



NATALIE S. ROSENBERG
Counsel

DID# 0102037001

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202
Fax (904) 359-1248
Telephone (904) 359-3100

Writer's direct telephone line:
(904) 359-1253

206278

September 24, 2002



VIA AIRBORNE EXPRESS

MR. VERNON A. WILLIAMS, SECRETARY
Surface Transportation Board
Mercury Building
1925 K Street, N.W.
Washington, D.C. 20423

RE: Docket No. AB-55 (Sub-No. 623X)
CSX Transportation, Inc. Abandonment in
Putnam County, Indiana

Dear Mr. Williams:

Enclosed for filing are the original and ten copies of CSX Transportation, Inc.'s Notice of Exemption in the above-captioned proceeding. A check in the amount of \$2,700.00 to cover the filing fee is also enclosed. I would appreciate your acknowledgement of receipt of these documents by stamping the extra enclosed copy of this letter and returning it to me in the enclosed self-addressed envelope.

ENTERED
Office of Proceedings

SEP 30 2002

Part of
Public Record

Very truly yours,

Natalie S. Rosenberg

NSB/lcf

Enclosures

FILED

SEP 26 2002

SURFACE
TRANSPORTATION BOARD

FEE RECEIVED

SEP 26 2002

SURFACE
TRANSPORTATION BOARD



NATALIE S. ROSENBERG
Counsel

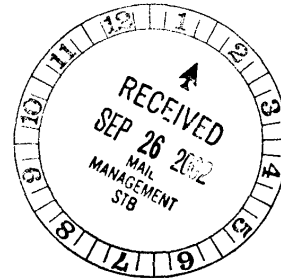
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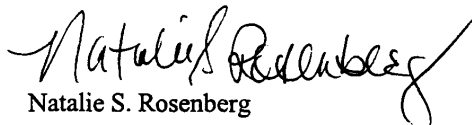


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Very truly yours,


Natalie S. Rosenberg

NSB/lcf

Enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-55 (SUB-NO. 623X)

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION IN
PUTNAM COUNTY, INDIANA

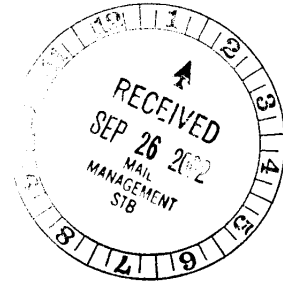
N O T I C E O F E X E M P T I O N

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

Counsel for
CSX TRANSPORTATION, INC.

DATED: September 24, 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-55 (SUB-NO. 623X)

CSX TRANSPORTATION, INC.
ABANDONMENT EXEMPTION IN
PUTNAM COUNTY, INDIANA

NOTICE OF EXEMPTION

CSX Transportation, Inc. ("CSXT") files this Notice of Exemption pursuant to the Board's regulations at 49 C.F.R. §1152.50. This Notice of Exemption is for abandonment of CSXT's line of railroad between railroad Milepost OOQ-189.18 (north side of Grant Street) and the end of track at railroad Milepost OOQ-189.65, (hereinafter "the line"), a distance of approximately 0.47 miles¹, which traverses through United States Postal Service ZIP Code 46120 in Cloverdale, Putnam County, Indiana. Maps showing the line are attached as Exhibit A. In accordance with the aforesaid regulations, CSXT makes the following responses:

¹ At the time all requisite notifications were distributed, CSXT intended to abandon .58 miles (from Milepost OOQ189.07 to Milespost OOQ189.65). Prior to this filing, however, CSXT shortened the abandonment limits to meet the needs of an existing customer.

RESPONSE TO 49 C.F.R. SECTION 1152.50(d)(2):

1. Proposed Consummation Date.

The proposed consummation date of this abandonment is November 25, 2002.

2. Certification Required in Section 1152.50(b).

The required certification is set forth as Exhibit B to this Notice of Exemption.

3. Information required in Section 1152.22(a)(1-4),
(7), (8) and (e)(4).

(a) General.

(1) Exact name of applicant.

CSX Transportation, Inc.

(2) Whether applicant is a common carrier
by railroad subject to the Interstate
Commerce Act.

CSXT is a common carrier by railroad
subject to the Interstate Commerce Act.

(3) Relief sought (abandonment of line or
discontinuance of operations).

CSXT seeks authority to abandon the
line.

(4) Detailed map of the line.

Maps are attached hereto as Exhibit A.

(7) Name, title and address of
representative of applicant to whom
correspondence should be sent.

Natalie S. Rosenberg
Counsel
CSX Transportation, Inc.
500 Water Street J150
Jacksonville, FL 32202

- (8) United States Postal Service Zip Code that the line traverses.

46120

- (e) Rural and community impact.

- (4) Statement of whether the properties proposed to be discontinued are suitable for use for other public purposes, including roads or 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.

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

4. The Level of Labor Protection.

CSXT understands that, in exempting the proposed abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. See 49 C.F.R. Section 1152.50(c). Accordingly, CSXT anticipates that the Board will impose the conditions set forth in Oregon Short Line R. Co. - Abandonment - Goshen, 360 I.C.C. 91 (1979), for the benefit of any carrier employee who may be adversely affected by the proposed abandonment.

5. Certificate of Compliance With the Notice Requirements of Section 1152.50(d)(1).

The required certificate is set forth as Exhibit C

to this Notice of Exemption.

6. Environmental Report and Historic Report.

The Environmental Report required by 49 C.F.R. 1105.7 and the Historic Report required by 49 C.F.R. 1105.8 are attached as Exhibits D and E, respectively, to this Notice of Exemption. Attached as Exhibit F is a certificate showing CSXT's compliance with 49 C.F.R. 1105.11.

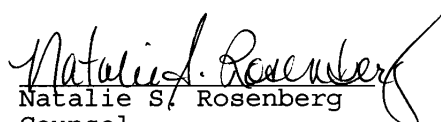
7. Newspaper Notice.

The Newspaper Notice required by 49 C.F.R. 1105.12 was published in The Banner Graphic, Greencastle, Indiana, on September 5, 2002. An affidavit of publication from this newspaper will be forwarded to the Board as soon as it is received by CSXT.

