION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TRANSMISSION TO US AT THE ADDRESS BELOW VIA FIRST CLASS MAIL. WE WILL REIMBURSE YOU FOR THE NECESSARY POSTAGE.

FROM THE DESK OF:

JAMES J. PANCHIK, ESQ.
206 South McKean Street
Kittanning, PA 16201
Phone: 724/543-2150
Fax: 724/543-5254

213 WEST MINER STREET
PO BOX 796
WEST CHESTER, PA 19381
TELEPHONE 610.692.9118
FACSIMILE 610.692.9177
WWW.GG&ELAW.COM

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@gg&elaw.com

GG&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

March 17, 2005
VIA: FIRST CLASS MAIL

Armstrong County Commissioners
Armstrong County Courthouse
Suite 101
450 East Market Street
Kittanning, PA 16201

RE: Buffalo & Pittsburgh Railroad, Inc. -
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB976 (X)

Dear Sirs and/or Madams:

This letter is to advise you that Pittsburgh & Shawmut Railroad, LLC ("PSR LLC") proposes to abandon its line of railroad which runs in a southwest direction from milepost 22.0 south of Brookville in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning in Armstrong County. Buffalo & Pittsburgh Railroad, Inc. ("BPRR") will discontinue its operations over the line at the same time. This line traverses through United States Postal ZIP Codes 15472, 15663, 15770, 15778, 15847, 16232, 16259, 17821 and 17844. A map showing the location of the line is attached.

No local service has been provided on the line since September 1999. BPRR plans to seek Surface Transportation Board ("STB") authorization for its discontinuance by filing a verified notice of exemption pursuant to the provisions of 49 CFR 1152 Subpart F in STB Docket No. AB369 (No. 5X). PSR LLC plans to seek STB authorization for its abandonment by filing a verified petition for exemption pursuant to the provisions of 49 USC 10502 and 49 CFR 1152 Subpart G in STB Docket No. AB976 (X). Both filings will be made on or about May 16, 2005.

Based upon information in our possession, 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.

GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

Armstrong County Commissioners

March 17, 2005

Page 2 of 2

At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. They intend to salvage the remainder of track between milepost 24.0 and approximately milepost 56.0. BPRR and PSR LLC do not believe that there are any reasonable alternatives to the proposed action. BPRR and PSR LLC believe that the abandonment and discontinuance authorization will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment and discontinuance.

We would appreciate an expression from you by April 18, 2005 that, within the area of your authority, you do not perceive that the abandonment and discontinuance will have a significant effect upon the environment. If you have any questions about the railroads' proposal or if you need assistance in this matter, please call me at (610) 692-9116 (ext. 4322).

Thank you for your cooperation.

Very truly yours,



Leanne D. Bellis
Paralegal

Enclosure (Map)

cc: Eric M. Hocky, Esquire
FY:

GOLLATZ, GRIFFIN & EWING, P.C.

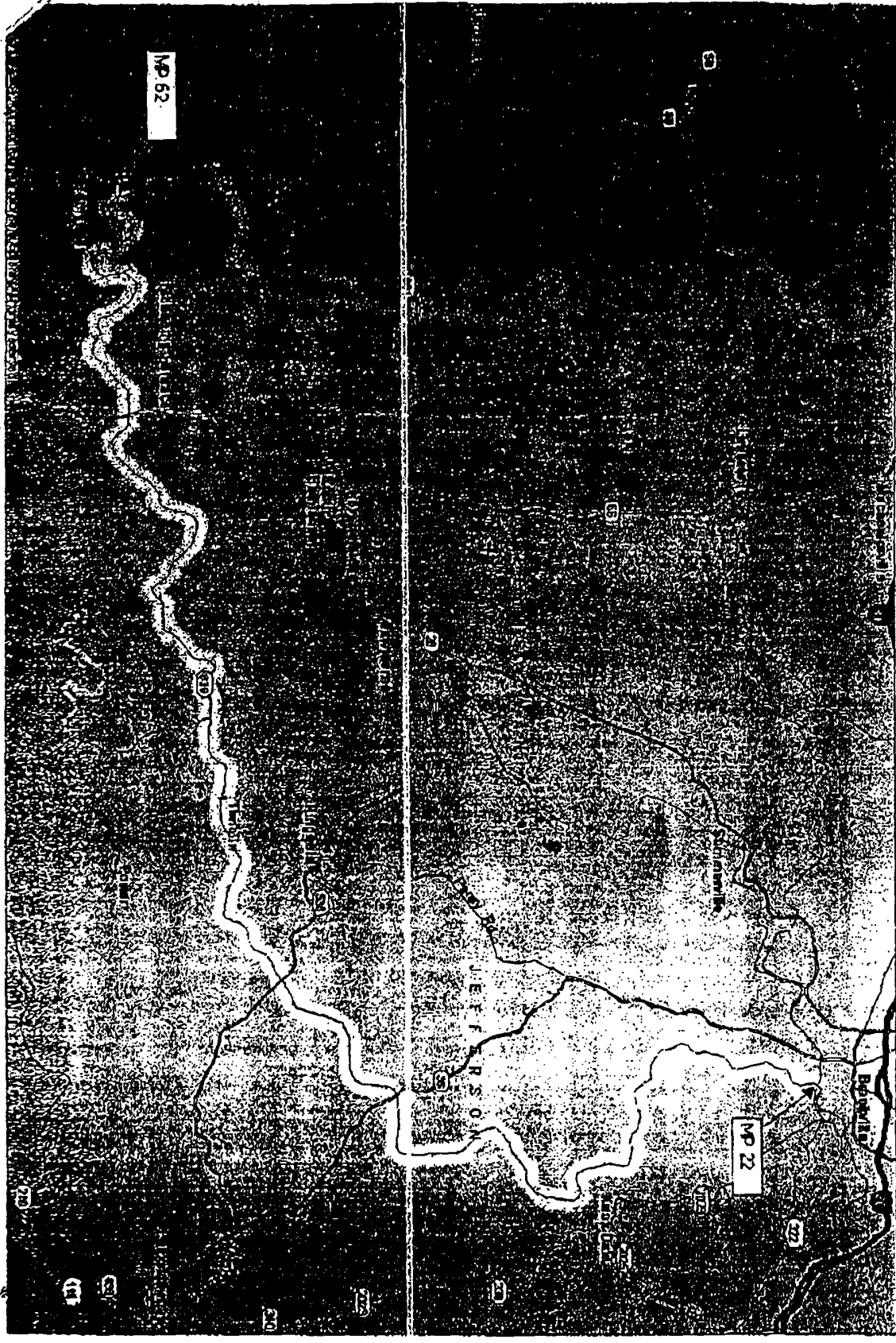
WEST CHESTER

PHILADELPHIA

WILMINGTON

WILMINGTON

Brookville to Mahoning Abandonment



Lea Bellis

From: Duffy, Donna [doduffy@state.pa.us]
Sent: Monday, April 18, 2005 4:13 PM
To: Lea Bellis
Cc: Kevin Bowser; Eric Hocky; Gilson, Ricardo; Carlson, Todd; Mead, John; Mummert, Brian; Stares, Diana; Braymer, Michael; Weber, Ted
Subject: RE: Brookville Mahoning Abandonment/Buffalo & Pittsburgh Railroad, Inc and Pittsburgh & Shawmut Railroad, LLC

Dear Lea,

Thank you for the information, below, that no water crossings or encroachments permitted by the Department are part of the proposed abandonment of the railroad lines owned and operated in Jefferson County by the Buffalo and Pittsburgh Railroad and Pittsburgh and Shawmut Railroad, as described in your letter to the Department's Northwest and Southwest Regional Offices, dated March 17, 2005.

Thank you also for the information that Pittsburgh and Shawmut Railroad is *not* abandoning its Brookville Engine Repair Facility. Our records to date indicate that the Facility has some record keeping and waste storage violations at this Facility, of which Pittsburgh and Shawmut Railroad received notice from the Department in October, 2004. The Department's inspector has or will be doing a follow-up inspection soon to ascertain whether the Facility has come into compliance concerning these violations.

This message only concerns issues raised by the the proposed abandonment of the railroad lines owned and operated in Jefferson County by the Buffalo and Pittsburgh Railroad and Pittsburgh and Shawmut Railroad. The Department's Southwest Regional Office either has or will be contacting you concerning any issues raised by the the proposed abandonment of the railroad lines owned and operated in Armstrong County.

Sincerely,

Donna L. Duffy
 Regional Counsel

-----Original Message-----

From: Lea Bellis [mailto:ldb@ggelaw.com]
Sent: Friday, April 15, 2005 12:11 PM
To: Donna Duffy Esq.
Cc: Kevin Bowser; Eric Hocky
Subject: Brookville Mahoning Abandonment/Buffalo & Pittsburgh Railroad, Inc and Pittsburgh & Shawmut Railroad, LLC

Dear Donna:

In response to your call yesterday, please note that the Brookville Engine Repair Facility is not a part of the proposed abandonment. Further, there are no encroachment permits for any water crossings on the proposed abandonment.

This should belay any concerns your department has concerning this abandonment. Call or email me if you have any further questions.

Very truly yours,

Lea Bellis
 Paralegal

4/18/2005

Gollatz, Griffin & Ewing, PC

4/18/2005



established 1866

Pennsylvania Fish & Boat Commission

Bureau of Fisheries
Division of Environmental Services
450 Robinson Lane
Bellefonte, PA 16823
814-359-5145
April 14, 2005

Leanore D. Bellis, Paralegal
GG&E, Attorneys-At-Law
P.O. Box 796
West Chester, PA 19381

Re: Buffalo and Pittsburgh/Pittsburgh and Shawmut Railroad Abandonment,
Armstrong and Jefferson Counties

Dear Ms. Bellis:

In response to your March 17, 2005 request to our Northcentral Regional Office, based on available information, the Pennsylvania Fish and Boat Commission has no reason to expect conflicts with any of its programs as a result of the above-referenced railroad abandonment. It should be noted, though, that any related waterway disturbances such as bridge maintenance or demolition may need to be coordinated with the Department of Environmental Protection.

Thank you for the opportunity to provide early input.

Sincerely,

Ron Tibbott, Fisheries Biologist
Division of Environmental Services

RT:srh

c: PFBC – Burger
PFBC – Kiesnoski

Our Mission:

www.fish.state.pa.us

To provide fishing and boating opportunities through the protection and management of aquatic resources.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



April 13, 2005

Leanore D. Bellis
Gollatz Griffin & Ewing
213 West Miner Street
P.O. Box 796
West Chester, PA 19381

Re: USFWS Project #20051217

Dear Ms. Bellis:

This responds to your letter of March 17, 2005, requesting information about federally listed and proposed endangered and threatened species within the area affected by the proposed Buffalo & Pittsburgh Railroad, Inc. Discontinuance Exemption (STB Docket No. AB369 No. 5X) and Pittsburgh & Shawmut Railroad, LLC - Abandonment Exemption (STB Docket No. AB976 X) located in Jefferson 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 is 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.

For information regarding State resources of special concern, including State-listed endangered and threatened species, please contact the Pennsylvania Game Commission (birds and mammals, State Game Lands); the Pennsylvania Fish and Boat Commission (fish, reptiles, amphibians and aquatic invertebrates; trout streams); the Pennsylvania Department of Conservation and Natural Resources (PNDI, plants and plant sanctuaries, State Forests, State Parks, Natural Areas, State Wild and Scenic Rivers) and the Department of Environmental Protection (Special Protection Watersheds, Wetlands).

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 Jennifer Dombroskie 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 long horizontal line extending to the right.

David Densmore
Supervisor

Enclosure

Federally Listed, Proposed, and Candidate Species in Pennsylvania

(revised July 27, 2004)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u> ¹	<u>Distribution (Counties and/or Watersheds)</u>
MAMMALS			
Indiana bat	<i>Myotis sodalis</i>	E	Hibernacula: Armstrong, Blair, Fayette, Lawrence, Luzerne, Mifflin and Somerset Co. Maternity sites: Blair Co.
BIRDS			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Nesting: Armstrong, Berks, Butler, Centre, Chester, Crawford, Dauphin, Erie, Forest, Huntingdon, Lancaster, Lebanon, Lycoming, Mercer, Monroe, Montgomery, Northumberland, Pike, Tioga, Venango, Warren, Wayne 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	Migratory. No nesting in Pennsylvania since 1950s. Designated critical habitat on Presque Isle (Erie Co)
REPTILES			
Bog turtle	<i>Clemmys (Glyptemys) mühlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co. [Historically found in Crawford, Mercer and Philadelphia Co.]
E. massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co. [Historically found in Allegheny and Lawrence Co.]
MUSSELS			
Clubshell	<i>Pleurobema clava</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co.; Shenango River (Mercer and Crawford Co.) [Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Lawrence, Mercer, and Westmoreland Co.]
Dwarf wedgemussel	<i>Alasmodonta heterodon</i>	E	Delaware River (Wayne Co.). [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.)]
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co. [Has not been found recently in streams of historical occurrence, including: Shenango River (Lawrence Co.), Conewango Creek (Warren Co.)]

