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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 1296 (Sub-No. 1X)

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.**

PETITION FOR EXEMPT ABANDONMENT

(color copies included)

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Property, LLC*

Dated: April 21, 2023

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Surface
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PETITION FOR EXEMPT ABANDONMENT

Pursuant to 49 U.S.C. §10502 and 49 C.F.R. parts 1121 and 1152, R. J. Corman Railroad Property, LLC (“RJC Railroad Property”), a non-operating Class III rail carrier,¹ hereby petitions the Board for an exemption from the prior approval requirements of 49 U.S.C. §10503 to abandon approximately 3.5 miles of a long-dormant railroad line known as the Beech Fork Branch, which extends from milepost 33 on the Oneida Line² in a southeasterly direction along Beech Fork and Stony Fork and dead-ends at or near Clinchmore, TN, in Campbell County, TN (the “Line”). A map of the Line is attached hereto in Appendix A. The Line currently has no mileposts or stations and little, if any, track. As stated below, the Line has not been in use since well before 2011, when RJC Railroad Property purchased the Line.

¹ See, fn. 1, *R. J. Corman Railroad Property, LLC – Acquisition Exemption – Line of the Railroad Co. and the WV Southern Railway Co.*, Docket No. 34744 (STB Served Sept. 23, 2005).

² The Oneida Line extends from milepost 0.96 at or near Oneida, Tennessee to the end of the line at milepost 42.0 at or near Devonia, Tennessee, a distance of approximately 41.05 miles in Scott, Campbell, and Anderson Counties, Tennessee. The Oneida Line has a single rail connection at Oneida, Tennessee with Norfolk Southern Railway Company.

RJC Railroad Property further seeks an exemption from the offer of financial assistance requirements of 49 U.S.C. § 10904 and public use provisions of 49 U.S.C. §10905.

BACKGROUND OF PROPOSED ABANDONMENT

1. Introduction

In 2020, R. J. Corman Railroad Property filed a notice of exemption under 49 C.F.R. § 1152, subpart F, seeking abandonment of its Oneida Line in Western Tennessee. The Oneida Line was authorized for abandonment and subject to a notice of interim trail use (NITU). *See R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB 1296X (STB served April 15, 2022). Following lengthy, unsuccessful offer of financial assistance proceedings and despite the Oneida Line meeting all criteria for an exempt abandonment,³ Anderson County, TN, petitioned to reopen that abandonment proceeding after it argued the abandonment of the Oneida Line would result in the Line being stranded. On November 17, 2022, the STB conditioned abandonment of the Oneida Line on the abandonment of any § 10901 track that could be stranded by abandonment of the Oneida Line. *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB 1296X (STB served Nov. 17, 2022). This abandonment proceeding seeks to resolve the issue of any and all §10901 stranded track by formally seeking abandonment authority from the Board in this proceeding for the Line, which RJC Railroad Property has determined to be the only §10901 track at issue, thereby resolving the final condition imposed on the Oneida Line’s abandonment.⁴

³ *See* Dissent, *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB 1296X (STB served Nov. 17, 2022)(“There is no doubt that RJC Railroad Property’s target for the abandonment exemption, the Oneida Line, meets the criteria specified in the applicable regulations because, among other things, no traffic has moved over the line since 2013. *See* 49 C.F.R. § 1152.50.”) .

⁴ The Oneida Line’s history is detailed and significantly, prior efforts to abandon it contained no reference to the Line given the length of time it had been in disuse. *See* Reply to Petition to Reopen and/or Vacate, pgs. 5-6, filed by RJC

2. Construction of the Line

The Interstate Commerce Commission (“ICC”) authorized construction of the Line in 1921. *In the Matter of the Application of the Tennessee Railroad Company for a Certificate of Public Convenience and Necessity*, 65 I.C.C. 654, 657 (1921). The ICC describes the Line as starting “from a point on applicant’s main line at the mouth of Beech Fork of New River, in Campbell County, Tenn., in a southeasterly direction along Beech Fork and Rocky Fork in Anderson County, a distance of 6 miles”.⁵ The ICC decision suggests the Line may have serviced a timber company in or about Clinchmore, TN. However, local historical accounts also reference the existence of the Clinchmore Coal Mining Company, suggesting the Line was used to transport coal until 1965. https://scholarworks.moreheadstate.edu/kilgore_scrip_collection/24/ (last visited February 3, 2023); <https://www.tngenweb.org/campbell/history/comm.html> (last visited February 3, 2023).

Connected to the Line is an approximately three-mile dead-end spur to Carbon Hill, TN. (“Carbon Hill Spur”). The application to build the Carbon Hill Spur was dismissed by the ICC for lack of jurisdiction in 1940. *Application of Tennessee Railroad Company for a Certificate of Public Convenience and Necessity Authorizing the Construction of Line of Railroad in Campbell County, Tenn.*, Docket No. FD 12747 (ICC served March 7, 1940). (Decision, Apx. B, Ex. 1.)⁶ The Decision describes the proposed construction of a branch or spur track from a point on Beech Fork to a proposed coal tipple near Round Rock Church, Campbell County, Tenn., a distance of

Railroad Property on May 28, 2021 in *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB 1296X.

⁵ The ICC decision incorrectly refers to Rocky Fork instead of Stony Fork which is the body of water that flows southeasterly along Clinchmore Road, toward Clinchmore, TN. There is also no evidence that the Line ever extended into Anderson County, TN.

⁶The STB similarly addressed the nature of the 1940 segment in footnote 7 of its Decision in *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell, and Anderson Counties, Tenn.*, Docket No. AB 1296X (STB served November 17, 2022).

three miles. Because the Carbon Hill Spur is excepted track, it does not require Board authority for abandonment.⁷

3. Ownership of the Line

The Line was acquired by RJC Railroad Property in 2011 as part of its acquisition of the Oneida Line from NC Railroad, Inc. (“NCR”). *R. J. Corman Railroad Property, LLC – Acquisition Exemption – NC Railroad, Inc.*, Docket No. FD 35363 (STB served June 29, 2011). Ownership of the Line is evidenced by the quitclaim deed RJC Railroad Property received from NCR upon its purchase of the Oneida Line in 2011 (the “Deed”). The Deed granted RJC Railroad Property ownership rights to the main tracks, sidings, spurs and other appurtenant railway facilities of the Oneida Line. The Deed filed of record in Campbell County, TN identifies the Oneida Line as “being located substantially” as shown on a series of 1973 Railway Valuation Maps and confirms that whatever ownership rights to the Line that NCR had were transferred to RJC Railroad Property.⁸ The Val Map, page 13a, identifies the Line as being approximately 3.5 miles in length, extending approximately 2.0 miles from milepost 33 on the Oneida Line along Beech Fork before reaching a junction that forked in a southeasterly toward Clinchmore, TN (the “Northern Segment”). At the fork, the Line continues in a southeasterly directly along Stony Fork for approximately a mile and a half before dead-ending at or about Clinchmore, TN (the “Southern Segment”). (Val Map, page 13a, Apx. B, Ex. 2).

⁷ Counsel for RJC Railroad Property has undertaken exhaustive searches to ascertain if any other § 10901 track could be stranded as a result of abandonment of the Oneida Line or the Line and has not identified any such track. It should also be noted that the Oneida Line abandonment has been pending since March 9, 2020, and to date, the only § 10901 track alleged to be stranded by the abandonment is the Line.

⁸ RJC Railroad Property’s Deed is consistent with the quitclaim deed NCR received in 2006 from Tennessee Railway Company, a subsidiary of Norfolk Southern Railway Company (“NSR”), in that NCR’s deed also references, inter alia, Val Map pages 13a, 13b and 13c. Approval for National Coal Corporation’s purchase is found in *Tennessee Railway Company – Abandonment Exemption – in Scott County, TN*, Docket No. AB-290 (Sub-No. 260X) et. al. (STB served March 3, 2006).

4. The Line Has Been in Complete Disuse Since Well Before 2011.

Details regarding the current condition and use of the Line are described in a sworn affidavit by Eric West and the attached photographs. (West Affidavit, Apx. B, Ex. 3).⁹ When RJC Railroad Property purchased the Oneida Line in 2011, the Northern Segment of the Line, which once connected to the Oneida Line, was cut-off from the Oneida Line. The Line's right-of-way had been paved over by the New River Road in Campbell County, TN. (*Id.*, ¶ 5). In addition, another approximately one-mile of the Line's right-of-way had been repurposed by Campbell County, TN to create a gravel road known as the Carroll-Adkins Cemetery Road. (*Id.*; List of County Maintained Roads, Apx. B, Ex. 4). In short, little, if any track remained on the Northern Segment at the time of RJC Railroad Company's purchase, and the right-of-way was overgrown with mature trees or otherwise encroached upon by local property owners. (West Affidavit, Apx. B, Ex. 3).

Recent photographs taken by Mr. West confirm the right of way of the Southern Segment is no longer discernable. (*Id.*, ¶ 8-9). Except for identifying footings of a bridge that no longer exist, Mr. West was unable to identify the Southern Segment's right-of-way near Clinchmore, TN. *Id.* Based on historical evidence, the Southern Segment of the Line was destroyed by flood in 1965. The Department of Interior's Summary of Floods for 1965 describes a flood around Clinchmore, TN in July of 1965: "several bridges were washed away, roads were damaged by washouts or deposition of debris" and "the railroad and the county road which paralleled Stony Fork up to Clinchmore were complete destroyed." (1965 Summary, Apx. B, Ex. 5). By 1979,

⁹ Mr. West also submitted in affidavit in the record as part of RJC Railroad Property's Reply to the Petition to Reopen filed June 16, 2021, in *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell, and Anderson Counties, Tenn.*, Docket No. AB 1296X.

the USGS historical topographical map shows no evidence of the Southern Segment whatsoever. (1973 Topo Map, Apx. B, Ex. 6).

Moreover, the land adjacent to the right-of-way on the Southern Segment, since approximately 1992, has been part of the State of Tennessee's North Cumberland Wildlife Management Area's Royal Blue Unit. <https://www.tn.gov/twra/wildlife-management-areas/east-tennessee-r4/north-cumberland-wma.html> (last visited April 12, 2023). In addition, as shown on the TN Property Viewer Map, the Royal Blue Unit's western boundary follows the Stony Fork along Clinchmore Road. (TN Map, Apx. B, Ex. 7). Tennessee Wildlife Management Areas are protected areas set aside for the conservation of wildlife and for recreational activities involving wildlife such as hunting and fishing. Horse trails and ATV trails are also present.

5. No Shippers on the Line

There are no shippers on the Line and has been no local or other traffic over the Line since RJC Railroad Property's purchase of the Oneida Line in 2011. Traffic over the Southern Segment likely ceased in 1965. Traffic from the Carbon Hill Spur over the Northern Segment occurred until sometime in the late 1970's or early 1980's. The abandonment of Line will not result in any physical changes to the condition of the right-of-way. Following abandonment, RJC Railroad Property intends to take no action with respect to the right-of-way given it is entirely overgrown and encroached upon by local landowners, the track is gone, and portions of the right-of-way has been put to public use, i.e., roads, by the local county, or the State of Tennessee as a conservation area. RJC Railroad Property has no interest in disrupting the status quo; its only interest is finalizing the abandonment of the Oneida Line.

6. No §10901 Track Beyond 3.5 Miles Identified on RJC Railroad Property’s 1973 Val Map Requires Abandonment

Given the long disuse of the Line and because the Southern Segment’s right-of-way, cannot be identified upon physical inspection, RJC Railroad Property cannot conclude that that Tennessee Railroad Company ever constructed six (6) miles of track as authorized by the ICC in 1921.¹⁰ As noted above, the 1921 ICC decision contains errors, calling Stony Fork, Rocky Fork, and incorrectly states it extended into Anderson County, TN. To this extent, it is well-established that the authority to construct and operate a line is permissive. *The Elk River R.R., Inc.-Abandonment Exemption- in Kanawha & Clay Ctys., W. Va.*, Docket No. AB 1314X, 2021 WL 4698418, at *2 (Oct. 7, 2021), citing, *Rocky Mountain Railcar & Repair, Inc.—Acquis. & Operation Exemption—Line of R.R. in Tooele Cnty., Utah*, FD 35478, slip op. at 1 (STB served Apr. 13, 2018). If the Tennessee Railroad Company did not exercise all of the authority granted it in 1921 (or not as initially planned), the portion of the 6-miles not constructed is not currently within the Board’s jurisdiction and is not eligible for abandonment under 49 U.S.C. § 10903. *Id.*, citing, *Jackson Cnty. Port Auth.— Pet. for Declaratory Ord.*, FD 35994, slip op. at 2 (STB served July 28, 2016) (holding that a noncarrier authorized to construct and operate a new rail line and to conduct operations did not become a common carrier where it did not undertake any rail construction or commence operations pursuant to the authority granted).