8. Verification.

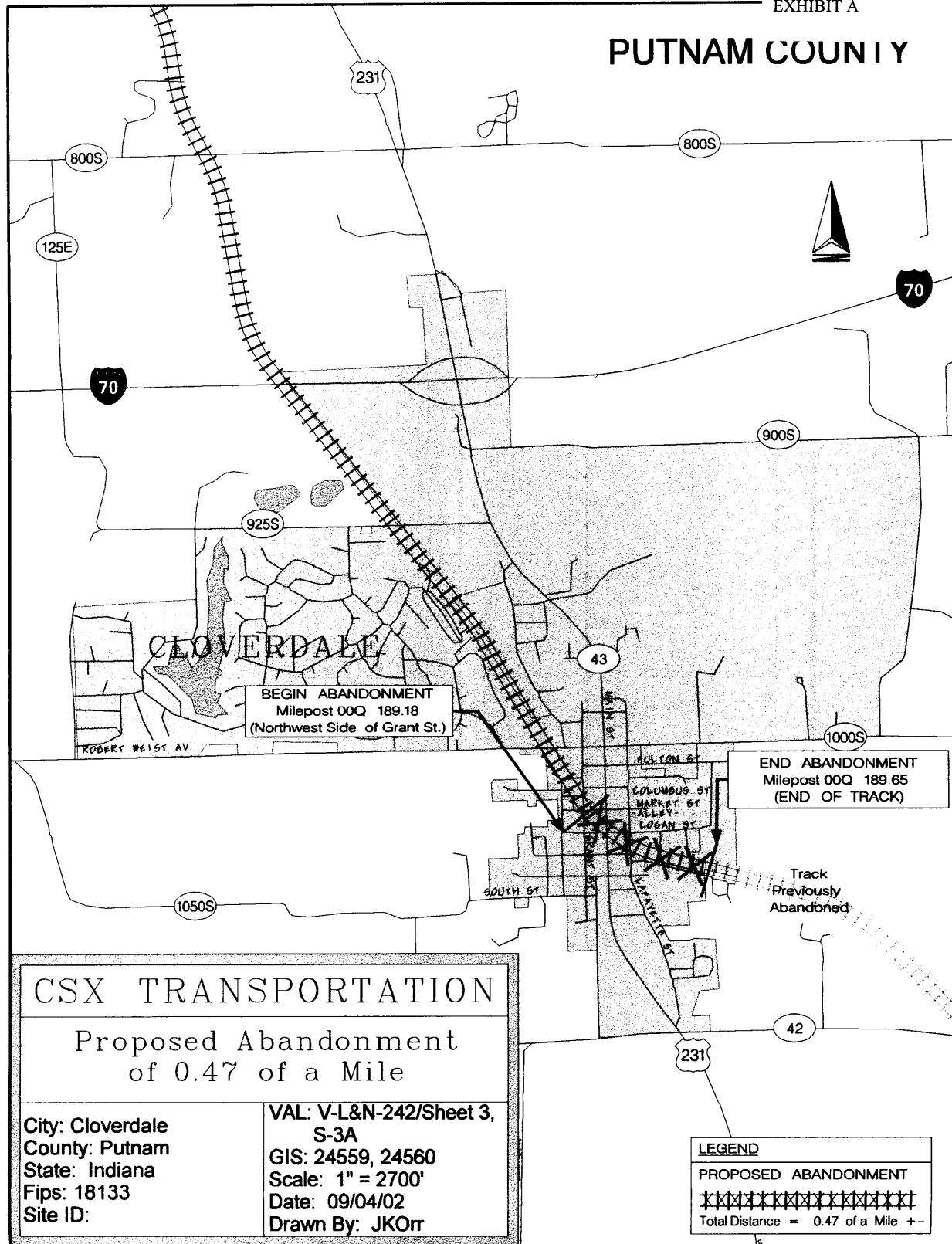
The required verification is set forth as Exhibit G to this Notice of Exemption.

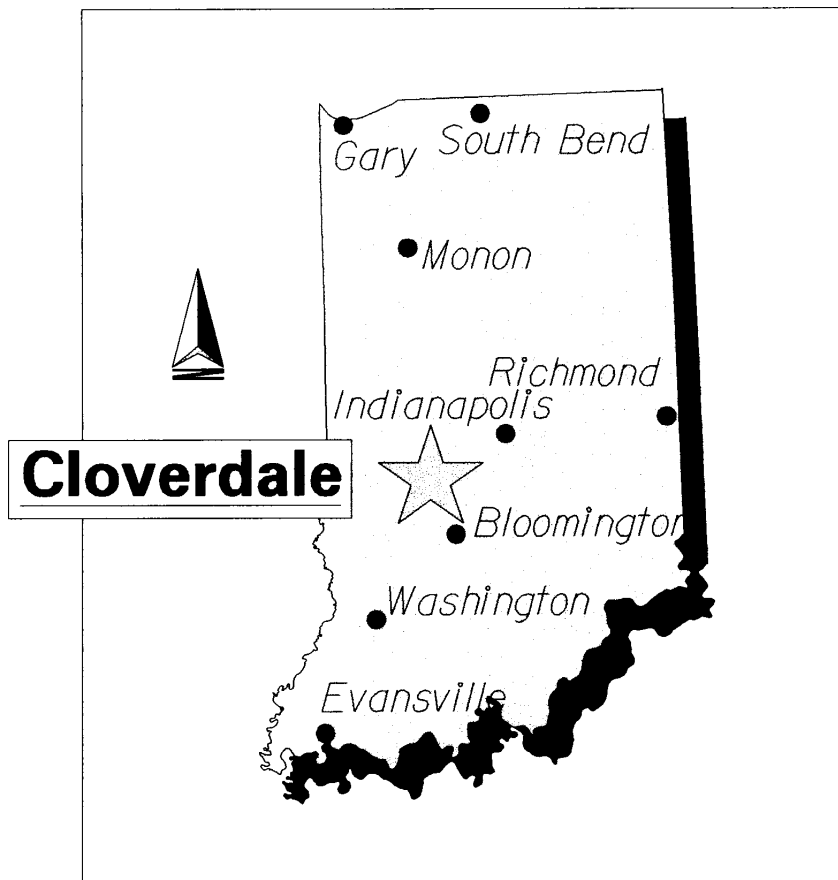
Respectfully submitted,


Natalie S. Rosenberg
Counsel
CSX Transportation, Inc.
500 Water Street J150
Jacksonville, FL 32202

