

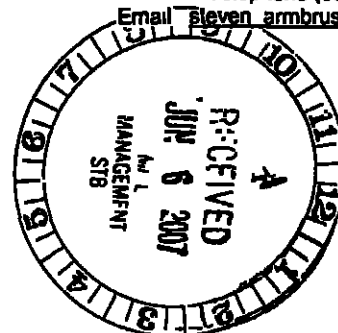


Steven C. Armbrust
Counsel
Florida Authorized House Counsel
Admitted in NY, Not Admitted in FL

Law Department
500 Water Street
Speed Code J-150
Jacksonville, FL 32202
Fax (904) 245-3357
Telephone (904) 359-1229
Email Steven_armbrust@CSX.com

219469

June 4, 2007



Via Overnight DHL Express Mail (Return Receipt Requested)

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 East St. SW
Washington, D. C. 20423

RE Docket No AB-55 (Sub-No 683X), *CSX Transportation, Inc —
Abandonment Exemption—in Greenbrier County, WV*

Dear Secretary Williams:

Enclosed are the original and 10 copies of a Verified Notice of Exemption for abandonment in the above-entitled proceeding and a check for the filing fee of \$3,200. In the event you receive this filing before June 6, 2007, I respectfully request that you hold it for filing until June 6, 2007.

Please time and date stamp the additional copy of this letter and return it to me in the self-addressed, stamped envelope. Thank you for your assistance.

If you have any questions please call or email me.

ENTERED
Office of Proceedings

JUN 06 2007

Sincerely yours,

Steven C. Armbrust

Part of
Public Record

FEE RECEIVED

JUN 06 2007

SURFACE
TRANSPORTATION BOARD

Enclosures

FILED

JUN 06 2007

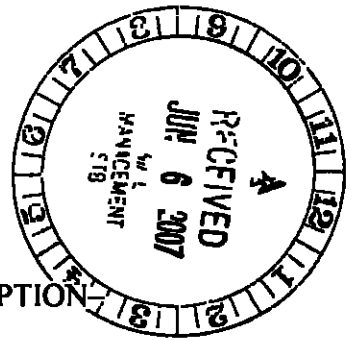
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-55 (Sub-No 683X)

CSX TRANSPORTATION, INC -ABANDONMENT EXEMPTION
IN GREENBRIER COUNTY, WV

VERIFIED NOTICE OF EXEMPTION



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

Counsel for CSX TRANSPORTATION, INC

Dated June 6, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No AB-55 (Sub-No 683X)

CSX TRANSPORTATION, INC –ABANDONMENT EXEMPTION–
IN GREENBRIER COUNTY, WV

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to abandon a 13.6 mile rail line on its Southern Region, Huntington Division East, Rupert Subdivision from Milepost CAH 7.2 (Rupert Jct) to the end of track at Milepost CAH 20 8 (Clearco), in Greenbrier County, West Virginia (the “Line”) No local or overhead rail traffic has moved over the Line during the past two years

In *CSX Transportation, Inc –Abandonment Exemption–in Greenbrier County, WV*, STB Docket No AB-55 (Sub-No 598X) (STB served October 12, 2001), the Board granted a notice of exemption for the Line CSXT complied with the conditions later imposed in a decision served November 7, 2001. However, CSXT did not exercise the abandonment authority No traffic has materialized on the Line and CSXT now seeks to abandon the Line, as required by *CSX Transportation, Inc –Abandonment Exemption–in Greenbrier County, WV*, STB Docket No AB-55 (Sub-No. 598X) (STB served May 11, 2007)

- 1 Proposed consummation date The proposed consummation date is July 26, 2007
- 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
 - (2) Whether applicant is a common carrier by railroad subject to 49 U S C Subtitle IV, Chapter 105. CSXT is a common carrier 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 a 13.6-mile rail line on its Southern Region, Huntington Division – East, Rupert Subdivision from Milepost CAH 7.2 (Rupert Jct) to the end of track at Milepost CAH 20.8 (Clearco), a distance of 13.6 miles in Greenbrier County, West Virginia. The following station is located on the Line. Raders Run, Milepost CAH 11, FSAC 083117, OPSL 62455
 - (4) Map. See Exhibit B

(7) Name, title, and address of representative of applicant to whom

correspondence should be sent Steven C Armbrust, CSX Transportation,
Inc , 500 Water St., J-150, Jacksonville, Florida, 32202 (fax 904-245-3357)

(8) List of all United States Postal Service ZIP Codes that the line proposed for

abandonment traverses The Line traverses ZIP Code 25984

(e) Rural and community impact 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 does not believe that the properties proposed for abandonment are suitable for other purposes In addition, the Line 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 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), 1105.11 and 1105.12 may be found in Exhibit C (Certificate of Service; Certificate of Publication), Exhibit D (Certificate of Distribution of Environmental Report) and Exhibit E (Certificate of Distribution of Historical Report)

6 Environmental Report, etc See Exhibit D. 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.

7 Historic Report See Exhibit E

Respectfully submitted,



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

Counsel for CSX TRANSPORTATION, INC

Dated June 6, 2007

EXHIBIT A

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

[See attached]

STATE OF FLORIDA)
) SS
COUNTY OF DUVAL)

I hereby certify that no local traffic has moved over CSXT's Southern Region, Huntington Division-East, Rupert Subdivision, from Railroad Milepost CAH 7 2 (Rupert) to the end of track at Railroad Milepost CAH 20 8 (Clearco), a distance of 13 6 miles, Greenbrier County, West Virginia, for at least two years prior to the date hereof, and that any overhead traffic on the line 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.

Ellen M. Preslar
Ellen M Preslar

My Commission Expires June 20, 2010

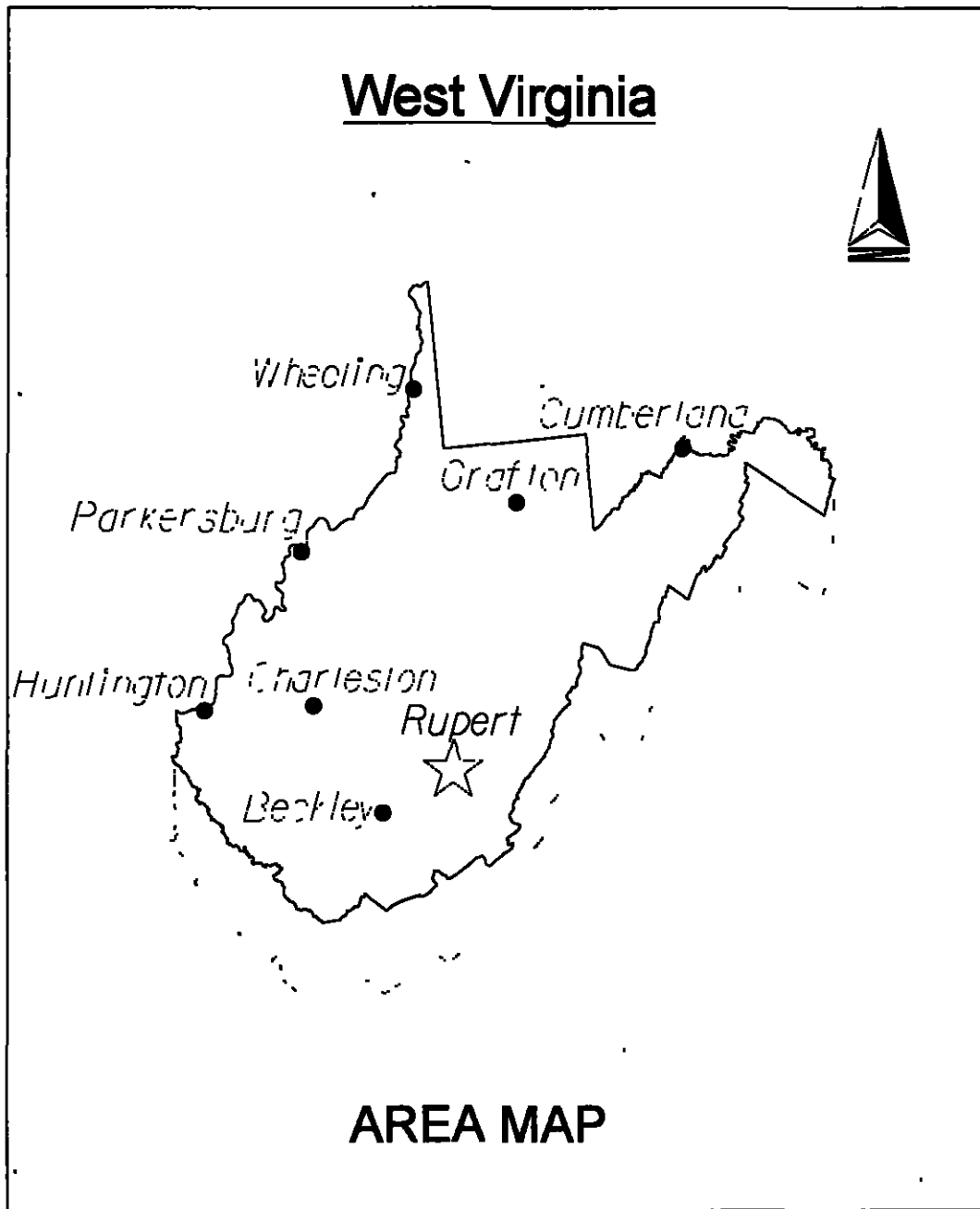
Suzanne Marie Gresh
Notary Public



EXHIBIT B

MAP

[See attached]



Proposed Abandonment of the Rupert Subdivision
13.6 Miles (+/-) From Milepost CAH 7 2 to CAH 20.8
STB Docket No. AB 55 - Sub No. 683X
Greenbrier County, West Virginia

Nicholas Co.,
West Virginia

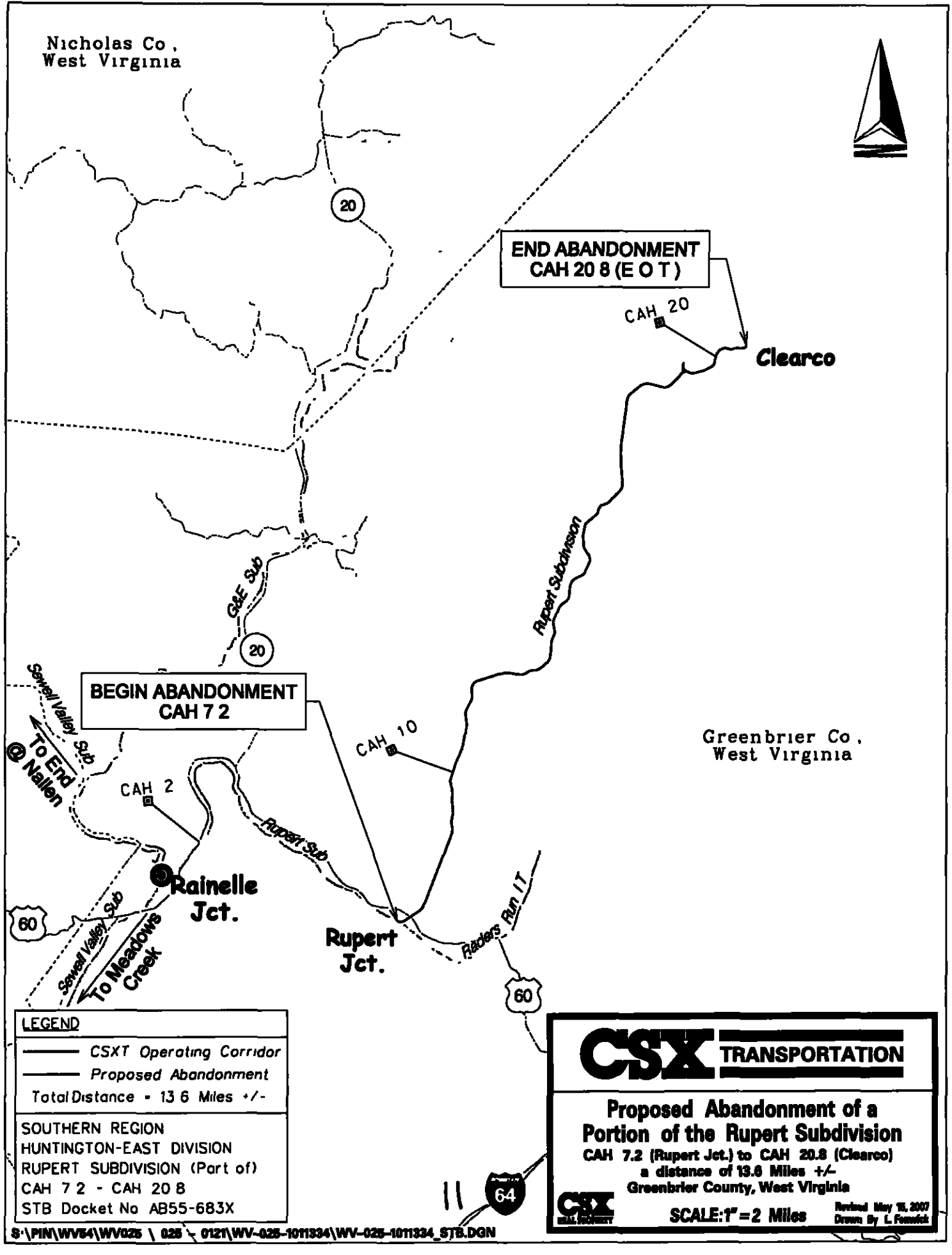


EXHIBIT C

CERTIFICATES OF SERVICE AND PUBLICATION

[See attached]

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 683X) was mailed via first class mail on May 23, 2007, to the following parties

State Public Service Commission

West Virginia Public Service Commission
Attn Jon W. McKinney, Chairman
201 Brooks Street
Charleston, W.V. 25301

Military Surface Deployment and Distribution Command Transportation Engineering Agency

SDDCTEA
ATTN: Railroads for National Defense
720 Thimble Shoals Blvd.
Suite 130
Newport News, Virginia 23606-2574

National Park Service

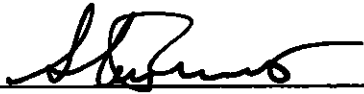
U. S. Department of the Interior
National Park Service
Attention: Mr. Charlie Stockman
Acting Conservation and Outdoor Recreation Manager
1201 I Street, NW, 9th Floor
Washington, DC 20005

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1201 Eye St., N.W.
Washington, DC 20005

U.S. Department of Agriculture

**U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N W., Auditors' Building
14th Street and Independence Avenue, S W
Washington, D.C 20250**



**Steven C. Armbrust
June 4, 2007**

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 683X) was advertised on May 26, 2007 in The Mountain Messenger, a newspaper of general circulation in Greenbrier County, West Virginia, as required by 49 C.F.R. § 1105.12.

A handwritten signature in black ink, appearing to read 'Steven C. Armbrust', is written over a horizontal line.

Steven C. Armbrust
June 4, 2007

EXHIBIT D
ENVIRONMENTAL REPORT

[See attached]

**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 Environmental Report in Docket No AB-55 (Sub-No. 683X) was mailed via first class mail on May 17, 2007 to the following parties:

Mrs. Melissa Scott
Greenbrier County Planning Department
PO Box 506
Lewisburg, WV 24901

Mayor Charles Moody
City of Rupert Planning Department
City Hall – Drawer B
Rupert, WV 25984

U S EPA
Region 3
1650 Arch Street
Philadelphia, PA 19103

West Virginia Department of Environmental Protection
Division of Water & Waste Management
601 57th St., SE
Charleston, WV, 25304-2345

U.S. Department of the Interior
Fish & Wildlife Commission
West Virginia Field Office
694 Beverly Pike
Elkins, WV 26241

U.S. Army Corps of Engineers
Attention: ORHOP-F
502 8th Street
Huntington, WV 25701

USDA – NRCS
Lewisburg Service Center
179 Northridge Dr
Lewisburg, WV 24901

Mr. Fred Cutlip
Community Development Division
Governor's Office of Community and
Industrial Development
Building #6, Room 553
Charleston, WV 25305

Mr. Bill Hartman
West Virginia Railroad Maintenance Authority
Division of Railroad Maintenance Authority
120 Water Plant Drive
Moorefield, WV 26836

Public Service Commission of West Virginia
201 Brook Street
Charleston, WV 25301

National Park Service
Northeast Region
U.S. Custom House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106

National Geodetic Service (NOAA) at 'NGS.InfoCenter@noaa.gov' (via email)



Steven C. Armbrust
June 4, 2007

ENVIRONMENTAL REPORT

CSX TRANSPORTATION, INC. DOCKET AB-55 (SUB-NO. 683X) RUPERT TO CLEARCO GREENBRIER COUNTY, WEST VIRGINIA

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.

