

LAW OFFICES OF  
**LOUIS E. GITOMER, LLC**

LOUIS E. GITOMER  
[Lou@lgraillaw.com](mailto:Lou@lgraillaw.com)

MELANIE B. YASBIN  
[Melanie@lgraillaw.com](mailto:Melanie@lgraillaw.com)  
410-296-2205

600 BALTIMORE AVENUE,  
SUITE 301  
TOWSON, MARYLAND 21204-4022  
(410) 296-2250 \* (202) 466-6532  
FAX (410) 332-0885

248000  
248001

June 21, 2019

Ms. Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings  
June 21, 2019  
Part of  
Public Record

Re: **Docket No. AB-55 (Sub-No. 793X), CSX Transportation, Inc.—Abandonment  
Exemption—in Allegheny County, PA**

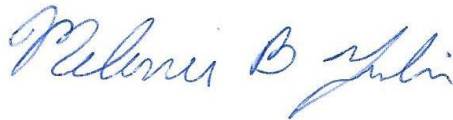
**Docket No. 1233 (Sub-No. 1X) Allegheny Valley Railroad Company—  
Discontinuance Exemption—in Allegheny County, PA**

Dear Ms. Brown:

Enclosed for electronic filing is a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to abandon and Allegheny Valley Railroad Company ("AVR") to discontinue service over an approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA. The filing fee of \$4,200 for each of the abandonment and discontinuance has been paid via pay.gov.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin  
Attorney for CSX Transportation, Inc.

FEE RECEIVED  
June 21, 2019  
SURFACE  
TRANSPORTATION BOARD

Enclosure

FILED  
June 21, 2019  
SURFACE  
TRANSPORTATION BOARD

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-55 (Sub-No. 793X)

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CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—  
IN ALLEGHENY COUNTY, PA

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Docket No. 1233 (Sub-No.1 X)

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ALLEGHENY VALLEY RAILROAD COMPANY—DISCONTINUANCE EXEMPTION—IN  
ALLEGHENY COUNTY, PA

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VERIFIED NOTICE OF EXEMPTION

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Steven C. Armbrust, Esq.  
CSX Transportation, Inc.  
500 Water Street  
Jacksonville, FL 32202  
(904) 359-1229

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
Law Offices of Louis E. Gitomer, LLC  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
(410) 296-2250  
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,  
INC. and  
ALLEGHENY VALLEY  
RAILROAD COMPANY

Dated: June 21, 2019

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-55 (Sub-No. 793X)

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CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—  
IN ALLEGHENY COUNTY, PA

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Docket No. 1233 (Sub-No. 1X)

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ALLEGHENY VALLEY RAILROAD COMPANY—DISCONTINUANCE EXEMPTION—IN  
ALLEGHENY COUNTY, PA

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VERIFIED NOTICE OF EXEMPTION

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CSX Transportation, Inc. (“CSXT”) and Allegheny Valley Railroad Company (“AVR”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon and AVR to discontinue service over an approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, 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.

1. Proposed consummation date. The proposed consummation date is August 10, 2019.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

(1) Exact name of applicant. CSX Transportation, Inc. and Allegheny Valley Railroad Company.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105. CSXT and AVR are common carriers by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon an approximately 0.85-mile rail line on its River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA. AVR seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue service over an approximately 0.85-mile rail line on CSXT's River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA. There are no stations on the Line.

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgraillaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 32609.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT believes that the property proposed for abandonment is suitable for other purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes.

4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).
5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.
6. Environmental Report. See Exhibit D.
7. Historic Report. See Exhibit D.

Respectfully submitted,

*Louis E. Gitomer*

Steven C. Armbrust, Esq.  
CSX Transportation, Inc.  
500 Water Street  
Jacksonville, FL 32202  
(904) 359-1229

Louis E. Gitomer, Esq.  
Melanie B. Yasbin, Esq.  
Law Offices of Louis E. Gitomer  
600 Baltimore Avenue, Suite 301  
Towson, MD 21204  
(410) 296-2250  
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,  
INC. and  
ALLEGHENY VALLEY  
RAILROAD COMPANY

Dated: June 21, 2019

## **EXHIBIT A-VERIFICATION AND CERTIFICATION**

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS  
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

COMMONWEALTH OF PENNSYLVANIA     )  
                                                           )     ss.  
COUNTY OF ALLEGHENY                     )

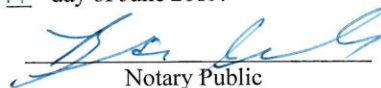
I, Mark A. Rosner, state that I am President of Allegheny Valley Railroad Company ("AVR"); that I am authorized to make this verification; and that I have read the foregoing Notice of Exemption and know the facts asserted therein as to AVR are true and accurate as stated, to the best of my knowledge, information, and belief.