In contrast, the 1973 Val Map, page 13a, reflects approximately 3.5 miles of track that Tennessee Railway Company (a subsidiary of Norfolk Southern Railway) took ownership of in 1973 when it purchased the Tennessee Railroad Company out of bankruptcy. *See, Tenn. Ry. –*

¹⁰ RJC Railroad Property acknowledged this discrepancy in its November 5, 2021, filing in Docket No. AB 1296X, and in response, the STB noted that an adverse abandonment may be necessary in order to abandon the segment of the Beech Fork Branch that is not owned by RJC Railroad Property. *See R. J. Corman Railroad Property, LLC - Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB 1296X (STB served Nov. 17, 2022). However, an adverse abandonment of a line that is no longer physically present and thus, ownership uncertain, makes an adverse abandonment proceeding virtually impossible.

Purchase – Tenn. R.R., Docket No. FD 27312 et al. (ICC served July 3, 1973). The 1973 Val Maps were used to evidence the transfer of ownership rights to all subsequent owners, including RJC Railroad Property. Norfolk Southern Railway was asked by the Board to provide information regarding the Line in Docket No. AB 1296X and could not provide information beyond the fact that its conveyance to NCR of the Oneida Line included all sidings, spurs, etc. From 1973 onward, the deeds uniformly transferred title to new owners of “all land, right-of-way for main tracks, siding and other appurtenant railroad facilities (hereinafter “RAIL LINE”), situate, lying and being in Campbell County, TN”. In contrast, there is no record of Tennessee Railroad Company transferring any portion of its regulated track, including the Line, to any other entity.

Additional evidence supports RJC Railroad Property’s conclusion that the Line is consistent with its ownership and did not extend beyond Clinchmore, TN. For example, the Line was not constructed immediately following authorization. Immediately following the authorization of the Line, the Tennessee Railroad Company was in financial distress and seeking buyers. A 1921 newspaper article announced the “Chancery Sale of Properties of Tennessee Railroad Company” and provides that whoever purchases the railroad will “assume the contract” the Tennessee Railroad Company entered with the Beech Fork Lumber company relating to construction of the Beech Segment. (June 23, 1921, Journal and Tribune, Knoxville, TN, Apx. B, Ex. 8).

By May of 1929, it appears that some type of valuation maps relating to the Line were prepared by Tennessee Railroad Company as they are referenced in proposed plans submitted by it in 1937. The 1937 plan states it “supersedes plan dated September 5, 1929”. Attached to the 1937 plan are three (3) Val Maps dated May 8, 1929, that are signed by a Valuation Engineer who states the maps are correct depiction of the Beech Fork Branch prepared from records of the

company – as opposed to a physical inspection. The 1929 maps include another less than two miles of right-of-way continuing along Stony Fork in Campbell County, TN – extending beyond the end point identified on the 1973 Val Map and beyond Clinchmore, TN. (1937 Plans from National Archives, Apx. B, Ex. 9).

Other than these 1937/1929 maps, which may or may not reflect built track versus proposed, and cannot be confirmed by a physical inspection, additional historical references support RJC Railroad Property's conclusion that the Line ended at or near Clinchmore, TN consistent with its 1973 Val Maps. For example, official United State Geographical Survey historical topographical maps from 1947 and 1952 show the Line ending at or near Clinchmore, TN. (1947/1952 Topo Maps, Apx. B, Ex. 10). The SPV Railroad Atlas of North America also records the line ending at Clinchmore, TN. (Atlas, Apx. B, Ex. 11). Similarly, the official rail guide from 1943, and a second from 1945, shows service from Beech Fork to Clinchmore, TN and returning to Beech Fork. (Rail Guides, Apx. B, Ex. 12).

In summary, the historical evidence supports the finding that any and all rights and authority granted by the ICC in 1921 to the Tennessee Railroad Company, to the extent in fact exercised by the Tennessee Railroad Company, were transferred to the Tennessee Railway Company in 1973 who subsequently transferred those rights to NC Railroad and eventually RJC Railroad Property in 2011. Accordingly, the only §10901 track to be abandoned is the Line as reflected on the 1973 Val Maps and owned by RJC Railroad Property.

PETITION SHOULD BE GRANTED

A. Abandonment of the Line Should Be Exempted

Granting RJC Railroad Property an exemption to abandon the Line is consistent with 49 U.S.C. § 10502 which directs the Board to grant an exemption if it finds that (1) regulation is not

necessary to carry out rail transportation policy of section 49 U.S.C. § 10101 and (2) the transaction is limited in scope or not need to protect shippers from abuse of market power. The proposed abandonment is both quite limited in that it involves only 3.5 miles of stub-ended line in a single county and zip code and has no impact on shippers as none currently exist and have not existed for a minimum of 12 years. The Line does not physically connect to the interstate railroad system. Assuming it did connect, it does so through the Oneida Line, which as addressed above, has already been found to comply with the criteria for an exempt abandonment.

There is no one that could be the target of any market power abuse by RJC Railroad Property. *See* 49 U.S.C. § 10502(a)(2). Nor is there any overriding public need for rail service in the foreseeable future. This is particularly the case where the right-of-way is adjacent on both sides to a Tennessee Wildlife Management Area which limits development.

Exempting abandonment of the Line is also consistent with rail transportation policy as stated in 49 U.S.C. § 10101, pertinent part:

In regulating the railroad industry, it is the policy of the United States Government—

- (2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;
- (7) to reduce regulatory barriers to entry into and exit from the industry;
- (9) to encourage honest and efficient management of railroads;
- (15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.

Exempting abandonment of this long dormant Line which has been in total disuse and cut-off from the interstate railway system for a minimum of twelve (12) allows the Board to issue an expeditious

decision, reduce regulatory barriers to exit, encourages efficient management of railroads, and provides resolution not just of the abandonment of this Line but also the Oneida Line. Detailed scrutiny under 49 U.S.C. 10903 is not necessary to carry out the rail transportation policy. *See, The Cincinnati, New Orleans and Texas Pacific Railway Company – Abandonment Exemption – In Roane County, TN*, Docket No. AB 290 (Sub-No. 280X) (STB served Feb. 23, 2007).

But for this matter being complicated due to the long disuse of the Line, lack of any stations or mileposts (which existed prior to RJC Railroad Property's purchase of the Line) and the need to address the concerns raised by the Board in the November 17, 2022 Decision issued in Docket No. AB 1296X, the proposed abandonment would meet all requirements for a notice of exemption.¹¹ By filing this Petition, RJC Railroad Property seeks to finally address all issues associated with the Oneida Line abandonment and confirm there is no non-excepted track that will be stranded by its abandonment.

B. Abandonment Should Be Exempt from Financial Assistance and Public Use Procedures

Petitioner requests an exemption from and waivers of the OFA provisions of 49 U.S.C. 10904 and 49 C.F.R. § 1152.27, exemption from and waiver of the public use provisions of 49 U.S.C. § 10905 and 49 C.F.R. § 1152.28; and waiver of the interim trail use provisions 49 C.F.R. § 1152.29. Under the present circumstances, application of the above provisions is not necessary to carry out the rail transportation policy of 49 U.S.C. § 10101. *See Denver & Rio Grande Railway Historical Foundation – Adverse Abandonment – in Mineral County, CO*, Docket No. AB-1014 (STB served October 18, 2007). Granting the requested waivers and exemptions will promote rail

¹¹ To this extent, RJC Railroad Property certifies that no local or overhead traffic has moved over the Line for at least 2 years and that 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 Board or any U.S. District Court or has been decided in favor of the complainant within the 2-year period.

transportation policy by eliminating unnecessary procedures, and thus will expedite regulatory decisions, foster sound economic conditions in transportation, and encourage efficient management of the railroad. 49 U.S.C. § 10101(2), (5) and (9); *Doniphan, Kensett and Searcy Railway – Abandonment Exemption – In Searcy, White County, AR*, Docket No. AB-558X (STB served May 6, 1999).

Here, the OFA process is unnecessary to carry out rail transportation policy. The Line consists of no track and has been dormant since well before 2011. There are no shippers on the Line and has not been used for Board-regulated rail transportation for more than 40 years. There is no public need for rail transportation or realistic prospect for such use in the foreseeable future. In addition, the OFA process creates delay in finalizing this proposed abandonment, but also the Oneida Line abandonment in that abandonment of the Line is necessary to meet the conditions set by the Board to consummate the abandonment of the Oneida Line. Once the Oneida Line is fully abandoned, the Line has no access to the interstate rail system. Any third party wishing to resume rail operations would be required to entirely rebuild the Line as well as address the fact that rail operations are currently physically impossible on the Line due to two (2) county roads in Campbell County, TN that occupy the right-of-way and cut the Line off from the Oneida Line.

An exemption from public use requirements is also appropriate where the long dormant Line is overgrown, encroached upon by local property owners, and not readily accessible for use by the public. Moreover, the Line's right-of-way has already been put to public use. Roads and bridges now cross or occupy the right-of-way. In addition, the Southern Segment's right-of-way is adjacent to a Tennessee Wildlife Management Area. In short, the local county and state officials have already put much of the 3.5 miles of the right-of-way to public use.

Additional Information

RJC Railroad Property provides the following additional information that would be required under 49 C.F.R. § 1152.50(d) and 1152.22 if the abandonment were sought pursuant to the Board's class exemption:

(a)(1) The exact name of the Applicant is R. J. Corman Railroad Property, LLC.

(a)(2) RJC Railroad Property is a non-operating Class III rail carrier.

(a)(3) RJC Railroad Property seeks authority permitting the abandonment of approximately 3.5 miles of the long-dormant segment of rail line that extends from railroad milepost 33 on the Oneida Line in Campbell County, TN, in a southeasterly direction along Beech Fork and Stony Fork, and dead-ends at or about Clinchmore, TN (the "Line"). There are no mileposts or stations on the Line.

(a)(4) A Map of the Line is attached hereto as Appendix A.

(a)(7) The representative of RJC Railroad Property to whom correspondence should be sent is:

Catherine S. Wright
Jackson Kelly PLLC
100 West Main Street, Suite 700
Lexington, Kentucky 40588-2150
(859) 288-2836

(a)(8) The Line traverses through United States Postal Service Zip Code 37714.

(c)(4) RJC Railroad Property does not believe the right-of-way is suitable for trail use or other public purposes as much of the Line is overgrown and parts have already been put to public use as roads by the local county or is part of a Tennessee Wildlife Area. In addition, as stated above, RJC Railroad Property has petitioned for an exemption from 49 U.S.C. §10905, public use conditions.

RJC Railroad Property proposes to consummate the abandonment at the earliest possible date permitted by the Board. The Line does not contain any federally granted rights-of-way. Any documentation in RJC Railroad Property's possession will be made available promptly to those requesting it.

Employee Protection

RJC Railroad Property does not have any employees that will be affected by the proposed abandonment. Nevertheless, RJC Railroad Property acknowledges that its abandonment of the Line will be made subject to the standard employee protective conditions as set forth in *Oregon Short Line Railroad Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

Environmental and Historic Reports

Consistent with 49 C.F.R. § 1105.7(a) and 1105.8(a), a combined Environmental and Historic Report ("CEHR") is attached hereto in Appendix F. More than 20 days prior to this filing, RJC Railroad Property has transmitted a copy of the report to the agencies identified in 49 C.F.R. § 1105.7(b).

Notices

Pursuant to the provisions of 49 C.F.R. § 1152.60(c), RJC Railroad Property has attached as Appendix C, a draft Federal Register notice of its Petition to be published by the Board within 20 days of the Petition's filing with the Board.

The notice as required by 49 C.F.R. § 1105.12 was published. Copies of the notice and proof of publication is attached as Appendix D.

The certificate of service required by 49 C.F.R. § 1152.60(d) is attached as Appendix E.

WHEREFORE, RJC Railroad Property respectfully requests that the Board exempt from the prior approval requirements of 49 U.S.C. § 10903 the abandonment of the Line and for the

Board to make a finding that the conditions established for the abandonment of the Oneida Line set forth in its November 17, 2022 Decision in *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, STB Docket No. AB 1296X, have been met. RJC Railroad Property further requests that the Board exempt it from the offer of financial assistance requirements of 49 U.S.C. § 10904 and public use conditions of 49 U.S.C. § 10905.

Respectfully submitted,

/s/ Catherine S. Wright

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*Attorney for R. J. Corman Railroad Property,
LLC*

Dated: April 21, 2023

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APPENDIX A

MAP





**BEFORE THE
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APPENDIX B

PETITION EXHIBITS

EXHIBIT 1

F.D. 12747
ORDER OF DISMISSAL

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION,
Division 4, held at its office in Washington,
D. C., on the 7th day of March, A. D. 1940.