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u> ¹	<u>Distribution (Counties and/or Watersheds)</u>
MUSSELS			
(continued)			
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.). [Has not been found recently in 5 streams of historical occurrence in Armstrong, Lawrence, Mercer and Warren Co.]
Sheepnose	<i>Plethobasus cyphus</i>	C	Allegheny River (Forest and Venango Co.). [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.)]
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. [Historically found in Northampton Co.]
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Centre, Chester, and Venango Co. [Historically found in Berks, Greene, Monroe, Montgomery and Philadelphia Co.]

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

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



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

April 4, 2005

Leanore D. Bellis
Gollatz Griffin & Ewing
P O Box 796
West Chester, PA 19381

TO EXPEDITE REVIEW USE
BHP REFERENCE NUMBER

Re: ER 05-1618-042-A

STB: Proposed Abandonment of the Pittsburgh & Shawmut Railroad
From milepost 22.0 south of Brookville, Jefferson County to milepost
62.0 in Mahoning, Armstrong County

Dear Ms. Bellis:

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 as revised in 1999. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

All agency project assessments 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.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

Douglas C. McLearn, Chief
Division of Archaeology &
Protection

Enclosure
DCM/snz

Lea Bellis

From: Facer, George [gefacer@state.pa.us]
Sent: Friday, April 08, 2005 8:41 AM
To: Lea Bellis
Subject: RE: Brookville-Mahoning Abandonment/Armstrong & Jefferson Counties

Ms. Bellis,

Thank you for the follow-up. I understand how clouted railroad documentation can be and appreciate the efforts to locate deeds. I do look forward to any information your organization can provide on the ownership of this line.

George M. Facer
Department of Conservation and Natural Resources <<http://www.dcnr.state.pa.us/>>
Bureau of State Parks
Resource Management and Planning Division
P.O. Box 8551
Harrisburg, PA 17105-8551
EMAIL: gefacer@state.pa.us
TEL: 717-783-3342
FAX: 717-787-8817

-----Original Message-----

From: Lea Bellis [mailto:ldb@ggelaw.com]
Sent: Thursday, April 07, 2005 11:24 AM
To: George Facer
Cc: Eric Hocky; Kevin Bowser
Subject: Brookville-Mahoning Abandonment/Armstrong & Jefferson Counties

Dear George -

On Tuesday, I expressed that I would be forwarding the deed to the line today. However, I misunderstood what the client had forwarded to me. He sent me the Deed Recording page which does not provide the information that you have requested. Apparently there is quite a paper trail involved in actually getting the line's ownership information. Eric Hocky, Esq. will be getting back to you by the middle of next week and provide you with greater detail on this as well as with the response concerning the retaining of a portion of the Abandonment. Again, the Buffalo & Pittsburgh's ownership of the line is fee simple. Let me know if I can be of further help.

Very truly yours,

Lea

Lea Bellis
Paralegal
Gollatz, Griffin & Ewing, PC
213 W. Miner St.
West Chester, PA 19381

610-692-9116

4/8/2005

Lea Bellis

From: Lea Bellis [ldb@ggelaw.com]
Sent: Thursday, April 07, 2005 11:24 AM
To: George Facer (gefacer@state.pa.us)
Cc: Eric Hocky (emhocky@ggelaw.com); Kevin Bowser (kbowser@gwrr.com)
Subject: Brookville-Mahoning Abandonment/Armstrong & Jefferson Counties

Dear George --

On Tuesday, I expressed that I would be forwarding the deed to the line today. However, I misunderstood what the client had forwarded to me. He sent me the Deed Recording page which does not provide the information that you have requested. Apparently there is quite a paper trail involved in actually getting the line's ownership information. Eric Hocky, Esq. will be getting back to you by the middle of next week and provide you with greater detail on this as well as with the response concerning the retaining of a portion of the Abandonment. Again, the Buffalo & Pittsburgh's ownership of the line is fee simple. Let me know if I can be of further help.

Very truly yours,

Lea

Lea Bellis
Paralegal
Gollatz, Griffin & Ewing, PC
213 W. Miner St.
West Chester, PA 19381

610-692-9116

4/8/2005



Pennsylvania Department of Conservation and Natural Resources

rec'd
4/4/05

Rachel Carson State Office Building
P.O. Box 8551
Harrisburg, PA 17105-8551
March 29, 2005

Bureau of State Parks

717-783-3342

Ms. Leanore D. Bellis
213 West Miner Street
P.O. Box 796
West Chester, PA 19381

Dear Ms. Bellis:

As requested in your letter of March 17, 2005, we have reviewed the abandonment proposal for the Pittsburgh & Shawmut Railroad, between milepost (MP) 22.0 in Jefferson County and milepost (MP) 62.0 in Armstrong County, PA (see enclosure).

The Bureau of State Parks is unaware of any environmental concerns along this line because it does not appear to cross any state park land. The Bureau has no interest in procuring this proposed railroad abandonment. However, there is strong local interest in converting this railroad right-of-way into a rail-trail. We would like to obtain any documents pertaining to real-estate ownership in the railroad's possession to review and will forward copies to the interested parties.

In your letter, it states that the railroad intends to abandon MP 22.0 to 62.0. The paragraphs that follow state the railroad intends to retain track between MP 22.0 and 24.0 as well as 56.0 and 62.0. We are requesting a response on how the railroad intends to legally abandon the line between MP 22.0 and MP 62.0 and retain 8 miles of track?

The Bureau of State Parks also urges that you continue to update us on the status of the Pittsburgh & Shawmut Railroad (MP 22.0- M.P 62.0) throughout the entire abandonment process.

If you have any questions, please call George Facer at 717-783-3342.

Sincerely,

Edwin L. Deaton, RLA
Chief
Park Planning Section

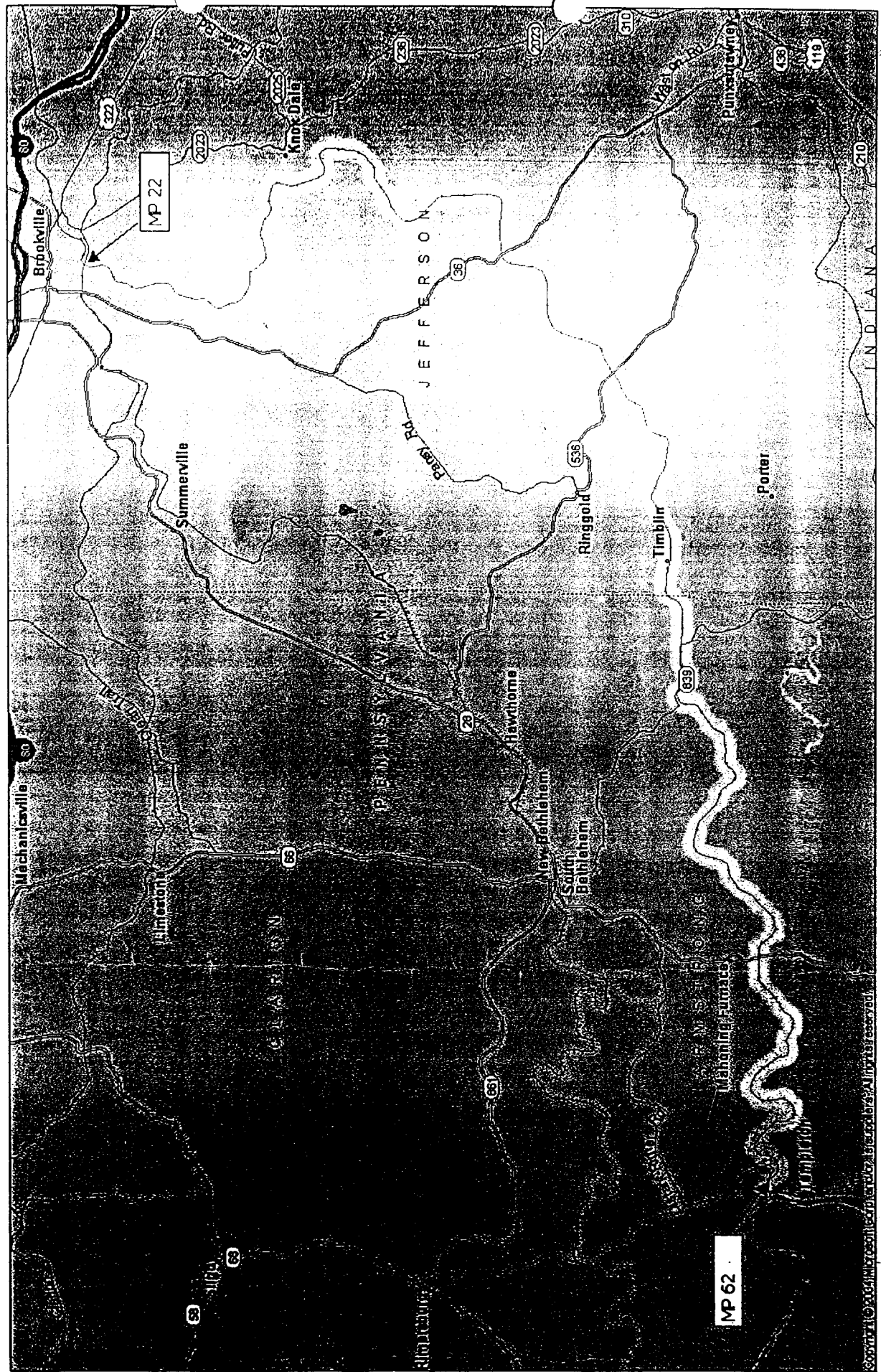
Enclosure

Stewardship

Partnership

Service

Brookville to Mahoning Abandonment





Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
March 29, 2005

Water Planning Office

717-772-5622

Leanore D. Bellis, Paralegal
Gollatz, Griffin & Ewing
213 West Miner Street
PO Box 796
West Chester, PA 19381

Re: DEP File No. CZ7:FPL

Dear Ms Bellis:

On March 21, 2005, the Pennsylvania Coastal Zone Management (CZM) Program received in this office your consistency determination for the following two proposed rail line activities:

Buffalo & Pittsburgh Railroad, Inc.-
Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No AB976 (X)

The aforementioned abandonment and discontinuance 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 these activities occurring in Armstrong and Jefferson Counties, Pennsylvania, are located outside of Pennsylvania's coastal zones, and will not impact upon them. As such, these activities are consistent with Pennsylvania's CZM Program.

Sincerely,

Lawrence J. Toth
Environmental Planner
Coastal Zone Management Program



Leanore D. Bellis, Paralegal

March 29, 2005

cc: Vicky Rutson - Surface Transportation Board
Malone
Zemba
Main File



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

MAR 23 2005

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Pittsburgh & Shawmut Railroad, LLC STB Docket No. AB-976(X), Buffalo & Pittsburgh Railroad, Inc. STB Docket No. AB-369 (No. 5X) from milepost 22.0 south of Brookville, in Jefferson County, Pennsylvania to milepost 62.0 in Mahoning, Armstrong County, Pennsylvania, has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 1 geodetic station marker have been identified that may be affected by the proposed abandonment; a listing of this marker is enclosed. If there are any planned activities which will disturb or destroy this marker, NGS requires not less than 90 days notification in advance of such activities in order to plan for it's relocation.

If further information is needed for this geodetic marker, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell

~~cc: Mr. D. Bolis, GCSB~~



Printed on Recycled Paper



PITTSBURG & SHAWMUT RAILROAD, LLC

STB DOCKET NO. AB-976 (X)

BUFFALO & PITTSBURG RAILROAD, INC.