CSXT proposes to abandon approximately 13.6-miles of its rail operation between Railroad Milepost CAF 7.2 (Rupert Junction) to the end of track at Railroad Milepost CAF 13.6 (Clearco), Greenbrier County, West Virginia

The above referenced 13.6-mile line was approved for abandonment by the Surface Transportation Board under Docket AB 55 Sub Number 598X in 2001. However, due to expiration of the consummation time limit and the Board's requirements, CSXT must resubmit the filing.

The line segment has not generated any originating or terminating traffic in over six years. However, CSXT has received interest from a coal shipper about future continued rail service over this line segment.

Abandonment of this line will result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub-grade or sub-grade structures. Finally, the 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)

Further attached is the distribution list of all agencies which have received a copy of this report (See Attachment 3) and the initial Environmental Report (See Attachment 4)

(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 or freight traffic on the line, therefore 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.**

Applicant submitted a copy of this Environmental Report on May 17, 2007 to Ms Melissa Scott of the Greenbrier County Planning Commission and Mayor Charles Mundy of the City of Rupert seeking information regarding this statement Comments have not been received to date (See Attachments 5 and 6)

However, during the previous abandonment filing Applicant received a response dated August 24, 2001 from the Greenbrier County Planning Commission stating *"The portion of rail that CSX Transportation is considering abandoning between Rupert Junction and Clearco in Greenbrier County is in an unzoned portion of Greenbrier County"* (See Attachment 7)

Based on the fact that the line segment has not generated any traffic in over six years and the potential to lease the line for continued rail use

post-abandonment, Applicant does not feel that the proposed action is inconsistent with local and/or regional plans

(ii) Based on consultation with the U. S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.

Applicant submitted a copy of this Environmental Report on May 17, 2007 to USDA – NRCS Lewisburg Service Center seeking information regarding this statement. Comments have not been received to date (See Attachment 8)

However, during the previous abandonment filing Applicant received a response dated September 14, 2001 from the USDA – NRCS Lewisburg Service Center stating *"Please be advised that portions of land contiguous to CSXT's line in the project area are classified as prime agriculture land"* (See Attachment 9)

Applicant feels the simple removal of track material should not have an adverse impact on any parcels of farmland.

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

The State of West Virginia does not have a coastal zone management plan

Applicant does not feel that the simple removal of track material should have any adverse impact on land or water uses

(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 properties, proposed to be abandoned, may be suitable for other public purposes, but may be subject to reversionary interests that may affect the transfer of title for other than rail purposes

(4) ENERGY

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

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

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

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

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

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

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

There will be no diversion of rail traffic to motor carriage in excess of the above thresholds

(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 there will be no effect on public health or safety

- (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 indicate that there was a locomotive fuel spill at Rupert, West Virginia in April of 1980 as a result of a collision between a truck and a locomotive. Local authorities contained and recovered the spilled fuel. No further environmental remediation was necessary.

Applicant's records do not indicate any known hazardous waste sites.

(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.**

Applicant submitted a copy of this Environmental Report on May 17, 2007 to the US Fish and Wildlife Service – West Virginia Field Office seeking information regarding this statement. Comments have not been received to date. (See Attachment 10)

However, during the previous abandonment filing Applicant received a response dated October 9, 2001 from the US Fish and Wildlife Service – West Virginia Field Office stating "No federally listed endangered and threatened species or species of concern are expected to be impacted by the project" (See Attachment 11)

Applicant does not feel that the simple removal of track material should have any adverse impact on any endangered or threatened species or areas designated as a critical habitat

- (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 segment does not appear to be near any parks, wildlife sanctuaries, refuges, 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 submitted a copy of this Environmental Report on May 17, 2007 to the West Virginia Department of Environmental Protection – Division of Water & Waste Management in Charleston, West Virginia seeking information regarding this statement. Comments have not been received to date (See Attachment 12)

However, during the previous abandonment filing Applicant received a response dated August 31, 2001 from the West Virginia Department of Environmental Protection – Division of Water & Waste Management in Charleston, West Virginia stating " *we concur with your conclusion that no permits will be required from this agency.*" (See Attachment 13)

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.**

Applicant submitted a copy of this Environmental Report on May 17, 2007 to the Department of the Army – Corps of Engineers, Huntington District in Huntington, West Virginia seeking information regarding this statement. Comments have not been received to date (See Attachment 14)

However, during the previous abandonment filing Applicant received a response dated September 10, 2001 from the Department of the Army – Corps of Engineers, Huntington District in Huntington, West Virginia stating *"Provided the work is accomplished in the manner described in the Environmental Report, no permit would be required from the Corps of Engineers "* (See Attachment 15)

Applicant is not aware of any designated wetlands or 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. Applicant does 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 submitted a copy of this Environmental Report on May 17, 2007 to the U S Environmental Protection Agency – Region 3 in Philadelphia, Pennsylvania seeking information regarding this statement Comments have not been received to date (See Attachment 16)

Based on the comments received in Section 9 (i) by the West Virginia Department of Environmental Protection – Division of Water & Waste Management in Charleston, West Virginia and 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.

Applicant does not anticipate any adverse environmental impacts in the project area as a result of this abandonment, however, if mitigation is necessary, Applicant will comply with reasonable State and Federal regulations and obtain any necessary permits required

Attachment 1

Nicholas Co.
West Virginia



END ABANDONMENT
CAH 20.8 (E O T)

CAH 20

Clearco

BEGIN ABANDONMENT
CAH 7.2

CAH 10

Greenbrier Co.
West Virginia

Rainelle
Jct.

Rupert
Jct.

LEGEND

- CSXT Operating Corridor
- Proposed Abandonment
- Total Distance = 13.6 Miles +/-

SOUTHERN REGION
HUNTINGTON-EAST DIVISION
RUPERT SUBDIVISION (Part of)
CAH 7.2 - CAH 20.8
STB Docket No AB55-683X

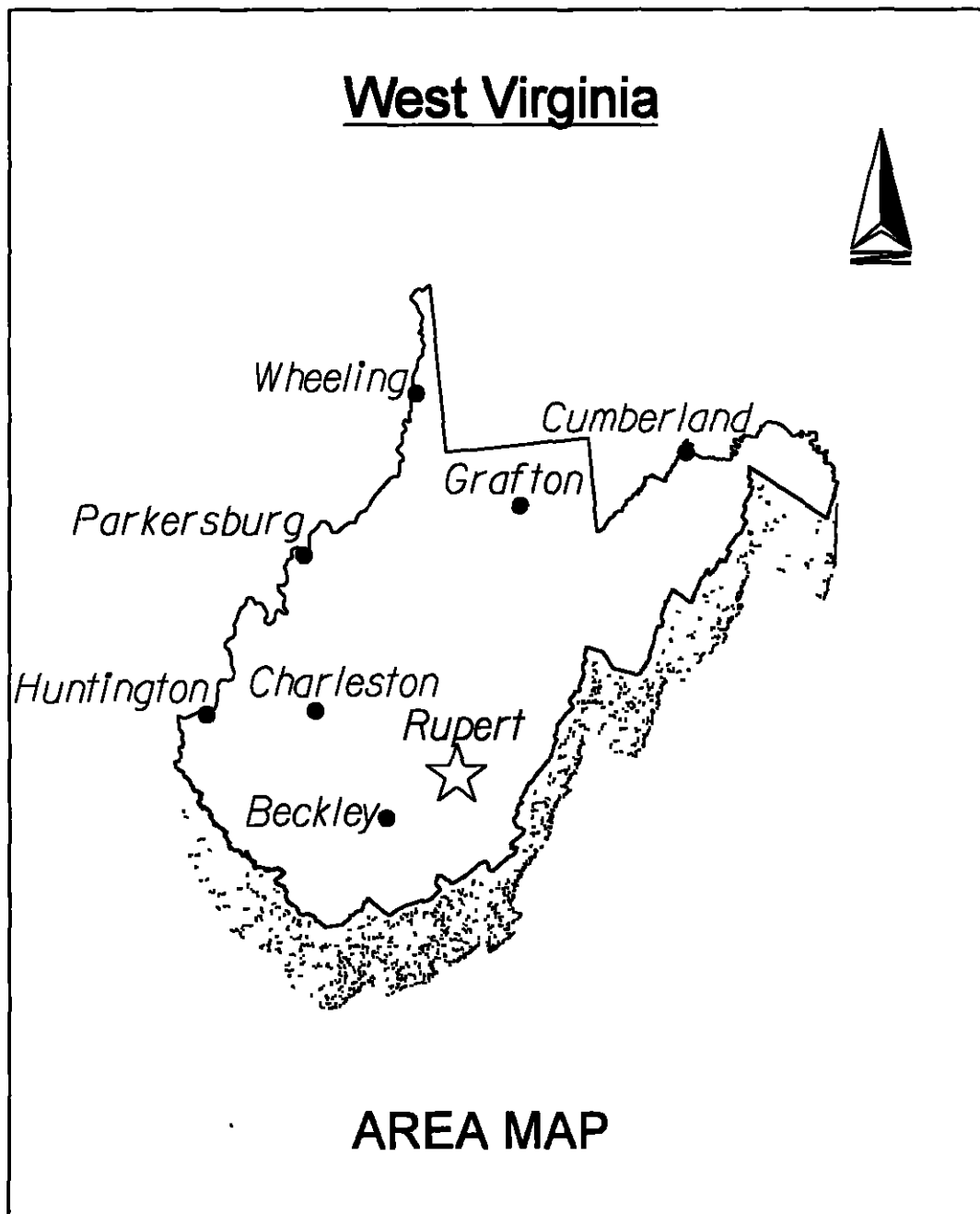
CSX TRANSPORTATION

**Proposed Abandonment of a
Portion of the Rupert Subdivision**
CAH 7.2 (Rupert Jct.) to CAH 20.8 (Clearco)
a distance of 13.6 Miles +/-
Greenbrier County, West Virginia



SCALE: 1" = 2 Miles

Revised May 18, 2007
Drawn By L. Fennick



Proposed Abandonment of the Rupert Subdivision
13.6 Miles (+/-) From Milepost CAH 7.2 to CAH 20.8
STB Docket No. AB 55 - Sub No. 683X
Greenbrier County, West Virginia

Attachment 3

**CSXT Abandonment – External Distribution List
Rupert to Clearco
STB Docket AB 55 Sub No. 683X**

**Mrs. Melissa Scott
Greenbrier County Planning Department
PO Box 506
Lewisburg, WV 24901**

**Mayor Charles Moody
City of Rupert Planning Department
City Hall – Drawer B
Rupert, WV 25984**

**U S EPA
Region 3
1650 Arch Street
Philadelphia, PA 19103**

**West Virginia Department of
Environmental Protection
Division of Water & Waste Management
601 57th St , SE
Charleston, WV, 25304-2345**

**U S Department of the Interior
Fish & Wildlife Commission
West Virginia Field Office
694 Beverly Pike
Elkins, WV 26241**

**U S. Army Corps of Engineers
Attention ORHOP-F
502 8th Street
Huntington, WV 25701**

**USDA – NRCS
Lewisburg Service Center
179 Northridge Dr
Lewisburg, WV 24901**

**Mr. Fred Cutlip
Community Development Division
Governor's Office of Community and
Industrial Development
Building #6, Room 553
Charleston, WV 25305**

**Mr Bill Hartman
West Virginia Railroad Maintenance
Authority
Division of Railroad Maintenance
Authority
120 Water Plant Drive
Moorefield, WV 26836**

**Public Service Commission of West
Virginia
201 Brook Street
Charleston, WV 25301**

**National Park Service
Northeast Region
U S Custom House
200 Chestnut Street, 5th Floor
Philadelphia, PA 19106**

**NOAA - National Geodetic Survey
Via email**

ENVIRONMENTAL REPORT

**CSX TRANSPORTATION, INC.
RUPERT JUNCTION TO CLEARCO
GREENBRIER COUNTY, WEST VIRGINIA**

DOCKET AB-55 (SUB-NO. 598X)

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 13.6 miles of its rail line between Rupert Junction and Clearco, Greenbrier County, West Virginia. This line was formerly used to ship coal; however, there has been no originating or terminating traffic during the past two years and no future traffic is anticipated.

Abandonment of this line will result in the removal of the rail, cross-ties, and upper layer of ballast; and 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. 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.**

On August 15, 2001, Applicant addressed the City of Rupert Planning Department and the Greenbrier County Planning Commission seeking information regarding this statement. (See Attachment 3 and 4.)

On August 24, 2001, the Greenbrier County Planning Commission advised "*There is not a long-range comprehensive planning map for that area of the County.*" (See Attachment 5.)

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 U. S. Soil 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 15, 2001, to the U. S. Department of Agriculture, Natural Resources Conservation Service for Greenbrier County, WV. (See Attachment 6.)

While some prime farmland may exist in the vicinity of this project, Applicant feels that the simple removal of track material should not have an adverse impact.

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

The State of West Virginia does not have a Coastal Zone Management Program.

- (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.**

This line has historically been used for coal shipments and would not appear to be suitable for other public purposes.

(D) ENERGY

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

Since this line has not been needed or used in recent years for the transportation of coal, Applicant does not anticipate any adverse impact on the future 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 safety by the elimination of 20 road 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 indicate that there was a locomotive fuel spill at Rupert, West Virginia in April 1980 as a result of an accident between a locomotive and a truck. Local authorities contained and recovered the spilled fuel. No further environmental cleanup was necessary.

(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.**

Applicant has not received a response to its inquiry of August 15, 2001, to the U. S. Department of the Interior, Fish and Wildlife Service, Elkins, West Virginia, seeking information regarding this statement. (See Attachment 7.)

Based upon Applicant's intention to remove only the track material and the upper layer of ballast, we do not believe that any federally endangered or threatened species will be negatively affected or critical habitats modified if the line is abandoned.

- (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.

(c) WATER

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

On August 31, 2001, the Division of Environmental Protection, Charleston, WV, advised that no permits would be required from its agency. (See Attachment 8.)

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

On September 10, 2001, the U. S. Army Corps of Engineers, Huntington, WV, advised "*Provided the work is accomplished in the manner described in the Environmental Report, no permit would be required.*" (See Attachment 9.)

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 cross-ties 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 the proposed project would adversely affect any designated wetlands or floodplains located in the vicinity of the project area.

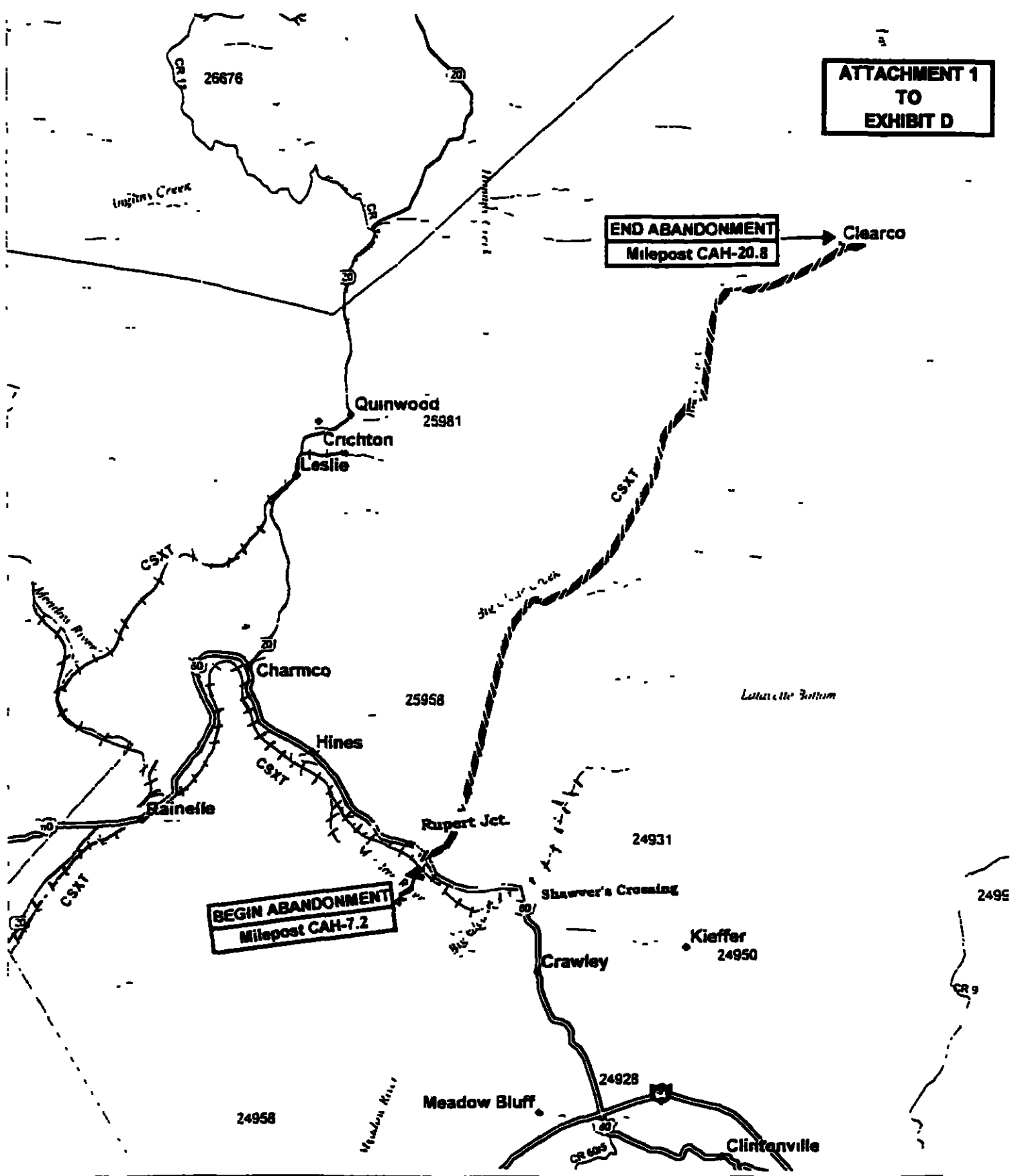
- (iii) **State whether permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action. (Applicants should contact the U. S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).**

On August 31, 2001, the Division of Water Resources Department of Environmental Protection, Charleston, WV, advised that no permits would be required from its agency.