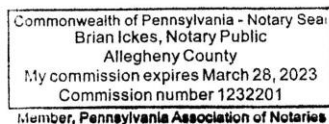
I hereby certify that no local freight traffic has moved over the approximately 0.85-mile portion of the River Branch between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA for two years prior to the date hereof and that any overhead traffic can be rerouted over other lines. Further, no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period. The foregoing certification is made on behalf of AVR by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned.

  
\_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this 14<sup>th</sup> day of June 2019.

My Commission Expires: 03-28-2023

  
\_\_\_\_\_  
Notary Public



**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS  
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**

STATE OF FLORIDA                     )  
                                                  )     ss.  
COUNTY OF DUVAL                 )

I, Juan Escobar, state that I am financial analyst  
for CSX Transportation, Inc. ("CSXT"); that I am authorized to make this verification; and that I  
have read the foregoing Notice of Exemption and know the facts asserted therein are true and  
accurate as stated, to the best of my knowledge, information, and belief.

I hereby certify that no local CSXT freight traffic has moved over CSXT's approximately  
0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta.  
40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA for two  
years prior to the date hereof and that any overhead traffic can be rerouted over other lines.  
Further, no formal complaint filed by a user of rail service on the line (or a State or local  
government entity acting on behalf of such user) regarding cessation of service over the line  
either is pending with the Surface Transportation Board or any U.S. District Court or has been  
decided in favor of a complainant within the two-year period. The foregoing certification is  
made on behalf of CSXT by the undersigned after due and careful investigation of the matters  
herein certified and based on the best of the knowledge, information, and belief of the  
undersigned.

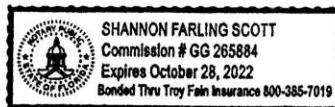


SUBSCRIBED AND SWORN TO before me this 24<sup>th</sup> day of June 2019.