DATED: September 24, 2002

PUTNAM COUNTY





**AREA MAP
STATE OF INDIANA**

**Proposed Abandonment - 0.47 of a Mile
Putnam County
Cloverdale, IN**

WESTERN REGION - GREAT LAKES DIVISION - LAFAYETTE SUBDIVISION

EXHIBIT B

CERTIFICATION REQUIRED

IN 49 C.F.R. SECTION 1152.50(B)

In accordance with 49 C.F.R. Section 1152.50(b), I hereby certify that, with respect to the line subject to the Notice of Exemption in Docket No. AB-55 (Sub-No. 623X): (1) no local traffic has moved over the line for at least two years prior to the date hereof; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or state or local government agency acting on behalf of such user) regarding cessation of service over the line is either pending with the Board or any U. S. District Court or has been decided in favor of a complainant within the two-year period prior to the date hereof. The foregoing certification is made on behalf of CSX Transportation, Inc. by the undersigned after due and careful investigation of the matters herein certified and based on the best knowledge, information and belief of the undersigned.


Heidi D. Bash
Director Asset Management

Dated: 9/18/02

EXHIBIT C

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. 1152.50(d)(1)

In accordance with 49 C.F.R. §1152.50(d)(2), I hereby
certify that:

On August 23, 2002, I caused to be served by U.S. first-
class mail, postage prepaid, the notice required by 49 C.F.R.
§1152.50(d)(1), upon the Public Utilities Commission of Ohio,
Ohio Rail Development Commission, the Military Traffic Management
Command of the U.S. Department of Defense, the National Park
Service, Land Resources and Recreation Resources Divisions, and
the U. S. Department of Agriculture.


Natalie S. Rosenberg

Dated: September 24, 2002

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
CLOVERDALE, PUTNAM COUNTY, INDIANA
DOCKET AB-55 (SUB-NO. 623X)**

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

(1) PROPOSED ACTION AND ALTERNATIVES

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

CSX Transportation, Inc. ("CSXT") proposes to abandon approximately 0.47 of a mile of rail line located in Cloverdale, Putnam County, Indiana. During the past two years, this line did not generate any originating or terminating traffic, and none is expected in the future. During previous years, principal commodities transported over the line have been plastic pellets and grain.

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

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

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

(2) TRANSPORTATION SYSTEM

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

There is no CSXT passenger or freight traffic on this line segment. There will be no effect on existing regional or local transportation systems or patterns.

(3) LAND USE

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

In a letter dated August 6, 2002, the Putnam County Planning Commission stated that *"The purposed (sic) .58 of a mile to be abandoned is located within the Town of Cloverdale. Therefore, you would need to contact the Cloverdale Plan Commission and the Town Board of Cloverdale."* (See Attachment 3.)

In a letter dated September 4, 2002, the City of Cloverdale Planning Commission has stated that they would like to see the abandonment limits expanded to encompass the active track through Fulton Street instead of Grant Street. Unfortunately, CSXT needs the additional track to meet the service needs of an existing customer and has excluded this section from the abandonment notice. (See Attachment 4.)

Based on the fact that the line has not generated any traffic during the past two years, Applicant believes the proposed action is not inconsistent with local land use plans.

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

Applicant has not received a response to its inquiry of August 2, 2002, to the U. S. Department of Agriculture, Natural Resources Conservation Service at Greencastle, IN seeking information regarding this statement. (See Attachment 5.)

Applicant does not anticipate that there will be any adverse impact on any prime agricultural land that may be within the vicinity of the line.

- (iii) If the action affects land or water uses within a designated coastal**

zone, include the coastal zone information required by 1105.9.

Applicant has not received a response to its inquiry of August 2, 2002, to the Indiana Coastal Management Program for the Indiana Department of Natural Resources, seeking information regarding this statement. (See Attachment 6.)

However, should a coastal management area be involved, all laws and regulations concerning an abandonment will be properly observed.

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

The property proposed to be abandoned may be suitable for other public purposes, but may be subject to reversionary interests that may affect transfer of title for other than rail purposes. However, there has been no interest expressed in the property by any party to use the right of way for other public purposes.

(4) ENERGY

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

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

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

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

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

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

- (iv) **If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy**

consumption and show the data and methodology used to arrive at the figure given.

There will be no diversion of rail traffic to motor carriage.

(5) AIR

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

The above thresholds will not be exceeded.

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

The above thresholds will not be exceeded.

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

Not applicable.

(6) NOISE

If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more, or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools,

libraries, hospitals, residences, retirement communities, and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.

The above thresholds will not be exceeded.

(7) SAFETY

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

Applicant believes that the abandonment will result in improvement to public health and safety by the elimination of 7 public and private 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.**

Not applicable.

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

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

(8) BIOLOGICAL RESOURCES

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

On August 14, 2002, Applicant received a response from the U. S. Department of the Interior, Fish and Wildlife Service, Bloomington, IN stating, *"The proposed project will have no significant effect on wetlands and will not affect any Federally endangered species. (See Attachment*

7.)

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

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

(9) WATER

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

Applicant has not received a response to its inquiry of August 2, 2002, to the Indiana Department of Environmental Management at Indianapolis, IN requesting information regarding this statement. (See Attachment 8.)

Applicant does not contemplate any action known to be inconsistent with Federal, State and/or local water quality standards. Any necessary permits or applications will be obtained as well as compliance with conditions or procedures required by regulatory agencies.