DE MITIGATION

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

To mitigate any adverse environmental impact in the project area, Applicant will comply with State and Federal regulations and obtain any necessary permits required.



PORTION OF WEST VIRGINIA

GREENBRIER COUNTY

13.6 miles of track to be abandoned





E-Mail: Nancy_Reynolds@csx.com

Nancy B. Reynolds
Manager Line Transactions
Asset Management

August 15, 2001

City Planning Department
City Hall
Drawer B
Rupert, WV 25984

Gentlemen

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Rupert Junction and Clearco in Greenbrier County, West Virginia, as depicted on the attached map

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

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

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

Sincerely,

Attachment



E-Mail: Nancy_Reynolds@csx.com

Nancy B. Reynolds
Manager Line Transactions
Asset Management

August 15, 2001

County Planning Commission
Greenbrier County Courthouse
P O Box 506
Lewisburg, WV 24901-0506

Gentlemen

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Rupert Junction and Clearco in Greenbrier County, West Virginia, as depicted on the attached map

This action requires Surface Transportation Board approval and Federal Regulations 49 C F R 1105 7(3)(i) require that we develop a response to the following statement

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

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

Sincerely,

Attachment

RECEIVED
8-27-01

**ATTACHMENT 5
TO
EXHIBIT D**

**Greenbrier County Planning Commission
200 North Court Street
Lewisburg, WV, 24901
Phone: (304) 647-6630**

**John Wade Bell, III
President**

**Drema Cyrus
Acting Director**

August 24, 2001

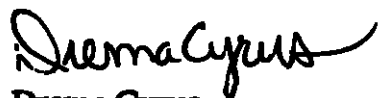
**Nancy B. Reynolds
CSX Transportation
500 Water Street - J200
Jacksonville, FL 32202**

Dear Ms. Reynolds;

The portion of rail that CSX Transportation is considering abandoning between Rupert Junction and Clearco in Greenbrier County is in an unzoned portion of Greenbrier County. There is not a long-range comprehensive planning map for that area of the County.

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

Sincerely yours,



**Drema Cyrus
Acting Director**



**ATTACHMENT 6
TO
EXHIBIT D**

E-Mail: Nancy_Reynolds@csx.com

Nancy B. Reynolds
Manager Line Transactions
Asset Management

August 15, 2001

Mr. Tom Vance, District Conservationist
U. S. Department of Agriculture
Natural Resources Conservation Service
717 North Jefferson
Lewisburg, WV 24901

Dear Mr. Vance:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Rupert Junction and Clearco in Greenbrier County, West Virginia, 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 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 CSX's line in the project area is classified as prime agriculture land.

Sincerely,

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

Attachment



E-Mail: Nancy_Reynolds@csx.com

Nancy B. Reynolds
Manager Line Transactions
Asset Management

August 15, 2001

Mr. Jeffrey Towner, Supervisor
U S Department of the Interior
Fish & Wildlife Service
694 Beverly Pike
Elkins, WV 26241

Dear Mr. Towner:

Please be advised that CSX Transportation, Inc. is considering abandonment of a portion of its rail line between Rupert Junction and Clearco in Greenbrier County, West Virginia, as depicted on the attached map.

The action requires Surface Transportation Board approval and Federal Regulations 49 C.F.R. 1105.7 (b) (1) and (2) require that we develop responses to the following statements:

- (1) 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.
- (2) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

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. 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 cross-ties and/or other debris will be transported away from the rail line and will not be discarded along the right of way, nor be placed or left in streams or wetlands, or along the banks of such waterways. During track removal, appropriate measures will be implemented to prevent or control spills from fuels, lubricants or any other materials from entering any watercourses.

Based upon the above described actions, we would appreciate your concurrence in CSXT's 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.

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

Sincerely,

Attachment



RECEIVED
9-4-01

ATTACHMENT 8
TO
EXHIBIT D
Charleston, WV 25311-1088
Telephone: 304.558 4086 or 558 8855
Fax: 304 558 5903

West Virginia Department of Environmental Protection

Bob Wise
Governor

Michael O. Callaghan
Secretary

August 31, 2001

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

Re: Rail Line Abandonment
Between Rupert Junction and Clearco
Greenbrier County, West Virginia

Dear Ms. Reynolds:

This is in response to your correspondence, dated August 15, 2001, requesting our position relative to the requirements for permits for the above referenced proposed project. Appropriate input is required to comply with other regulatory procedures.

Please be advised that we have reviewed and evaluated your request. Based on the data presented in correspondence, we concur with your conclusion that no permits will be required from this agency.

Should you have any questions, please do not hesitate to contact Pravin Sangani at 304-558-4086 or by TDD at 304-558-2751.

Sincerely,

Division of Water Resources

Allyn G. Turner
Director

cc: John Fredericks, Env. Insp. Supr.
Susan Kershner, Env Insp.
Environmental Protection Agency

"To use all available resources to protect and restore West Virginia's
environment in concert with the needs of present and future generations."



West Virginia
Department of
Environmental Protection



RECEIVED
9-10-01

DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
502 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

ATTACHMENT 9
TO
EXHIBIT D

REPLY TO
ATTENTION OF

10 September 2001

Operations and Readiness Division
Regulatory Branch
Big Clear Cr-NPR-200100934

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

Dear Board Members

Reference is made to a letter from Nancy B. Reynolds, dated 31 August 2001, relating to possible abandonment of approximately 13.6 miles of railroad between Rupert Junction and Clearco, in Greenbrier County, West Virginia (DOCKET NO. AB-55 (SUB NO 598X)).

According to the environmental report provided, the proposed work would include removal of rails, crossties and the upper layer of ballast. The underlying roadbed would not be disturbed and no activities would be undertaken that would cause sedimentation or erosion. Existing roadways and right of ways would be used to access the site.

Additional information indicated that dredging is not anticipated and debris from the removal activities would not be discarded along the right of way. No material would be placed in streams or wetland areas or along the banks of such waterways.

Although the Corps does not have a comprehensive record of wetlands, several such areas have been identified near Duo during field investigations. The National Wetland Inventory maps could be consulted for screening purposes. Questions about work within the 100-year floodplain should be directed to the Greenbrier County Planning Commission at 304-647-6689.

Provided the work is accomplished in the manner described in the Environmental Report, no permit would be required from the Corps of Engineers. If you have any questions, please contact Susan Joy at 304-529-5710

Sincerely,

Richard P. Buckley
Chief, South Permit Section

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

DISTRIBUTION LIST

**Notice of Exemption
Rupert Jct. to Clearco, WV
Docket AB-55 (Sub No. 599X)**

**PreNotice
Filing Date**

**September 11, 2001
September 21, 2001**

**Ms Susan M Pierce
Deputy State Historic Preservation
Officer for Resource Protection
Department of Culture & History
The Cultural Center, Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305-0030**

**County Planning Commission
Greenbrier County Courthouse
P O Box 506
Lewisburg, WV 24901-0506**

**City Planning Department
City Hall
Drawer B
Rupert, WV 25984**

**U S Environmental Protection Agency
Region 3
1650 Arch Street
Philadelphia, PA 19103-2029**

**Ms Ailyn Turner, Chief
Office of Water Resources
WV Division of Environmental Protection
1201 Greenbrier Street
Charleston, WV 25311**

**Mr Jeffrey Towner, Supervisor
U S Department of the Interior
Fish & Wildlife Service
694 Beverly Pike
Elkins, WV 26241**

**The District Engineer
Attention: ORHOP-F
U S Army Corps of Engineers
502 8th Street
Huntington, WV 25701-2070**

**Mr Fred Cutlip, Director
Community Development Division
Governor's Office of Community
and Industrial Development
Building #6, Room 553
Charleston, WV 25305**

**Mr Tom Vance, District Conservationist
U S. Department of Agriculture
Natural Resources Conservation Services
717 North Jefferson
Lewisburg, WV 24901**

**DOC/NOAA
National Geodetic Survey N/NGS23
ATTN Frank Mada
1315 East West Highway Station 8736
Silver Spring, MD 20910-3282**

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



Attachment 5

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 369-1086
FAX: (904) 369-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager -Network Rationalization

May 17, 2007

Ms. Melissa Scott
Greenbrier County Planning Department
PO Box 506
Lewisburg, WV 24901

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Ms. Scott:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13 6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



Attachment 6

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1088
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2007

Mayor Charles Moody
City of Rupert Planning Department
City Hall - Drawer B
Rupert, WV 25984

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Mayor Moody:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

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If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001

RECEIVED
8-27-01

Attachment 7

**ATTACHMENT 5
TO
EXHIBIT D**

**Greenbrier County Planning Commission
200 North Court Street
Lewisburg, WV, 24901
Phone: (304) 647-6630**

**John Wade Bell, 999
President**

**Drema Cyrus
Acting Director**

August 24, 2001

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

Dear Ms. Reynolds;

The portion of rail that CSX Transportation is considering abandoning between Rupert Junction and Clearco in Greenbrier County is in an unzoned portion of Greenbrier County. There is not a long-range comprehensive planning map for that area of the County.

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

Sincerely yours,



**Drema Cyrus
Acting Director**



Attachment 8

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1088
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2007

USDA - NRCS
Lewisburg Service Center
179 Northridge Dr
Lewisburg, WV 24901

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Gentlemen:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

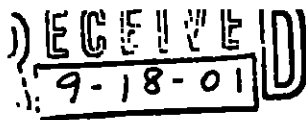
If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



September 14, 2001

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

RE Your correspondence regarding proposed abandonment of a portion of CSX T's rail line between Rupert Junction and Clearco in Greenbrier County, West Virginia, dated August 15, 2001 and August 31, 2001

Dear Ms. Reynolds,

Please be advised that portions of land contiguous to CSXT's line in the project area are classified as prime agriculture land. These portions bear the map unit "Ph". This map unit identifies Philo silt loam. Philo silt loam is listed as Prime Farmland in Greenbrier County, West Virginia.

I have attached copies of the soil map for your reference

Sincerely,

Wanda Smith
Soil Conservationist

enclosures



Attachment 10

500 Water Street - J206
Jacksonville, FL 32202
Phone: (904) 388-1086
FAX: (904) 388-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2007

U.S. Department of the Interior
Fish & Wildlife Commission
West Virginia Field Office
694 Beverly Pike
Elkins, WV 26241

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Gentlemen:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241

OCT 09 2001



Nancy B Reynolds
CSX Transportation
500 Water Street
Jacksonville, FL 32202

Dear Ms Reynolds:

This responds to your information request of August 15, 2001 regarding the potential impacts of a proposed project on wetlands and federally listed endangered and threatened species and species of concern. CSX Transportation proposes abandonment approximately 13.6 miles of its trail line between Rupert Junction and Clearco in Greenbrier County, West Virginia. No new access roads would be constructed. Debris would be transported off site and would not be discarded along the right of way or in streams or wetlands. During track removal, appropriate measures would be implemented to prevent or control spills. Therefore, no forest clearing would result from this project.

No federally listed endangered and threatened species or species of concern are expected to be impacted by the project. Therefore, no Biological Assessment or further Section 7 consultation under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) is required with the Fish and Wildlife Service. Should project plans change, or if additional information on listed and proposed species or species of concern becomes available, this determination may be reconsidered. A compilation of federally listed endangered and threatened species in West Virginia is enclosed for your information.

Our review of the National Wetlands Inventory 7½-minute topographic maps indicates no wetlands occur on the site. However, definitive determinations of the presence of waters of the United States, including wetlands, and the need for permits, if any, are made by the U.S. Army Corps of Engineers. They may be contacted at: Huntington District, Regulatory Branch, 502 Eighth Street, Huntington, West Virginia 25701, telephone (304)529-5710.

If you have any questions regarding this letter, please have your staff contact Shane Jones of my staff, or contact me directly, at (304) 636-6586, or at the letterhead address.

Sincerely,

Jeffrey K. Towner

Jeffrey K. Towner
Field Supervisor

Enclosure



Attachment 12

500 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2007

West Virginia Department of Environmental Protection
Division of Water & Waste Management
601 57th St., SE
Charleston, WV, 25304-2345

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Gentlemen:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



RECEIVED
9-4-01

Attachment 13

ATTACHMENT 8
TO
EXHIBIT D

Charleston, WV 25311-1088
Telephone: 304 558 4086 or 558 8855
Fax: 304 558.5903

West Virginia Department of Environmental Protection

Bob Wise
Governor

Michael O. Callaghan
Secretary

August 31, 2001

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

Re: Rail Line Abandonment
Between Rupert Junction and Clearco
Greenbrier County, West Virginia

Dear Ms. Reynolds:

This is in response to your correspondence, dated August 15, 2001, requesting our position relative to the requirements for permits for the above referenced proposed project. Appropriate input is required to comply with other regulatory procedures.

Please be advised that we have reviewed and evaluated your request. Based on the data presented in correspondence, we concur with your conclusion that no permits will be required from this agency.

Should you have any questions, please do not hesitate to contact Pravin Sangani at 304-558-4086 or by TDD at 304-558-2751.

Sincerely,

Division of Water Resources

Allyn G. Turner
Director

cc: John Fredericks, Env. Insp. Supr.
Susan Kershner, Env. Insp.
Environmental Protection Agency

"To use all available resources to protect and restore West Virginia's
environment in concert with the needs of present and future generations."



West Virginia
Department of
Environmental Protection



800 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 389-1088
FAX: (904) 389-1111
E-Mail: Dave_Geraci@CSX.com

Attachment 14

Dave Geraci
Manager - Network Rationalization

May 17, 2007

U S. Army Corps of Engineers
Attention: ORHOP-F
502 8th Street
Huntington, WV 25701

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Gentlemen:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001



RECEIVED
9-10-01

DEPARTMENT OF THE ARMY
HUNTINGTON DISTRICT, CORPS OF ENGINEERS
602 EIGHTH STREET
HUNTINGTON, WEST VIRGINIA 25701-2070

ATTACHMENT 9
TO
EXHIBIT D

REPLY TO
ATTENTION OF

10 September 2001

Attachment 15

Operations and Readiness Division
Regulatory Branch
Big Clear Cr-NPR-200100934

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

Dear Board Members:

Reference is made to a letter from Nancy B. Reynolds, dated 31 August 2001, relating to possible abandonment of approximately 13.6 miles of railroad between Rupert Junction and Clearco, in Greenbrier County, West Virginia (DOCKET NO. AB-55 (SUB.NO 598X)).

According to the environmental report provided, the proposed work would include removal of rails, cross-ties and the upper layer of ballast. The underlying roadbed would not be disturbed and no activities would be undertaken that would cause sedimentation or erosion. Existing roadways and right of ways would be used to access the site.

Additional information indicated that dredging is not anticipated and debris from the removal activities would not be discarded along the right of way. No material would be placed in streams or wetland areas or along the banks of such waterways.

Although the Corps does not have a comprehensive record of wetlands, several such areas have been identified near Duo during field investigations. The National Wetland Inventory maps could be consulted for screening purposes. Questions about work within the 100-year floodplain should be directed to the Greenbrier County Planning Commission at 304-647-6689.

Provided the work is accomplished in the manner described in the Environmental Report, no permit would be required from the Corps of Engineers. If you have any questions, please contact Susan Joy at 304-529-5710.