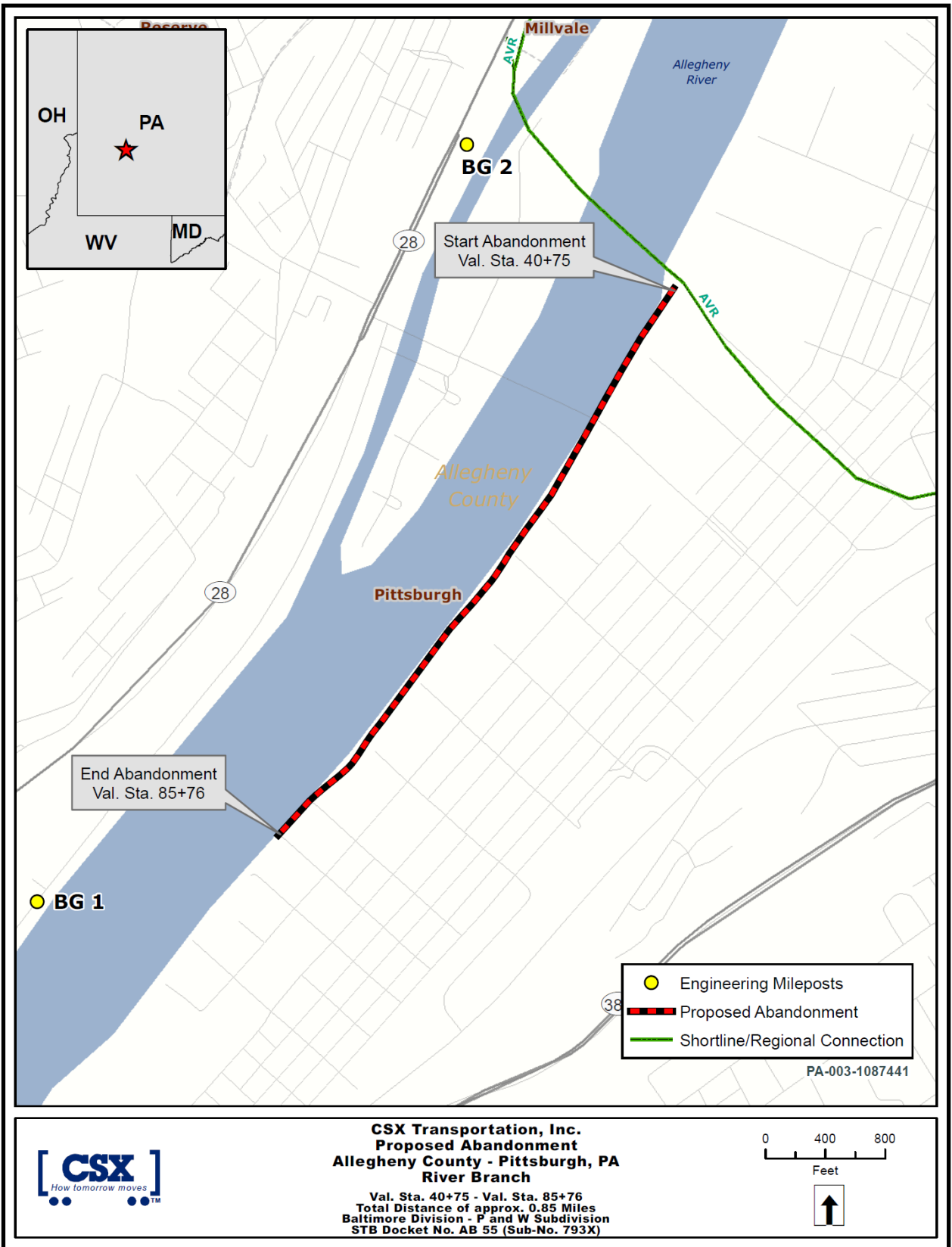
My Commission Expires: 10/28/2022

Personally Known

  
Notary Public



## **EXHIBIT B-MAP**



## **EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION**

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket Nos. AB-55 (Sub-No. 793X) and AB-1233 (Sub-No. 1X) was mailed via first class mail on June 5, 2019, to the following parties:

Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Military Traffic Management Command

Headquarters  
Military Surface Deployment and Distribution Command  
Transportation Engineering Agency  
ATTN: SDTE-SA (Railroads for National Defense)  
1 Soldier Way, Building 1900W  
Scott AFB, IL 62225

National Park Service

Mr. Rick Potts  
Chief, Conservation and Outdoor Recreation Division  
Rivers, Trails and Conservation Assistance Program National Park Service  
1849 C Street, N.W. (Org Code 2220)  
Washington, DC 20240

National Park Service

U.S. Department of Interior  
National Park Service  
Land Resources Division  
1849 C Street, N.W.  
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture  
Chief of the Forest Service  
1400 Independence Avenue, S.W.  
Washington, DC 20250-0003



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Melanie B. Yasbin  
June 21, 2019

## CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 793X) and discontinuance in Docket No. AB-1233 (Sub-No. 1X) in the following form was advertised on June 13, 2019 in The Pittsburgh Legal Journal, a newspaper of general circulation in Allegheny County, PA as required by 49 C.F.R. § 1105.7(c) and .12.



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Melanie B. Yasbin  
June 21, 2019

### Notice of Intent to Abandon

CSX Transportation, Inc. (“CSXT”) and Allegheny Valley Railroad Company (“AVR”) give notice that on or about June 17, 2019, they intend to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting CSXT to abandon and AVR to discontinue service over an approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, which traverses through United States Postal Service ZIP 15222 in Allegheny County, PA. The proceeding will be docketed as Nos. AB-55 (Sub-No. 793X) and AB-1233 (Sub-No. 1X).

The Board’s Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes 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 OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

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 Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423–0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant’s 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 Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments

or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

## **EXHIBIT D– COMBINED ENVIRONMENTAL AND HISTORIC REPORT**

## ENVIRONMENTAL REPORT CERTIFICATE OF SERVICE

Pursuant to the requirements of 49 C.F.R. § 1105.7, the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 793X) was mailed via first class mail on May 23, 2018 to the following parties:

|                                                                                                                                                                      |                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| United States Department of Agriculture<br>Natural Resources Conservation Service<br>359 East Park Drive, Suite 2<br>Harrisburg, PA 17111-2747                       | Environmental Protection Agency<br>Region 3<br>1650 Arch St.<br>Philadelphia, PA 19103                         |
| U.S. Army Corp of Engineers<br>Pittsburgh District<br>2200 William S. Moorhead Federal Building<br>100 Liberty Ave,<br>Pittsburgh, PA 15222-4186                     | U.S. Fish & Wildlife Services<br>110 Radnor Rd.<br>Suite 101<br>State College, PA 16801                        |
| National Park Service<br>Northeast Region<br>1234 Market Street<br>20 <sup>th</sup> Floor<br>Philadelphia, PA 19107                                                  | National Geodetic Survey<br><a href="mailto:ngs.infocenter@noaa.gov">ngs.infocenter@noaa.gov</a>               |
| Department of Environmental Protection<br>Coastal Zone Management Program<br>P.O. Box 2063<br>400 Market Street, 15 <sup>th</sup> Floor<br>Harrisburg, PA 17105-2063 | Pennsylvania Department of Transportation<br>Rail Freight & Ports<br>555 Walnut St. #8<br>Harrisburg, PA 17101 |