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

On August 21, 2002, Applicant received a response from the U. S. Army Corps of Engineers at Louisville, KY stating, *"This determination is approved based on the information provided by you. It does not appear that a Department of the Army permit will be needed since the property referenced above does not include or contain any "waters of the United States (U.S.)." (See Attachment 9.)*

On August 14, 2002, Applicant received a response from the U. S. Department of the Interior, Fish and Wildlife Service, Bloomington, IN stating, *"The proposed project will have no significant effect on wetlands and will not affect any Federally endangered species. (See Attachment 7.)*

Applicant is not aware of any designated 100-year flood

plains within the proposed project.

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

Based upon this course of action, Applicant does not believe a permit under Section 404 of the Clean Water Act will be required.

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

Applicant has not received a response to its inquiry of August 2, 2002, to the U. S. Environmental Protection Agency, Region 5, in Chicago, IL and the Indiana Department of Environmental Management in Indianapolis, IN requesting information regarding this statement. (See Attachment 8.)

However, based upon the course of action described in Section 9 (ii), Applicant does not believe a permit under Section 402 of the Clean Water Act will be required.

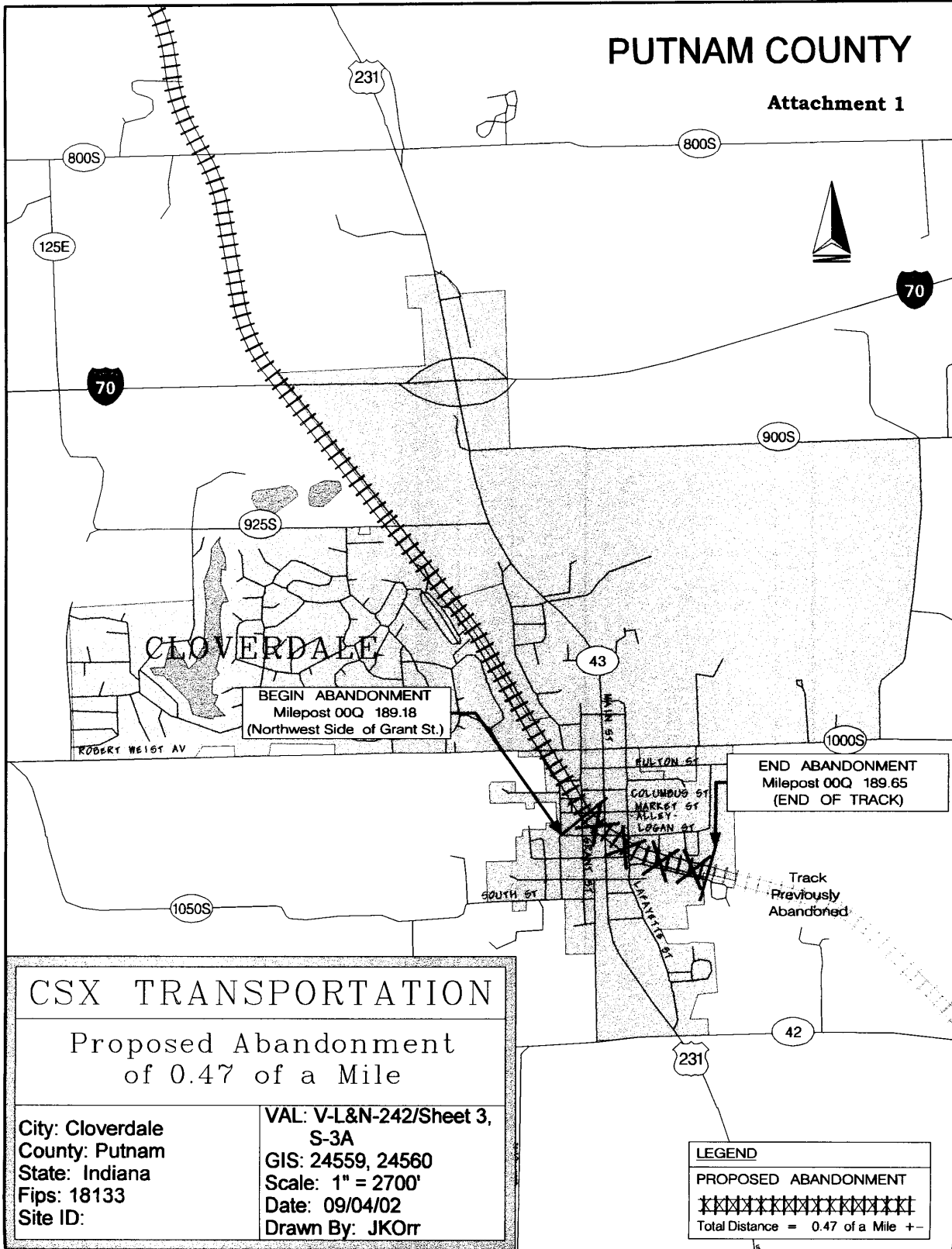
10. MITIGATION

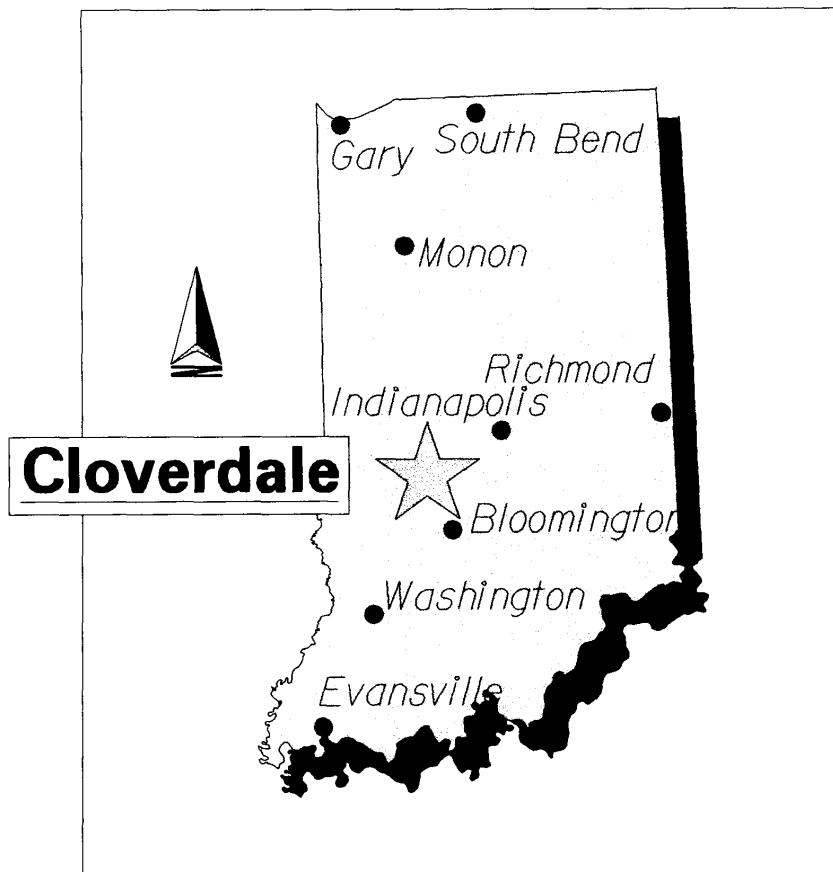
Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