Sincerely,

Richard P. Buckley
Chief, South Permit Section

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



Attachment 16

800 Water Street - J200
Jacksonville, FL 32202
Phone: (904) 359-1086
FAX: (904) 359-1111
E-Mail: Dave_Geraci@CSX.com

Dave Geraci
Manager - Network Rationalization

May 17, 2007

U.S. EPA
Region 3
1650 Arch Street
Philadelphia, PA 19103

RE: CSXT Proposed Abandonment
Docket No. AB-55 (Sub No. 683X)

Dear Gentlemen:

Please be advised that on June 6, 2007, CSX Transportation, Inc. (CSXT) expects to file with the Surface Transportation Board ("Board") a Notice of Exemption seeking authority to abandon 13.6-miles of railroad from Railroad Milepost CAF 7.2 (Rupert) to the end of track at Railroad Milepost CAF 13.6 (Clearco), in Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Board under Docket AB 55 Sub Number 598X in 2001. However due to the expiration of the consummation time limit and the Board's requirements, CSXT must re-file the notice. As information, CSXT has been in negotiations with a coal customer to reactivate the line post abandonment for continued rail use.

Attached is a preliminary Environmental Report describing the proposed action and any expected environmental affects. We are providing this report so that you may review the information that will form the basis for the Board's independent environmental analysis of this proceeding. Before this Report is finalized and submitted to the Board, we will incorporate into it any comments that we receive from you. Your comments will be considered by the Board in evaluating the environmental impacts of the contemplated action. If any of the information is incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section of Environmental Analysis (SEA), Surface Transportation Board, 395 East Street SW, Washington, DC 20423, telephone (202) 565-1545 and refer to the above Docket Number. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your comments to SEA (with copy to me) within three weeks would be appreciated.

For your convenience, the attached form and self addressed stamped envelope will allow you to expedite the environmental review.

If your comments have not been received by July 6, 2007, CSXT will take the position before the Board that there are no environmental impacts for the proposed abandonment within your agency's jurisdiction.

If there are any questions concerning this proposal, please contact me directly by telephone at (904) 359-1086, by e-mail or U.S. mail at the above address.

Sincerely,

Attachments

Copy: STB - SEA, 395 East Street SW, Washington, DC 20423-0001

EXHIBIT E
HISTORIC REPORT

[See attached]

**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 Historic Report in Docket No AB-55 (Sub-No 683X) was mailed via first class mail on May 17, 2007, to the following person:

Ms Susan M. Pierce
Deputy State Historic Preservation Officer
West Virginia Department of Culture & History
The Cultural Center
1900 Kanawha, Blvd , E
Charleston, WV 25305-0300



Steven C. Armbrust
June 4, 2007



Dave Geraci
Manager - Network Rationalization

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 359-1088
Fax (904) 359-1111
E-Mail Dave_Geraci@CSX.com

May 17, 2007

Ms. Susan M Pierce
Deputy State Historic Preservation Officer
West Virginia Department of Culture & History
The Cultural Center
1900 Kanawha Blvd , E
Charleston, WV 25305-0300

RE CSXT Abandonment, Greenbrier County
STB Docket No AB-55 (Sub No 598X) - FR# 01-1415-GB
STB Docket No AB-55 (Sub No 683X)

Dear Mr Pierce

CSXT filed a notice of exemption to abandon 13.6 miles of its rail line operation between Rupert Junction and the end of track at Clearco, Greenbrier County, West Virginia on September 21, 2001 (reference RF# 01-1415-GB). Through a series of correspondence with your office (WVSHPO), CSXT was able to mitigate the Section 106 and have the condition removed through the Surface Transportation Board (STB) by a decision dated December 27, 2001.

Due to the consummation deadline and further requirements of the STB, CSXT must re-file its notice of exemption in order to exercise its abandonment.

Therefore, I have attached a modified historic report for the new filing number (AB 55 Sub Number 683X) along with the following:

- Attachment A Historic report submitted to WVSHPO on August 31, 2001 (including cover letter)
- Attachment B Response dated October 3, 2001 from WVSHPO
- Attachment C CSXT response dated October 2, 2001 including HPI forms, photographs and engineering drawings (including cover letter)
- Attachment D Response dated October 15, 2001 from WVSHPO (No effect)
- Attachment E STB Decision dated December 27, 2001 removing Section 106 (Historic) condition

Given the previous correspondence and concurrence, I would greatly appreciate receiving another letter of "no effect" from your office at your earliest convenience.

Sincerely,

Attachments

Copy STB - SEA, 395 E St SW - Suite 534, Washington, DC 20423-0001
Mr Steve Armbrust, CSXT, 500 Water Street - J200, Jacksonville, FL 32202

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
RUPERT TO CLEARCO
GREENBRIER COUNTY, WEST VIRGINIA
DOCKET AB-55 (SUB-NO. 683X)**

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.

CSXT proposes to abandon approximately 13.6-miles of its rail operation between Railroad Milepost CAF 7.2 (Rupert Junction) to the end of track at Railroad Milepost CAF 13.6 (Clearco), Greenbrier County, West Virginia.

The above referenced 13.6-mile line was approved for abandonment by the Surface Transportation Board under Docket AB 55 Sub Number 598X in 2001. However, due to lack of consummation and the Board's requirements, CSXT must resubmit the filing.

Attached are the following copies

Attachment A: Historic report submitted to WVSHPO on August 31, 2001

Attachment B: Response dated October 3, 2001 from WVSHPO

Attachment C: CSXT response dated October 2, 2001 including HPI forms, photographs and engineering drawings

Attachment D: Response dated October 15, 2001 from WVSHPO. (No effect)

Attachment E: STB Decision dated January 2, 2002 removing Section 106 (Historic) condition.

The line segment has not generated any originating or terminating traffic in over six years.

Abandonment of this 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. Finally, the operations and maintenance of this line will cease.

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

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

1105.8(d)

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

See Attachment A.

- (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:**

See Attachment A.

- (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:**

See Attachment C.

- (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:**

See Attachment A.

- (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:**

See Attachment A.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line 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:**

See Attachments A and C.

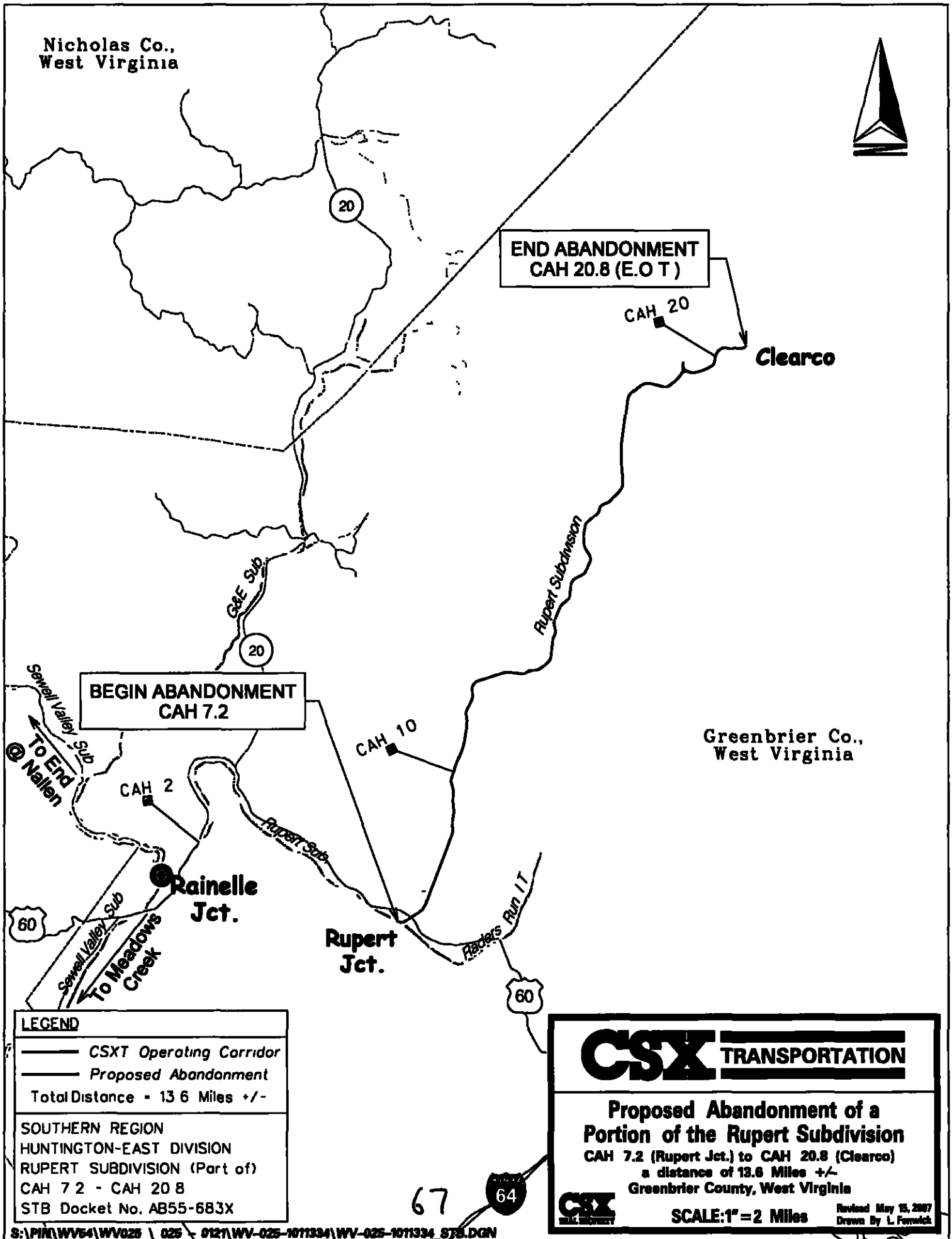
- (7) **An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously 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):**

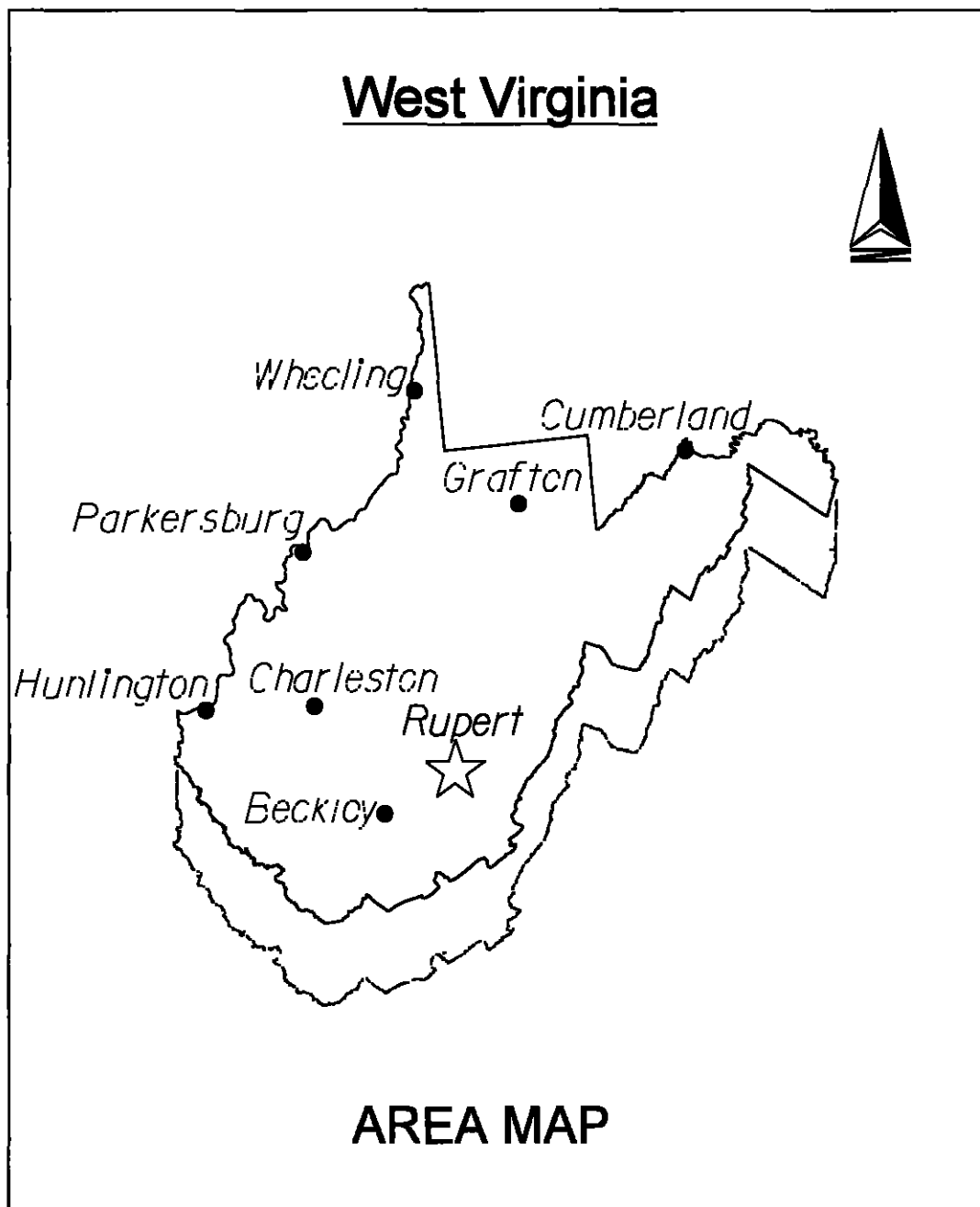
See Attachment A.

- (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.**

See Attachment A.

Nicholas Co.,
West Virginia





Proposed Abandonment of the Rupert Subdivision
13.6 Miles (+/-) From Milepost CAH 7.2 to CAH 20.8
STB Docket No. AB 55 - Sub No. 683X
Greenbrier County, West Virginia

HISTORIC REPORT

**CSX TRANSPORTATION, INC.
RUPERT JUNCTION TO CLEARCO
GREENBRIER COUNTY, WEST VIRGINIA**

DOCKET AB-55 (SUB-NO. 598X)

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 13.6 miles of its rail line between Rupert Junction and Clearco, Greenbrier County, West Virginia. This line was formerly used to ship coal; however, there has been no originating or terminating traffic during the past two years and no future traffic is anticipated.

Abandonment of this line will result in the removal of the rail, crossties, and upper layer of ballast; and 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.)

1105.8(d)

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

Attached are copies of the Rupert, WV, Quinwood, WV, and Duo, WV quadrangle topographic maps prepared by the U. S. Department of Interior Geological Survey . The line to be abandoned has been identified by a heavy black diagonal line. (See Attachments 3, 4 and 5.) There are three CSXT-owned structures 50 years old or older that are part of the proposed action. Their locations have been identified on the topographic maps.

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

The right of way widths along this line vary between 25 and 50 feet from the center of line of track. The rail line traverses a mountainous area with several small coal-mining communities adjacent to its right of way.

- (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 three bridges located on this line segment. Photographs of the structures have been requested and will be mailed under separate cover.

- (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:**

Bridge #47 was constructed in 1912. It is a typical railroad I-Beam structure located near Anjean WV. The structure is 36 ft. in length and crosses Brown's Creek.

Bridge No. 71 was constructed in 1927. It is a typical deck plate girder bridge located near Anjean, WV. The structure is 168 ft. in length and crosses Big Clear Creek.

Bridge No. 118 was constructed in 1928. It is a typical deck plate girder bridge located near Clearco, WV. The structure is 90 ft. in length and crosses Big Clear Creek.

- (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 for this rail line was acquired by the Sewell Valley Railroad between 1927 and 1932. On July 1, 1927, the Nicholas, Fayette & Greenbrier Railroad (NF&G) purchased the railroad properties of the Sewell Valley Railroad. The NF&G got its start in 1920 when the Chesapeake & Ohio Railway (C&O) and the New York Central Railroad (NYC) agreed to divide the future business in the Gauley River area. The NF&G was incorporated in West Virginia on May 20, 1926. The NF&G was organized jointly owned and operated by the by C&O and NYC. An Agreement dated June 25, 1929, provides for joint lease of NF&G to CSXT (successor to The Chesapeake and Ohio Railway Company) and Consolidated Rail Corporation (CR), successor to Penn Central and its predecessor, NYC, for term of 999 years and for joint operation by CSXT and CR commencing January 5, 1932. The C&O took the east side of the Gauley River and the NYC the west side.

On February 26, 1973, the Chessie System Inc. was formed, and Chessie System Railroads was adopted as the new corporate identity for the C&O, B&O and WM Railroads. On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railroad Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

On June 20, 1996, the Surface Transportation Board served a decision authorizing CSXT and CR to dissolve the NF&G, with CSXT acquiring approximately 135 miles of the NF&G east of Peters Junction, WV, and CR acquiring the remaining eight miles.