|                                                                                                                   |                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <p>Pennsylvania Department of Environmental Protection<br/>400 Waterfront Drive<br/>Pittsburg, PA 15222-4745</p>  | <p>Allegheny County<br/>County Executive Rich Fitzgerald<br/>101 County Courthouse<br/>436 Grant Street<br/>Pittsburgh, PA 15219</p> |
| <p>Allegheny County Economic Development<br/>One Chatham Center, Suite 900<br/>Pittsburgh, PA 15219</p>           | <p>Office of Mayor William Peduto<br/>414 Grant Street, 5<sup>th</sup> Floor<br/>Pittsburgh, PA 15219</p>                            |
| <p>Brenda F. Pree, CMC, City Clerk<br/>510 City-County Building<br/>414 Grant Street<br/>Pittsburgh, PA 15219</p> |                                                                                                                                      |




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Melanie B. Yasbin  
June 21, 2019

## **HISTORIC REPORT CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB-55 (Sub-No. 793X) was mailed via first class mail on May 23, 2019 to the following parties:

Pennsylvania Historical and Museum Commission  
State Preservation Office  
Commonwealth Keystone Building, Second Floor  
400 North Street  
Harrisburg, PA 17120-0093



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Melanie B. Yasbin  
June 21, 2019

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT (“CEHR”)**  
(49 C.F.R. 1105.7 and 1105.8)

Docket No. AB-55 (Sub-No. 793X)

CSX TRANSPORTATION, INC.–ABANDONMENT EXEMPTION–  
IN ALLEGHENY COUNTY, PA

Dated: June 21, 2019

**ENVIRONMENTAL REPORT**

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

CSX Transportation, Inc., (“CSXT”) proposes to abandon and Allegheny Valley Railroad Company (“AVR”) proposes to discontinue service over CSXT’s approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

Abandonment of the Line will result in the removal of the rail, crossties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Any trail related structures, such as bridges, trestles, culverts and tunnels will not be salvaged. Finally, the operations and maintenance of the Line will cease.

The only alternative to a full abandonment would be for CSXT not to abandon the Line.

A map of the proposed abandonment is attached hereto as Exhibit 1.

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

There is no passenger traffic on the Line to be diverted to other modes as a result of the proposed abandonment. There is no freight traffic on the Line to be diverted to motor carrier. The proposed abandonment should have no adverse effects on regional or local highway systems and traffic patterns.

(3) Land Use. (i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies. (ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land. (iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9. (iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10905 and explain why.

(i) CSXT considers the proposed abandonment of the Line to be consistent with existing land use plans. CSXT notified Allegheny County by letter dated May 23, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. A copy of the Preliminary CEHR has also been mailed to the appropriate local and state agencies for their information and further comment. No comments have been received to date.

(ii) CSXT does not believe that there is any prime agricultural land that will be affected. CSXT notified the United States Department of Agriculture (“USDA”) Natural Resources Conservation Service (“NCRS”) (the agency succeeding to the responsibilities of the Soil Conservation Service) of the proposed abandonment by letter dated May 23, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. By letter dated May 31, 2019, NRCS states the Line is not subject to provisions of the Farmland Protection Policy Act. (See Exhibit 2)

(iii) CSXT notified the Pennsylvania Coastal Management Program by letter dated May 23, 2019 (See Exhibit 2) requesting comments and included a copy of the preliminary CEHR. No Comments have been received to date.

(iv) CSXT believes the Line would be suitable for interim trail use/rail banking.

(4) Energy. (i) Describe the effect of the proposed action on transportation of energy resources. (ii) Describe the effect of the proposed action on recyclable commodities. (iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why. (iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.

(i) The proposed abandonment will have no affect the ability to transport energy resources.

(ii) The proposed abandonment will have no effect on the transportation of recyclable commodities.

(iii) The proposed abandonment will not change the use of railroad transportation over the line as CSXT doesn't currently ship over the line.

(iv) The proposed abandonment will not cause the diversion of more than 1,000 rail carloads a year; or an average of 50 rail carloads per mile per year for any part of the line segments of rail traffic to motor carriage.

(5) Air. (i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. § 10901 (or § 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply. (ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply. (iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the

materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

(i) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(ii) The proposed abandonment will not result in meeting or exceeding the specified thresholds.

(iii) The proposed abandonment will not affect the transportation of ozone depleting materials.

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

Not applicable.

(7) Safety. (i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings). (ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials. (iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

(i) The proposed abandonment will have no detrimental effects on public health and safety. There are no public or private crossings on the Line.