STB DOCKET NO. AB-369 (SUB-NO. 5X)

IN JEFFERSON AND ARMSTRONG COUNTIES, PENNSYLVANIA

1 GEODETIC CONTROL MARK IN THE PROPOSED ABANDONMENT AREA

PIDS	DESIGNATION	LATITUDE	LONGITUDE
KX0886	54.82	N405600	W0792743

EXHIBIT C

**ENVIRONMENTAL/HISTORICAL/COASTAL CONTACT LIST
FOR THE BROOKVILLE - MAHONING ABANDONMENT**

Buffalo & Pittsburgh Railroad, Inc. - Discontinuance Exemption
STB Docket No. AB369 (No. 5X)

Pittsburgh & Shawmut Railroad, LLC - Abandonment Exemption
STB Docket No. AB976 (X)

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
Pedro Cortes Secretary of the Commonwealth 302 North Capitol Building Harrisburg, PA 17120	Diana Stares, Esq. Pittsburgh Office of the EPA 412-442-4262	3/17/2005 - Env. Notice 3/22 - Response Call 4/14/2005 - Response Call 4/25/2005 - Letter from PaDEP (Pittsburgh Office - <u>see</u> PaDEP below)	3/22/2005: Call received from the Dept. Of State that the letter was forwarded to the EPA. 4/14/2005 - Counsel for the EPA in their Pittsburgh office called to inform Applicants that they now had the Environmental Notice and were crafting a response that would be mailed after the date the responses were requested by.

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
Department of Conservation and Natural Resources Rachel Carson State Office Building PO Box 8767 400 Market Street Harrisburg, PA 17105-8767 CONTINUES BELOW	George Facer Park Planning Section 717-783-3342	3/17/2005 - Env. Notice 3/29/2005 - Letter rec'd from Respondent	3/29/2005 - Respondent notes that the proposed abandonment does not cross state park land. States strong local interest in converting right of way into a rail-trail. Requests documentation as to real estate ownership of the proposed abandonment for same. Also requests information as to legality of Applicants' intention to retain a portion of the line to be abandoned. 4/5/2005 - Applicants called G. Facer to learn real estate ownership documentation requirements as per the Department's request 3/29/2005. 4/7/2005 - Applicants explained to G Facer that the requested documentation is not readily available and ownership history will be detailed in another format. Respondent acknowledged receipt of email.
		CONT. BELOW	

AGENCY	CONTACT	DATE SENT / RESPONSE DATE	FORM OF RESPONSE / SUMMARY
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Department of Conservation and Natural Resources CONTINUED		4/7/2005 - Respondent emailed response 5/4/2005 - Applicants respond by email	5/4/2005 - In answer to Respondent's 3/29/2005 inquiry, Applicants provide respondent with the history of the line, detail means of property conveyance, and explain legality of keeping side tracks/spurs.
Pa. Dept. of Environmental Protection Rachel Carson State Office Building 400 Market Street Harrisburg, PA 17105		3/17/2005 - Env. Notice	

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
Pa. Dept. of Environmental Protection Northwest Regional Office 230 Chestnut Street Meadville, PA 16335	Donna Duffy, Esq. Regional Counsel 814-332-6070 doduffy@state.pa.us	3/17/2005 - Env. Notice 4/14/2005 - Call from Respondent's Counsel 4/15/2005 - Applicants emails response 4/18/2005 - Email sent by Respondent's Counsel	4/14/2005 - Counsel called to learn if engine repair facility was a part of proposed abandonment and if there are any encroachment permits involved in the proposed abandonment. 4/15/2005 - Applicants informed Respondent that the Brookville engine repair facility is not a part of the proposed abandonment and that there are no encroachment permits for any water crossings on the line. 4/18/2005 - Respondent's counsel acknowledges receipt of Applicants' email and notes that Respondent is only answering for PaDEP's Northwest Region - Jefferson County and that they do not answer for the PaDEP's Southwest Region - Armstrong County.

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
Pa. Dept. of Environmental Protection Southwest Regional Office 400 Waterfront Drive Pittsburgh, PA 15222-4745	Ronald A. Schwartz, PE Assistant Regional Director Southwest Regional Office 412-442-4189 Fax: 412-442-4194	3/17/2005 - Env. Notice 4/25/2005 - Letter sent by Respondent	4/25/2005 - PaDEP provides general guidelines for : 1. the proposed abandonment and environmental liability protection under Act 2 - if to be sought by Applicants, 2. if needed, seeking the release of environmental liability for current or future owners as required under Act 2 as pertains to any contaminants as defined in 25 Pa. Code Chapter 250, 3. the handling of the removal of above or below-ground storage tanks, 4. current and future management of water obstructions along the proposed abandonment, 5. handling downstream public water supplies if to be affected by the project. This respondent also attached an e-Map of known environmental features that may relate to the proposed abandonment.

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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PA Department of Environmental Protection Coastal Zone Management Program P.O. Box 2063 400 Market Street, 15 th Floor Harrisburg, PA 17105-2063	Lawrence J. Toth Environmental Planner Coastal Zone Management Program	3/17/2005 - Env. Notice 3/29/2005 - Letter from Respondent	3/29/2005 - Respondent notes that the proposed abandonment is not in PA's coastal zones and will have no impact upon them.
Jefferson County Commissioners Jefferson County Courthouse Annex 155 Main Street Brookville, PA 15825		3/17/2005 - Env. Notice	

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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Armstrong County Commissioners Armstrong County Courthouse Suite 101 450 East Market Street Kittanning, PA 16201 CONTINUES BELOW	TL Ralston Planning Division Director Armstrong County Dept. of Planning and Development 724-548-3223 tlralston@armstrongdpd.org James J. Panchik, Esq. 206 South McKean St. Kittanning, PA 16201 724-543-2150 Fax 724-543-5254 panchik@penn.com	3/17/2005 - Env. Notice 3/28/2005 - telephone call from Respondent 4/4/2005 - telephone call from Respondent 4/18/2005 - Fax from Respondent's Counsel	3/28/2005 - Respondent called to determine feasibility of rails-trails. Respondent will also contact Jefferson County re same. 4/4/2005 - Respondent called to learn about time table for rail banking. Respondent believes that County is not interested in actual rails and ties which Applicants intend to salvage. 4/18/2005 - Respondent's counsel faxed a request for the title to the proposed abandonment. Also noted that a meeting has been scheduled between Armstrong County's Office of Planning & Development, officials of Jefferson County and the Applicants. CONTINUES BELOW
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AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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Armstrong County Commissioners Armstrong County Courthouse CONTINUED		5/4/2005 - Applicants email Respondents Ralston and Panchik 5/10/2005 - telephone call from Respondent	5/4/2005 - In answer to Respondent's inquiry, Applicants provide the time line for trail use/rail banking requests 5/10/2005 - Respondent called to check on expected timing of filing of Environmental/Historic Report.
Region 3 Environmental Protection Agency 1650 Arch Street (3PM52) Philadelphia, PA 19103-2029		3/17/2005 - Env. Notice	
US Fish and Wildlife Service Northeast Regional Office 300 Westgate Center Drive Hadley, MA 01035-9589		3/17/2005 - Env. Notice	

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
David Densmore Supervisor Fish and Wildlife Service Pennsylvania Field Office 315 South Allen Street Suite 322 State College, PA 16801-4805	David Densmore Supervisor US Dept. Of the Interior Fish and Wildlife Service PA Field Office 315 South Allen Street, Suite 322 State College, PA 16801 If questions, contact: Jennifer Dombroskie 814-234-4090	3/17/2005 - Env. Notice 4/13/2005 - Letter mailed by Respondent	4/13/2005 - Respondent states that “except for occasional transient species, no federally listed or proposed threatened or endangered species” ... “are known to occur within the project impact area.” This determination is valid for two years. Letter provides a list of other agencies to be contacted re “resources of special concern” . [Applicants have sent an Environmental Notice to all agencies list by Respondent.]
U.S. Army, Corps of Engineers, Pittsburgh District 2032 William S. Moorhead Federal Building 1000 Liberty Avenue Pittsburgh, PA 15222-4186		3/17/2005 - Env. Notice	

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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Northeast Region Regional Director National Park Service U.S. Custom House 200 Chestnut St., Fifth Floor Philadelphia, PA 19106		3/17/2005 - Env. Notice	
USDA Natural Resources Conservation Service 5601 Sunnyside Ave. Mailstop 5410, Room 1-1290A Beltsville MD 20705-5410		3/17/2005 - Env. Notice	
State Conservationist USDA Natural Resources Conservation Service One Credit Union Place, Suite 340 Harrisburg, PA 17110-2993		3/17/2005 - Env. Notice	

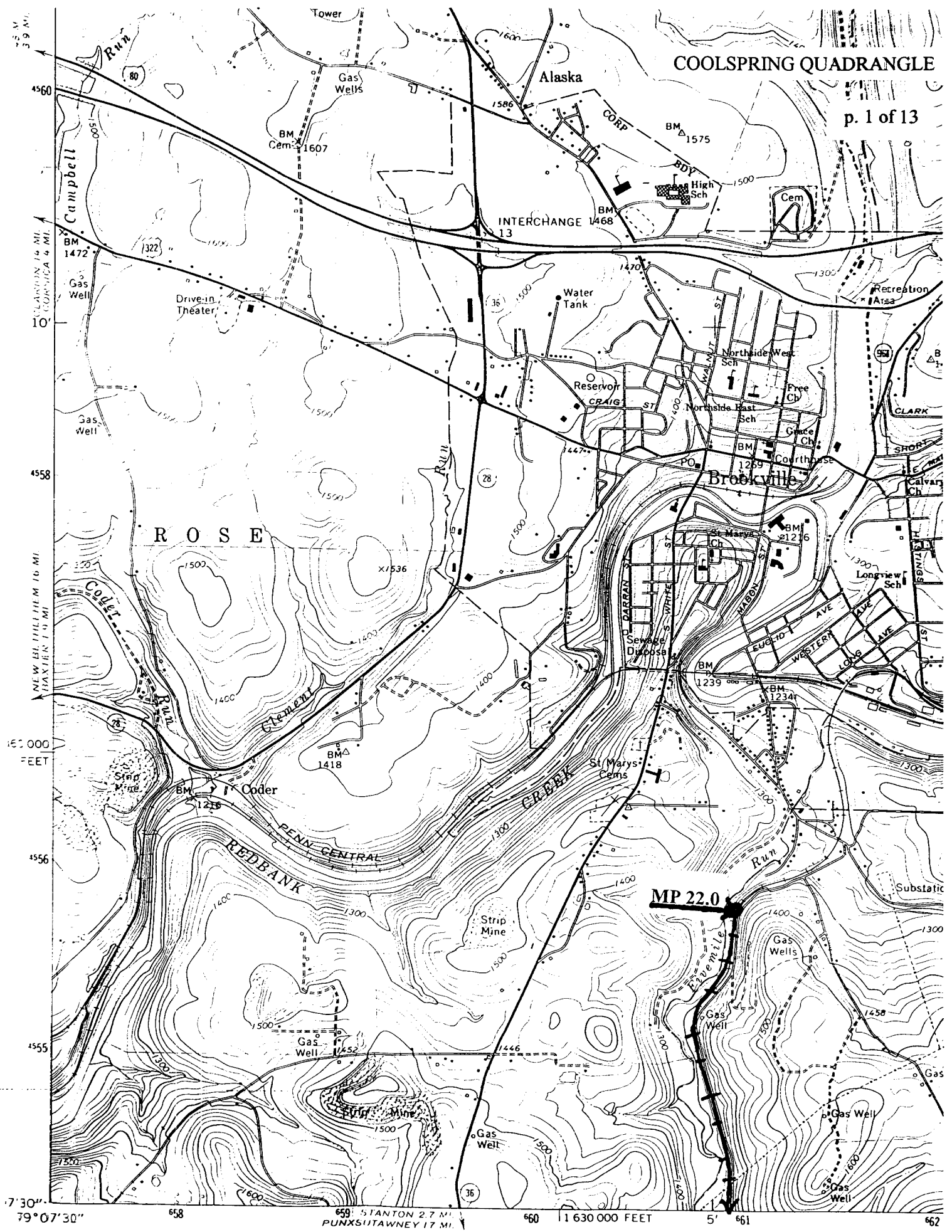
AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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Mr. Richard A. Snay Chief, Spatial Reference System Div. United States Dept. of Commerce NOAA, N/NGS2 SSMC3, Room 8828 1315 East-West Highway Silver Spring, MD 20910	Frank C. Maida NOAA, N/NGS2 Room 8736 1315 East-West Highway Silver Spring, MD 20910-3282 301-713-3198 Fax: 301-713-4324 Frank.Maida@noaa.gov	3/17/2005 - Env. Notice 3/23/2005 - Letter from Respondent	3/23/2005 - Respondent has reviewed the proposed abandonment and found that 1 geodetic station marker at MP 54.82 may be affected. Respondent is to be notified if there is a possibility of its being disturbed.
Pennsylvania Game Commission Bureau of Law Enforcement North Central Regional Office 1566 South Route 44 Highway Post Office Box 5038 Jersey Shore, PA 17740-5038		3/17/2005 - Env. Notice	

AGENCY	CONTACT	DATE SENT/ RESPONSE DATE	FORM OF RESPONSE/ SUMMARY
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Pennsylvania Fish and Boat Commission Northcentral Region 466 Robinson Lane PO Box 5306 Bellefonte, PA 16823	Ron Tibbott Fisheries Biologist Bureau of Fisheries Division of Environmental Service 450 Robinson Lane Bellefonte, PA 16823 814-359-5145	3/17/2005 - Env. Notice 4/14/2005 - Letter sent by Respondent	4/15/2005 - Respondent note that there are no anticipated conflicts with Respondents programs. Inform the DEP if there are to be any waterway disturbances such as bridge maintenance or demolition.
Pennsylvania Historical and Museum Commission 300 North Street Harrisburg, PA 17120	Susan M. Zacher PA Historical and Museum Comm. Bureau for Historic Preservation Commonwealth Keystone Building, 2 nd Floor 400 North Street Harrisburg, PA 17120 717-783-9920	3/17/2005 - Env. Notice 4/4/2005 - Respondent sent letter with attachments	4/4/2005 - Respondent mailed Section 106 forms and instructions for Applicants to complete in order for the PA State Historic Preservation Officer to assess the proposed abandonment. Applicants are in the process of completing the forms.