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

PUTNAM COUNTY

Attachment 1





**AREA MAP
STATE OF INDIANA**

**Proposed Abandonment - 0.47 of a Mile
Putnam County
Cloverdale, IN**

WESTERN REGION - GREAT LAKES DIVISION - LAFAYETTE SUBDIVISION

Putnam County Planning and Building Department
First Floor Courthouse
Room 15
Greencastle, Indiana 46135

August 6, 2002

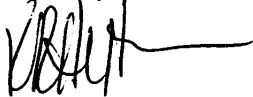
CSX Transportation
Attention: Nancy Reynolds
500 Water Street-J200
Jacksonville, FL 32202

Dear Ms. Reynolds:

The purposed .58 of a mile to be abandoned is located within the Town of Cloverdale. Therefore, you would need to contact the Cloverdale Plan Commission and the Town Board of Cloverdale.

If you have any further questions, please contact me at (765) 653-5727.

Sincerely,



Kim Hyten
Putnam County Plan Director/Zoning Administrator

Attachment 4

TOWN OF CLOVERDALE
154 SOUTH MAIN STREET
P. O. BOX 222
CLOVERDALE, INDIANA 46120

BOARD OF TRUSTEES

Terry Puffer, Council President
David Moore, Member
John Davis, Member
Cathleen Monaco, Member
Herman Cox, Member

CLERK/TREASURER

Patti Truax
765-795-6033

September 4, 2002

Ms. Heidi M. Van Horn-Bash
Director-Asset Management
CSX Transportation

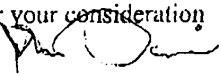
RE: CSX TRANSPORTION, INC.
Proposed Abandonment

Dear Ms. Van Horn-Bash:

The original documentation received by the Town of Cloverdale shows the rail line will be abandoned to the north side of Fulton Street. This was a logical and agreeable point of termination as it is a sparsely populated area and would still allow the mill to utilize the rail system.

It has been brought to our attention, a consideration of moving the termination point to the Grant street intersection. We strongly oppose this move. Safety being a concern, this is located in a setting with many families with children who would be enticed to play on a structure needed for the termination point and any rail cars parked on this section of track. Aesthetically speaking, we feel it would be less obtrusive to the community to have the termination point at the original Fulton street site. With the tracks removed between Market and Fulton this would make the affected property more attractive for development and more in line with the comprehensive plan of the community.

Thank you for your consideration.


John Davis
Cloverdale Planning Board President

Cloverdale Planning Board
Cloverdale Town Board



Nancy B. Reynolds
Manager Line Transactions
Asset Management

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

Attachment 5

August 2, 2002

Mr. Barry K. Fisher, District Conservationist
Natural Resources Conservation Service
Greencastle Field Service Center
1007 Mill Pond Lane, Suite C
Greencastle, IN 46135-1886

Dear Mr. Fisher:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line in the Town of Cloverdale, Putnam County, Indiana, as depicted on the attached map.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Nancy B. Reynolds".

Attachments



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

Nancy B. Reynolds
Manager Line Transactions
Asset Management

Attachment 6

August 2, 2002

Ms. Laurie Rounds
Indiana Coastal Management Program
Indiana Department of Natural Resources
402 West Washington Street - Room W-264
Indianapolis, IN 46204-2748

Dear Ms. Rounds:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line in the Town of Cloverdale, Putnam County, Indiana, as depicted on the attached map.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Nancy B. Reynolds". The signature is written in dark ink and is positioned below the word "Sincerely,".

Attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

BLOOMINGTON FIELD OFFICE (ES)

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261 FAX (812) 334-4273



Attachment 7

August 14, 2002

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

Project No: Abandonment of rail line in the Town of Cloverdale
County(ies): Putnam

Dear Ms. Reynolds:

This responds to your letter dated August 2, 2002, requesting our comments on the aforementioned project.

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

The proposed project will have no significant effect on wetlands and will not affect any Federally endangered species. Other project impacts will be minor in nature. Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no objections to the project as currently proposed.

We appreciate the opportunity to comment at this early stage of project planning. If project plans change such that fish and wildlife habitat may be affected, please recoordinate with our office as soon as possible. If you have any questions about our recommendations, please call (812) 334-4261.

Sincerely yours,

Scott E. Pruitt,
Field Supervisor



Nancy B. Reynolds
Manager Line Transactions
Asset Management

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

Attachment 8

August 2, 2002

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

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

Gentlemen:

Please be advised that CSX Transportation, Inc. ("CSXT") is considering abandonment of a portion of its rail line in the Town of Cloverdale, Putnam County, Indiana, as depicted on the attached map.

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

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

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

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

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

Sincerely,

Attachments



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059
FAX: (502) 315-6677
<http://www.lrl.usace.army.mil>

Attachment 9

August 21, 2002

Operations Division
Regulatory Branch (North)
ID No. 200201049-jea

Ms. Nancy B. Reynolds
CSX Transportation
500 Water Street, J200
Jacksonville, Florida 32202

Dear Ms. Reynolds:

This is in regard to your letter of August 2, 2002, concerning a proposal to abandon 0.58 mile of rail line in the Town of Cloverdale, Putnam County, Indiana. More specifically, the abandonment is between milepost 00Q 189.07 on the north side of Fulton Street and Milepost 00Q 189.65 along the CSX Transportation, Incorporated rail line. The project would involve the removal of metal track material, cross ties and the upper layer of ballast.