(ii) The proposed abandonment will not affect the transportation of hazardous materials.

(iii) CSXT is not aware of any known hazardous waste sites or sites where there have been known hazardous materials spills on the Line.

(8) Biological Resources. (i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects. (ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

(i) CSXT does not believe that the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat. CSXT has notified the U.S. Fish and Wildlife Service (“USF&W”) of the proposed abandonment by letter dated May 23, 2019 (See Exhibit 2) requesting assistance in determining whether the proposed abandonment will adversely affect endangered or threatened species or areas designated as a critical habitat and included a copy of the preliminary CEHR. No comments have been received to date.

(ii) CSXT does not believe any wildlife sanctuaries or refuges, National or State parks or forests would be adversely affected by the proposed abandonment.

CSXT has notified the National Parks Service of the proposed abandonment by letter dated May 23, 2019 (See Exhibit 2) requesting assistance in identifying any potential effects on wildlife sanctuaries or refuges, National or State parks or forests and included a copy of the preliminary CEHR. No comments have been received to date.

(9) Water. (i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies. (ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects. (iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action.

(i) CSXT is confident that the proposed abandonment will be consistent with applicable water quality standards. CSXT notified the State Environmental Protection Agency (“SEPA”), and the United States Environmental Protection Agency (“USEPA”) by letters dated May 23,

2019 (*See Exhibit 2*) requesting assistance in identifying any potential effects on water quality standards and included a copy of the preliminary CEHR. No comments have been received to date.

(ii) CSXT believes that no permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands will be affected by the proposed abandonment. The Line is in a 100-year flood plain. Upon receiving abandonment authority, removal of material will be accomplished by use of the right-of-way for access. No new access roads are contemplated. CSXT does not intend to disturb any of the underlying roadbed or perform any activities that would cause sedimentation or erosion of the soil, and does not anticipate any dredging or use of fill in the removal of the track material. CSXT will transport crossties and/or other debris away from the Line and will not discard them along the right-of-way or place or leave them in streams or wetlands, or along the banks of such waterways. Also, during track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other pollutant materials from entering any waterways. Based upon this course of action, CSXT does not believe a permit under Section 404 of the Clean Water Act will be required.

CSXT notified the U.S. Army Corps of Engineers by letter dated May 23, 2019 (*See Exhibit 2*) requesting assistance in identifying whether permits under section 404 of the Clean Water Act are required for the proposed abandonment and that no designated wetlands or 100-year flood plains will be affected by the proposed abandonment and included a copy of the preliminary CEHR. No comments have been received to date.

(iii) CSXT believes that no permit under section 402 of the Clean Water Act would be required for the abandonment. CSXT notified the SEPA and the USEPA by letter dated May 23,

2019 (See Exhibit 2) requesting assistance in identifying whether permit under section 402 of the Clean Water Act would be required for the abandonment and included a copy of the preliminary CEHR. No comments have been received to date.

(10) Proposed Mitigation. Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

CSXT does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. CSXT will, of course, adhere to any remedial actions required by the Board.

## HISTORIC REPORT

1. A U.S.G.S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

U.S. Geological Survey Maps have been supplied to the State Department of Archeology and Historic Preservation (See Exhibit 3) along with this preliminary CEHR.

2. A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The width of the right of way is approximately 50 feet. The Line begins at 33<sup>rd</sup> Street in Pittsburgh and runs west following the Allegheny River ending at 24<sup>th</sup> Street. The Line ends at the Strip District Trail which is part of the Three Rivers Heritage Trail.

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

There are no bridges greater than 50 years old on the Line.

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

There are no structures greater than 50 years old on the Line.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The Line was originally part of the Pennsylvania Railroad ("PRR"). The PRR was incorporated on April 13, 1846. The PRR began running between Philadelphia and Pittsburgh on February 15, 1854. In 1968, the Penn Central Company was formed by merger of the New York Central Railroad and the PRR. By the early 1970s the Penn Central was bankrupt; and in 1976 the U.S. Government created Conrail from Penn Central and five other failed eastern railroads.

In 1999, CSX Corporation, CSX Transportation's parent company, and Norfolk Southern Corporation jointly acquired control of Conrail, Inc., and its wholly owned subsidiary, Consolidated Rail Corporation Inc., ("Conrail"). As a result of that acquisition, CSXT acquired

the Line.

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

CSXT possesses valuation maps and track charts of the Line, but is not aware of any other documentation in its possession.

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

CSXT believes that the Line is not unusual or noteworthy for inclusion on the National Register of Historic Places. It is also CSXT's opinion that there are no archeological resources or other railroad related historic properties in the project area. Moreover, there are no bridges or structures on the Line that are 50 years old or older.