EXHIBIT D



COOLSPRING QUADRANGLE

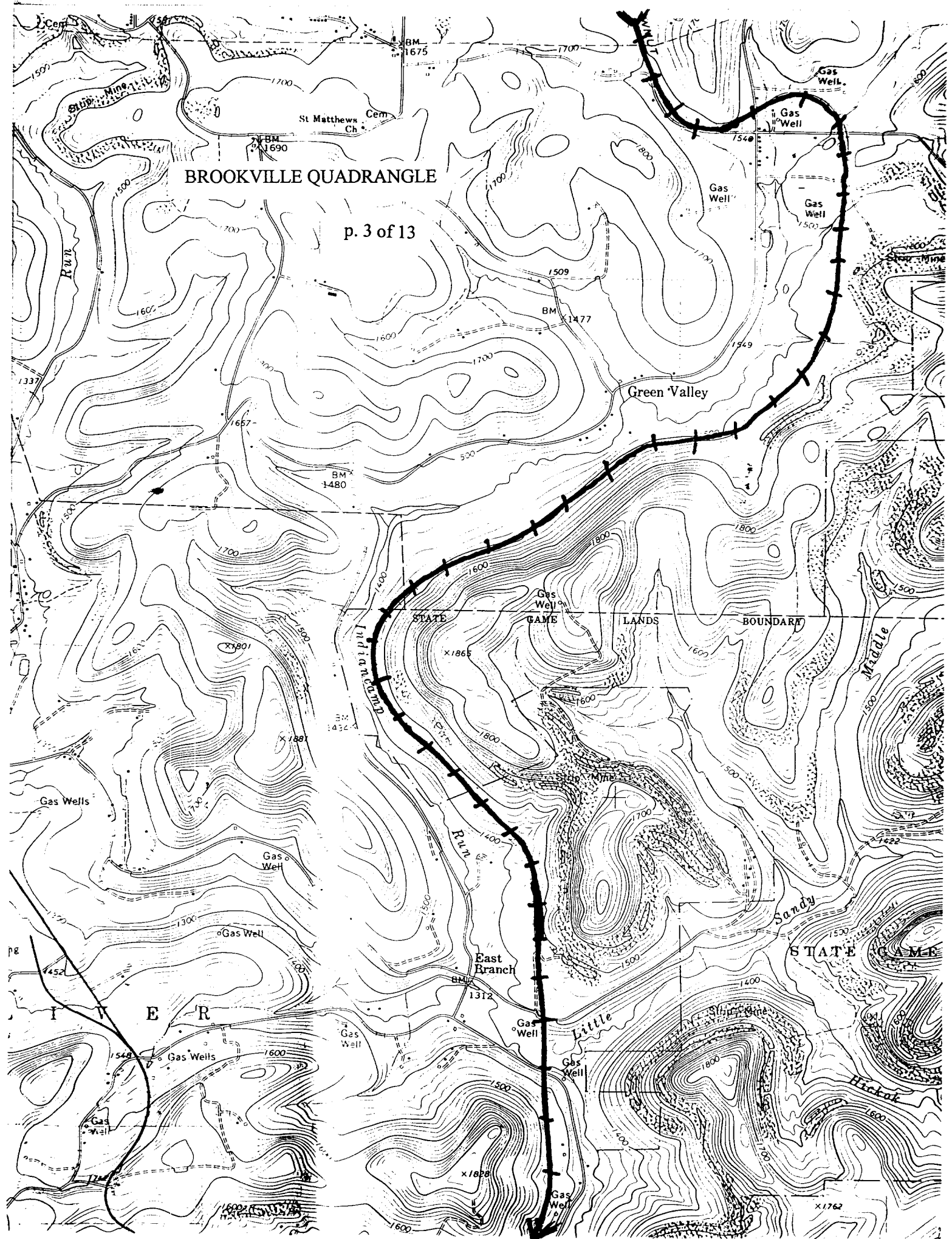
p. 1 of 13

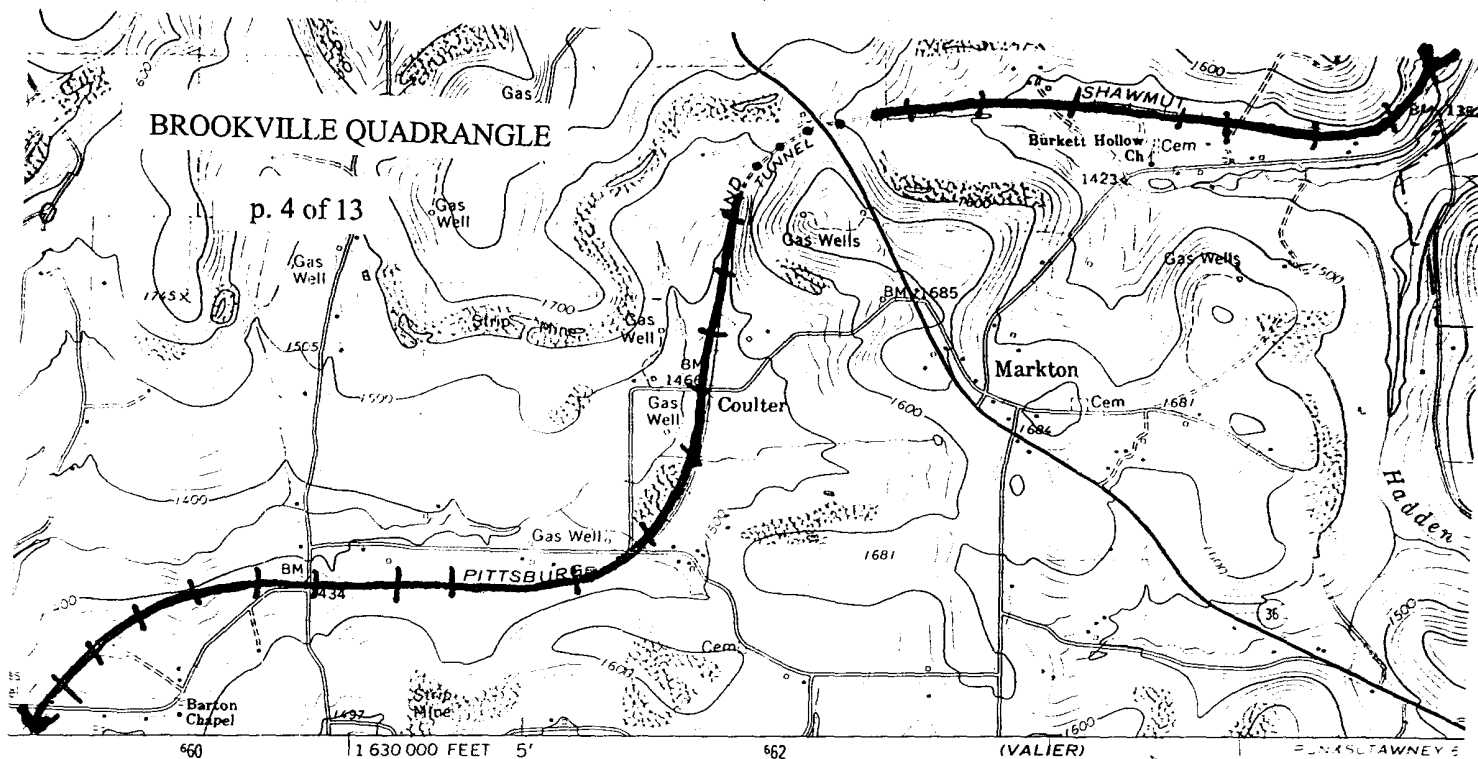
Topographic map of the Brookville Quadrangle, showing Shawmut, Firemile, and Fivemile runs, and locations like Barnes, Norman, Colon, Ramsaytown, and Tait. The map includes contour lines, gas wells, strip mines, and a pipeline. A thick black line indicates a route, with 'MP 24' marked near Shawmut. The map is labeled 'BROOKVILLE QUADRANGLE' and 'p. 2 of 13'.

p. 2 of 13

BROOKVILLE QUADRANGLE

p. 3 of 13





al Survey

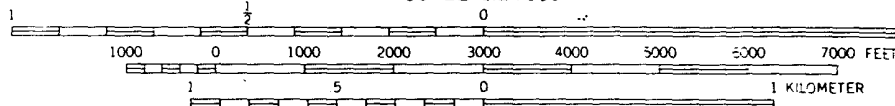
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es where
not field checked

cooperation with
photographs taken 1977
d. Map edited 1981

MN
GN
8°
142 MILS
1°16'
23 MILS

UTM GRID AND 1981 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

516 11 SW
(SUMMERVILLE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

79°07'30"

658000m.E.

659

1 630 000 FEET (SOUTH)

461 5

VALIER QUADRANGLE

p. 5 of 13

4540000m.N.

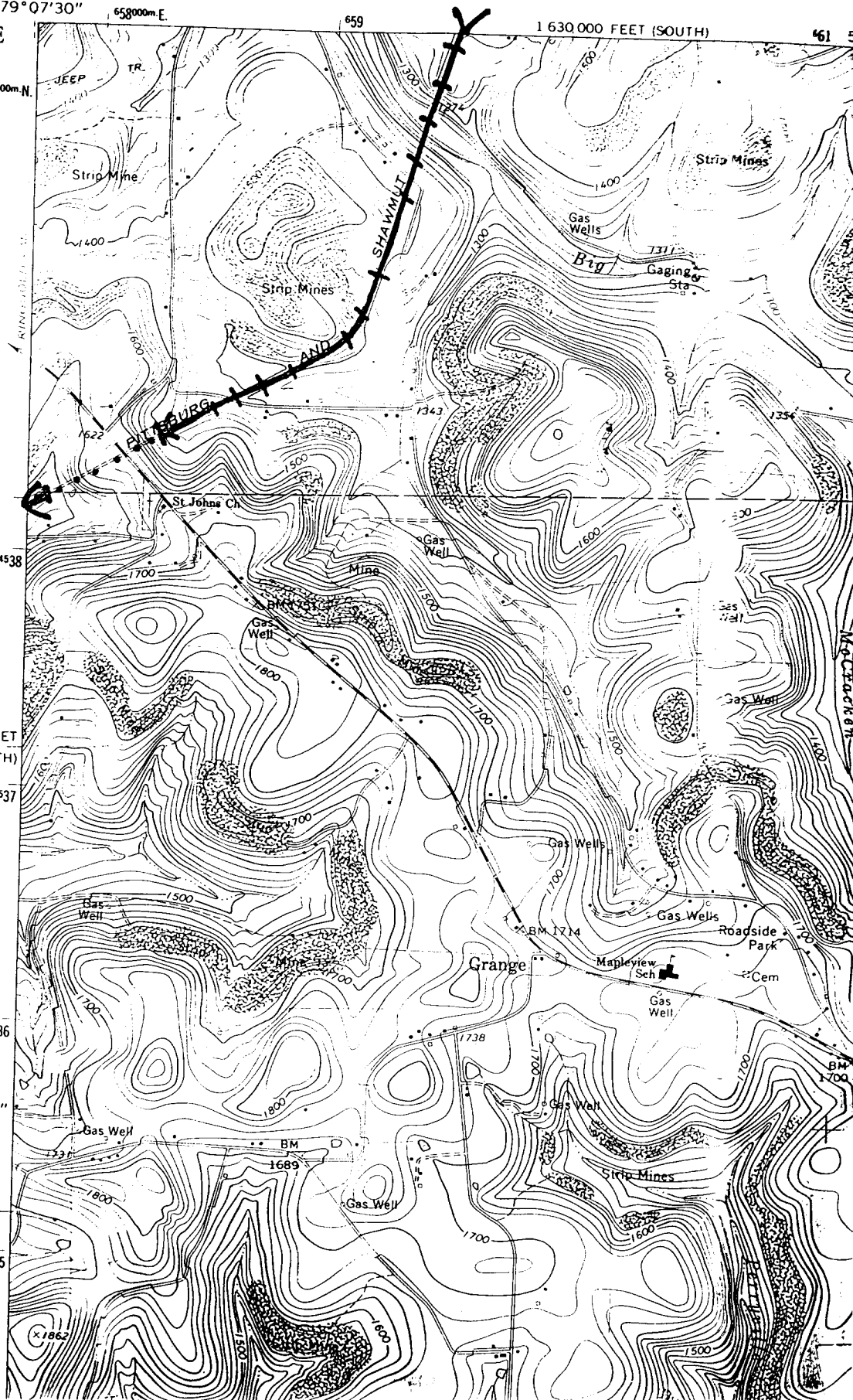
600 000 FEET
(SOUTH)