Conrail was acquired in 1999 by CSX Transportation, Inc. and Norfolk Southern Railway (NS). CSXT retained its 135 miles of the former NF&G east of Peters Junction, and NS acquired the remaining eight miles.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line 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:**

Engineering Sketches and Valuation Maps,
Office of Chief Engineer, Jacksonville, FL.

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

A review of our records indicates there are three CSXT-owned structures over 50 years old on this line segment.

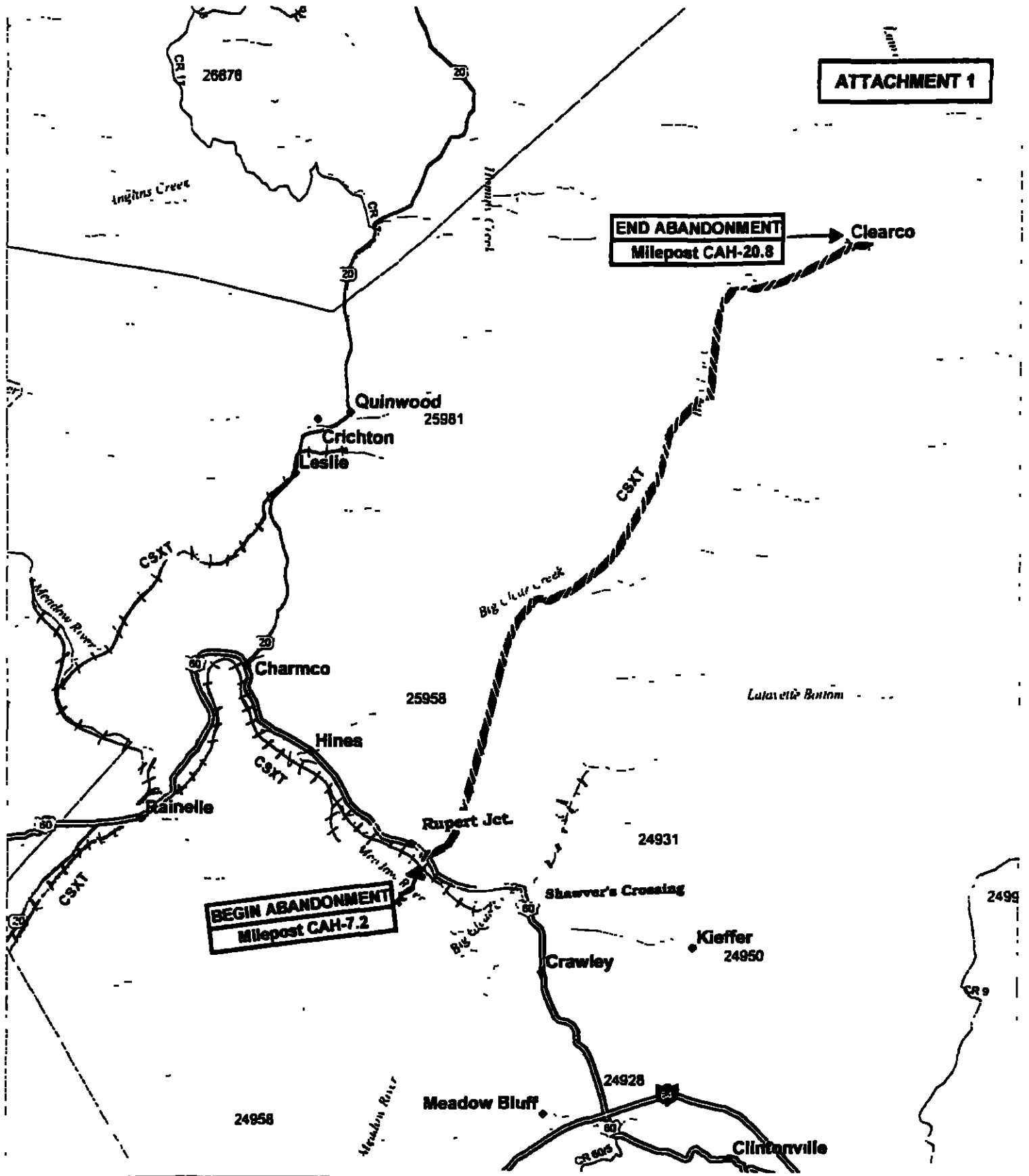
We do not know of any significance or uniqueness to these structures that would warrant your consideration, since to our knowledge, they are not associated with any event that has made a contribution to the broad patterns of history; or were not associated with lives of persons significant to our past; do not embody the distinctive characteristics of a type, period or method of construction; and do not represent a significant and distinguishable entity whose components may lack

individual distinction and have not or may not be likely to yield information important in prehistory or history.

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.



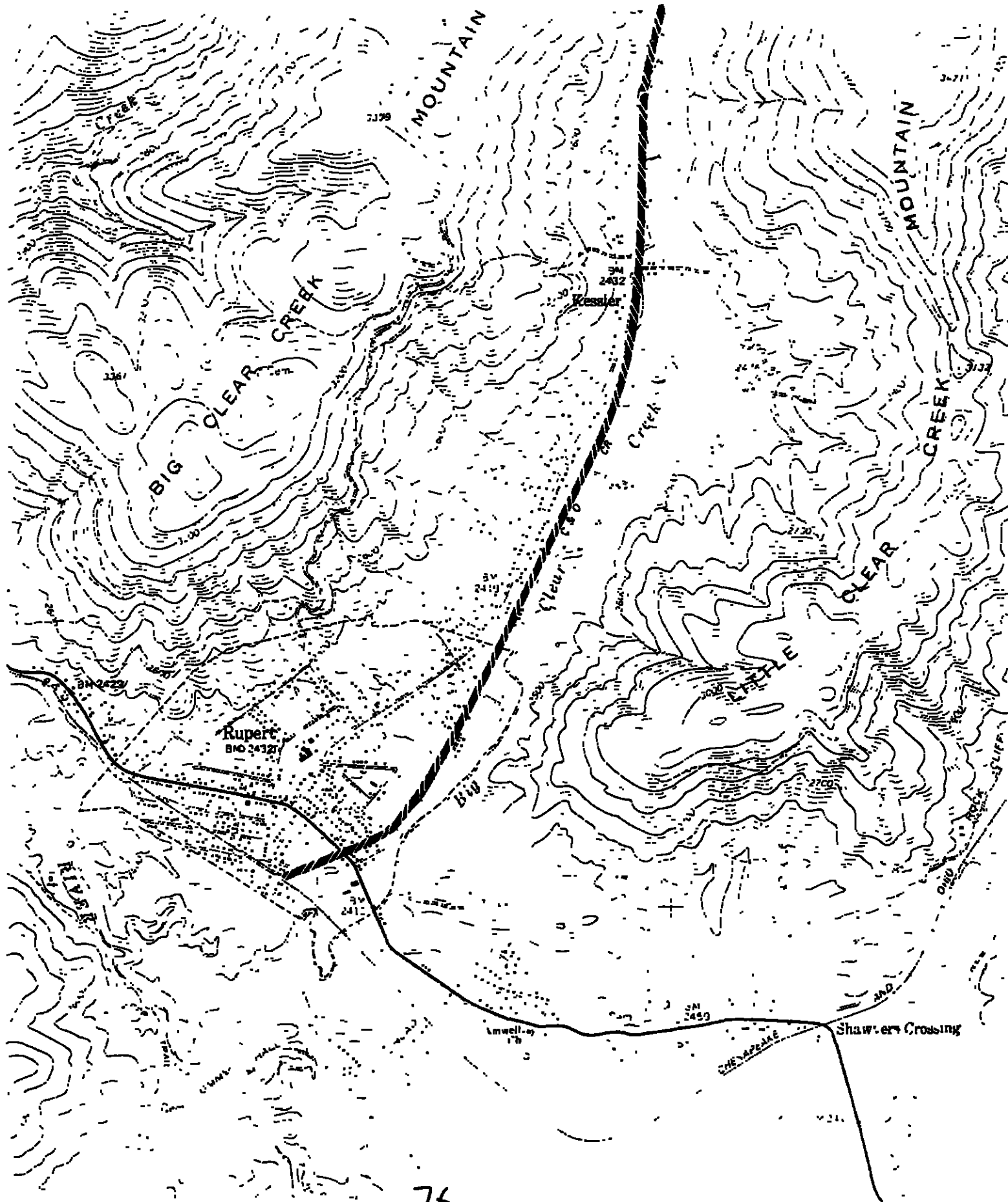
PORTION OF WEST VIRGINIA

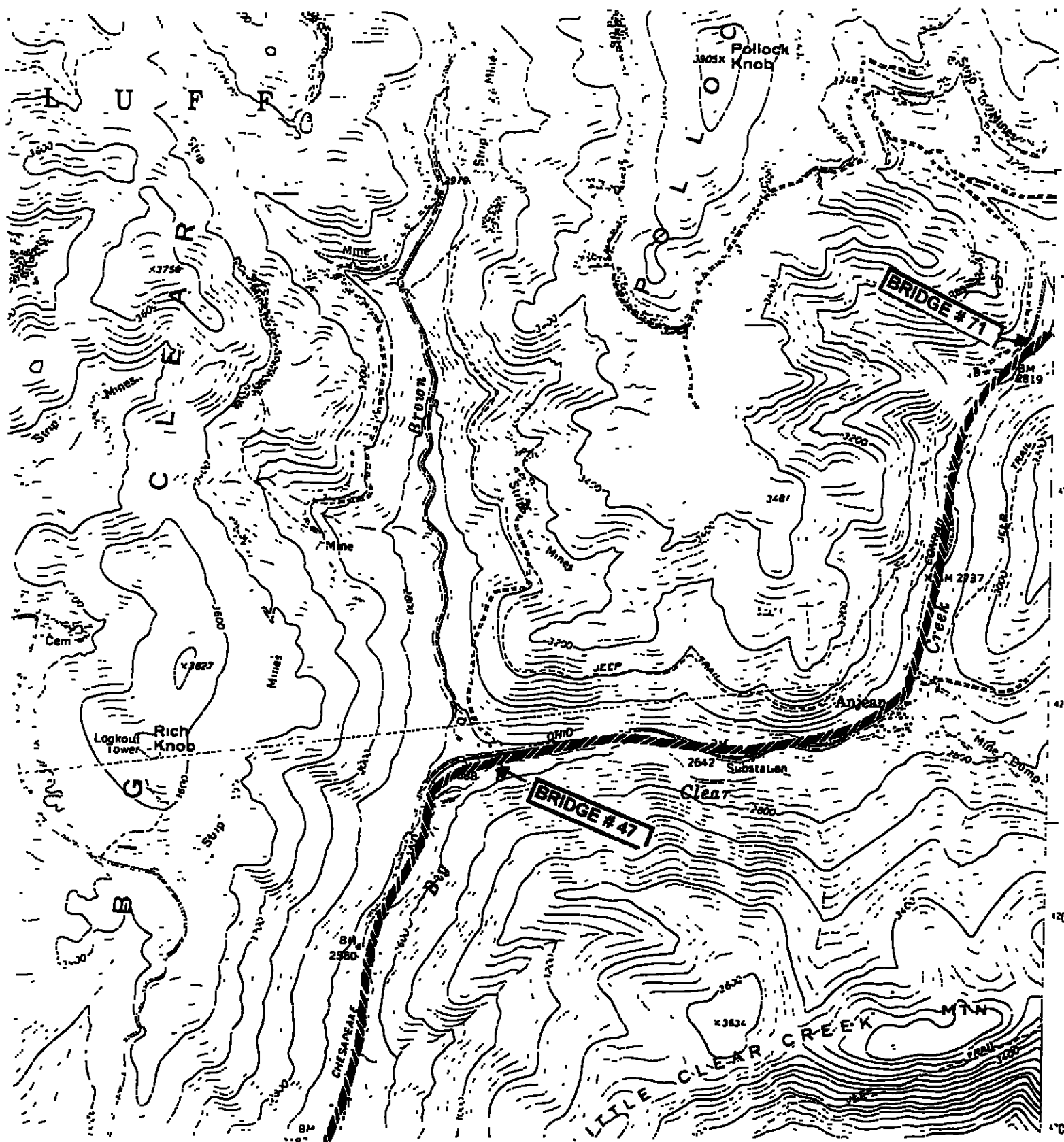
GREENBRIER COUNTY

13.6 miles of track to be abandoned

WEST VIRGINIA



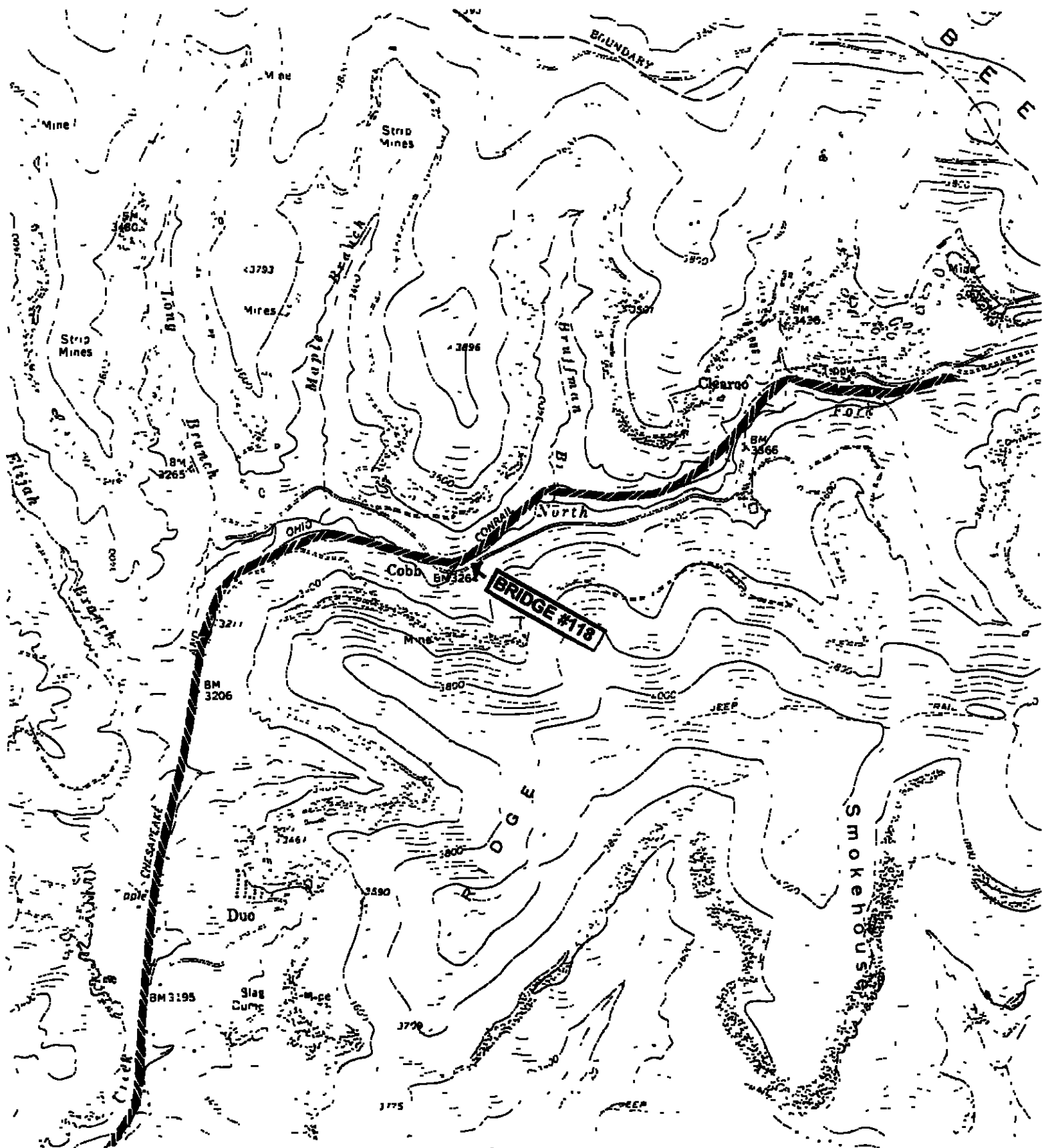




This is a detailed topographic map of the Meadowlake area. The map features numerous contour lines indicating elevation, with labels such as 1000, 1200, 1400, 1600, 1800, 2000, 2200, 2400, 2600, 2800, 3000, 3200, 3400, 3600, 3800, 4000, 4200, 4400, 4600, 4800, 5000, 5200, 5400, 5600, 5800, 6000, 6200, 6400, 6600, 6800, 7000, 7200, 7400, 7600, 7800, 8000, 8200, 8400, 8600, 8800, 9000, 9200, 9400, 9600, 9800, and 10000. The map includes several peaks, with the highest being Meadowlake Peak at 10000 feet. Other peaks include South Fork, Little Bear, and Little Bear. The map also shows the Meadowlake River, South Fork, and Little Bear. The map is labeled with 'MEADOWLAKE' in the center, 'SOUTH FORK' on the right, 'LITTLE BEAR' on the left, and 'KITTITZ' at the bottom. The map is a black and white line drawing with contour lines and labels.