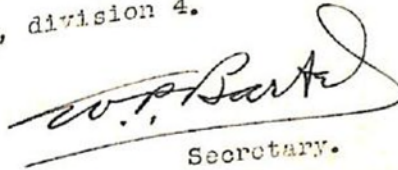
Finance Docket No. 12747

APPLICATION OF TENNESSEE RAILROAD COMPANY FOR
A CERTIFICATE OF PUBLIC CONVENIENCE AND NECES-
SITY AUTHORIZING THE CONSTRUCTION OF A LINE OF
RAILROAD IN CAMPBELL COUNTY, TENNESSEE.

Upon consideration of the record in the above-
entitled proceeding and of the motion of the appli-
cant for dismissal of the application for want of
Jurisdiction:

It is ordered, That the said application be, and
it is hereby, dismissed for want of jurisdiction.

By the Commission, division 4.


Secretary.

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION,
Division 4, held at its office in Washington,
D. C., on the 7th day of March, A. D. 1940.

Finance Docket No. 12747

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Upon consideration of the record in the above-
entitled proceeding and of the motion of the appli-
cant for dismissal of the application for want of
jurisdiction:

It is ordered, That the said application be, and
it is hereby, dismissed for want of jurisdiction.

By the Commission, division 4.

W. P. BARTEL,
Secretary.

(SEAL.)

RJC

BUREAU OF FINANCE

March 11, 1940.

3/13
Finance Docket No. 12747

APPLICATION OF TENNESSEE RAILROAD COMPANY FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AUTHORIZING THE CONSTRUCTION OF A LINE OF RAIL-
ROAD IN CAMPBELL COUNTY, TENNESSEE.

MEMORANDUM TO MR. STRATTON:

Herewith is original and sufficient number of
copies for service of an order in the above-entitled
proceeding, entered by Division 4 on March 7, 1940.

Please have same issued and a copy sent to the
following by regular mail:

Governor of Tennessee,

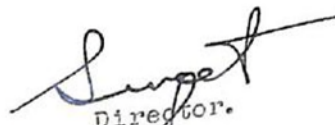
Nashville, Tenn.

Railroad and Public Utilities
Commission,

Nashville, Tenn.

D. R. MacLeod,
Secretary and Treasurer,
Tennessee Railroad Company,

1101 Vermont Ave.,
Washington, D. C.


Director.

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F. D. No. 12747

BG:BW

March 13, 1940

FINANCE DOCKET NO. 12747

APPLICATION OF TENNESSEE RAILROAD COMPANY FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
AUTHORIZING THE CONSTRUCTION OF A LINE OF RAIL-
ROAD IN CAMPBELL COUNTY, TENNESSEE.

- - -

ORDER OF THE COMMISSION ENTERED MARCH 7, 1940

- - -

A copy of the above entitled order sent to the following
by regular mail on March 13, 1940.

The Hon., the Gov.
Nashville, Tenn.

RR. & Pub. Utils. Comm.
Nashville, Tenn.

D. R. MacLeod
Secy. & Treas.
Tennessee RR. Co.
1101 Vermont Ave.
Wash., D.C.

P. D. No. 12747

EG:BW

March 13, 1940

FINANCE DOCKET NO. 12747

APPLICATION OF TENNESSEE RAILROAD COMPANY FOR A
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AUTHORIZING THE CONSTRUCTION OF A LINE OF RAIL-
ROAD IN CAMPBELL COUNTY, TENNESSEE.

ORDER OF THE COMMISSION ENTERED MARCH 7, 1940

The undersigned agent hereby acknowledges receipt of a copy
of the above entitled order on March 13, 1940.

NO.

CARRIER AND AGENT

RECEIPT BY AUTHORIZED AGENT

Tennessee RR. Co.
American Short Line RR. Assn.

8389

American Short Line
R.R. Assn.

EXHIBIT 2

EXHIBIT 3

BEFORE THE SURFACE
TRANSPORTATION BOARD

AFFIDAVIT OF ERIC WEST

I, Eric West, make the following statement, freely and voluntarily, based on personal knowledge:

1. I am over the age of 18 and the Operations Manager for R. J. Corman Railroad Company, LLC. I have worked with R. J. Corman Railroad Company, LLC and its affiliated companies since 2004.

2. R. J. Corman Railroad Property, LLC ("RJC Railroad Property") purchased the Oneida Line (the "Line"), which is the subject of the abandonment proceeding, *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell, and Anderson Counties, Tennessee*, Docket No. AB-1296X, in 2011. Shortly after the purchase, I was involved in work on the Line.

3. I live in Oneida, TN and am familiar with the Line, including the Beech Fork Branch ("Branch") in Campbell and Scott Counties, TN that at one time existed near Stoneybrook, TN.

4. The photographs that are attached as Exhibits to this Affidavit were taken by me. All were taken in June of 2021, except for Exhibits 5 and 6, which were taken by me in January of 2023.

5. The Beech Fork Branch's right-of-way leaves the Oneida Line at approximately milepost 33. The right-of-way has been cut-off by the New River Road in Campbell County, TN. See Exhibit 1 to this Affidavit. Beyond that, an approximately one-mile gravel road maintained by the county known as the Carrell-Adkins Cemetery Road, has been built over the Branch's right-of-way. See Exhibit 2 to this Affidavit.

6. From the Oneida Line, the Branch's former right of way extends approximately three miles along the Beech Fork. There is no remaining track along that section of the Branch and no structures, such as bridges.

7. About two miles in from the Oneida Line, there is a large dirt area. See Exhibit 3 to this Affidavit. In 2011, there was no track in that area, but I understand this area is where there was a junction in the Branch. At that junction, there was a section of track that traveled toward a coal tipple at Carbon Hill. A bridge associated with that spur toward Carbon Hill is seen at the

8. In that junction area, which is before the Clinchmore Road, there was a right-of-way and track that ran in a southeasterly direction along Stoney Fork River toward Clinchmore, Tennessee. It is my understanding that this track was destroyed by flood in the 1960s and was never rebuilt. The track did not exist and the right-of-way entirely overgrown when I was in the area in 2011.

9. Currently, the right-of-way for line that went toward Clinchmore is entirely overgrown and not discernable in any meaningful way, except that I did locate what remains of a bridge near a church in Clinchmore, which is shown in Exhibits 5 and 6 to Affidavit. I am not aware of any additional structures, such as bridges, that remain on the right-of-way.

I have reviewed this affidavit, which consists of 9 paragraphs, and hereby solemnly swear that it is true and complete to the best of my knowledge and belief.



Eric West

STATE OF TENNESSEE)

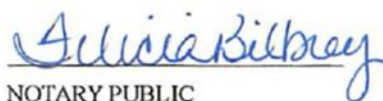
)

)

COUNTY OF SCOTT)

Subscribed and acknowledged before me by Eric West on this 20th day of January 2023.