4537

4536

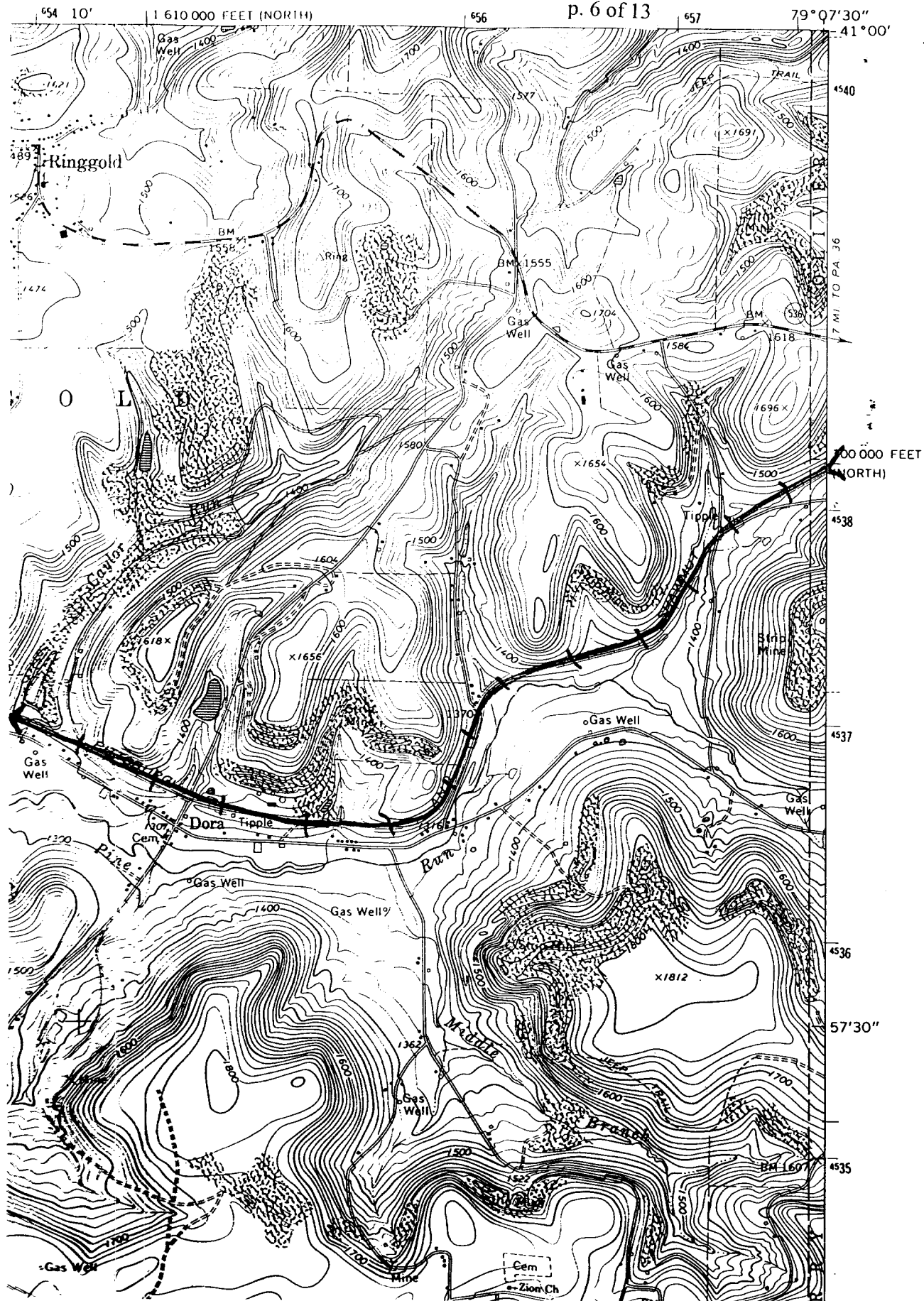
57'30"

4535

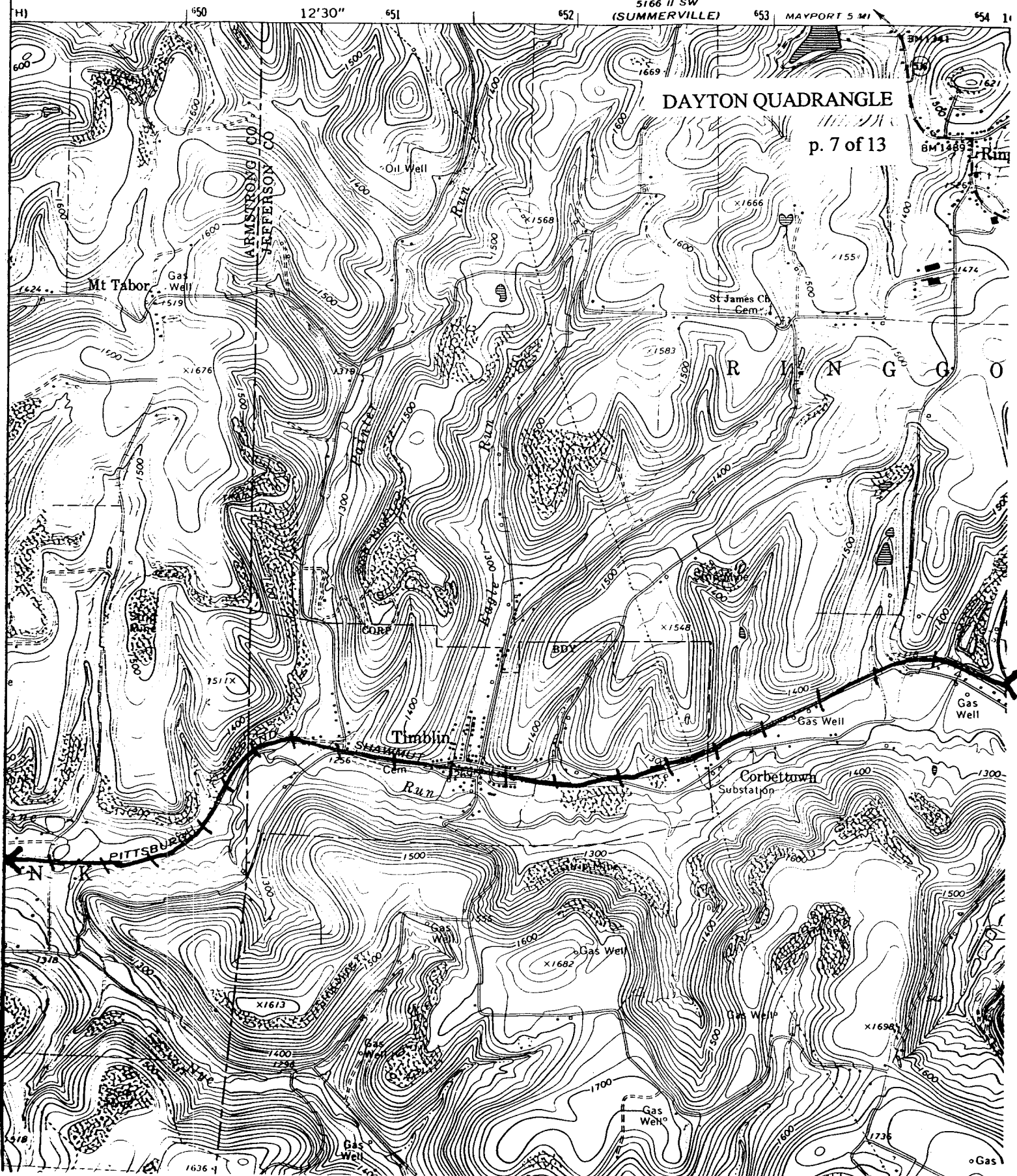


5166 11 SE
(COOLSPRING)

79°07'30"



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
TOPOGRAPHIC AND GEOLOGIC SURVEY



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

DAYTON QUADRANGLE

p. 8 of 13

51° 05' 11" SE
NEW BETHLEHEM

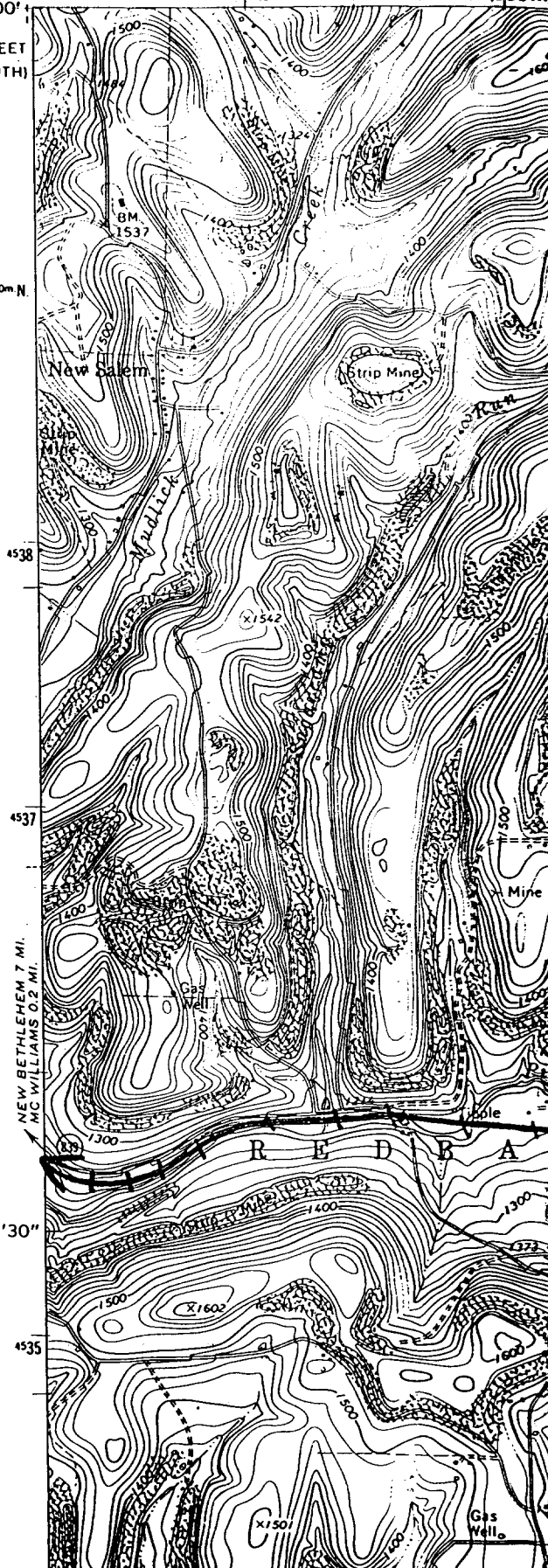
79° 15'
41° 00'