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

DUO, WV. QUADRANGLE
 1972 - Photorevised 1981
 Page 2 of 2





Joanna Griffith
Director - Route Structures
Asset Management - J200

grr
500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 358-4925
Fax (904) 358-1111
E-Mail: Joanna_Griffith@csx.com

August 31, 2001

Ms. Susan M. Pierce
Deputy State Historic Preservation
Officer for Resource Protection
Department of Culture & History
The Cultural Center, Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305-0030

RE: CSX Transportation, Inc.
Proposed Line Abandonment
Rupert Junction to Clearco, Greenbrier County, WV
Docket AB-55 (Sub-No. 598X)

Dear Ms. Pierce.

Please be advised that CSX Transportation, Inc., anticipates filing for abandonment of approximately 13.6 miles of its rail line between Rupert Junction and Clearco, WV, 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.

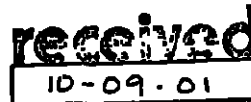
Sincerely,

Joanna M. Griffith

Attachments

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

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



**WEST VIRGINIA DIVISION OF
CULTURE AND HISTORY**

October 3, 2001

Ms. Joanna Griffith
CSX Transportation
500 Water Street-J200
Jacksonville, FL 32202

RE: Rupert Junction to Clearco
FR#: 01-1415-GB

Dear Ms. Griffith:

We have reviewed the above mentioned project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800. "Protection of Historic Properties," we submit our comments.

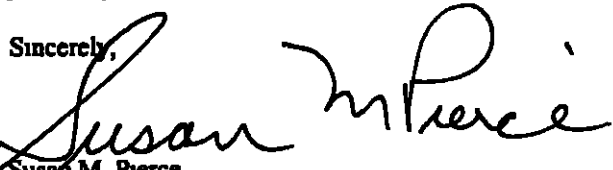
Architectural Resources:

We have reviewed the historic report that accompanies the request to abandon 13.6 miles of track between Rupert Junction and Clearco in Greenbrier County, West Virginia. We are unable to comment on the impact of this proposed action due to incomplete documentation of Bridge #47, #71, and #118. Section 1105.8(d), part 3 states that "photographs of the structures have been requested and will be mailed under separate cover." To date, this submission has not been received. Please forward the requested photographic documentation as soon as possible.

*photos
mailed
10/3/01*

We appreciate the opportunity to be of service. If you have questions regarding our comments or the Section 106 process, please call, Alan Rowe, Structural Historian, at (304) 558-0220, extension 712.

Sincerely,


Susan M. Pierce
Deputy State Historic Preservation Officer

SMP: arr

81



Joanna Gniffith
Director - Route Structures
Asset Management - J200

Attachment C

500 Water Street - J200
Jacksonville, FL 32202
Tel (904) 359-4925
Fax (904) 359-1111
E-Mail Joanna_Gniffith@csx.com

October 2, 2001

Ms. Susan M. Pierce
Deputy State Historic Preservation
Officer for Resource Protection
Department of Culture & History
The Cultural Center, Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305-0030

RE. CSX Transportation, Inc.
Proposed Line Abandonment
Rupert Junction to Clearco, Greenbrier County, WV
Docket AB-55 (Sub-No. 598X)

Dear Ms. Pierce:

Please refer to our letter of August 31, 2001, and the Historic Report covering the above proposed abandonment.

Enclosed are photographs of the three structures on the line, and a diskette with additional views of the bridges. We are also enclosing bridge drawings and a West Virginia Inventory Form for each of the bridges for your records.

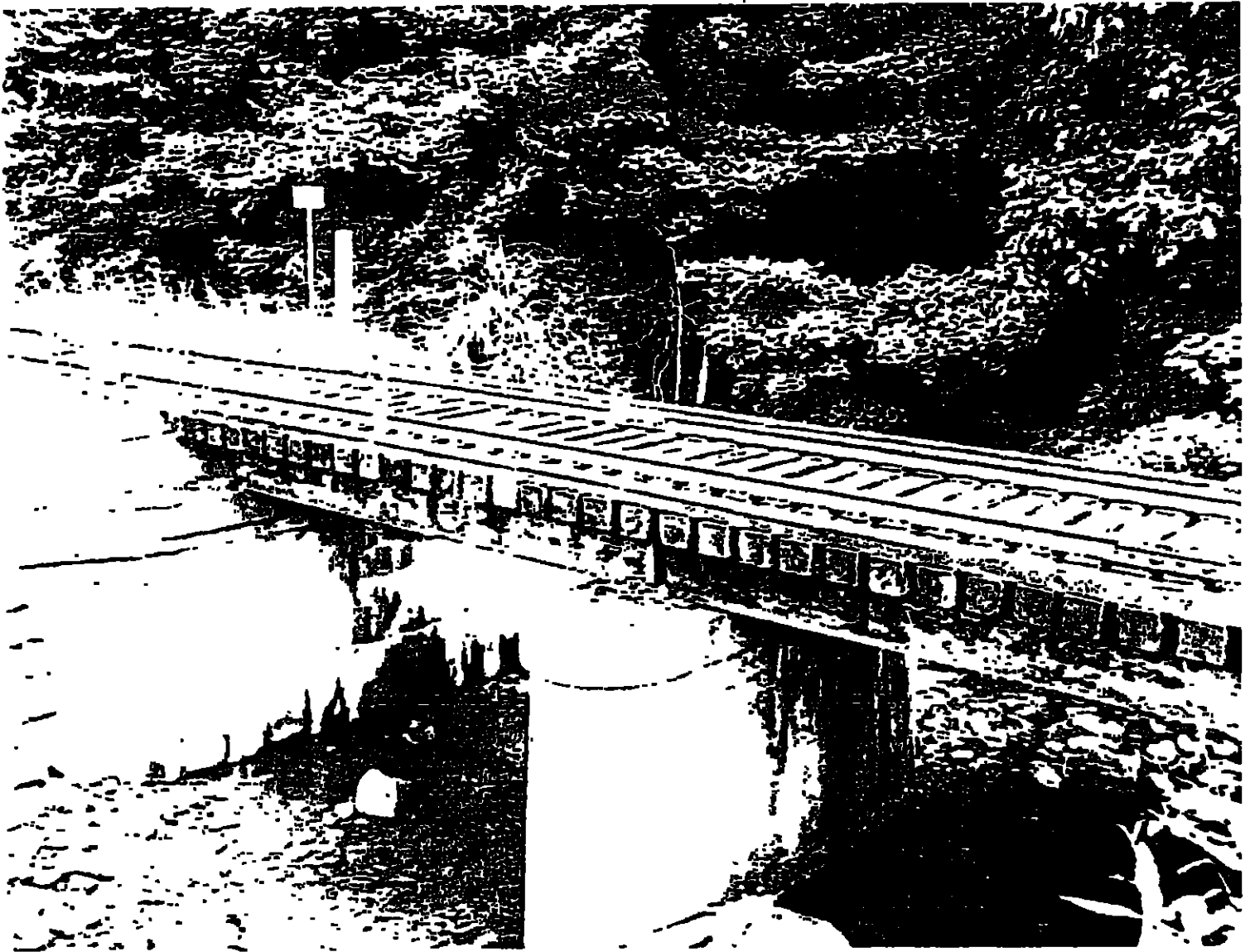
I hope this information will enable you to make a determination of the National Register eligibility of the structures. If you have any further question, please contact me

Sincerely,

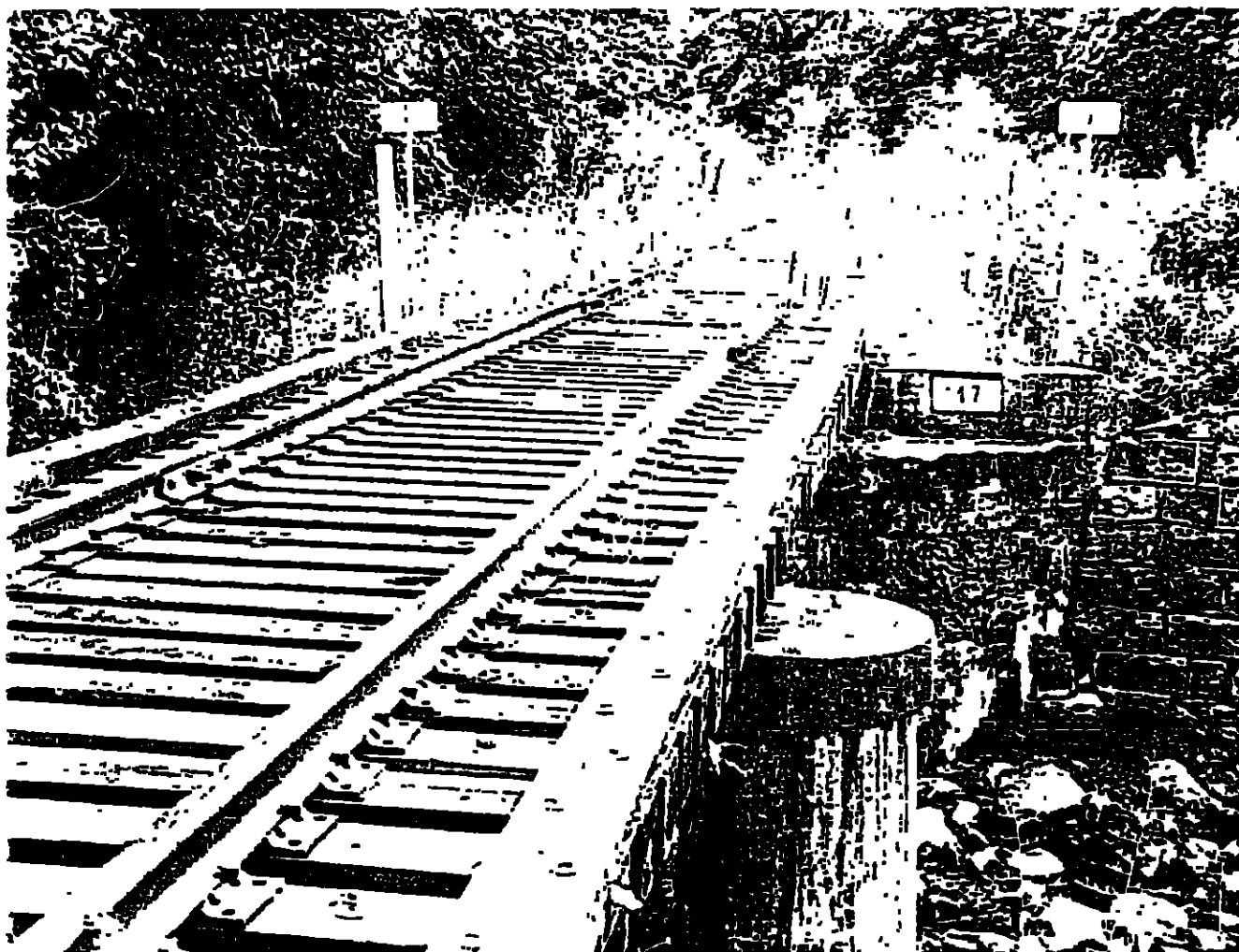
Attachments

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

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



BRIDGE NO. 47 - ANJEAN, WV
MILEPOST CAH-11 9 (formerly MILEPOST CAI-4 7)
I-BEAM - 36 FT
BUILT 1912



BRIDGE NO 47 - ANJEAN, WV
MILEPOST CAH-11 9 (formerly MILEPOST CAH-4 7)
1-BEAM - 36 FT
BUILT 1912



**WEST VIRGINIA HISTORIC PROPERTY
INVENTORY FORM**

STREET ADDRESS BRIDGE NO 47	COMMON/HISTORIC NAME Browns Creek Bridge	NO IN SURVEY	NO OF BAYS ☐ ☐ FRONT SIDE
TOWN OR COMMUNITY Anjean, WV	COUNTY Greenbrier	NEGATIVE NO	NOT VISIBLE FROM ROAD ☐
ARCHITECT/BUILDER Unknown	DATE OF CONSTRUCTION 1912	EXTERIOR BUILDING FABRIC N/A	
DATE NAT REGISTER LISTED ____ STATE REGISTER LISTED ____	ROOFING MATERIAL N/A	STYLE (STAFF USE ONLY)	
PROPERTY USE OR FUNCTION Railroad Bridge	TYPE OF FOUNDATION Concrete/Masonry	PHOTOGRAPHS ATTACHED	
	QUADRANGLE NAME Quirwood, WV		
SURVEY ORGANIZATION AND DATE	PART OF WHAT SURVEY		

PRESENT OWNERS

CSX Transportation, Inc

OWNERS ADDRESS500 Water Street, Jacksonville, FL

GENERAL CONDITION OF PROPERTY

ADDITIONS☐

yes

☒

no

IF YES, DESCRIBE:

ALTERATIONS☐

yes

☒

no

YES, DESCRIBE

NO AND NATURE OF OUTBUILDINGSN/A

DESCRIPTION OF PROPERTY (ORIGINAL AND PRESENT)36-ft I-Beam crossing Brown's Creek

HISTORICAL/CULTURAL SIGNIFICANCE

BIBLIOGRAPHICAL REFERENCES

Valuation Map
Engineering Department
CSX Transportation, Inc
Jacksonville, FL

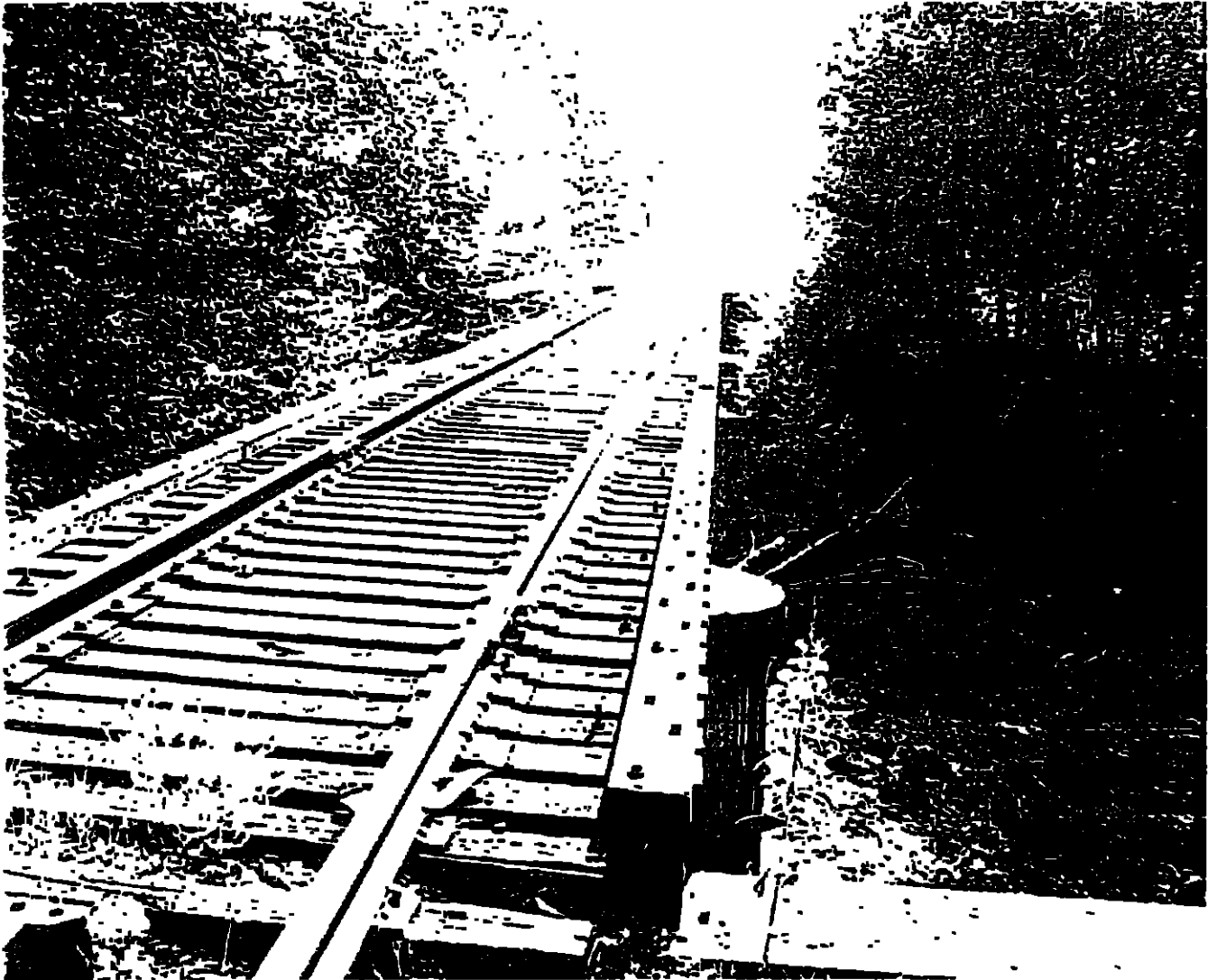
FORM PREPARED BY

Joanna Griffith
CSX Transportation, Inc
500 Water Street
Jacksonville, Florida 32216

DATE. 10/3/01



BRIDGE NO 71 - ANJEAN, WV
MILEPOST CAH-14.3 (formerly MILEPOST CAI-7 1)
DECK PLATE GIRDER - 168 FT
BUILT 1927



BRIDGE NO 71 - ANJEAN, WV
MILEPOST CAH-14 3 (formerly MILEPOST CAI-7 1)
DECK PLATE GIRDER - 168 FT
BUILT 1927

**WEST VIRGINIA HISTORIC PROPERTY
INVENTORY FORM**

STREET ADDRESS BRIDGE NO 71	COMMON/HISTORIC NAME Big Clear Creek Bridge	NO IN SURVEY	NO OF BAYS FRONT SIDE
TOWN OR COMMUNITY Anjean, WV	COUNTY Greenbrier	NEGATIVE NO	NOT VISIBLE FROM ROAD
ARCHITECT/BUILDER Ballard-Herring Company, Contractor	DATE OF CONSTRUCTION 1927/1928	EXTERIOR BUILDING FABRIC N/A	
DATE NAT. REGISTER LISTED ____ STATE REGISTER LISTED ____	ROOFING MATERIAL N/A	STYLE (STAFF USE ONLY)	
PROPERTY USE OR FUNCTION Railroad Bridge	TYPE OF FOUNDATION Concrete/Masonry	PHOTOGRAPHS ATTACHED	
	QUADRANGLE NAME Quinwood, WV		
SURVEY ORGANIZATION AND DATE	PART OF WHAT SURVEY		

PRESENT OWNERS

CSX Transportation, Inc.