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

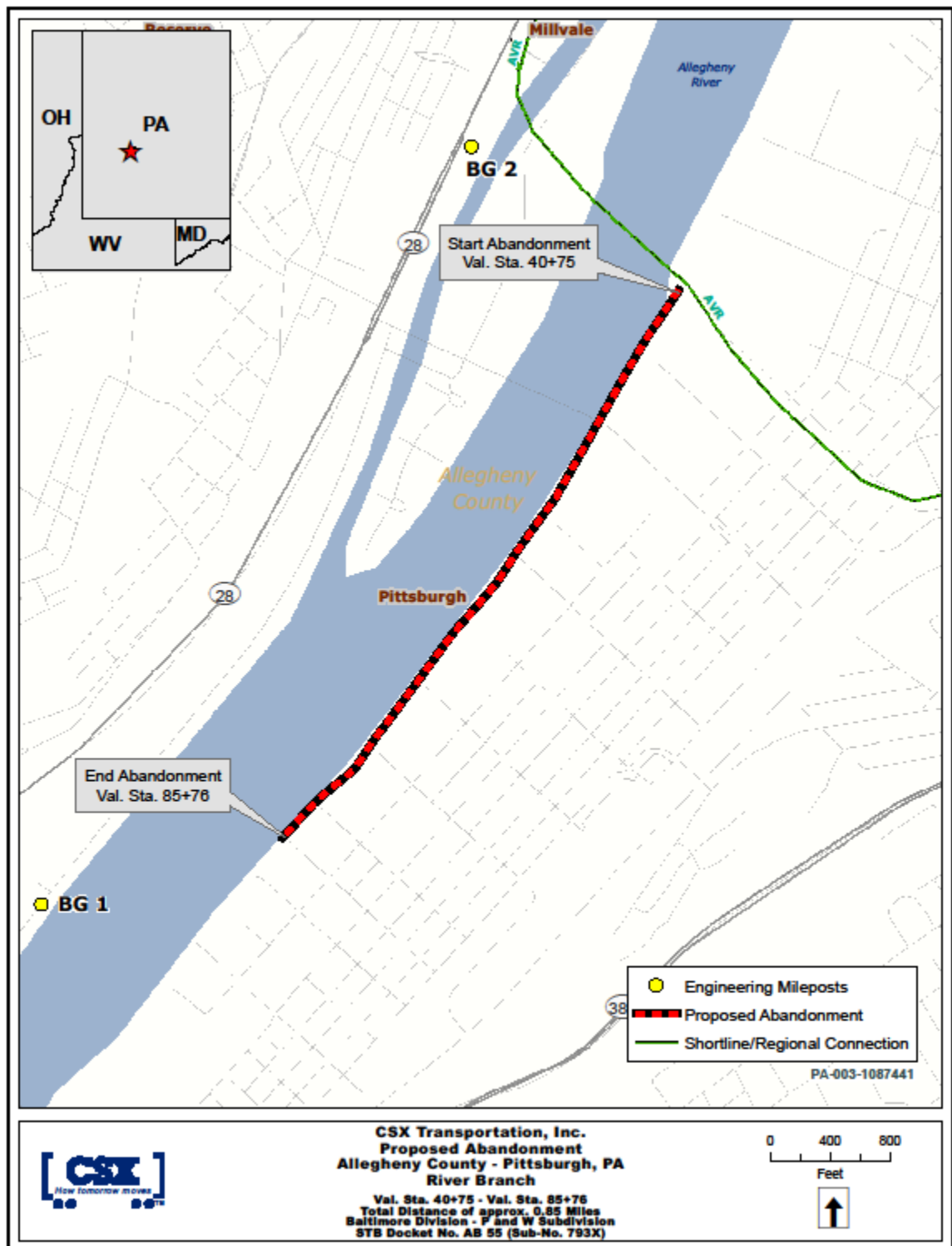
Based on a review of its records, CSXT believes that there are no known subsurface ground disturbances or fill, or environmental conditions that might affect the archeological recovery of any potential resources.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

CSXT does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. But, if any additional information is requested, CSXT will promptly supply the necessary information.

