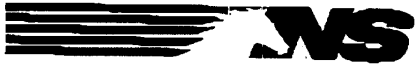


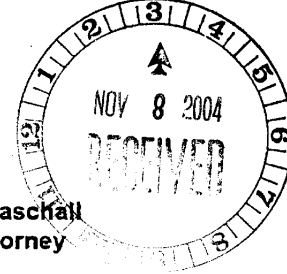
212474



Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241

Writer's Direct Dial Number

(757) 629-2759
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James R. Paschall
General Attorney

November 8, 2004

via fax (202) 565-9004 - 4 pages total
and Airborne Express

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Public Record

Honorable Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Docket No. AB-290 (Sub-No. 252X), Norfolk Southern Railway Company
- Abandonment Exemption - Between Burkeville, VA and Pamplin City,
VA - In Nottoway, Prince Edward, Cumberland and Appomattox
Counties, Virginia - Petition for Exemption

Dear Mr. Williams:

I attach via fax one copy, and send via Airborne Express eleven copies, of the July 1, 2004 letter of the Virginia State Historic Preservation Officer in response to the historic report concerning the line of railroad that Norfolk Southern Railway Company (NSR) seeks an exemption from the prior approval requirements of 49 USC 10903 to abandon in the subject docket. NSR requests that the Board add this letter to NSR's petition for exemption filed September 30, 2004 in this case.

We held the SHPO's letter aside for further handling and inadvertently did not attach a copy to the petition for exemption. The SHPO's representative sent a copy of the letter to the Chief of the Board's Section of Environmental Analysis when it was sent to NSR, but this was almost three months before the petition was filed with the Board in this matter. NSR should have included a copy of the SHPO's letter with our petition.

The SHPO notes the historic importance of the subject rail line and suggests that a Memorandum of Agreement be developed to mitigate the adverse effects of the abandonment on historic resources. However, we note that the Virginia Department of

Honorable Vernon A. Williams
November 8, 2004
Re: AB-290, Sub-No. 252X
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Conservation and Natural Resources filed a request for a public use condition and for an interim trail use condition with the Board in this docket in a letter dated October 22, 2004. NSR intends to negotiate with the VA DCR for an interim trail use agreement with respect to the right-of-way of the subject rail line.

SHPOs have accepted preservation of the right-of-way and structures for interim trail use as sufficient mitigation for any adverse effect of the abandonment of a rail line on historic resources in order to complete the Section 106 process in some similar cases in the past. If the SHPO has had further concerns, the SHPO's office has often worked with the trail sponsor, which here will be another state department, concerning any other historic preservation requirements that may be deemed appropriate. We trust that we can reach a similar accord with the two state agencies in this proceeding.

Very truly yours,



James R. Paschall

Enclosures

cc w/ encl:

SMI Rebar - Farmville	Farmers Cooperative, Inc.	Everette Davis, Traffic Manager
300 SMI Way	312 West 3rd Street	Southern States Co-operative, Inc.
P.O. Box 586	Farmville, VA 23901	P. O. Box 26234,
Farmville, VA 23901		Richmond, VA 23260

Mr. Joseph H. Maroon, Director
Virginia Department of Conservation and
Natural Resources
203 Governor Street, Suite 302
Richmond, VA 23219-2010

Ms. Ethel R. Eaton, Ph.D, Manager
Office of Review and Compliance
Virginia Department of Historic
Resources
2801 Kensington Ave.
Richmond, VA 23221

Ms. Karen Rae, Director
Department of Rail and Public Transportation
Commonwealth of Virginia
1313 East Main Street, Suite 300
P.O. Box 590
Richmond, VA 23218-0590

cc: Ms. S. B. Corey, Ms. J. M. Lipps, Mr. M. C. Kirchner, Mr. W. B. Wingo,
Mr. R. P. Dietz

**COMMONWEALTH of VIRGINIA****Department of Historic Resources**

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
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July 1, 2004

Mr. James R. Paschall
Norfolk Southern Corporation
Law Department
Three Commercial Place
Norfolk, Virginia 23510-9241



RE: Docket No. AB-290 (Sub-No. 252X), Norfolk Southern Railway Company
Abandonment of 33.8 Miles of Rail Line from Burkeville to Pamplin City, Virginia
VDHR File No. 2004-0835

Dear Mr. Paschall:

We have received your request for our review and comment regarding the above referenced project. It is our understanding that the Norfolk Southern Railway Company proposes to abandon 33.8 miles of rail line located between railroad milepost N 134.1 at Burkeville and railroad milepost N 167.9 at Pamplin City, Virginia.

The rail segment in question is a portion of the Petersburg to Lynchburg line constructed by the Southside Railroad Company from 1849 to 1854. This railroad played an important role supplying the Confederate military and civilian populations by carrying vital foodstuffs from the Shenandoah Valley to the capitol at Richmond. In 1865, General Robert E. Lee used it to evacuate his Army of Northern Virginia from defensive positions around Petersburg toward the village of Appomattox. Due to the historic significance of this railroad corridor as a major supply artery for the Confederate government, its role in military operations during General Lee's withdraw from Petersburg, and its association with the transportation history of the Commonwealth, the Department of Historic Resources (DHR) Architectural Evaluation Team on July 1, 2004 determine the subject railroad corridor eligible for listing in the National Register of Historic Places under Criterion A. Additionally, in 1994 DHR determined that the extant ruins of the original High Bridge and its 1912 replacement as individually eligible for listing in the National Register (see DHR Survey No. 024-0056).

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Mr. James R. Paschall

Due to the historic significance of the subject Norfolk Southern Railroad line, it is our opinion that its abandonment constitutes an adverse effect on this resource. As such, it is necessary to develop a Memorandum of Agreement (MOA) that formalizes a strategy to mitigate the adverse effect on this historic railroad. Please continue to consult with DHR in order to draft such an agreement.

If you have any questions about the Section 106 review process or our comments, please contact Marc Holma at (804) 367-2323, Ext. 114.

Sincerely,



Ethel R. Eaton, Ph.D., Manager
Office of Review and Compliance

Cc: Ms. Vicky Rutson, Surface Transportation Board