My Commission Expires: 10/01/2024



NOTARY PUBLIC



EXHIBIT 1

to Affidavit



EXHIBIT 2

to Affidavit

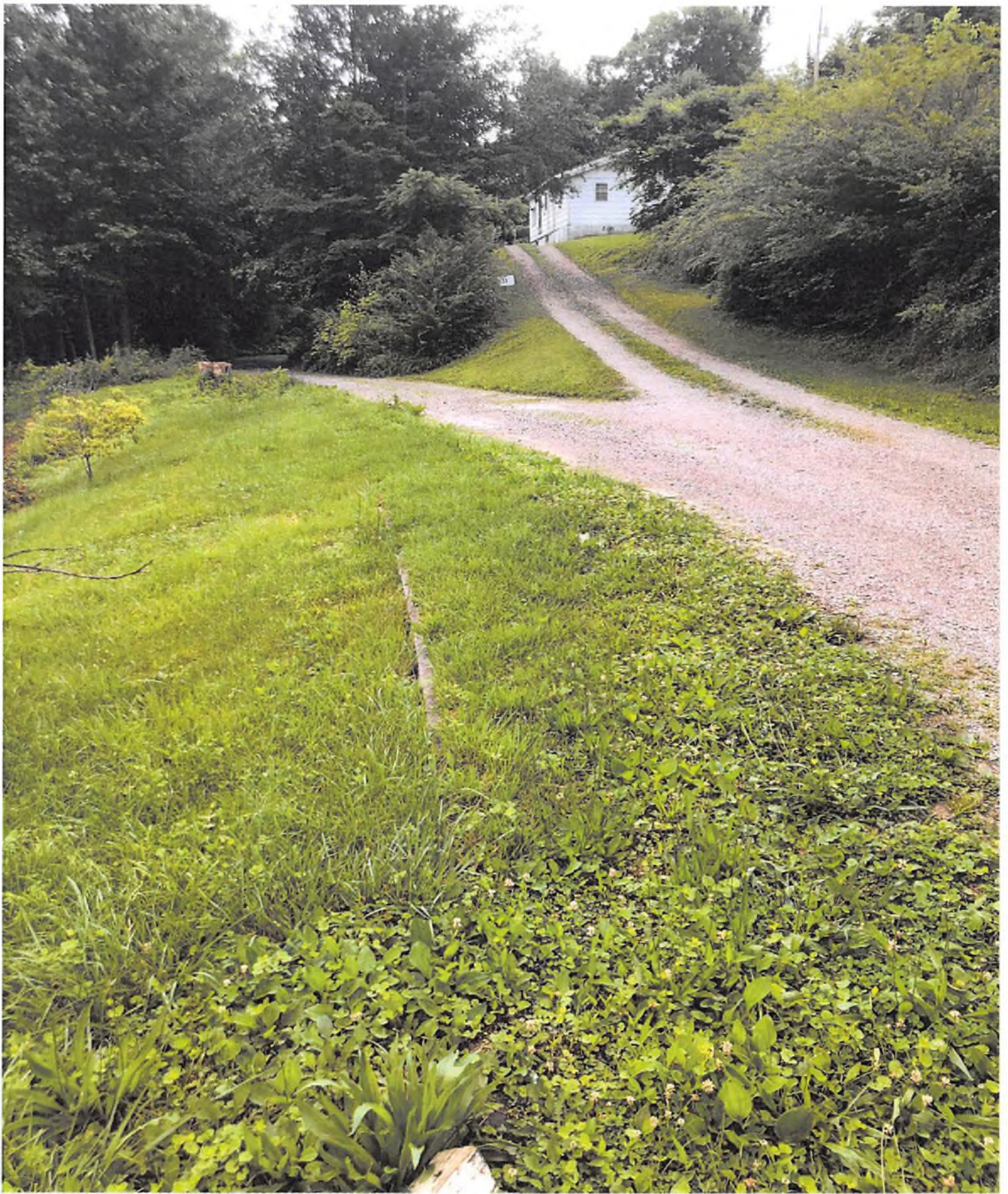




EXHIBIT 3

to Affidavit



EXHIBIT 4

to Affidavit

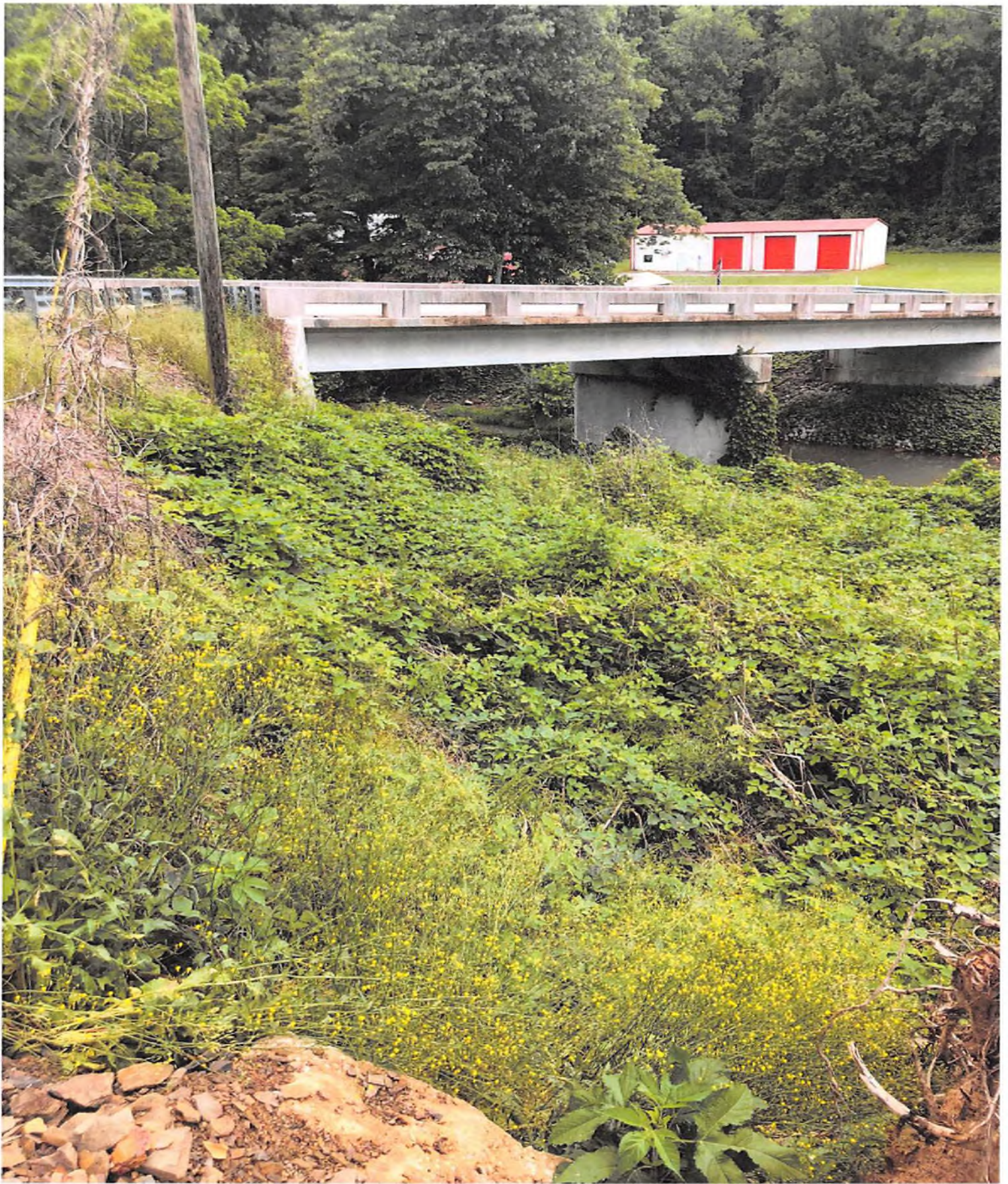


EXHIBIT 5

to Affidavit



EXHIBIT 6

to Affidavit



EXHIBIT 4

Road	Location	Length (MI)	ROW	Roadbed	Surf Type	Surf Width
Captain Brown Lane	Flat Hollow Road	1.00			ASP	20
Capuchin Road	Whistle Creek Road	1.80			GRV	
Card Lane	Twin Cove/Hill Crest	0.25			ASP	
Carr View Lane	Flat Hollow Road	0.50		24	ASP	
Carr Wynn Road	Middlesboro Road	1.44	40		ASP	
Carroll-Adkins Cemetery Road	Stoney Fork/Beechfork	2.00			GRV	
Carter Lynch Lane	Cross Valley Road	0.19	40	14	GRV	
Cave Springs Road	Pleasant Ridge Road	0.88			ASP	
Cedar Circle	McDeerman Road	0.57	60	24	ASP	
Cedar Creek Road	Long Hollow	3.70		24	ASP	
Cedar Lane	Race Track Hollow Road	0.40			GRV	
Cemetery Lane	Stoney Fork Road				GRV	
Cemetery Road	City of Caryville	0.34			CMX	
Chadwell Hollow Lane	White Oak Road	0.74			GRV	
Chambers Road	River Road	1.47			ASP	
Chapel Drive	Carr Wynn Road	0.07			ASP	
Chapel Heights Lane	Chapel View Drive	0.45			ASP	
Chapel View Drive	Carr Wynn Road	0.17			ASP	
Chapman Crest Drive	Farris Circle	0.10			ASP	
Chapman Lane	Landfill Road	0.48			ASP	18
Chapman Village Lane	Lynch Hollow	0.70			T&C	
Chase Lane	Hatmaker Ridge	0.10			ASP	18
Cherokee Lane	Indian River	0.24	24	ASP	20	
Cherokee Trail	Indian River Boat Dock	0.25			ASP	
Cherry Bottom Road	Hwy. 110	2.00			ASP	
Cherry Lane	Dogwood Lane	0.35	20	ASP		

Monday, August 30, 2021

Page 5

EXHIBIT 5

Summary of Floods in the United States During 1965

By J. O. ROSTVEDT and others

FLOODS OF 1965 IN THE UNITED STATES

GEOLOGICAL SURVEY WATER-SUPPLY PAPER 1850-E

*Prepared in cooperation with
Federal, State, and local agencies*



UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON : 1970

UNITED STATES DEPARTMENT OF THE INTERIOR

WALTER J. HICKEL, *Secretary*

GEOLOGICAL SURVEY

William T. Pecora, *Director*

**For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price 60 cents (paper cover)**

CONTENTS

	Page
Abstract.....	E1
Introduction.....	2
Determination of flood stages and discharges.....	4
Explanation of data.....	5
Summary of floods.....	6
January and February in Hawaii, after Stuart H. Hoffard (1965)....	6
February and May in eastern Texas, by Leo G. Stearns.....	14
March 26 in Sevier County, Tenn., by William J. Randolph.....	15
March 29-31 in western Kentucky, by C. H. Hannum.....	17
March-May in the upper Mississippi River basin.....	20
April in the Little Sioux River basin, Iowa, after Harlan H. Schwol (1966).....	21
April-May in northwestern Minnesota, by D. W. Ericson.....	23
May 14-15 in the northern Black Hills, S. Dak., by R. E. West.....	28
May 22 in southeastern Nebraska, by H. D. Brice.....	31
May 30-31 in the vicinity of Carlsbad, N. Mex., after Ralph W. Clement (1967).....	34
May and June in Wyoming, by Stanley A. Druse and Kenneth B. Rennick.....	39
June in Nebraska, by H. D. Brice.....	49
June-August in Utah, by Elmer Butler.....	53
June 11 in Sanderson Canyon, Tex., by Leo G. Stearns.....	59
June 15 in the Yellowstone River basin near Glendive, Mont., by Melvin V. Johnson.....	61
June in the South Platte River basin, Colorado.....	62
June in Arkansas River basin, Colorado, Kansas, and New Mexico..	63
June 17-18 in the Rio Hondo valley, southeastern New Mexico. after Arden D. Haeffner (1967).....	65
July in Nebraska, by H. D. Brice.....	68
July 18-23 in northwestern Missouri, by James E. Bowie.....	71
July 23 in the vicinity of Hillsboro, Ohio, after William P. Cross (1966).....	81
July 24 in southeastern Kentucky, by C. H. Hannum.....	84
July 24 in the vicinity of Clinchmore, Tenn., by William J. Randolph..	86
July 26 near Echo, Oreg., by D. D. Harris.....	88
August 22 in the Yellowstone River basin near Greycliff, Mont., by Melvin V. Johnson.....	90
September 1 in north-central Kentucky, by C. H. Hannum.....	91
September 30-October 3 in southwestern Alabama, by J. F. McCain..	93
October 17 in the Cimarron River basin, Oklahoma, by L. L. Laine..	99
November and December in southern California.....	100
November and December in Arizona and New Mexico, by B. N. Aldridge.....	102
Selected references.....	104
Index.....	107

ILLUSTRATIONS

	Page
FIGURE 1. Map showing areas and months of flood occurrence in 1965.....	E3
2-4. Maps of flood areas:	
2. January 5-9 in Kauai, Hawaii.....	7
3. January and February in Maui, Hawaii.....	8
4. February in Oahu, Hawaii.....	10
5. Discharge hydrograph of Makawao Stream near Kailua, Oahu, Hawaii, February 4.....	11
6-14. Maps of flood areas:	
6. February in Molokai, Hawaii.....	13
7. February and May in eastern Texas.....	15
8. March 26 in Sevier County, Tenn.....	16
9. March 29-31 in western Kentucky.....	18
10. March-May in the upper Mississippi River basin.....	20
11. April in the Little Sioux River basin, Iowa.....	22
12. April-May in northwestern Minnesota.....	24
13. May 14-15 in the northern Black Hills, S. Dak..	29
14. May 22 in southeastern Nebraska.....	31
15. Graph of accumulated rainfall, May 21-22 at Weeping Water, Nebr.....	32
16. Map of flood area, May 30-31 in the vicinity of Carlsbad, N. Mex.....	35
17. Discharge hydrograph, May 30-31 for the Pecos River in the Carlsbad, N. Mex., area.....	38
18. Map of flood area, May and June in east-central Wyoming.....	41
19. Discharge hydrographs, May 13-16 in east-central Wyoming.....	42
20-33. Maps of flood areas:	
20. June in southwestern Wyoming.....	44
21. June in southeastern Wyoming.....	46
22. June in north-central Wyoming.....	47
23. June in Nebraska.....	50
24. June-August in Utah.....	54
25. June 11 in Sanderson Canyon, Tex.....	60
26. June 15 near Glendive, Mont.....	61
27. June in the South Platte River basin, Colorado..	63
28. June in the Arkansas River basin, Colorado, Kansas, and New Mexico.....	64
29. June 17-18 in the Rio Hondo Valley, N. Mex ..	66
30. July 3 in the south-central Nebraska.....	68
31. July 3 and 5 in southwestern Nebraska.....	70
32. July 19 in southeastern Nebraska.....	71
33. July 18-23 in northwestern Missouri.....	72
34. Map of precipitation amounts, July 17-20 in northwestern Missouri.....	73

	Page
FIGURE	
35. Graph of accumulated rainfall, July 17-20 in northwestern Missouri.....	E74
36. Discharge hydrographs, July 18-23 in northwestern Missouri.....	77
37. Map of flood area, July 23 in the vicinity of Hillsboro, Ohio.....	82
38. Graph of accumulated rainfall, July 23 near Hillsboro, Ohio.....	83
39-41. Maps of flood areas:	
39. July 24 in southeastern Kentucky.....	85
40. July 24 in the vicinity of Clinchmore, Tenn.....	87
41. July 26 near Echo, Oreg.....	89
42. Relation of peak discharge to 25- and 50-year floods, July 26 near Echo, Oreg.....	90
43-45. Maps of flood areas:	
43. August 22 near Greycliff, Mont.....	91
44. September 1 in north-central Kentucky.....	92
45. September 30-October 3 in southwestern Alabama.....	94
46. Graph of accumulated rainfall, September 29-30 at Montlimar Creek at Mobile, Ala.....	95
47. Relation of rainfall intensity, duration, and frequency at Mobile, Ala.....	96
48. Discharge hydrographs, September 30 on Montlimar Creek at Mobile, Alabama.....	97
49. Map of flood area, October 17 in the Cimarron River basin, Oklahoma.....	99
50. Graph of accumulated precipitation and stage hydrographs, Cimarron River basin, Oklahoma.....	100
51. Map of flood area, November and December in southern California.....	101
52. Map of flood area, November and December in Arizona and New Mexico.....	102

TABLES

	Page
TABLES	
1-10. Flood stages and discharges:	
1. January, in Kauai, Hawaii.....	E7
2. January, in Maui, Hawaii.....	9
3. February, in Maui, Hawaii.....	9
4. February, in Oahu, Hawaii.....	11
5. January, in Molokai, Hawaii.....	14
6. March 26, in Sevier County, Tenn.....	17
7. March 29-31, in western Kentucky.....	19
8. April, in the Little Sioux River basin, Iowa.....	23
9. April-May, in northwestern Minnesota.....	25
10. May 14-15, in the northern Black Hills, S. Dak.....	30
11. Daily precipitation, May 21-23, in southeastern Nebraska.....	33

	Page
TABLES 12-19. Flood stages and discharges:	
12. May 22, in southeastern Nebraska.....	E34
13. May 30-31, in the Carlsbad, N. Mex., area.....	36
14. May, in east-central Wyoming.....	43
15. June, in southwestern Wyoming.....	45
16. June, in southeastern Wyoming.....	46
17. June, in east-central Wyoming.....	48
18. June, in north-central Wyoming.....	48
19. June, in Nebraska.....	49
20. Daily precipitation, June 26-30, in southeastern Nebraska.....	53
21-23. Flood stages and discharges:	
21. June-August, in Utah.....	55
22. June 17-18, in the Rio Hondo valley, southeastern New Mexico.....	67
23. July, in Nebraska.....	69
24-26. Summaries of flood damages, July, in northwestern Missouri:	
24. Urban property units.....	75
25. Urban damage.....	75
26. Rural damage.....	76
27-32. Flood stages and discharges:	
27. July 18-23, in northwestern Missouri.....	78
28. July 23, in the vicinity of Hillsboro, Ohio.....	83
29. July 24, in southeastern Kentucky.....	86
30. July 24, in the vicinity of Clinchmore, Tenn.....	88
31. August 22, near Greycliff, Mont.....	91
32. September 1, in north-central Kentucky.....	93
33. Rainfall duration-intensity-frequency data, September 29-30, at Montlimar Creek, Mobile, Ala.....	95
34. Flood stages and discharges, September 30-October 3, in southwestern Alabama.....	98

TABLE 29.—*Flood stages and discharges in the Cumberland River basin, July 24, in southeastern Kentucky*

No.	Stream and place of determination	Drainage area (sq mi)	Maximum floods					Discharge	
			Known before July 1965		July 1965	Gage height (feet)	Cfs	Reurrence interval (years)	
			Period	Year					
1	Bennetts Fork at bridge on State Highway 74 at Middlesboro.	13.5			24	97.89	3,300	(1)	
2	Yellow Creek bypass at Middlesboro.	35.3	1941-65	1951		4.72	6,580		
3	Yellow Creek near Middlesboro.	58.2	1929, 1939-65.	1946		20.92	6,160		
4	Cumberland River near Pineville.	809	1929, 1938-65.	1957		49.31	11,400	50	
					24	28.54	57,900	<2	

¹ Unknown.² Ratio to 50-year flood.