648000m E

1 590 000 FEET (SOUTH)

610 000 FEET
(SOUTH)

4539000m N



RCS

7.5 MINUTE SERIES (TOPOGRAPHIC)

2
SUM

643

17°30"

644

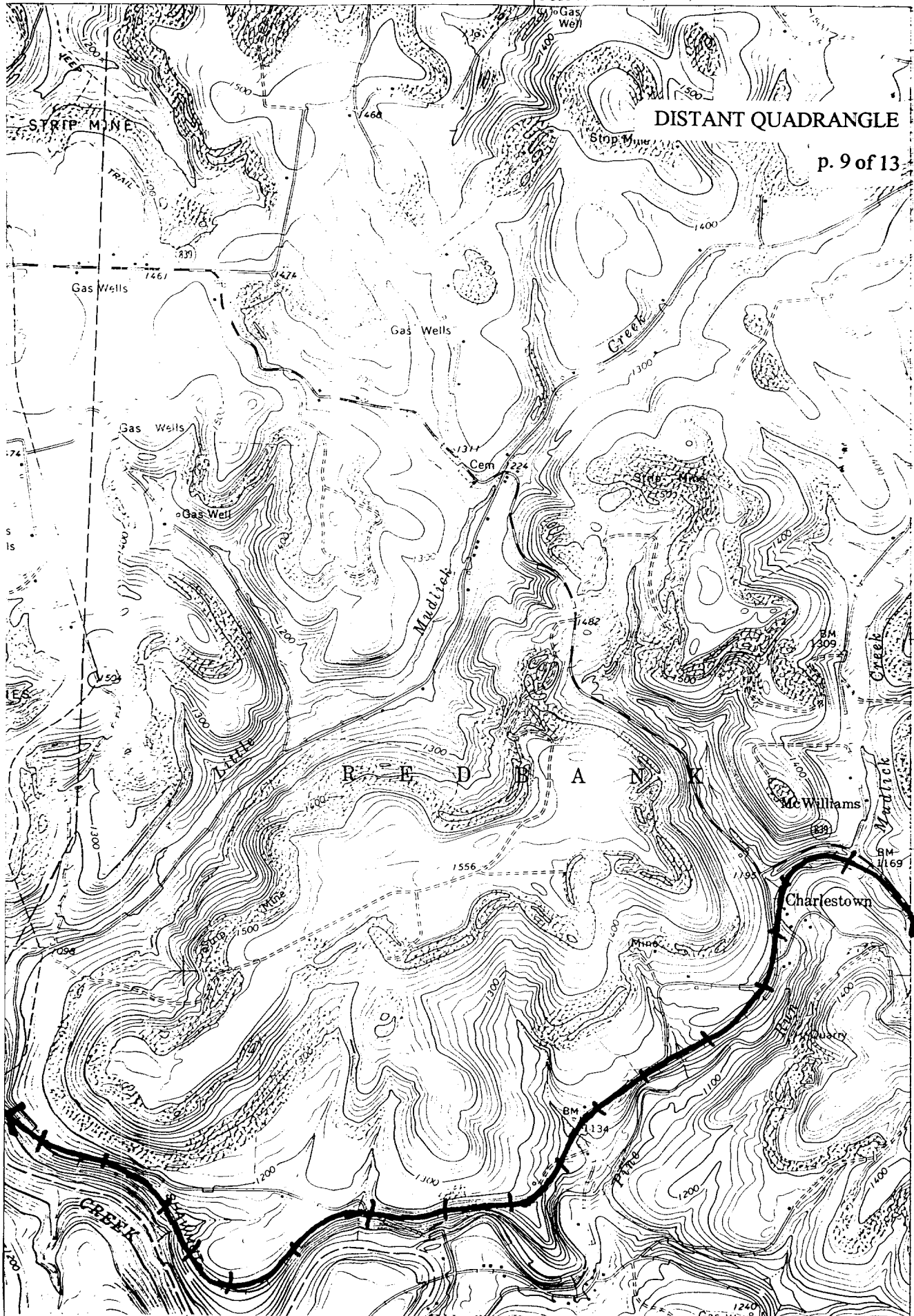
645

1 580 000 FEET (SOUTH)

647

79°15'
41°00'

610 000 FEET
(SOUTH)



DISTANT QUADRANGLE

p. 9 of 13

539

538

537

536

57°30"

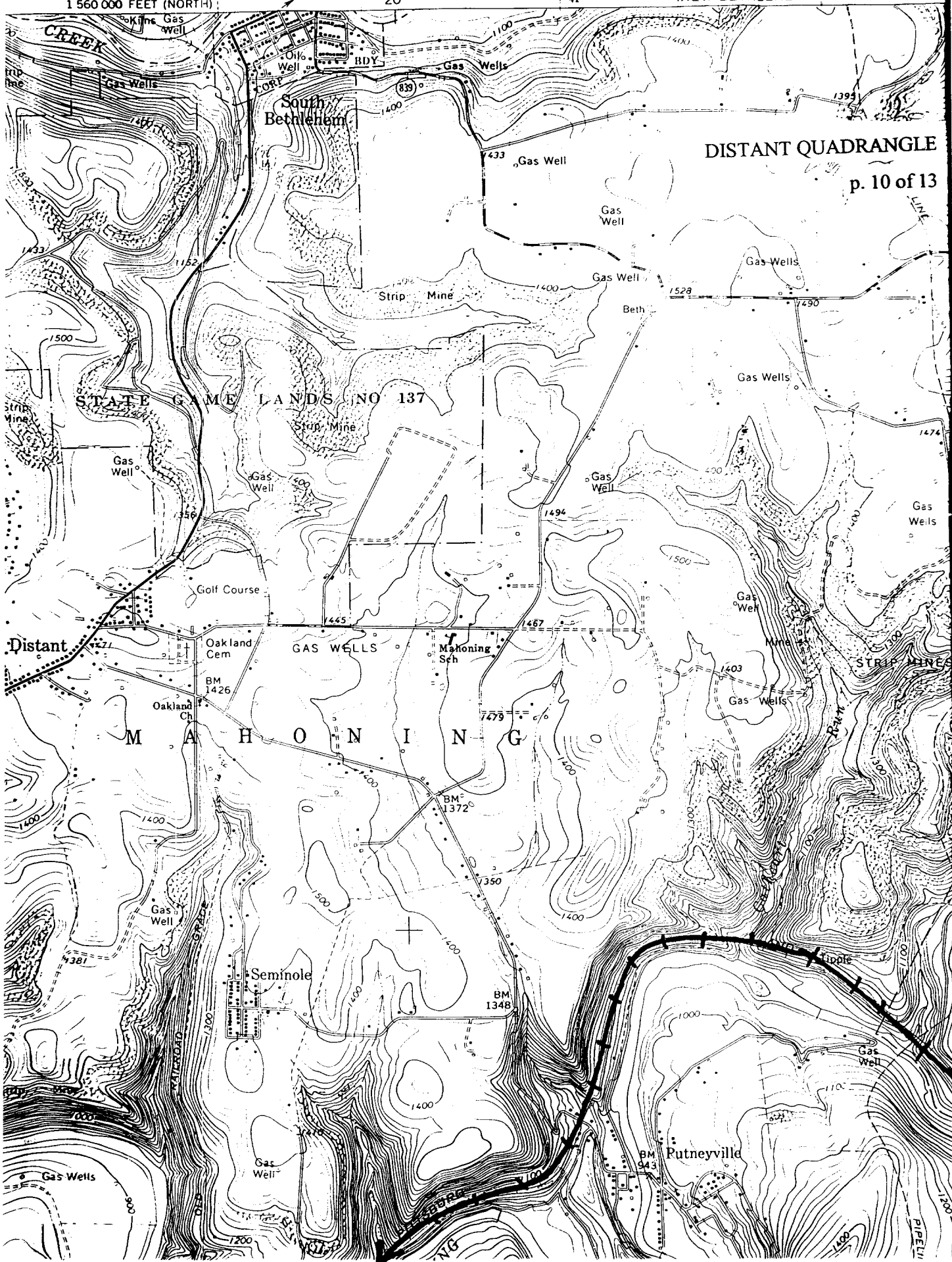
535

534

SUMMERVILLE 13 MI
FAIRMOUNT CITY 14 MI
20'

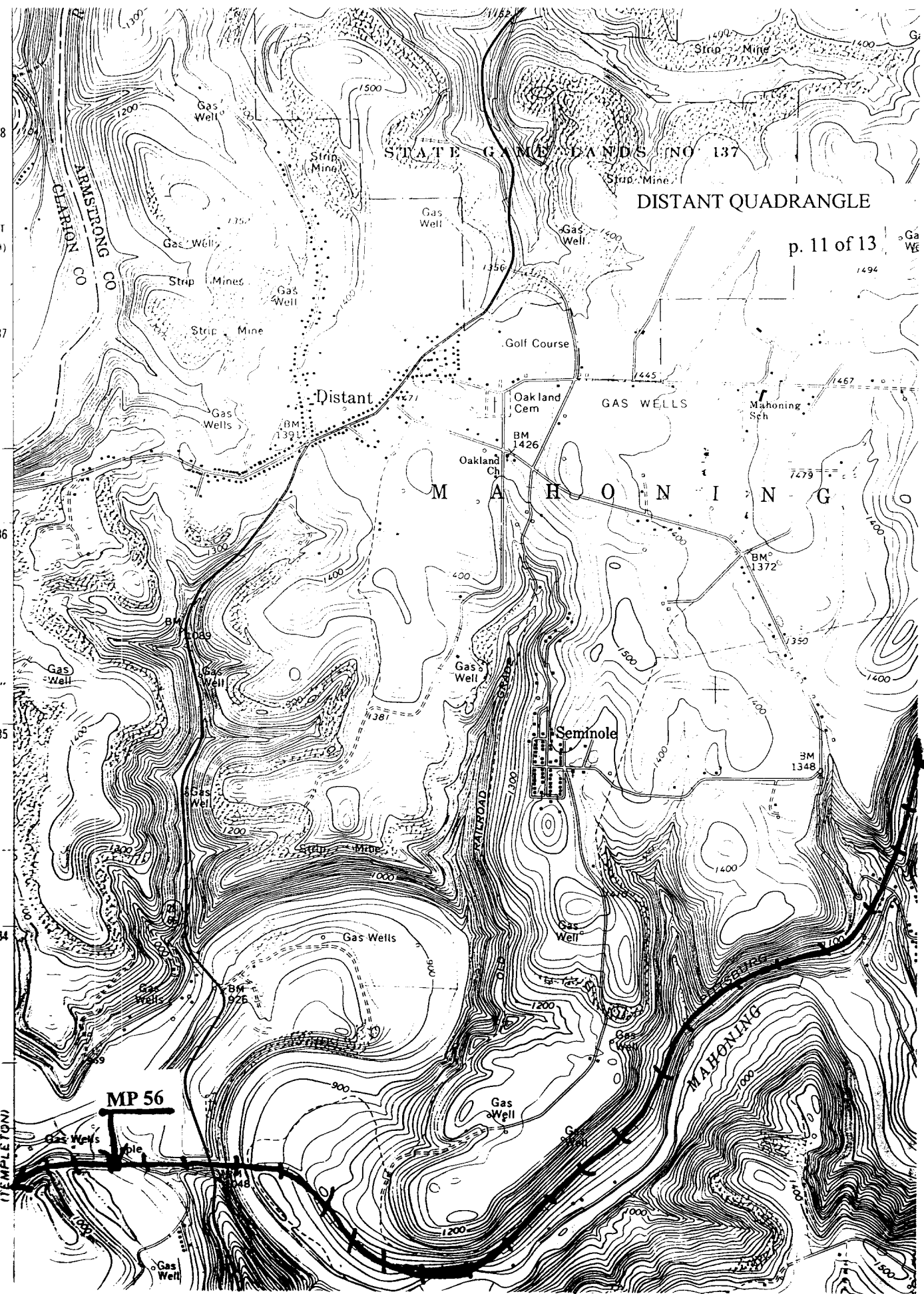
5166 III SE
(NEW BETHLEHEM)

1 560 000 FEET (NORTH)