CSXT notified the Pennsylvania Historic Preservation Officer by letter dated May 23, 2019 (*See Exhibit 2*) requesting assistance to determine whether there are any archeological resources or any other previously unknown historic properties and included a copy of the preliminary CEHR. By letter dated June 19, 2019 the Pennsylvania Historic Preservation Officer stated that the proposed abandonment should have no effects on resources. (*See Exhibit 2*)

## **EXHIBIT 1 – MAP**



## **EXHIBIT 2 – LETTERS (WITHOUT MAPS)**



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Allegheny County  
County Executive Rich Fitzgerald  
101 County Courthouse  
436 Grant Street  
Pittsburghh

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Mr. Peduto:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburghh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT's Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT's

Preliminary CEHR with CSXT's analysis of current and future land use. Please respond by email to [Floyd\\_Payne@csx.com](mailto:Floyd_Payne@csx.com) or by mail to the above address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Payne", followed by a long horizontal flourish.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Mayor William Peduto  
414 Grant Street, 5<sup>th</sup> Floor  
Pittsburgh, PA 15219

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Mr. Peduto:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT's Combined Environmental and Historic Report (CEHR) must be:

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CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT's

Preliminary CEHR with CSXT's analysis of current and future land use. Please respond by email to [Floyd\\_Payne@csx.com](mailto:Floyd_Payne@csx.com) or by mail to the above address, within 20 days of the date of this letter so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Payne", followed by a long horizontal flourish.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Brenda F. Pree, CMC  
City Clerk  
510 City-County Building  
Pittsburgh, PA 15129

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Ms. Pree:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

This action requires Board environmental and historic review under 49 C.F.R. 1105.6(b)(2). A portion of CSXT's Combined Environmental and Historic Report (CEHR) must be:

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

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Enclosed is CSXT's Preliminary CEHR with CSXT's analysis of current and future land use. Please respond by email to [Floyd\\_Payne@csx.com](mailto:Floyd_Payne@csx.com) or by mail to the above address, within 20 days of the date of this letter

so that CSXT can include and analyze your comments in its Final CEHR.

Also enclosed is the distribution list of all parties who have been requested to comment on the CEHR. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

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

(iii) *“State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action.”*

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

Based upon the above described actions, CSXT would appreciate receiving your concurrence with its position that the proposed project is consistent with applicable Federal, State and local water quality standards, and that no permits under Section 402 are required at this time. As further information, CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Payne", followed by a long horizontal flourish.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Pennsylvania Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

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Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

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

(iii) *“State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action.”*

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

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Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Pennsylvania Department of Environmental Protection  
Coastal Zone Management Program  
P.O. Box 2063  
400 Market Street, 15<sup>th</sup> Floor  
Harrisburg, PA 17105-2063

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

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Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

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

(iii) *“State whether permits under Section 402 of the Clean Water Act 33 U.S.C. 1342 are required for the proposed action.”*

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

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Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

U.S. Department of the Interior  
Fish & Wildlife Service  
110 Radnor Rd.  
Suite 101  
State College, PA 16801

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (8) (i) and (ii) requires that CSXT develop responses to the following statements:

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

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be no adverse impact to any federally-listed endangered or threatened species, critical habitats, wildlife sanctuaries or refuges, National or State parks, or forests.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

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Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

U.S. Army Corps of Engineers  
District Engineer  
Pittsburgh District  
2200 William S. Moorhead Federal Building  
100 Liberty Ave.  
Pittsburgh, PA 15222-4186

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(e)(9) (ii) require that CSXT develop responses to the following statement:

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

Based upon the above described actions, CSXT would appreciate your concurrence in its position that there would be

no adverse impact on wetlands or 100-year flood plains, and that no permits under Section 404 will be required.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

National Park Service  
Northeast Region  
1234 Market Street  
Philadelphia, PA 19107

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and

Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,



Gene Pavne



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Pennsylvania Department of Transportation  
Rail Freight & Ports  
555 Walnut St. #8  
Harrisburg, PA 17101

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

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Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Payne", followed by a long horizontal flourish.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Allegheny County Economic Development  
One Chatham Center, Suite 900  
Pittsburgh, PA 15219

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

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This action requires Board approval and Federal Regulations 49 C.F.R. 1105.7(c) require that advance notice be given to afford your agency a reasonable opportunity to provide meaningful input.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

National Geodetic [Surveyngs.infocenter@noaa.gov](mailto:Surveyngs.infocenter@noaa.gov)

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

Please advise if there are any geodetic markers which could be affected by the proposed transaction. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

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Gene Payne  
Enclosures (3)



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

Pennsylvania Historical and Museum Commission  
State Preservation Office  
Commonwealth Keystone Building, Second Floor  
400 North Street  
Harrisburg, PA 17120-0093

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., ("CSXT") proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the "Line"). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the "Board"), CSXT will consummate the abandonment and abandon the Line.

In connection with rail line that is the subject of an application for authority to abandon, Federal Regulations at 49 CFR 1105.8(d), require that a Historic Report be submitted to the State Historic Preservation Officer prior to filing with the Surface Transportation Board. In accordance with those Regulations, I am attaching a preliminary Combined Environmental and Historic Report ("CEHR") covering the above-proposed abandonment.