Railroad structures and highways were damaged along Bennetts Fork and Straight Creek, and some dwellings were damaged or destroyed. There was no loss of life.

FLOODS OF JULY 24 IN THE VICINITY OF CLINCHMORE, TENN.

By WILLIAM J. RANDOLPH

An intense rainstorm occurred over a section of the rugged slopes of the Cumberland Mountains at the Anderson-Campbell County line (fig. 40) in the early morning of July 24. The most intense part of the storm covered about 25 sq mi along the divide between the Cumberland and the Tennessee River basins about 6 miles southwest of Lake City, and the maximum rainfall in this area occurred on the divide. There were no rain gages within the area of the greatest rainfall intensity; however, a bucket survey made by the Tennessee Valley Authority indicated rainfall amounts in excess of 12 inches, most of which fell within the 3-hour period from 0130 to 0430 hours on July 24. This is three times the amount of the 100-year 3-hour rainfall for this area (U.S. Weather Bureau, 1961). Rainfall gages about 15 miles north and northeast of the storm center recorded 4-5 inches.

The streams in the storm area are relatively small headwater streams having steep slopes. Hardest hit were Stony Fork and Graves Gap Branch on the western side of the divide. From information obtained by the TVA from local residents, peak stages occurred abruptly, the rate of rise on Stony Fork above Clinchmore (sta. 4) being about 10 feet in 15 minutes. The peak had moved from the headwater to the mouth by about 0430 hours.

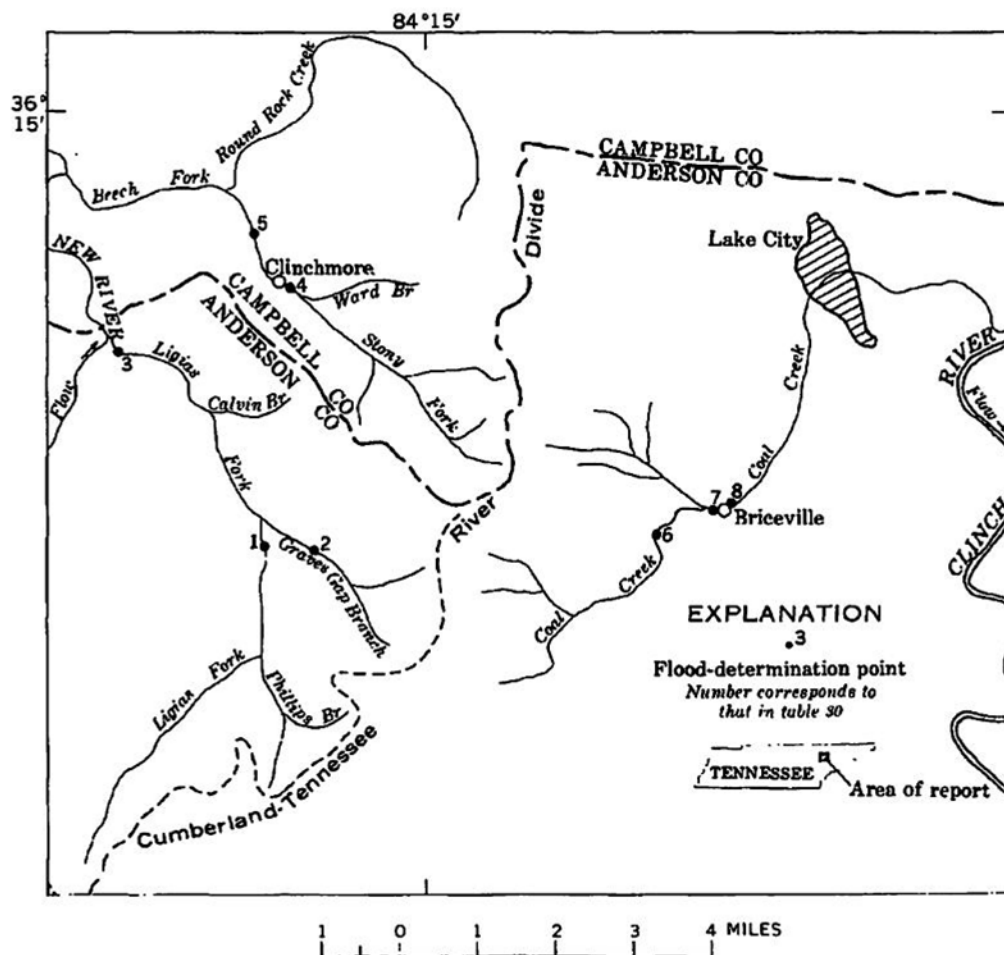


FIGURE 40.—Location of flood-determination points, floods of July 24 in the vicinity of Clinchmore, Tenn.

There are no stream-gaging stations in the area of heaviest runoff. Eight indirect measurements of peak discharge were made at miscellaneous sites by the Geological Survey and by the TVA (table 30). The sites at which peak discharges were determined are shown in figure 40. The most outstanding flood (1,940 cfs per sq mi from an area of 6.34 sq mi) occurred on Stony Fork above Clinchmore.

Damage from the flood was limited by the sparse settlement in this rugged country. However, almost everything in the narrow valleys was damaged. Several bridges were washed away, roads were damaged by washouts or deposition of debris, and several automobiles were demolished. Five persons drowned near Clinchmore when their house and several others were washed away. Several other houses were washed off their foundations or otherwise damaged. The railroad and the county road which paralleled Stony Fork up to Clinchmore were

TABLE 30.—*Flood stages and discharges, July 24, in the vicinity of Clinchmore, Tenn.*

No.	Stream and place of determination	Drainage area (sq mi)	Maximum discharge	
			Cfs	Cfs per sq mi
Cumberland River basin				
1	Ligas Fork above Graves Gap Branch...	8.99	3,430	382
2	Graves Gap Branch near mouth.....	3.16	3,890	1,230
3	Ligas Fork near mouth.....	20.4	9,750	478
4	Stony Fork above Clinchmore.....	6.34	12,300	1,940
5	Stony Fork below Clinchmore.....	7.67	13,500	1,760
Tennessee River basin				
6	Coal Creek above Briceville.....	5.36	2,000	373
7	Statestone Hollow Branch near mouth....	3.66	500	137
8	Coal Creek at Briceville.....	10.2	2,500	243

completely destroyed. Tremendous amounts of rock, uprooted trees, and other debris were washed down the sides of the mountains and deposited in the streams and narrow valleys.

This flood is described in more detail by the Tennessee Valley Authority (1965).

FLOOD OF JULY 26 NEAR ECHO, OREG.

By D. D. HARRIS

A severe cloudburst on July 26 caused flash floods in a small area in western Umatilla County, Oreg., southeast of the town of Echo (fig. 41). The storm was centered over an area south of the Umatilla River near Nolin and extended into the upper Butter Creek basin. The resultant flash flood demolished a house at the mouth of Speare Canyon and swept away its six occupants. One person was drowned, and the others were injured. Flooding in Lane Canyon destroyed a Union Pacific Railroad bridge near the canyon mouth. Heavy erosion occurred throughout the cloudburst area. Considerable amounts of hay and wheat were flattened, washed away, or buried under layers of silt, rock, and other debris.

Local residents stated that most of the rain fell in about half an hour and was accompanied by much hail. The storm was most severe in the upper parts of the watersheds which are uninhabited; therefore, no measurements of precipitation intensities were made in these areas.

Extremely high peak discharges of the July 26 flood were measured by indirect methods at two sites: 28,500 cfs (5,650 cfs per sq mi from 5.04 sq mi) near the mouth of Lane Canyon and 14,600 cfs (635 cfs per sq mi from 23.0 sq mi) near the mouth of Speare Canyon. The degree of gully erosion indicated that the entire Lane Canyon drainage

EXHIBIT 6

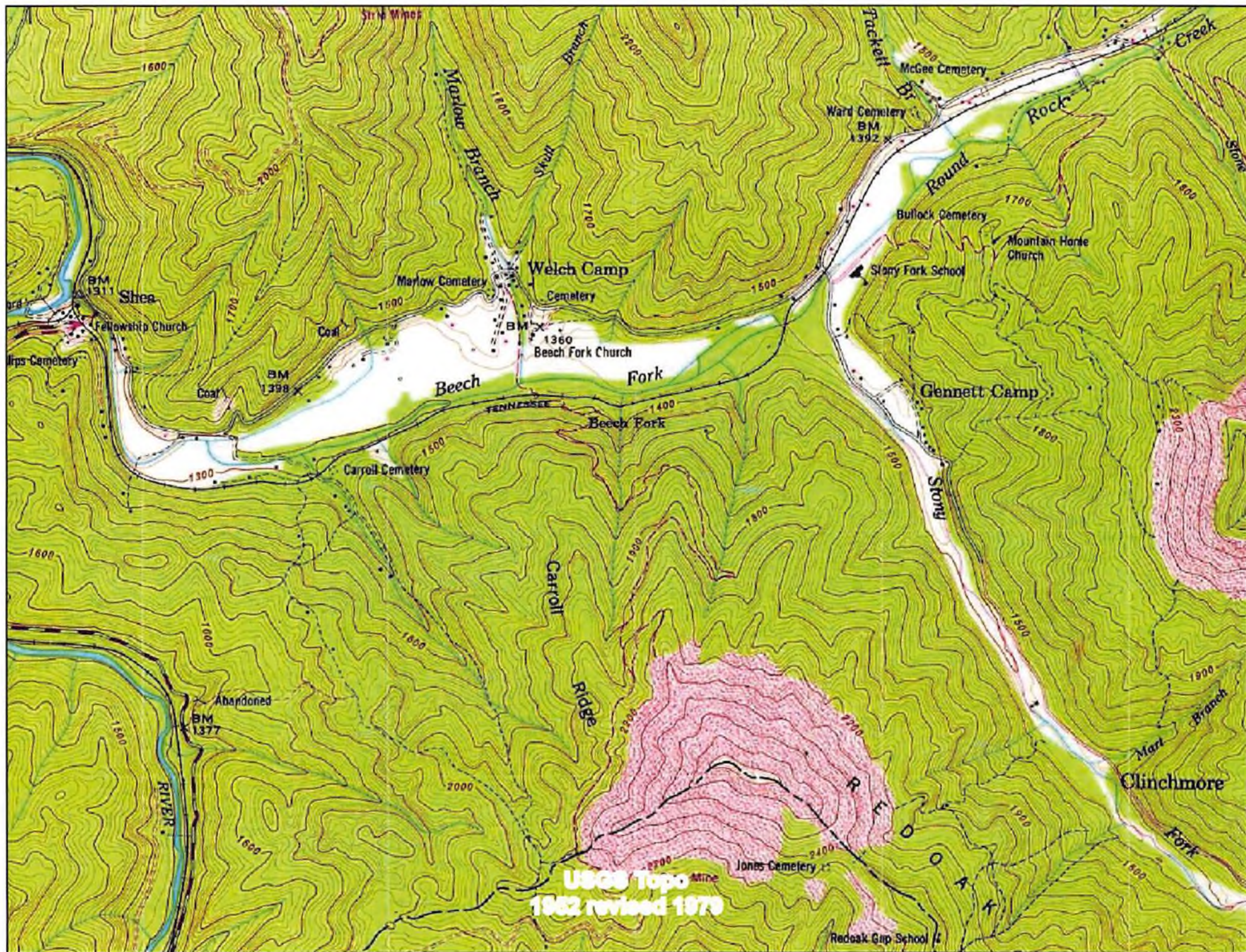
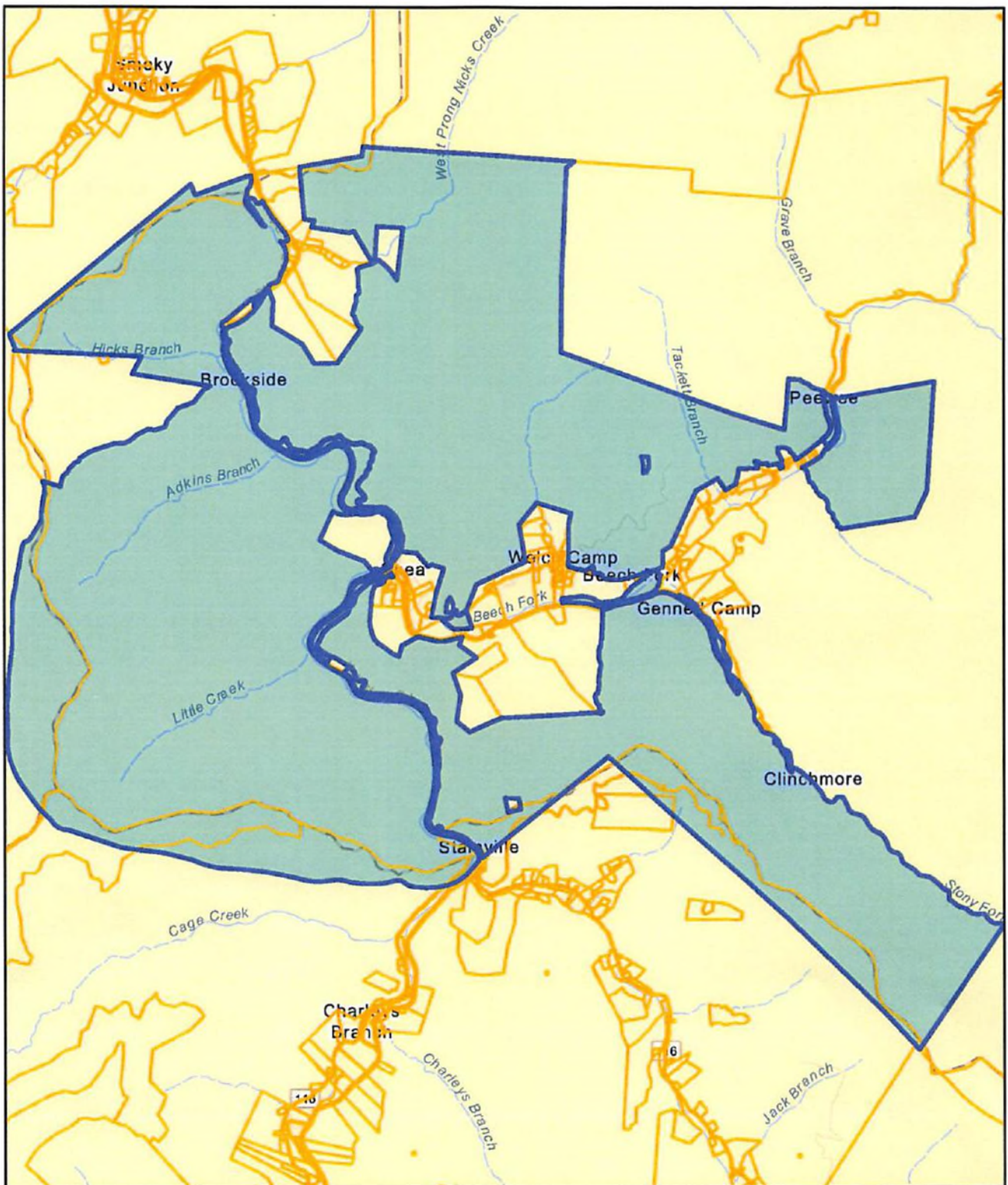