DISTANT QUADRANGLE

p. 10 of 13



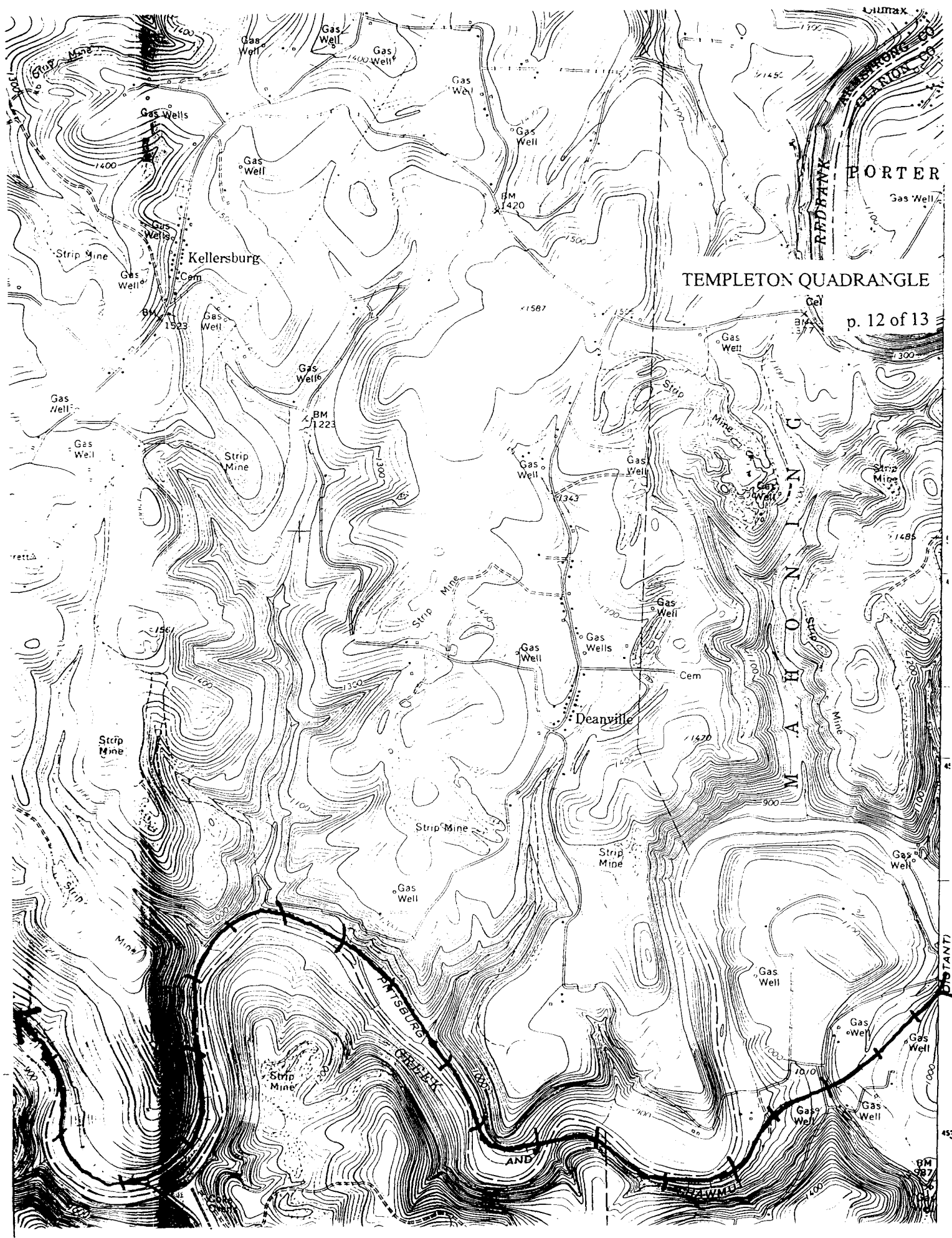
DISTANT QUADRANGLE

p. 11 of 13

300,000 FEET
(NORTH)

57°30"

SIOUX IV NW
(TEMPLETON)



p. 13 of 13 .

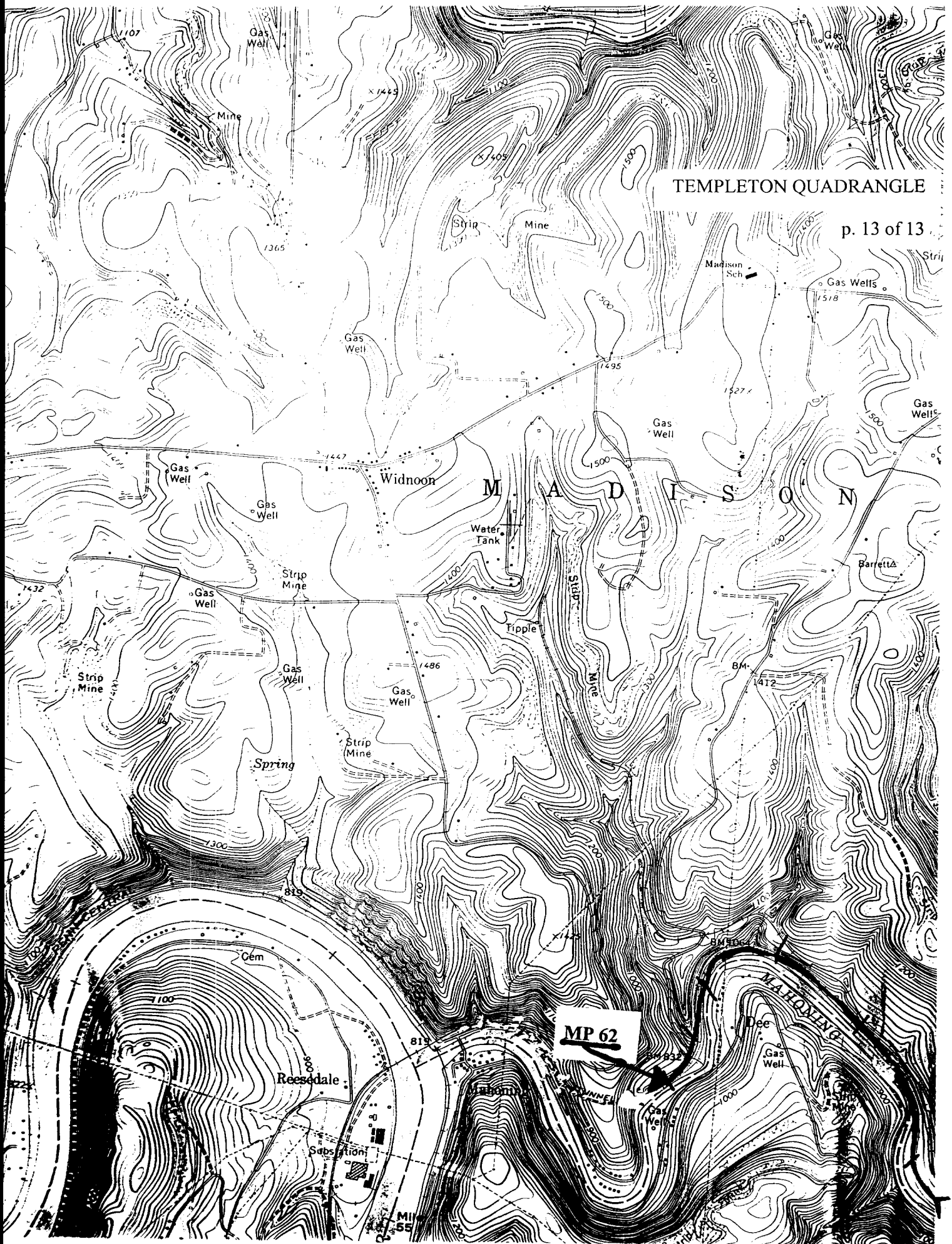


EXHIBIT E

NOTICE

Pittsburg & Shawmut Railroad, LLC ("PSR LLC") gives notice that on or about May 23, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, an abandonment exemption pursuant to 49 USC 10502 and 49 CFR 1152 Subpart G - *Special Rules Applicable to Petitions for Abandonments or Discontinuances of Service or Trackage Rights Filed Under the 49 U.S.C. 10502 Exemption Procedure*, for exemption from the prior approval requirements of 49 USC 10903, et seq., permitting the abandonment of the line of railroad described below. Buffalo & Pittsburgh Railroad, Inc. ("BPRR") gives notice that on or about May 23, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, a discontinuance exemption pursuant to 49 CFR 1152 Subpart F - *Exempt Abandonments*, permitting the discontinuance of the line of railroad described below. The subject line of railroad is a 40 mile line of railroad, owned by PSR LLC and operated by BPRR, between milepost 22.0 south of Brookville in Jefferson County, Pennsylvania and milepost 62.0 in Mahoning in Armstrong County. This line traverses through United States Postal ZIP Codes 15472, 15663, 15770, 15778, 15847, 16232, 16259, 17821 and 17844. At this time, BPRR and PSR LLC plan to retain the track between milepost 22.0 and milepost 24.0, and between milepost 56.0 and milepost 62.0, and operate them as private sidetracks or spurs. PSR LLC's proceeding will be docketed as AB-976 (X). BPRR's proceeding will be docketed as AB-369 (No. 5X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of BPRR's notice of discontinuance (60 days after the filing of PSR LLC's petition for abandonment exemption, although PSR LLC and BPRR will request that the EAs be issued simultaneously). Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the SEA, Surface Transportation Board, Mercury Building, 1925 K Street, NW, Washington, DC 20423 or by calling SEA at 202-565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, Mercury Building, 1925 K Street, NW, Washington, DC 20423 [see 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicants' representative [see 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Eric Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 JFK Boulevard, Philadelphia, PA 19103, (610) 563-9400.

[Publish in newspaper or newspapers of general circulation in Armstrong and Jefferson Counties.]

EXHIBIT F

Brookville to Mahoning Structure Listing

<u>Mile Post</u>	<u>Structure</u>	<u>Name</u>	<u>Length</u>	<u>Description</u>
23.95	Bridge	23.95	52'	Deck Plate Girder
25.55	Bridge	25.55	21.17'	Stringer
26.50	Bridge	26.50	21.17'	Stringer
26.92	Arch	26.92	15'	Arch
28.02	Arch	28.02	16'	Arch
28.26	Tunnel	Knoxdale	812'	Tunnel
29.11	Arch	29.11	15'	Arch
29.50	Arch	29.50	15'	Arch
33.70	Bridge	33.70	1470'	Deck Plate Girder
35.73	Tunnel	Coulter	2025'	Tunnel
38.42	Bridge	38.42	1430'	Deck Plate Girder
39.73	Tunnel	Mauk	1989'	Tunnel
41.27	Bridge	41.27	21.33'	Deck Plate Girder
42.34	Bridge	42.34	23.33'	Deck Plate Girder
42.39	Arch	42.39	6'	Arch
42.86	Arch	42.86	12'	Arch
43.16	Arch	43.16	8'	Arch
43.59	Arch	43.59	15'	Arch
44.48	Bridge	44.48	23'	Stringer
44.57	Arch	44.57	15'	Arch
45.09	Arch	45.09	12'	Arch
45.59	Bridge	45.59	65.33'	Deck Plate Girder
45.94	Bridge	45.94	23.33'	Deck Plate Girder
46.32	Bridge	46.32	66.33'	Deck Plate Girder
46.67	Bridge	46.67	44.25'	Deck Plate Girder
47.59	Bridge	47.59	55'	Deck Plate Girder
47.92	Arch	47.92	10'	Arch
48.57	Arch	48.57	6'	Arch
48.92	Arch	48.92	16'	Arch
49.06	Bridge	49.06	23'	Stringer
49.73	Arch	49.73	8'	Arch
50.49	Arch	50.49	8'	Arch
51.23	Bridge	51.23	630.2'	Deck Plate Girder
51.86	Bridge	51.86	660'	Deck Plate Girder
52.69	Arch	52.69	10'	Arch
52.75	Bridge	52.75	23'	Stringer
53.56	Arch	53.56	8'	Arch
55.43	Bridge	55.43	508.33'	Deck Plate Girder / Deck Riveted Truss
55.95	Stone Box	55.95	6'	Stone Box Culvert
56.73	Tunnel	Mack	848'	Tunnel
57.81	Bridge	57.81	310.08'	Through Riveted Truss
58.46	Bridge	58.46	23.33'	Deck Plate Girder
59.21	Bridge	59.21	23.33'	Deck Plate Girder
59.41	Bridge	59.41	23'	Stringer
61.66	Arch	61.66	6'	Arch