OWNERS ADDRESS

500 Water Street, Jacksonville, FL

GENERAL CONDITION OF PROPERTY

ADDITIONS☐

yes

☒

no

IF YES, DESCRIBE

ALTERATIONS☐

yes

☒

no

YES, DESCRIBE

NO AND NATURE OF OUTBUILDINGS

N/A

DESCRIPTION OF PROPERTY (ORIGINAL AND PRESENT)

168 ft. Deck Plate Girder crossing BigClear Creek

HISTORICAL/CULTURAL SIGNIFICANCE

BIBLIOGRAPHICAL REFERENCES

Valuation Map
Engineering Department
CSX Transportation, Inc.
Jacksonville, FL

FORM PREPARED BY

Joanna Gnffith
CSX Transportation, Inc
500 Water Street
Jacksonville, Florida 32216

DATE. 10/3/01



BRIDGE NO 118 - CLEARCO, WV
MILEPOST CAH-19 00 (formerly MILEPOST CAI-11 S)
DECK PLATE GIRDER - 90 FT
BUILT 1928



BRIDGE NO 118 - CLEARCO, WV
MILEPOST CAH-19 00 (formerly MILEPOST CAI-11 8)
DECK PLATE GIRDER - 90 FT
BUILT 1928

[illegible]

BO015140

68-10364-1A3 1-1 1-21-69 1500 0000 Aug 27 2001 09 02 1A

ENCLOSURE (MAY 27 1960) JUN 27 2001 09 02 18



Group 1: 100% of the group

6315139

**WEST VIRGINIA HISTORIC PROPERTY
INVENTORY FORM**

STREET ADDRESS BRIDGE NO. 118	COMMON/HISTORIC NAME Big Clear Creek Bridge	NO IN SURVEY	NO OF BAYS FRONT SIDE
TOWN OR COMMUNITY Clearco, WV	COUNTY Greenbrier	NEGATIVE NO	NOT VISIBLE FROM ROAD
ARCHITECT/BUILDER Ballard-Herring Company, Contractor	DATE OF CONSTRUCTION 1928/1929	EXTERIOR BUILDING FABRIC N/A	
DATE NAT. REGISTER LISTED ____ STATE REGISTER LISTED ____	ROOFING MATERIAL N/A	STYLE (STAFF USE ONLY)	
PROPERTY USE OR FUNCTION Railroad Bndge	TYPE OF FOUNDATION Concrete/Masonry	PHOTOGRAPHS ATTACHED	
	QUADRANGLE NAME Duo, WV		
SURVEY ORGANIZATION AND DATE	PART OF WHAT SURVEY		

PRESENT OWNERS

CSX Transportation, Inc.

OWNERS ADDRESS

500 Water Street, Jacksonville, FL

GENERAL CONDITION OF PROPERTY

ADDITIONS☐

yes

☒

no

IF YES, DESCRIBE:

ALTERATIONS☐

yes

☒

no

YES, DESCRIBE

NO. AND NATURE OF OUTBUILDINGS

N/A

DESCRIPTION OF PROPERTY (ORIGINAL AND PRESENT)

90 ft. Deck Plate Girder crossing BigClear Creek

HISTORICAL/CULTURAL SIGNIFICANCE

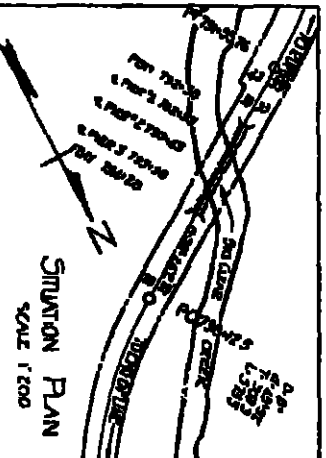
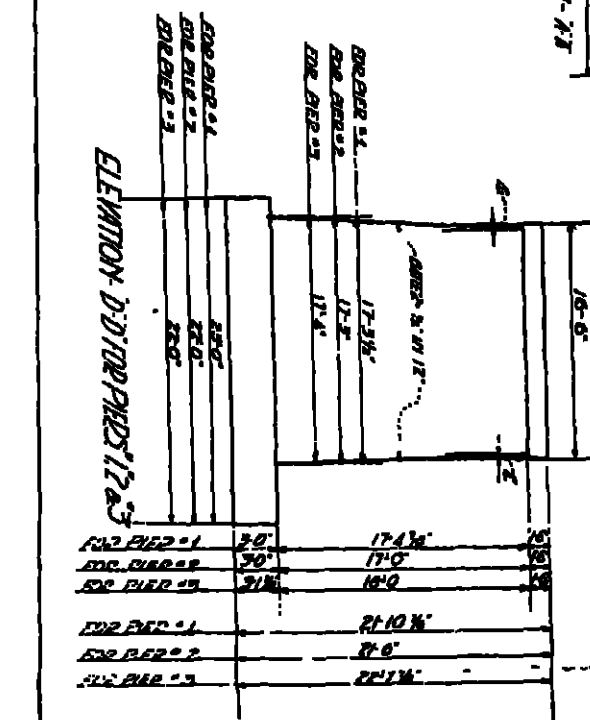
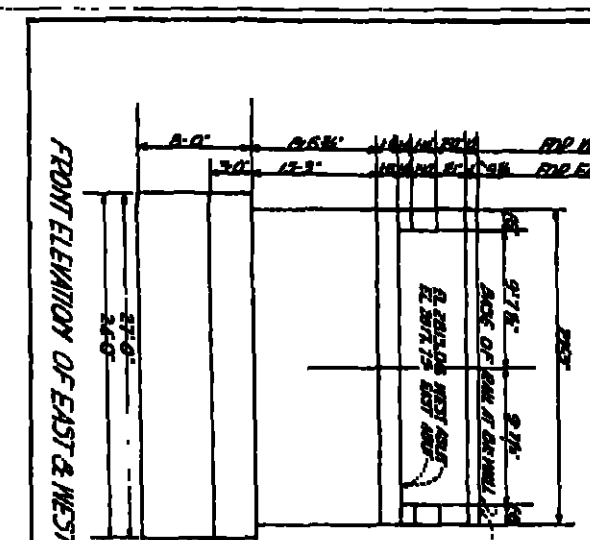
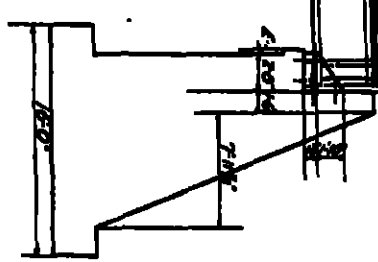
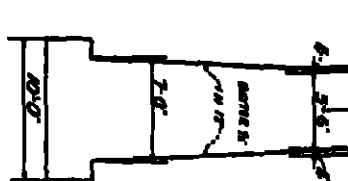
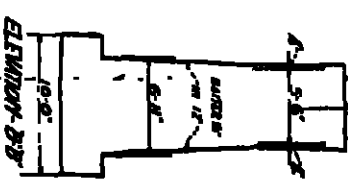
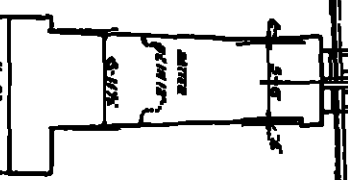
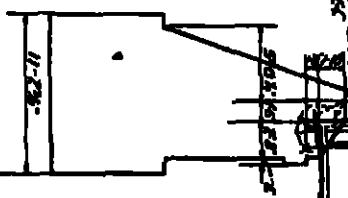
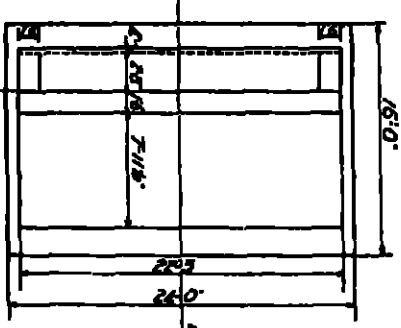
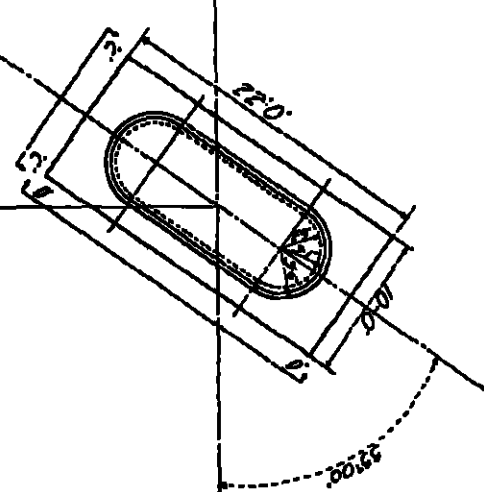
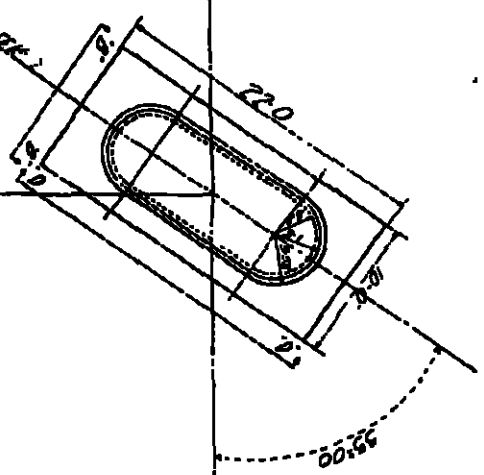
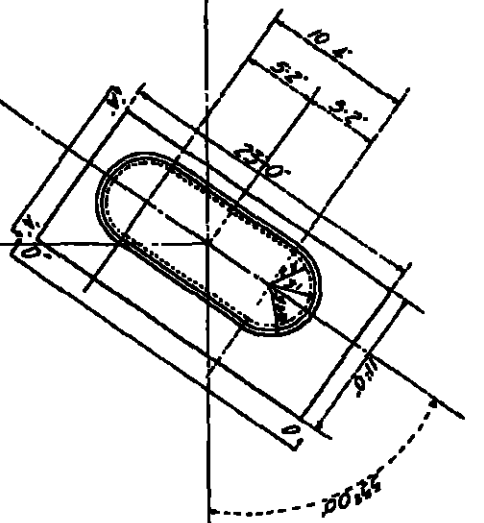
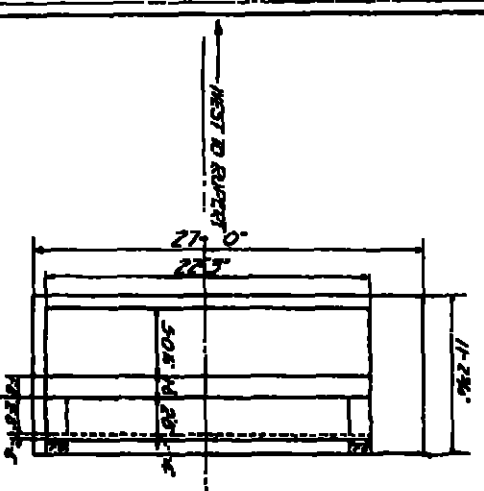
BIBLIOGRAPHICAL REFERENCES

Valuation Map
Engineering Department
CSX Transportation, Inc.
Jacksonville, FL

FORM PREPARED BY:

Joanna Griffith
CSX Transportation, Inc
500 Water Street
Jacksonville, Florida 32216