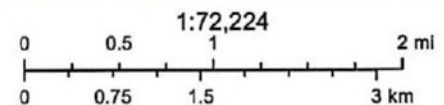
EXHIBIT 7

Campbell County - Parcel: 139 006.00



Date: February 21, 2023

County: Campbell
Owner: TENNESSEE STATE OF
Address: STONEY FORK RD
Parcel Number: 139 006.00
Deeded Acreage: 0
Calculated Acreage: 12283
Date of TDOT Imagery: 2019
Date of Vexcel Imagery: 2021



Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

EXHIBIT 8

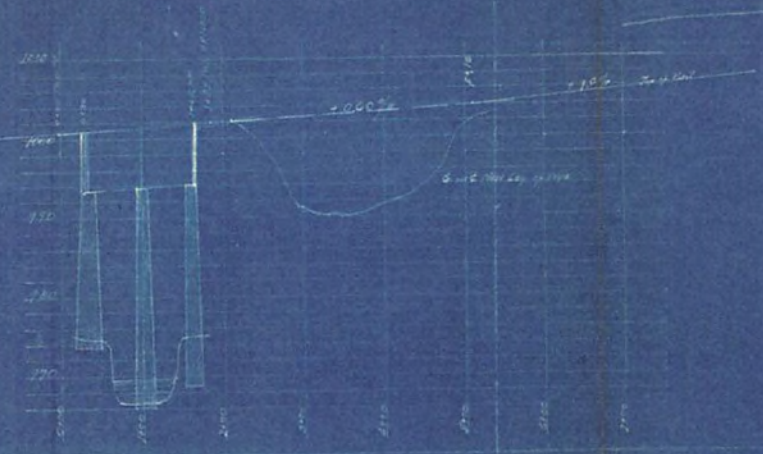
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EXHIBIT 9

NOTE: THE AREA SURROUNDING THE RAILROAD TRACKS
SHOWN ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE.

NOTE: THE AREA SURROUNDING THE RAILROAD TRACKS
SHOWN ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE.

NOTE: THE AREA SURROUNDING THE RAILROAD TRACKS
SHOWN ON THIS MAP IS NOT TO BE USED FOR ANY OTHER PURPOSE.



10
8700

10A
Beach Fork Br. Mot. B.F. 1

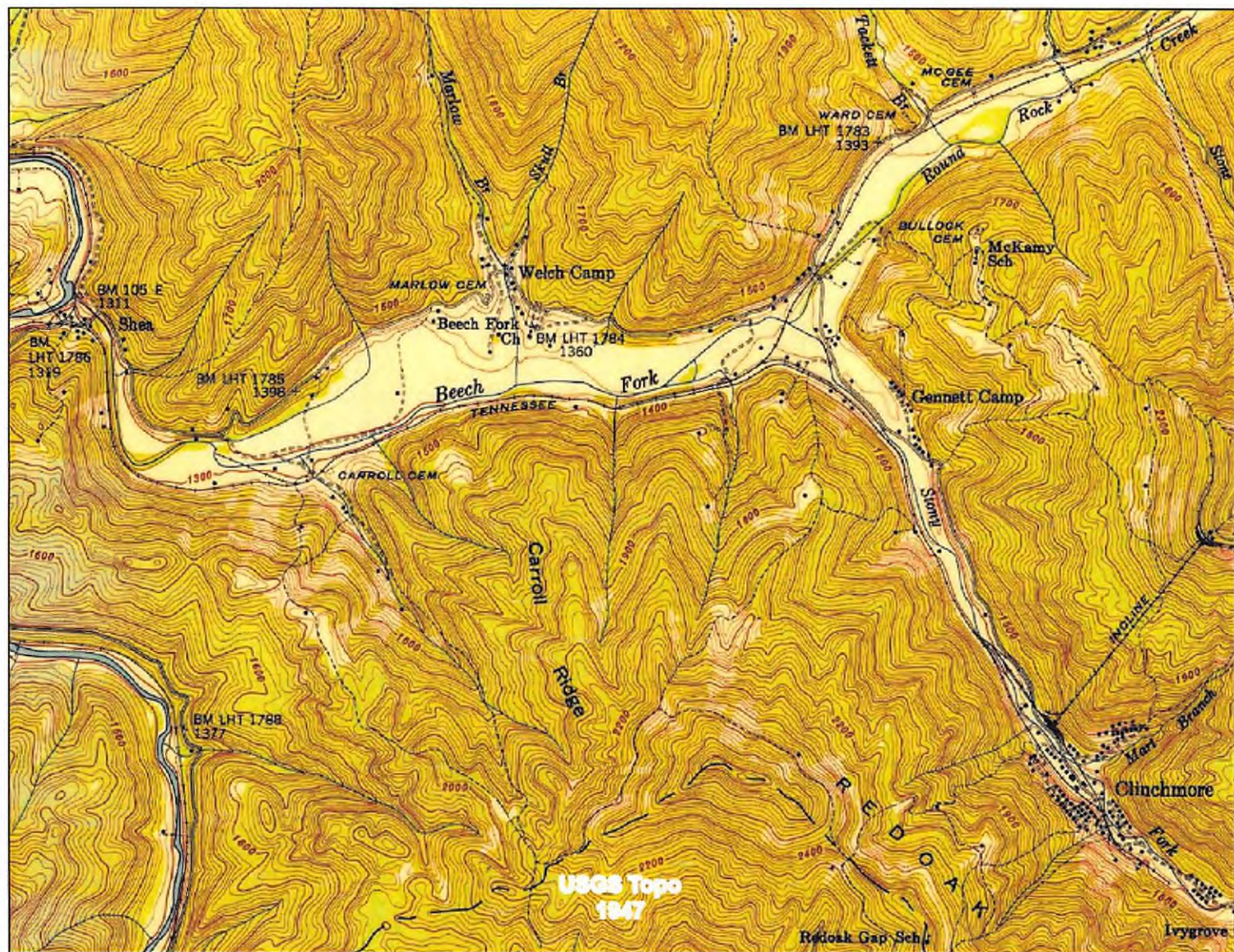
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THE TENNESSEE RAILROAD CO.
BEACH FORK, TENN.
CARTER COUNTY, TENN.
SCALE FOR THE 100' PER 1" = 100'
DEC. 22, 1937

CAMPBELL, HARRISON
JAMES H. HARRISON
NORVILLE, TENN.

FILE 12-15

EXHIBIT 10



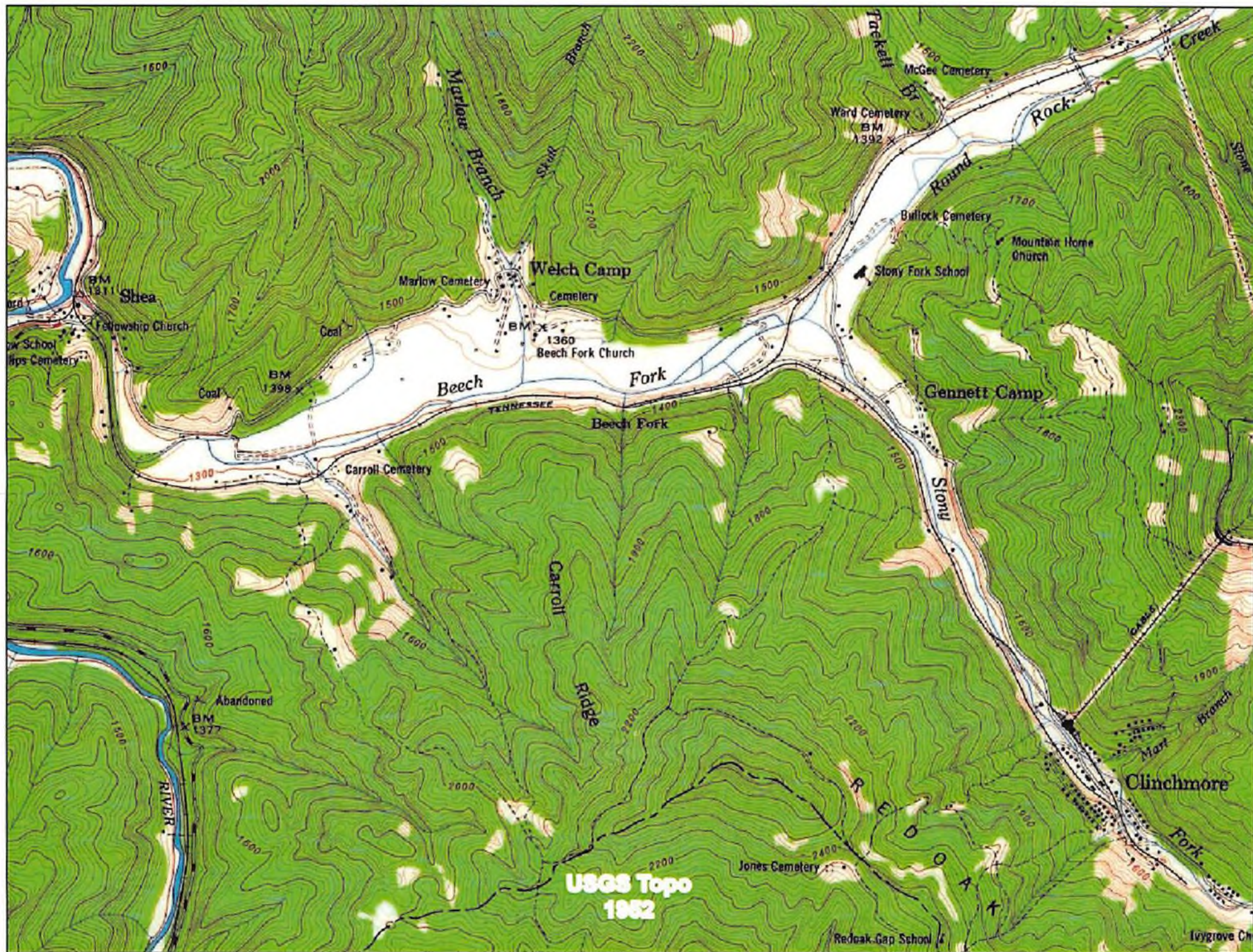


EXHIBIT 11

APPALACHIA AND PIEDMONT

SPV's

COMPREHENSIVE

RAILROAD ATLAS

OF NORTH AMERICA

FULLY INDEXED



APPALACHIA AND PIEDMONT

MIKE WALKER

SPV's
COMPREHENSIVE
RAILROAD ATLAS
OF NORTH AMERICA
APPALACHIA & PIEDMONT

MIKE WALKER



Published in England by
Stuart Andrews
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EXHIBIT 12

Official Rail Guide, 1921

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FRANKLIN & ABBEVILLE RAILWAY COMPANY.