EXHIBIT G



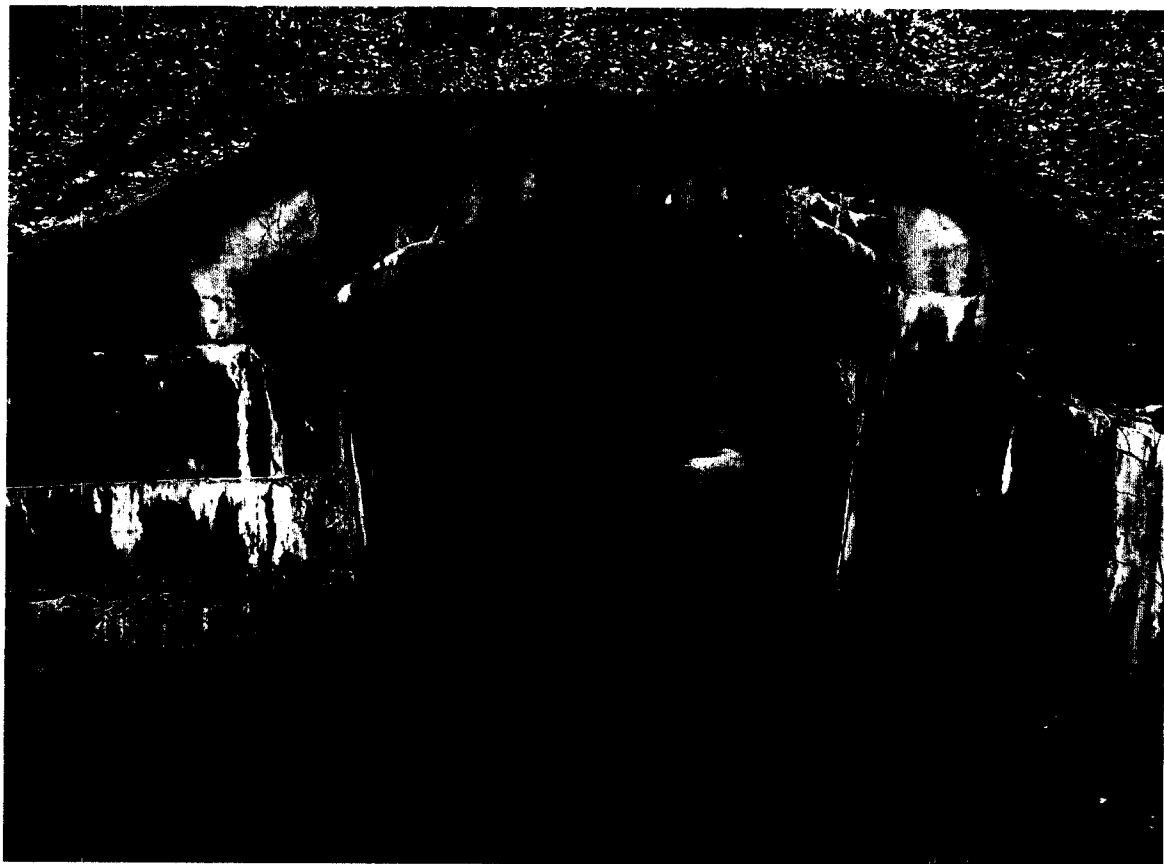
Bridge MP 23.95



Bridge No. 25.55 West



Bridge No. 26.51 West



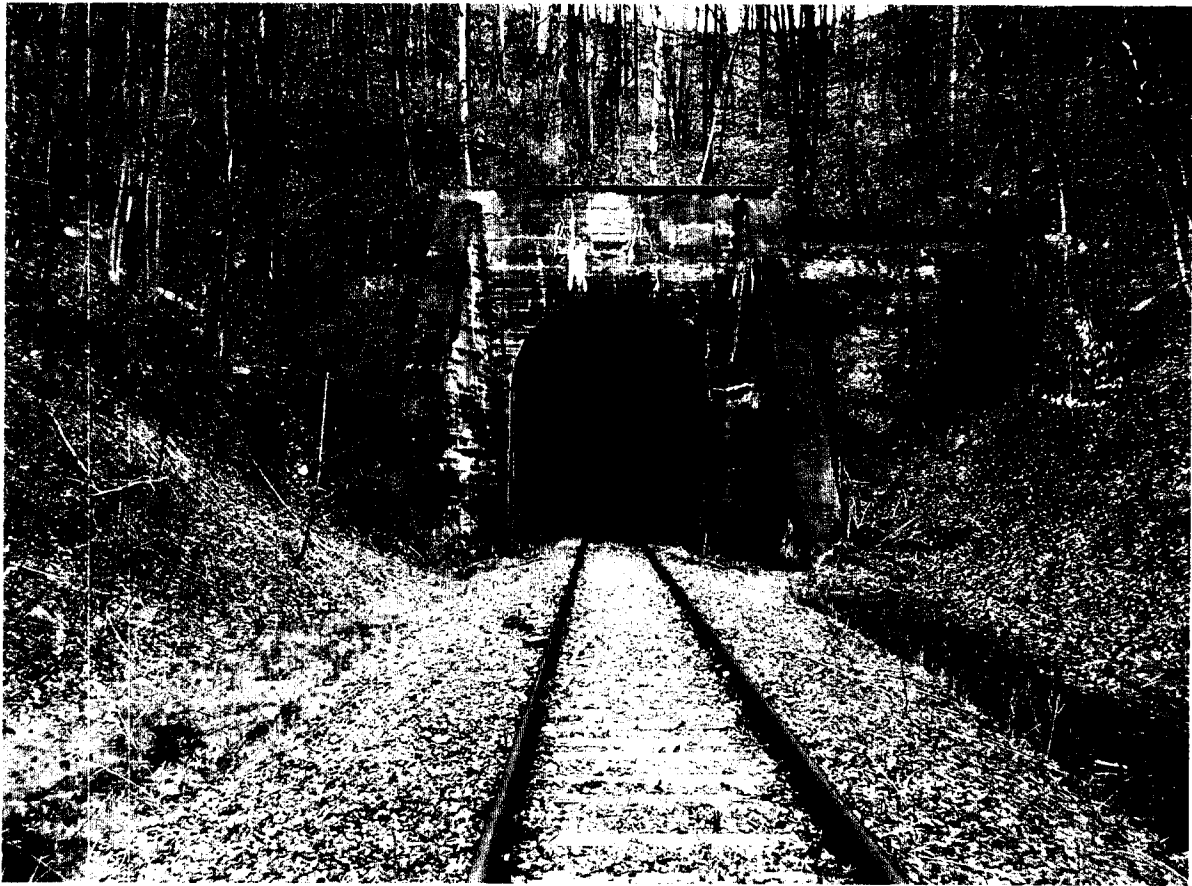
Arch 15' MP 26.92 West



Arch 16' MP 28.02 East



Knoxdale Tunnel North End looking South 28.26



Knoxdale Tunnel South End looking North 28.26



Arch 16' MP 29.11 West



Arch 15' MP 29.51 East



Bridge No. 33.71 East Side of South End looking North



Bridge No. 33.71 East Side of South End



Coulter Tunnel North End looking South 35.73



Coulter Tunnel South End looking North 35.73



Bridge No. 38.4 East Side of North End Private Dirt Road



Bridge No. 38.4 East Side of South End



Mauk Tunnel MP 40.0 North End looking South



Bridge No. 41.27 East



Bridge No. 42.34 East



Arch 16' MP 42.39 East



Arch 16' MP 42.39 West



Arch 12' MP 42.86 West



Arch 8' MP 43.16 West



Arch 15' MP 43.59 West



Bridge No. 44.48 West



Arch 15' MP 44.57 East



Arch 15' MP 44.57 West



Arch 12' MP 45.09 West



Bridge No. MP 45.60 West



Bridge No. MP 45.95 West



Bridge No. MP 46.32 West



Bridge No. MP 46.68 West



Bridge No. MP 47.60 West



Arch 10' MP 47.92 East



Arch 6' MP 48.57



Arch 16' MP 48.92 West



Bridge No. MP 49.06 West



Arch 8' MP 49.73 West



Arch 8' MP 50.49 East



Bridge No. MP 51.23 South End East Side looking North



Bridge No. MP 51.23 South End West Side looking North



Bridge No. MP 51.86 4 Wheeler Rd North End West Side



Bridge No. MP 51.86 North End looking South



Bridge No. MP 51.86 South End West Side looking North



Arch 10' MP 52.69 West



Bridge No. MP 52.75 West



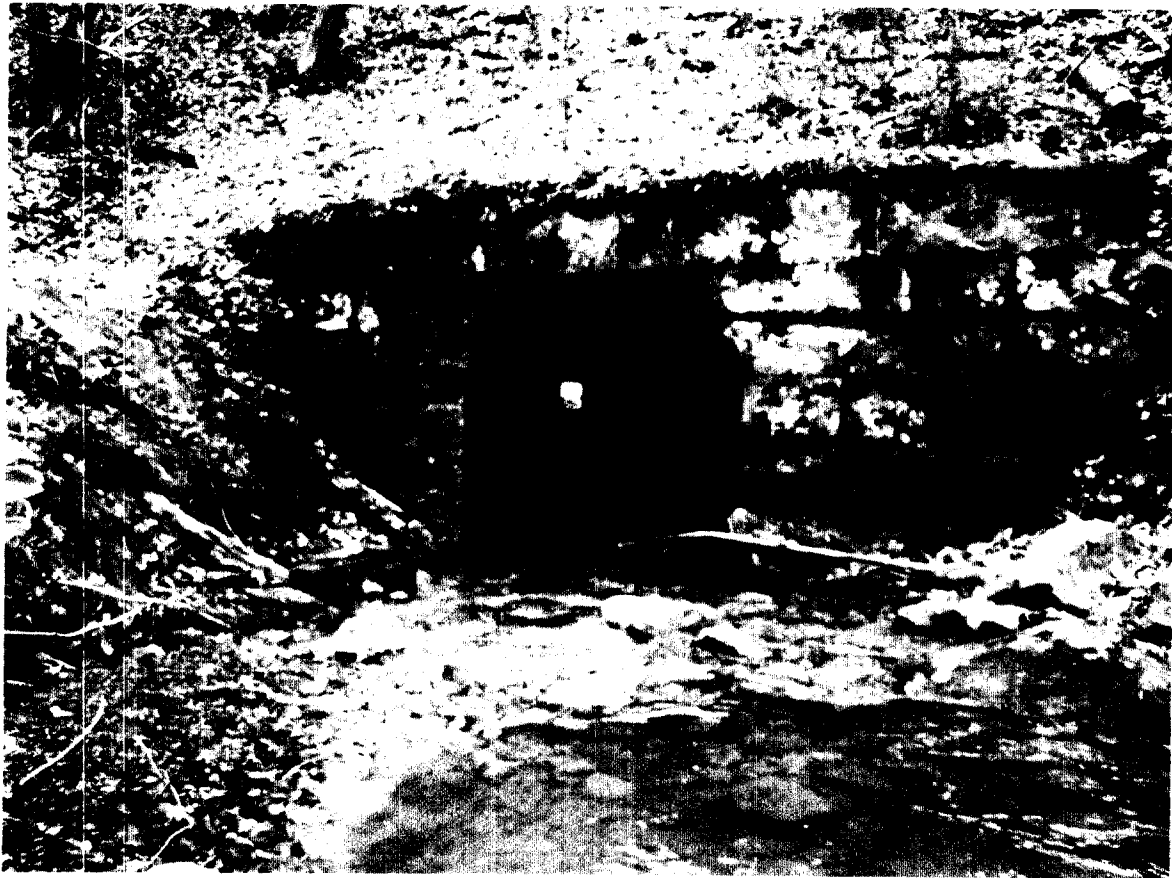
Arch 8' MP 53.56 West



Bridge No. MP 55.43 North End East Side looking South



Bridge No. MP 55.43 South End West Side looking North



Stone Box MP 55.95 East



Stone Box MP 55.95 West



Mack Tunnel MP 56.73 North End looking South



Mack Tunnel MP 56.73 South End looking North



Bridge No. MP 57.81 East



Bridge No. MP 57.81 South



Bridge No. MP 58.46 West



Bridge No. MP 59.21 East



Bridge No. MP 59.21 West



Arch 6' MP 61.66 East

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing
Environmental/Historic Report was served on the persons shown on the attached list by first
class mail, postage prepaid.


ERIC M. HOCKY

Dated: May 16, 2005