This determination is approved based on the information provided by you. It does not appear that a Department of the Army permit will be needed since the property referenced above does not include or contain any "waters of the United States (U.S.)." "Waters of the U.S." include all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce.

If the project would necessitate the discharge of dredged or fill material into "waters of the U.S.," including wetlands, plans should be submitted for our review.

Our comments on this project are limited to only those effects which may fall within our area of jurisdiction and thus does not obviate the need to obtain other permits from State or local agencies. Lack of comments on other environmental aspects should not be construed as either concurrence or nonconcurrence with stated environmental effects.

If we can be of any further assistance, please contact us by writing to the above address, ATTN: CELRL-OP-FN, or call me at (502) 315-6682. Any correspondence on this matter should refer to our ID Number 200201049-jea.

Sincerely,

Jane Archer

Jane Archer
Project Manager
Regulatory Branch

HISTORIC REPORT

CSX TRANSPORTATION, INC.
CLOVERDALE, PUTNAM COUNTY, INDIANA
DOCKET AB-55 (SUB-NO. 623X)

1105.7(e)(1)

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

CSX Transportation, Inc. ("CSXT") proposes to abandon approximately 0.47 of a mile of rail line located in Cloverdale, Putnam County, Indiana. During the past two years, this line did not generate any originating or terminating traffic, and none is expected in the future. During previous years, principal commodities transported over the line have been plastic pellets and grain.

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

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

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

1105.8(d)

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

Attached is a fragment copy of the 1970 (Photorevised 1986) Cloverdale, Indiana Quadrangle topographic map prepared by the U. S. Department of Interior Geological Survey. The line to be abandoned has been identified by a heavy black and white diagonal line. There are no CSXT-owned structures 50 years old or older that are part of the proposed action. (See Attachment 3.)

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

The line segment being abandoned begins at the northern side of Grant Street at Milepost 00Q-189.18 and ends at the end of track at Milepost 00Q-189.65. The right of way widths along this line vary between 12 feet and 30 feet from the centerline of track. The line segment is located within the town limits of Cloverdale, Putnam County, Indiana.

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

There are no railroad structures on the property 50 years old or older that are part of the proposed action.

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

Not applicable.

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

The property was acquired between 1852 and 1879 as part of a Land Charter to The New Albany and Salem Rail Road Company ("NA&S"). The NA&S changed its name to The Louisville, New Albany and Chicago Railroad Company on October 24, 1859. Effective January 9, 1873, The Louisville, New Albany and Chicago Railroad Company was reorganized and the name changed to the Louisville, New Albany and Chicago Railway Company. The Louisville, New Albany and Chicago Railway Company was merged with the Chicago and Indianapolis Air Line on February 1, 1883, which became the Chicago, Indianapolis and Louisville Railway Company after reorganization on July 1, 1897. On January 10, 1956, the name of the company was changed to the Monon Railroad.

Effective July 31, 1971, the Louisville and Nashville Railroad Company and the Monon Railroad Company merged in accordance with Joint Agreement of Merger dated June 20, 1968. On December 29, 1982 the Louisville and Nashville Railroad Company merged into Seaboard Coast Line Railroad Company, and the name of the surviving corporation changed to Seaboard System Railroad, Inc. On July 1, 1986, Seaboard System Railroad, Inc. changed its name to CSX Transportation, Inc.

Upon receiving abandonment authority, Applicant's common carrier obligation for operations and maintenance over this line segment will cease.

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

Not applicable.

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

A review of our records indicates that there are no CSXT-owned structures over 50 years old on this line segment.

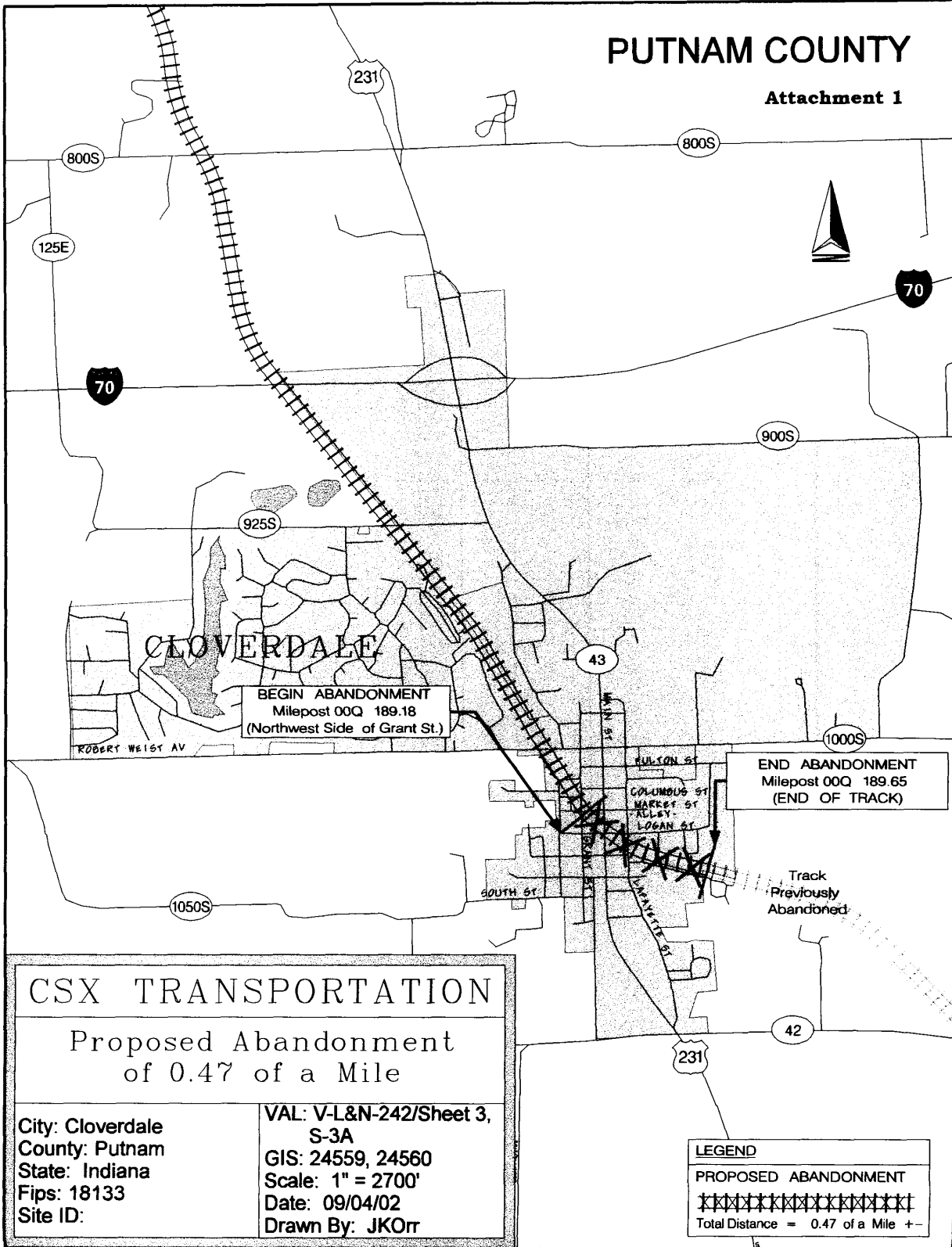
We do not know of any archeological resources or any other previously unknown historic properties in the project area.