FRANK B. WILLIAMS, President,
1401 Whitney Bank Building,
New Orleans, La.
C. D. KEMPER, Vice-President and
General Manager, Franklin, La.
C. S. WILKINS, Treasurer,
1401 Whitney Bank Building,
New Orleans, La.
R. C. MILLARD, Secretary,
915-920 Whitney Central Bldg.,
New Orleans, La.
A. G. LORRELL, Traffic Manager
and Freight Claim Agent,
Franklin, La.
G. M. FINCHER,
Assistant Superintendent,
Leves, La.; P. O. Farmerdale, La.
W. Y. KEMPER, Chief Engineer,
Franklin, La.
J. D. FRIZZELL, Auditor,
Franklin, La.



No. 1	No. 2	No. 3	No. 4	No. 5	No. 6
Franklin, La.	Franklin, La.	Franklin, La.	Franklin, La.	Franklin, La.	Franklin, La.
Abbeville, La.	Abbeville, La.	Abbeville, La.	Abbeville, La.	Abbeville, La.	Abbeville, La.
New Iberia, La.	New Iberia, La.	New Iberia, La.	New Iberia, La.	New Iberia, La.	New Iberia, La.
Bayou Lafourche, La.	Bayou Lafourche, La.	Bayou Lafourche, La.	Bayou Lafourche, La.	Bayou Lafourche, La.	Bayou Lafourche, La.
Gulf of Mexico	Gulf of Mexico	Gulf of Mexico	Gulf of Mexico	Gulf of Mexico	Gulf of Mexico

THE EAST ST. LOUIS JUNCTION RAILROAD

Formerly
The St. Louis-East St. Louis National Stock Yards Railroad.
General Office—National Stock Yards, Ill.
NELSON MOHRIS, President.
E. F. BIEBER, Vice-President.
OPERATING DEPARTMENT.
C. T. JONES, General Manager.
J. H. MOHRIS, Superintendent Terminals.
TRAFFIC DEPARTMENT.
H. L. WYATT, Traffic Manager.
H. D. TIMMERMAN, Assistant Traffic Manager.
Mileage, 36. Locomotives, 14.

Direct Connections:—With Wabash R.R., Chicago, Peoria & St. Louis R.R., Illinois Central R.R., Toledo, St. Louis & Western R.R., Southern R.R., Pennsylvania R.R. and with all other St. Louis and East St. Louis roads through the V. & C. Belt Line and the Terminal R.R. Association of St. Louis.
January, 1901.
Excellent industrial and manufacturing locations on the tracks of this company.

OHIO & KENTUCKY RAILWAY.

T. F. VANDERL, President, 15 William Street, New York.
M. L. COMSTOCK, General Manager, Cincinnati, Ky.
G. W. LEWIS, General Passenger Agent.

No. 1	No. 2	No. 3	No. 4	No. 5	No. 6
Cincinnati, Ohio	Cincinnati, Ohio	Cincinnati, Ohio	Cincinnati, Ohio	Cincinnati, Ohio	Cincinnati, Ohio
Dayton, Ohio	Dayton, Ohio	Dayton, Ohio	Dayton, Ohio	Dayton, Ohio	Dayton, Ohio
Springfield, Ohio	Springfield, Ohio	Springfield, Ohio	Springfield, Ohio	Springfield, Ohio	Springfield, Ohio
Paris, Ky.	Paris, Ky.	Paris, Ky.	Paris, Ky.	Paris, Ky.	Paris, Ky.
Franklin, Ky.	Franklin, Ky.	Franklin, Ky.	Franklin, Ky.	Franklin, Ky.	Franklin, Ky.

TENNESSEE RAILROAD COMPANY.

W. S. SHELTON, President, Knoxville, Tenn.
J. N. BARNES, Vice-President, in charge of operation, Harrison, Tenn.
C. N. BARNES, General Manager, Onida, Tenn.
J. A. POWERS, Sec'y and Treas., Knoxville, Tenn.
J. C. MURPHY, Roadmaster, Normal, Tenn.
J. L. ASHLEY, Auditor and Traffic Manager, Onida, Tenn.
R. S. BARNES, Freight Claim Agt., Onida, Tenn.
L. G. ASHLEY, Cor. Agt., Onida, Tenn.
CHAS. H. DAVIS, Local General.

No. 1	No. 2	No. 3	No. 4	No. 5	No. 6
Knoxville, Tenn.	Knoxville, Tenn.	Knoxville, Tenn.	Knoxville, Tenn.	Knoxville, Tenn.	Knoxville, Tenn.
Onida, Tenn.	Onida, Tenn.	Onida, Tenn.	Onida, Tenn.	Onida, Tenn.	Onida, Tenn.
Normal, Tenn.	Normal, Tenn.	Normal, Tenn.	Normal, Tenn.	Normal, Tenn.	Normal, Tenn.
Harrison, Tenn.	Harrison, Tenn.	Harrison, Tenn.	Harrison, Tenn.	Harrison, Tenn.	Harrison, Tenn.
Dayton, Tenn.	Dayton, Tenn.	Dayton, Tenn.	Dayton, Tenn.	Dayton, Tenn.	Dayton, Tenn.

LUTKIN, HEMPHILL & GULF RAILWAY.

T. C. CANNON, Auditor and Traffic Manager, Hempfil, Tex.
Train leaves Hempfil 10 p.m., East Mayfield 10:45 a.m., arriving Bronson 11 a.m.; 10:45 a.m. returning, leaves Bronson 11:00 a.m., arrives East Mayfield 12:55 p.m., Hempfil 1:05 p.m.
January, 1901.
Daily, except Sunday.
Central time.
Connection:—With Gulf, Colorado & Santa Fe R.R.

BIG SANDY & CUMBERLAND RAILROAD.

W. L. WEAVER, Traffic Manager, Columbus, Ohio.
Train leaves Dayton 12:30 p.m., arrives Grandy 12:50 p.m., 12:20 p.m. returning, leaves Grandy 11:02 a.m., arrives Dayton 5:00 p.m.
Daily, except Sunday.
January, 1901.
Connection:—With Norfolk and Western R.R.
Eastern time.

Entered as second class matter January 3, 1880, at the Post Office, at New York, under the Act of March 3, 1879.

PUBLISHED MONTHLY OCTOBER, 1943 76th YEAR No. 5

THE OFFICIAL GUIDE

OF THE

RAILWAYS

AND

STEAM NAVIGATION LINES

OF THE

UNITED STATES

PORTO RICO

CANADA, MEXICO and CUBA

ALSO TIME-TABLES OF RAILROADS IN CENTRAL AMERICA

AIR-LINE SCHEDULES

COMPILED AND EDITED UNDER THE DIRECTION OF

A. J. BURNS, Manager

J. F. BURNS, Assistant Manager

NATIONAL RAILWAY PUBLICATION COMPANY, PUBLISHERS AND PROPRIETORS

424 West Thirty-Third Street, New York 1, N.Y.

A. J. BURNS	President
JOHN S. ALLEN	Vice-President and Secretary
CHAS. D. BULLWINKEL	Treasurer

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ALABAMA, TENNESSEE & NORTHERN RAILROAD

JOHN T. COCHRANE, Jr., Trustee

JOHN T. COCHRANE, Jr., Trustee.
E. A. CARSTENS, Secretary and Treasurer and
Purchasing Agent.
ARMERKONT, INOK, TWITTY AND JACKSON,
General Attorneys.
H. G. PRINGLE, Auditor.
J. A. SAUCE, Superintendent Car Service.
G. C. NICHOLS, General Manager.
Z. M. MORRIS, Superintendent of Transportation,
Mobile, Ala.
B. F. JONES, Master Mechanic.
R. T. BIEER, Roadmaster.
C. H. FLEMING, Storekeeper.

TRAFFIC DEPARTMENT

E. C. ASH, Assistant Traffic Manager.
W. R. KANORRE, Jr., General Freight Agent.
L. N. STEVENS, Freight Claims Agent.

Solicitation

J. C. O'NEILL, General Freight Agent.
W. N. GREEN, Division Freight Agent.
HENRY M. MCGINNIS, Commercial Agent.
W. F. SMITH, General Agent.
C. F. MOWERY, General Agent.
GEORGE F. KLEINHOFFER, General Agent.
JOHN SCARBUTT, Traveling Freight Agent.
GEORGE A. BOYLE, General Agent.

610 Walton Building, Atlanta, Ga.
WILLIAM R. SCHROEDER, General Agent.
General Office—A. T. & N. Bldg. 106 St. Joseph St., Mobile, Ala.

CONNECTIONS.

With Gulf, Mobile & Ohio R.R. With St. Louis-San Francisco Ry.
 With Southern Ry. System. With Meridian & Highgate River Ry.
 With Louisville & Nashville R.R., Southern Ry., G. M. & O. R.R.

Extensive deep water frontage on east side of Mobile Harbor, immediately opposite the city, suitable for industrial plants, is owned by this company and is offered on very attractive terms.

The railroad serves these industries by Freight Car Ferry affording them Rail as well as Deep Water transportation.

BETWEEN REFORM AND MOBILE.

No. 1	Mile	June 10, 1943	Mile	No. 2
1000 A.M.	0	Reform	230	445 P.M.
1001	30	Capitol	430	422
1002	60	Altoona	590	359
1003	90	Cochran	750	343
1004	120	Dancy	910	333
1005	150	Parola	1070	322
1006	180	Ginger	1230	310
1007	210	Lucile	1390	298
1008	240	Boyd	1550	282
1009	270	York (A.T.S.)	1710	270
1010	300	York (A.G.S.)	1870	258
1011	330	York (A.G.S.)	2030	246
1012	360	York (A.T.S.)	2190	234
1013	390	Ward	2350	222
1014	420	Hall	2510	210
1015	450	Cromwell	2670	198
1016	480	Lisman	2830	186
1017	510	Riderwood	2990	174
1018	540	West Butler	3150	162
1019	570	Land	3310	150
1020	600	Englewood	3470	138
1021	630	Tasty	3630	126
1022	660	Gilbertown	3790	114
1023	690	Southern	3950	102
1024	720	Bolinger	4110	90
1025	750	Shaw	4270	78
1026	780	Callahan	4430	66
1027	810	Millery	4590	54
1028	840	Yalbo	4750	42
1029	870	Chatham	4910	30
1030	900	Tibbie	5070	18
1031	930	Seaboard	5230	6
1032	960	Summit	5390	
1033	990	Fairland	5550	
1034	1020	Calvert	5710	
1035	1050	Mt. Vernon	5870	
1036	1080	Buck	6030	
1037	1110	Mackles	6190	
1038	1140	Chickasaw	6350	
1039	1170	Chickasaw Junction	6510	
1040	1200	Mobile	6670	

* Daily. / Bag stop. † Railroad station for Healing Springs health resort. STANDARD—Central time.

TENNESSEE RAILROAD COMPANY.

H. R. SPENCER, President and Chairman of Board.
 1101 Vermont Avenue, Washington, D. C.
SAMUEL SPENCER, Vice-President.
RAM A. BLAIR, General Manager.
D. R. MacLEOD, Secretary and Treasurer.
 1101 Vermont Avenue, Washington, D. C.
FOWLER & FOWLER, Chief Counselors.
H. D. JEFFERS, Auditor.
J. R. ROBINSON, Roadmaster.
J. F. STONEL, Master Mechanic.
G. R. WICK, Trainmaster.