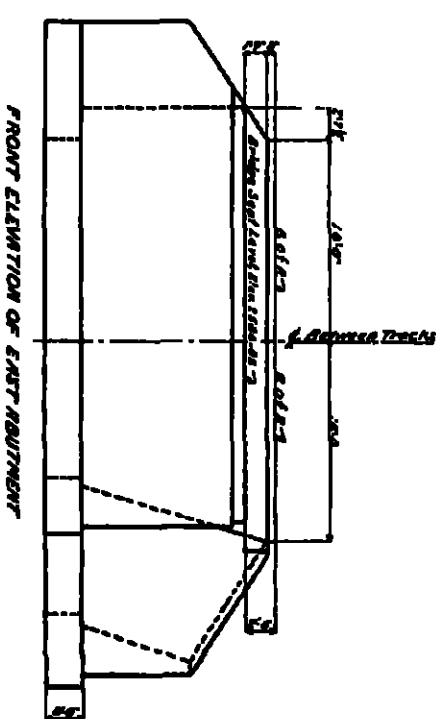
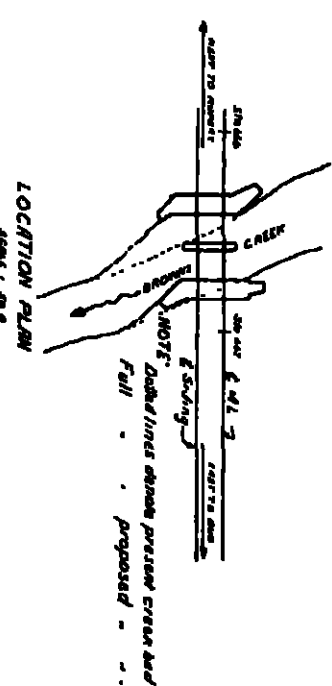
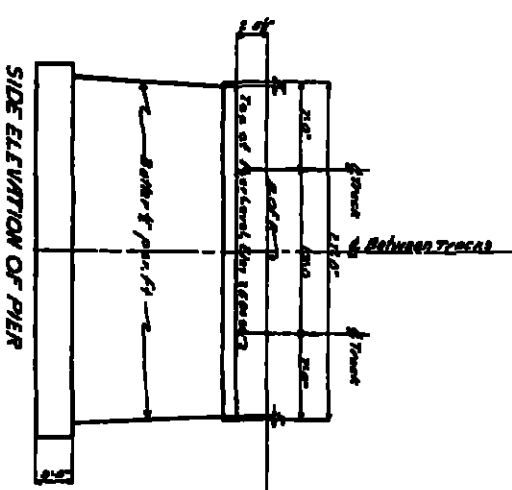
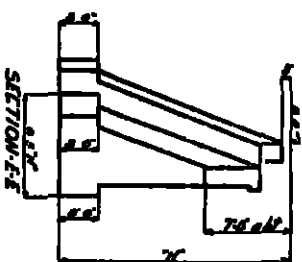
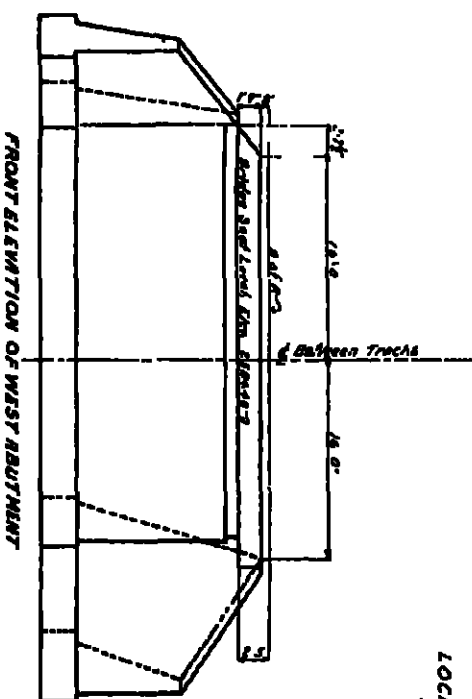
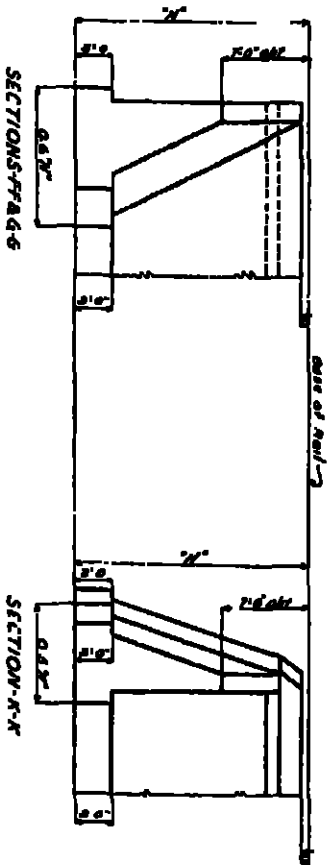
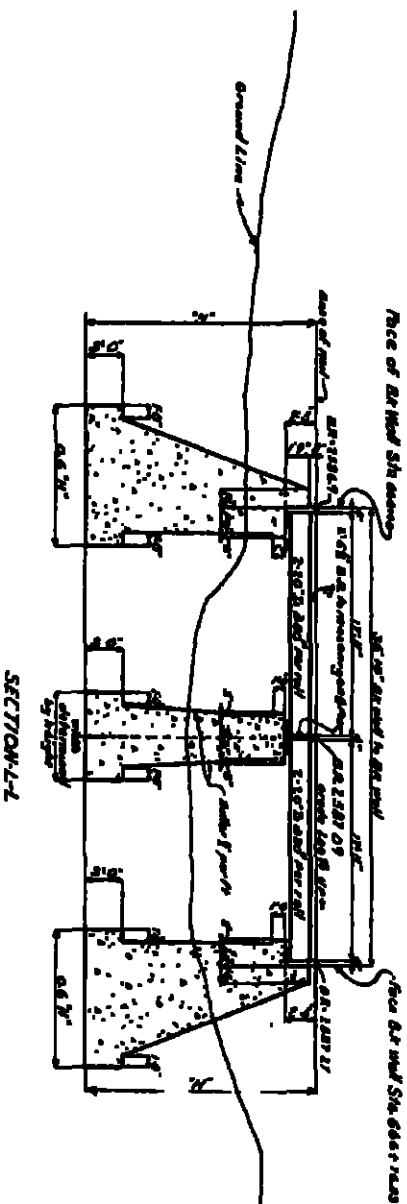
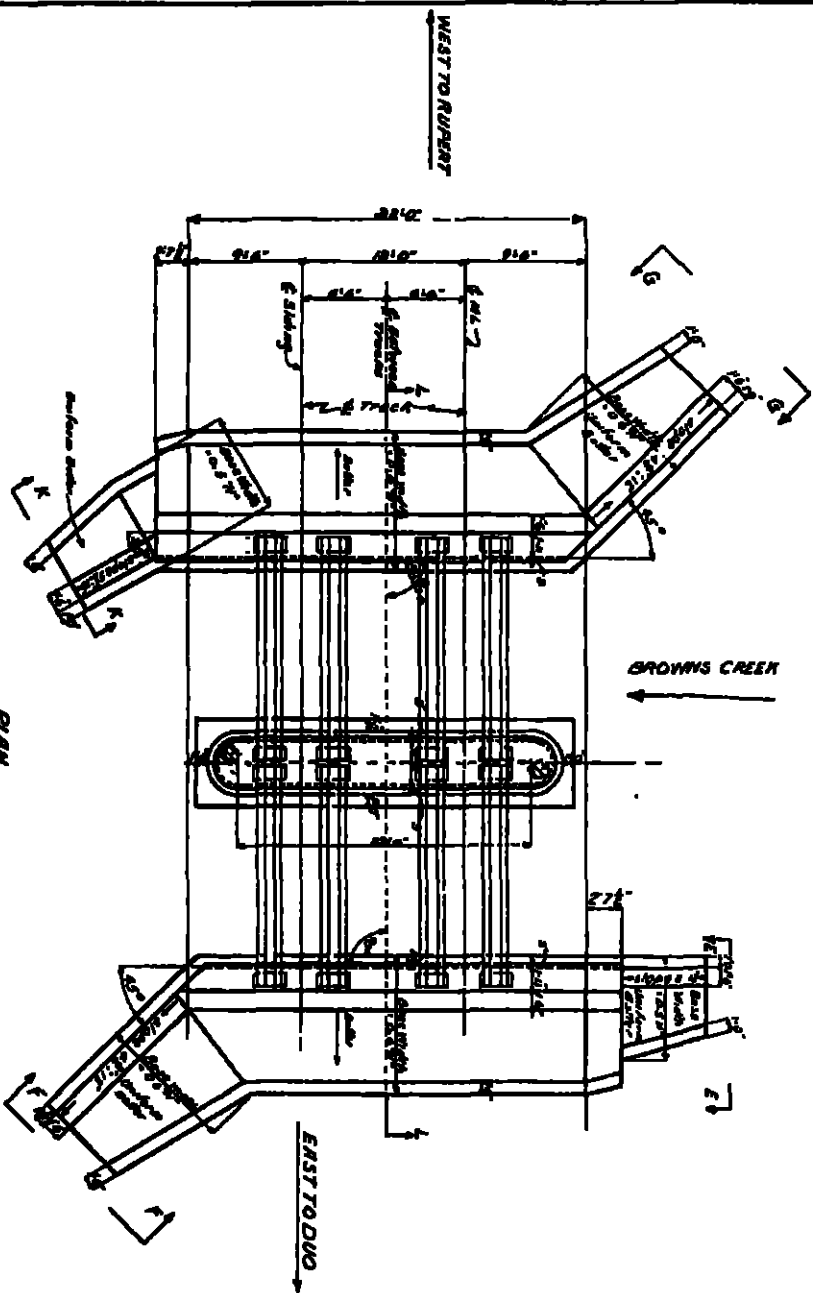
DATE: 10/3/01



QUANTITIES -
CONCRETE
FINAL ELEVATION
ABUTMENT CENTERLINE
70325

REVISIONS	DATE	BY	REASON
1	4-29-28	AS-BUILT	MASONRY PLAN - BRIDGE OVER FIRST CROSSING BIG CLEAR CREEK BIG CLEAR CREEK LINE
2	5-31-28	AS-BUILT	BRIDGE OVER FIRST CROSSING BIG CLEAR CREEK BIG CLEAR CREEK LINE
3	7-18-28	AS-BUILT	BRIDGE OVER FIRST CROSSING BIG CLEAR CREEK BIG CLEAR CREEK LINE

ATE SVR 1
DATE WORK STARTED 4-29-28
DATE WORK COMPLETED 5-31-28
WORK DONE BY BUILDING DEPARTMENT
CONTRACTOR



GENERAL NOTE:
 All work to be in accordance with C&O Specifications for grading and masonry as revised Dec-1926.
 Foundations must be carried down to a firm bearing. This drawing assumes that masonry will rest on earth. Base width of abutments and wing walls must conform to proportions shown at critical points on plan. These widths and other dimensions not shown on plan must be determined by depth of masonry below base of rail.
 In case masonry is carried to bed rock, the base width of all masonry should be made 0.5 ft.
 Bottom of masonry should be at least 6" below stream bed unless bed rock is found.
 Steel spans are deck I-beam spans released from Coal River District above Sovereign.

CORRECT: _____
 APPROVED: _____
 CHIEF ENGINEER

CDCA1004

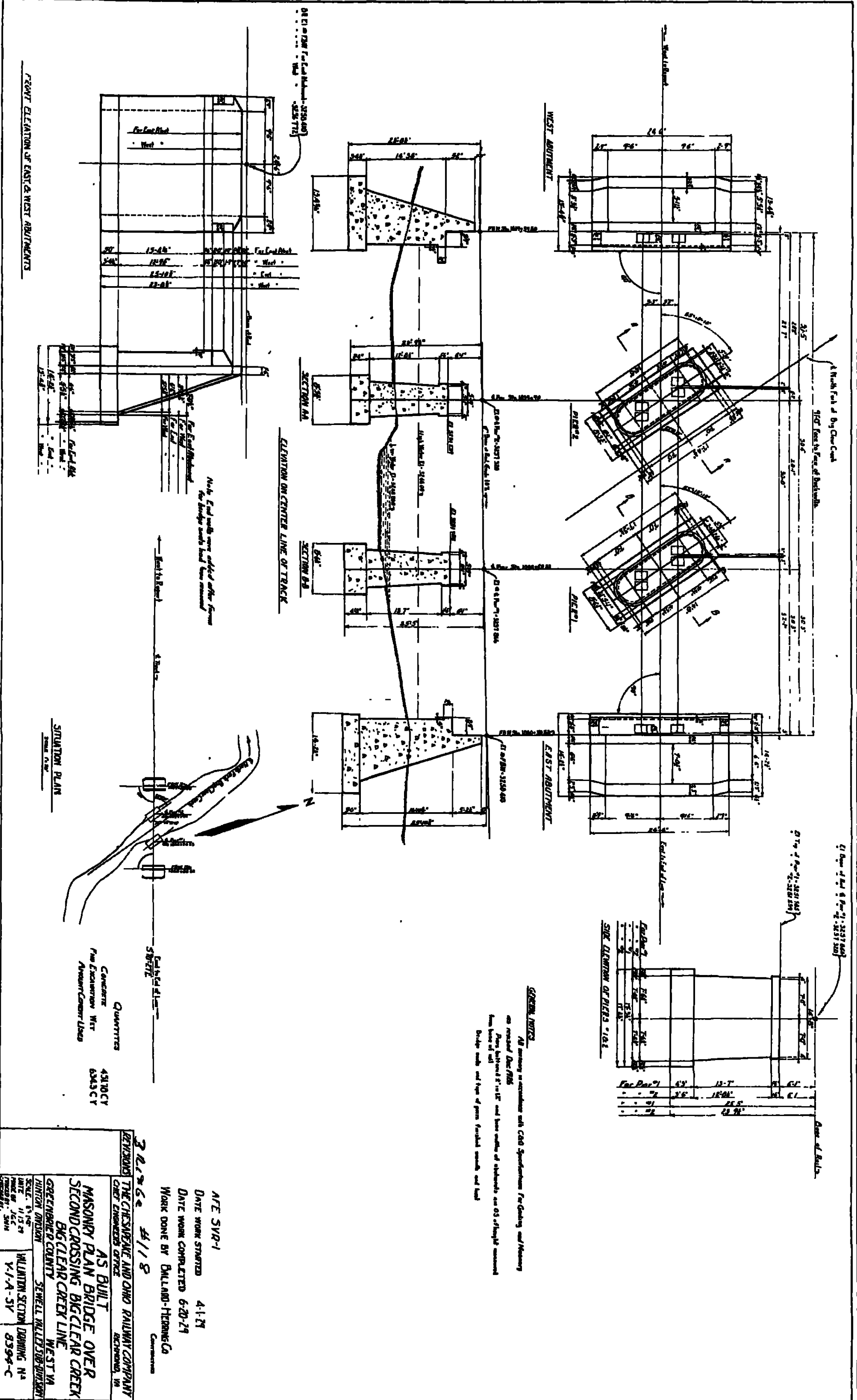
31 JUL 19

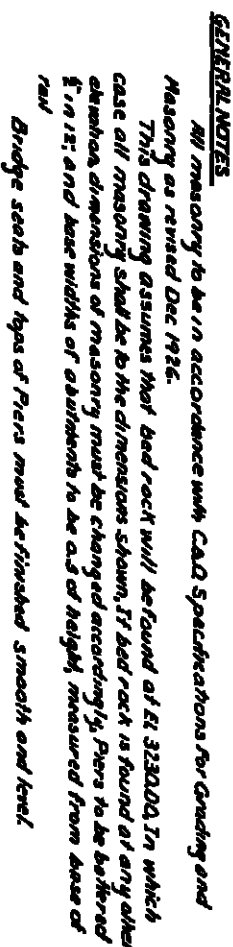
800968

BRIDGE #47
 THE CHESTERFIELD AND OHIO RAILWAY COMPANY
 CHESTERFIELD, OHIO

MASONRY PLAN
 BRIDGE OVER BROWNS CREEK
 LINE UP BIG CLEAR CREEK

SCALE 1" = 10'
 DATE 5-10-12
 DRAWING NO. 7912



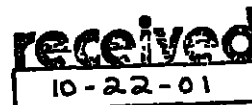


510-276
26266 #118
THE CHESAPEAKE AND OHIO RAILWAY COMPANY
CHIEF ENGINEER'S OFFICE
RICHMOND, VA
MASONRY PLAN
BRIDGE #118-SECOND CROSSING
NORTH FORK OF BIG CLEAR CREEK
DUO
W. VA
WILSON DIVISION-BIG CLEAR CREEK SUB-DIV.

THE CHESAPEAKE AND OHIO RAILWAY COMPANY CHIEF ENGINEERS OFFICE RICHMOND, VA.	
PETE G. FLO MASONRY PLAN BRIDGE #18 SECOND CROSSING NORTH FORK OF BIG CLEAR CREEK DUO W. VA HUNTON DIVISION BIG CLEAR CREEK SUB-DIV.	
SCALE 1" = 10' DATE 4-11-20 DRAWN BY J. B. BRYAN CHECKED BY	WIL. SECTION VI-A-SV DRAWING NO. 8394



**WEST VIRGINIA DIVISION OF
CULTURE AND HISTORY**



October 15, 2001

Ms. Joanna Griffith
CSX Transportation
500 Water Street-J200
Jacksonville, FL 32202

RE: Rupert Junction to Clearco
FR#: 01-1415-GB2

Dear Ms. Griffith:

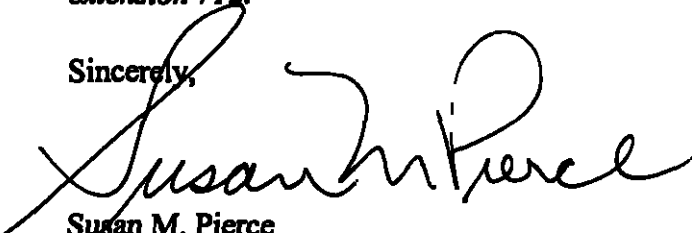
We have reviewed the above mentioned project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Architectural Resources:

Thank you for the submission of the HPI forms, photographs, and drawings for Bridge Nos. 47, 71, and 118. It is clear from the documentation you provided that the proposed rail corridor abandonment will have *no effect* on buildings or structures either listed on or eligible for the National Register of Historic Places. No further consultation is necessary.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please call Alan Rowe, Structural Historian, at (304) 558-0220, extension 712.*

Sincerely,


Susan M. Pierce
Deputy State Historic Preservation Officer

SMP: arr

32440
DO

SERVICE DATE - JANUARY 2, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

**CSX TRANSPORTATION, INC.--ABANDONMENT
EXEMPTION--IN GREENBRIER COUNTY, WV**

Decided: December 27, 2001

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F--Exempt Abandonments to abandon a 13.6-mile line of railroad between Rubert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81).

By decision served November 7, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the conditions that CSXT: (1) retain its interest in the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f; and (2) consult with the National Geodetic Survey (NGS) and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers. The West Virginia State Historic Preservation Officer has informed SEA that the proposed abandonment is not eligible for listing in the National Register of Historic Places. Therefore, SEA recommends that the historic condition imposed in the November 7, 2001 decision be removed.¹

As conditioned, this decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the section 106 historic preservation condition imposed in the decision served on November 7, 2001, is removed.

¹ The NGS condition imposed in the November 7, 2001 decision remains in effect.

STB Docket No. AB-55 (Sub-No. 598X)

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams
Secretary**