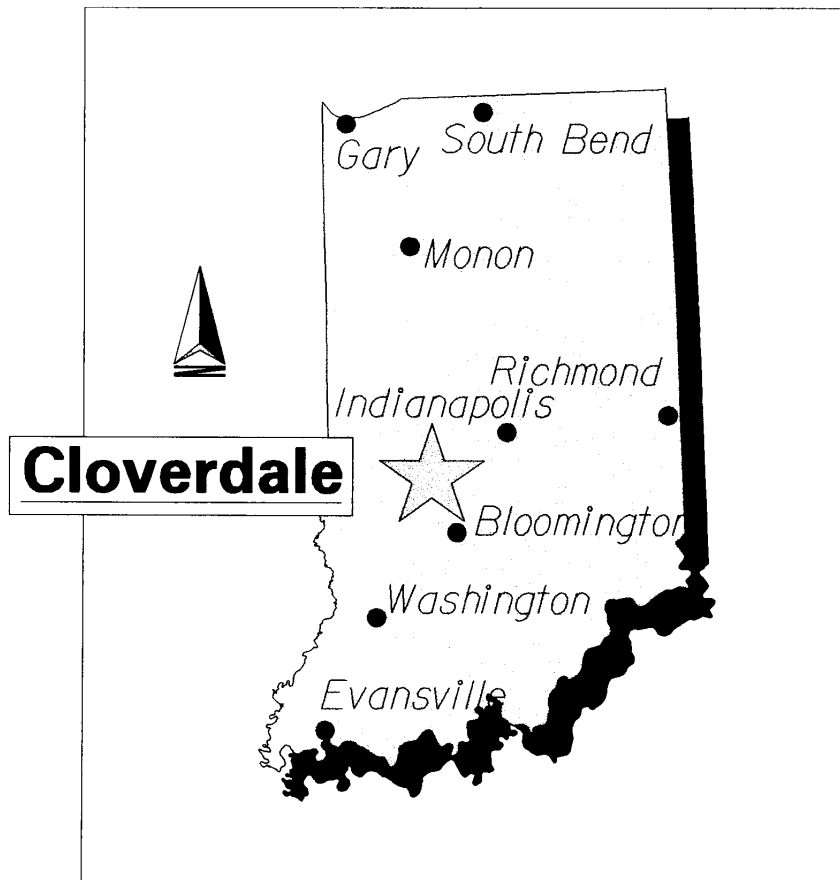
- (8) **A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources (such as swampy conditions or the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