We would appreciate receiving a letter from your office confirming that this project will have no impact upon cultural resources. Any questions can be sent electronically to

[Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed is a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the CEHR for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne  
Enclosures (3)



Pennsylvania State Historic Preservation Office  
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

June 19, 2019

Gene Payne  
CSX Transportation, Inc.  
500 Water Street, J801  
Jacksonville, Florida 32202

Re: File No. ER 2002-0915-003-B  
STB Docket No. AB-55 (Sub-No. 793X): CSX Transportation, Inc.-Abandonment  
Exemption, Pittsburgh, Allegheny County

Dear Mr. Payne:

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

There may be historic buildings, structures, and/or archaeological resources located in or near the project area. In our opinion, the activities described in your proposal should have no effect on these resources. Should the scope and/or nature of the project activities change, the PA SHPO should be contacted immediately.

If you need further information regarding archaeological resources, please consult Casey Hanson at [chanson@pa.gov](mailto:chanson@pa.gov) or (717) 772-0923. If you need further information on above ground resources, please consult Cheryl Nagle at [chnagle@pa.gov](mailto:chnagle@pa.gov) or (717) 772-4519.

Sincerely,

Douglas C. McLearn, Chief  
Division of Environmental Review

DCM/tmw



500 Water Street, J801  
Jacksonville, Florida 32202  
Phone (904) 359-3739  
Email: Gene\_Payne@csx.com

Gene Payne  
Manager Strategic Planning

May 23, 2019

USDA – NRCS  
359 East Park Drive, Suite 2  
Harrisburg, PA 17111-2747

Re: STB Docket No. AB-55 (Sub-No. 793X) CSX Transportation, Inc.—  
Abandonment Exemption—Allegheny County, PA

Dear Madam/Sir:

CSX Transportation, Inc., (“CSXT”) proposes to abandon its approximately 0.85-mile rail line on the River Branch, Baltimore Division, P&W Subdivision between Val. Sta. 40+75 and Val. Sta. 85+76, the end of the line, in Pittsburgh, Allegheny County, PA (the “Line”). The Line runs through the U.S. Postal Zip Code 15222.

Upon receipt of abandonment authority from the Surface Transportation Board (the “Board”), CSXT will consummate the abandonment and abandon the Line.

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

*“Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.”*

Please advise if any of the land contiguous to CSXT’s line in the project area is classified as prime agriculture land.

CSXT would appreciate your comments regarding current and future land use in relationship to the Line. Any questions can be sent electronically to [Floyd\\_Payne@CSX.com](mailto:Floyd_Payne@CSX.com) by email or through the United States Postal Service (USPS).

Enclosed are a distribution list of all parties that have been copied on the proposed action, a map of the proposed location and the preliminary Combined Environmental and Historical Report for the line. If you have any questions, please feel free to call or email me.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Payne", with a long horizontal flourish extending to the right.

Gene Payne  
Enclosures (3)



United States Department of Agriculture

May 31, 2019

To: Gene Payne, Manager of Strategic Plannin  
CSX  
500 Water Street, J801  
Jacksonville, FL 32202  
Gene\_Payne@csx.com

Subject: Farmland Protection Policy Act review: STB Docket No. AB-55 (Sub-No. 793X) CSX  
Transportation, Inc.—Abandonment Exemption—Allegheny County, PA

Dear Mr. Payne:

The Natural Resources Conservation Service responsibility pertaining to the Farmland Protection Policy Act (FPPA) is to provide technical assistance for the Act by evaluating and completing Parts II, IV, and V of the Farmland Conversion Impact Rating Form AD – 1006. The purpose of the Act is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses.

This project is within the Pittsburgh, PA Urbanized Area as shown on the US Census Bureau map. As such, this project is not subject to provisions of the Farmland Protection Policy Act as per part 523.10 B. Lands Not Subject to Provisions of FPPA, 2. So, based on the information provided no additional action or alternatives are required.

If you have additional questions or concerns, please feel free to contact me at (717) 237-2207, or [yuri.plowden@usda.gov](mailto:yuri.plowden@usda.gov)

Sincerely,

**Yuri Plowden** Digitally signed by Yuri Plowden  
Date: 2019.05.31 13:10:56 -04'00'

Yuri Plowden  
State Soil Scientist, NRCS  
Harrisburg, PA

Natural Resources Conservation Service  
359 East Park Drive, Suite 2  
Harrisburg, PA 17111-2747  
Voice: 717-237-2100 | Fax: 855-813-2861  
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*Helping People Help the Land*

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## **EXHIBIT 3 – USGS MAPS**