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

PUTNAM COUNTY

Attachment 1





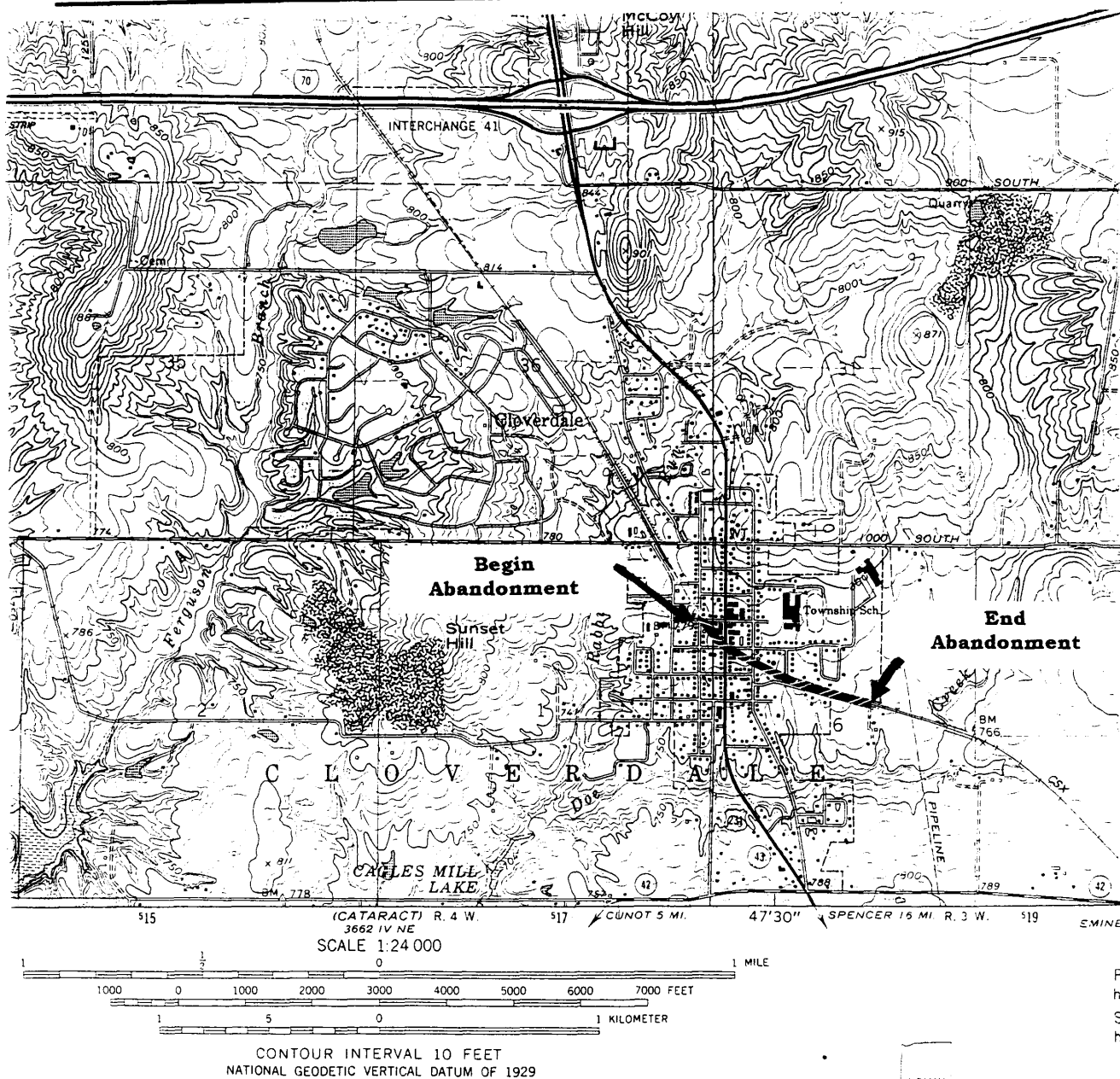
**AREA MAP
STATE OF INDIANA**

**Proposed Abandonment - 0.47 of a Mile
Putnam County
Cloverdale, IN**

WESTERN REGION - GREAT LAKES DIVISION - LAFAYETTE SUBDIVISION

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

CLOVERDALE QUADRANGLE
Indiana - Putnam Co.
1970 - Photorevised 1986
Page 1 of 1



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
AND INDIANA DEPARTMENT OF NATURAL RESOURCES, INDIANAPOLIS, INDIANA 46204
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Revisions shown in purple and woodland compiled in
with State of Indiana agencies from aerial photograph
taken 1983 and other sources. This information not
Map edited 1986



Nancy B. Reynolds
Manager Line Transactions
Asset Management

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

August 16, 2002

Mr. James A. Glass
Asst. to State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 West Washington Street, Room W-274
Indianapolis, IN 46204

RE: CLOVERDALE, PUTNAM COUNTY, INDIANA
CSX Transportation, Inc. - Proposed Abandonment
Docket No. AB-55 (Sub-No. 623X)

Dear Mr. Glass:

Please be advised that CSX Transportation, Inc. ("CSXT") anticipates filing with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon approximately 0.58 of a mile of its rail line located in Cloverdale, Putnam County, Indiana, as shown in the attached Historic Report.

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

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

Sincerely,

Attachments

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

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

EXHIBIT F

CERTIFICATE OF COMPLIANCE
WITH NOTICE REQUIREMENTS OF
49 C.F.R. 1105.11 and 1105.7(b)

In accordance with 49 C.F.R. §1105.7(b), I hereby certify that on August 16, 2002, a copy of the Environmental Report was served upon the below listed parties, by first-class mail, postage prepaid:

Mr. John Davis
Cloverdale Planning Commission
P.O. Box 222
Cloverdale, IN 46120-0222

Kim Hyten
Putnam County Planning Commission
Courthouse - 1st Floor
Greencastle, IN 46135

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

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

Mr. Barry K. Fisher, District Conservationist
Natural Resources Conservation Service
Greencastle Field Service Center
1007 Mill Pond Lane, Suite C
Greencastle, IN 46135-1886

US Army Corps of Engineers
Louisville District - Regulatory Branch
P.O. Box 59
Louisville, KY 40201-0059

Indiana Dept. of Environmental Management
Indiana Government Center
100 North Senate Avenue - P.O. Box 6015
Indianapolis, IN 42606-6015

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

Mr. Michael Scime, Railroad Section Manager
Indiana Department of Transportation
Multimodal Division
100 North Senate Avenue, Room N-901
Indianapolis, IN 46204

Ms. Laurie Rounds, Program Manager
Lake Michigan Coastal Program
Indiana Dept. of Natural Resources
402 West Washington Street, Room W-264
Indianapolis, IN 46204-2748

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

Ms. Betty Cockrum, Budget Director
State Budget Agency
212 State House
Indianapolis, IN 46204

In accordance with 49 C.F.R. 1105.8(c), I hereby certify
that on August 16, 2002 a copy of the Historic Report was served
upon the below listed party, by first-class mail, postage
prepaid:

Mr. James A. Glass
Asst. to State Historic Preservation Officer
Division of Historic Preservation & Archaeology
402 West Washington Street, Room W-274
Indianapolis, IN 46204


Natalie S. Rosenberg

Dated: September 24, 2002

EXHIBIT G

VERIFICATION

STATE OF FLORIDA)
)
DUVAL COUNTY)

B. J. LEAGUE, being duly sworn, states that she is Assistant Vice President-Asset Management of CSX Transportation, Inc.; that she is authorized to verify and file with the Surface Transportation Board the foregoing Notice of Exemption in Docket No. AB-55 (Sub-No. 623X) on behalf of CSX Transportation, Inc.; that she has carefully examined all of the statements in the Notice of Exemption; that she has knowledge of the facts and matters relied upon in the Notice of Exemption; and that all representations set forth therein are true and correct to the best of her knowledge, information and belief.

B. J. League
B. J. LEAGUE

Subscribed and sworn to
before me, a Notary Public
in and for the State and
County above named, this
23rd day of SEPTEMBER, 2002.

Linda C. Farrok
Notary Public
My Commission Expires: _____