No. 1	Mile	October, 1942.	No. 2
1041 A.M.	0	Onondaga	215 P.M.
1042	100	Stanley Junction	1157
1043	200	Newtown	1143
1044	300	Winnona	1129
1045	400	Cordell	1115
1046	500	Bull Creek	1101
1047	600	Norma	1087
1048	700	Montgomery Junc.	1073
1049	800	Smoky Junction	1059
1050	900	Nicks Creek	1045
1051	1000	Brookside	1031
1052	1100	Beech Fork	1017
1053	1200	Clinchmore	1003
1054	1300	Beech Fork	0947 P.M.
1055	1400	Kinsh's Fork	0933
1056	1500	Charles's Branch	0919
1057	1600	Rosedale	0905
1058	1700	Mason	0851
1059	1800	Sagamore	0837
1060	1900	Jar. Fork Mountain	0823

PADUCAH & ILLINOIS RAILROAD COMPANY.

T. K. WILLIAMS, Superintendent, Paducah, Ky.
 Terminal railroad extending from Metropolis, Ill., to Paducah, Ky.
 (12.95 miles)

BENNETTSVILLE AND CHERAW RAILROAD.

O. L. HENRY, President and General Manager, Bennettsville, S.C.
 Killeck to Bennettsville (14 miles) and Blenheim (12 miles).
 Freight service only. *March, 1943.*
 Connections.—With Seaboard Railway. With Atlantic Coast Line R.R.

TENNESSEE & NORTH CAROLINA RAILWAY.

R. E. CRAWFORD, Auditor, Hayterville, N.C.
 Andrews to Hayterville (25 miles) operated for freight service only.
 Connections.—With Southern Ry. *September, 1943.*

ARTEMUS-JELICO RAILROAD COMPANY.

M. H. DAVIDSON, President.
J. A. McDERMOTT, Vice-President.
JESSE H. CLARK, Jr., Secretary-Treasurer.
RALPH B. MARTIN, General Superintendent.
BERTHA LANDRUM, Auditor.
M. K. SMITH, Master Mechanic.
H. C. COOPER, Traffic Manager.

Mile	October, 1942.
0	Artemus
4.0	Myrick
4.8	Rock Hill
4.8	Bennettsville
5.0	Tinsley
5.0	Hayes
5.0	Waltham
5.0	Kayjay
11.0	Anchor

CONNECTION.

With Louisville & Nashville R.R.

MOREHEAD AND NORTH FORK RAILROAD.

M. C. CANTLEY, President and General Manager, Clearfield, Ky.
 Morehead to Clearfield and beyond (4 miles). Operated for freight service only. *September, 1943.*
 Connection.—With Chesapeake & Ohio Ry.

THE CAROLINA SOUTHERN RAILWAY COMPANY.

C. H. FANNIN, Secretary, Windsor, N.C.
 From Ahoskie to Windsor (12 miles).
 Freight service only. *September, 1943.*
 Connection.—With Atlantic Coast Line R.R.

MILSTEAD RAILROAD COMPANY.

O. D. KROWE, Traffic Manager, La Grange, Ga.
 Extends from Conyers, Ga., to Milstead, Ga. (5 miles).
 Operated for freight service only. *September, 1943.*
 Connection.—With Georgia R.R.

PICKENS RAILROAD.

T. J. MYCHAIL, General Manager, Pickens, S.C.
 From Pickens to Eastley (9.5 miles) operated for freight and express only. *September, 1943.*
 Connection.—With Southern Ry.

THE TIMKEN ROLLER BEARINGS FOR ALL TYPES OF LOCOMOTIVES, PASSENGER AND FREIGHT CARS

PUBLISHED MONTHLY **1945 MARCH** **77TH YEAR No. 10**

The Standard Time in use in various important cities is shown in the columns on the right and left.

THE OFFICIAL GUIDE

STANDARD TIME

ATLANTIC OR INTERCOLONIAL TIME

EASTERN TIME

CENTRAL TIME

NAVIGATORS TIME

OF THE RAILWAYS

AND STEAM NAVIGATION LINES

OF THE UNITED STATES

PORTO RICO CANADA MEXICO AND CUBA

ALSO TIME-TABLES OF RAILROADS IN CENTRAL AMERICA

AIR-LINE SCHEDULES

Atlanta, Ga. 11:00 a.m.
 Augusta, Ga. 10:00 a.m.
 Baltimore, Md. 12:00 noon
 Berlin, Germany 9:00 p.m.
 Birmingham, Ala. 11:00 a.m.
 Boston, Mass. 12:00 noon
 Brandon, Ky. 1:00 p.m.
 Buffalo, N.Y. 12:00 noon
 Calgary, Alta. 10:00 a.m.
 Charleston, S.C. 12:00 noon
 Charleston, S.C. 1:00 p.m.
 Chicago, Ill. 11:00 a.m.
 Cincinnati, O. 12:00 noon
 Cleveland, O. 12:00 noon
 Columbia, S.C. 12:00 noon
 Columbia, S.C. 12:00 noon
 Denver, Colo. 10:00 a.m.
 Detroit, Mich. 12:00 noon
 El Paso, Tex. 10:00 a.m.
 Galveston, Tex. 11:00 a.m.
 Halifax, N.S. 1:00 p.m.
 Hamilton, Ont. 12:00 noon
 Hamilton, Ont. 12:00 noon
 Havana, Cuba. 11:00 a.m.
 Honolulu, T.H. 8:00 a.m.
 Houston, Tex. 12:00 noon
 Indianapolis, Ind. 11:00 a.m.
 Jacksonville, Fla. 12:00 noon
 Juneau, Alaska. 9:00 a.m.
 Kansas City, Mo. 11:00 a.m.
 Knoxville, Tenn. 11:00 a.m.
 Little Rock, Ark. 11:00 a.m.
 London, Eng. 5:00 p.m.
 Los Angeles, Cal. 9:00 a.m.
 Louisville, Ky. 12:00 noon
 Miami, Fla. 12:00 noon
 Memphis, Tenn. 12:00 noon
 Mexico City 10:00 a.m.

Minneapolis, Min. 11:00 a.m.
 Montgomery, Ala. 11:00 a.m.
 Mobile, Ala. 12:00 noon
 Moscow, U.S.S.R. 7:00 p.m.
 Montreal, Que. 12:00 noon
 Nashville, Tenn. 12:00 noon
 New Haven, Conn. 12:00 noon
 New Orleans, La. 12:00 noon
 New York 12:00 noon
 Oklahoma City 11:00 a.m.
 Omaha, Neb. 12:00 noon
 Ottawa, Ont. 12:00 noon
 Paris, France 9:00 p.m.
 Philadelphia, Pa. 12:00 noon
 Philadelphia, Pa. 12:00 noon
 Pittsburgh, Pa. 12:00 noon
 Port Huron, Mich. 12:00 noon
 Portland, Me. 12:00 noon
 Portland, Ore. 12:00 noon
 Providence, R.I. 12:00 noon
 Quebec, Can. 12:00 noon
 Richmond, Va. 12:00 noon
 Rochester, N.Y. 12:00 noon
 St. John, N.E. 12:00 noon
 St. Louis, Mo. 12:00 noon
 St. Paul, Minn. 12:00 noon
 Salt Lake City 10:00 a.m.
 San Antonio, Tex. 12:00 noon
 San Francisco, Cal. 12:00 noon
 San Juan, P.R. 12:00 noon
 Santiago, Chile 12:00 noon
 Savannah, Ga. 12:00 noon
 Seattle, Wash. 12:00 noon
 Toledo, O. 12:00 noon
 Toronto, Ont. 12:00 noon
 Vancouver, B.C. 12:00 noon
 Washington, D.C. 12:00 noon
 Wilmington, N.C. 12:00 noon
 Winnipeg, Man. 12:00 noon

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THE RAILROAD JOURNAL

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 A journal of current railroad information of general and sectional interest.
 Issued monthly. Subscription price, \$2.00 per year; 5 years \$5.00. Single copy 50 cents.
 The Railroad Journal, Post Office Box 282, Atlanta 1, Georgia.

ALABAMA, TENNESSEE & NORTHERN RAILROAD COMPANY

General Office—A. T. & N. Building, 106 St. Joseph Street, Mobile 8, Ala.

JOHN T. COCHRANE, Jr., President, Mobile 8, Ala.
W. E. ARMERBROOK, Jr., Vice-President, "
E. A. CARSTENS, Secretary, Treasurer and "
Purchasing Agent,
MABLE A. WHITE, Assistant Secretary, "
ARMERBROOK, INGE, TWITTY & JACKSON, "
General Counsel,

OPERATING DEPARTMENT

G. C. NICHOLS, Vice-President and General Manager, York, Ala.
Z. M. MORRIS, Superintendent Transportation, Mobile 8, Ala.
F. J. GARNER, Master Mechanic, York, Ala.
B. T. ESTES, Roadmaster, "
J. E. MACKEY, Supervisor, "
E. M. GLEASON, Jr., Chief Engineer, Mobile 8, Ala.

ACCOUNTING DEPARTMENT

H. G. PRINGLE, Comptroller, Mobile 8, Ala.

FREIGHT CLAIM DEPARTMENT

L. M. STEVENS, Freight Claim Agent, Mobile 8, Ala.

CAR SERVICE DEPARTMENT

J. A. SAUGH, Superintendent Car Service, Mobile 8, Ala.

PASSENGER TRAFFIC DEPARTMENT

E. C. ASH, Traffic Manager, Mobile 8, Ala.

FREIGHT TRAFFIC DEPARTMENT

W. E. KASCHER, Jr., Traffic Manager, Rates-Division, Mobile 8, Ala.
J. O. O'NEILL, Traffic Manager, Solicitation-Service, "
W. K. GREEN, General Freight Agent, "

W. E. SMITH, General Agent, Birmingham 3, Ala.
C. E. MOWBRAY, General Agent, Jackson 35, Miss.
GEORGE A. BOYLE, General Agent, Atlanta 8, Ga.
WILLIAM E. SCHROEDER, General Agent, Louisville 11, Ky.
GEORGE F. KLEINHOFFER, General Agent, Kansas City 6, Mo.
JOHN SCARBUTT, Travelling Freight Agent, "

CONNECTIONS.

¹ With Gulf, Mobile & Ohio R.R. ² With St. Louis-San Francisco Ry.
³ With Southern Ry. System. ⁴ With Meridian & Bigbee River Ry.
⁵ With Louisville & Nashville R.R., Southern Ry., G. M. & O. R.R.

TENNESSEE RAILROAD COMPANY.

H. R. SPENCER, President and Chairman of Board, 1101 Vermont Avenue, Washington, D. C.
SAMUEL SPENCER, Vice-President, "
SAM A. BLAIR, General Manager, Oneida, Tenn.
D. R. MACLEOD, Secretary and Treasurer, "
1101 Vermont Avenue, Washington, D. C.
POWELL & POWELL, Chief Counselors, Knoxville, Tenn.
H. D. JEFFERS, Auditor, Oneida, Tenn.
J. B. ROBINSON, Roadmaster, "
W. MORRIS, Master Mechanic, "
G. R. SIMS, Trainmaster, "

No. 1	Mile	January, 1945.	No. 2
745 A M	0	lv. Oneida ¹ ...arr. 215 P M	
800	10	Stanley Junction...1157	
814	20	Newtown...1143	
828	30	Winona...1129	
838	40	Cordell...1119	
845	50	Bull Creek...1112	
900	60	Norma...1257	
903	70	Montgomery Junc...1254	
918	80	Smoky Junction...1239	
925	90	Nicks Creek...1232	
932	100	Brookside...1225 P M	
940	110	Beech Fork...1217 P M	
1000	120	Clinchmore...1207	
1020	130	Elijah's Fork...1201	
1030	140	Charlie's Branch...1154 A M	
1043	150	Rosedale...1149	
1055	160	Merco...1140	
1057	170	Sagamore...1130 A M	
1107 A M	45	arr. Fork Mountain...lv. 1130 A M	

PADUCAH & ILLINOIS RAILROAD COMPANY.

T. K. WILLIAMS, Superintendent, Paducah, Ky.
Terminal railroad extending from Metropolis, Ill., to Paducah, Ky.
(1393 mi.) October, 1944.

BENNETTSVILLE AND CHERAW RAILROAD.

O. L. HENRY, President and General Manager, Bennettsville, S.C.
Mollock¹ to Bennettsville² (24 miles) and Blenheim (24 miles).
Freight service only. October, 1944.
Connections.—¹ With Seaboard Railway ² With Atlantic Coast Line R.R.

TENNESSEE & NORTH CAROLINA RAILWAY.

R. E. CRAWFORD, Auditor, Hayesville, N.C.
Andrews¹ to Hayesville (25 miles) operated for freight service only.
Connections.—¹ With Southern Ry. October, 1944.

BETWEEN REFORM AND MOBILE.

No. 1	Mile	February 1, 1945.	Mile	No. 2
1000 A M	0	lv. Reform ¹ ...arr. 214	425 P M	
1028	10	Carrollton...204	409	
1045	20	Aliceville ² ...194	341	
1103	30	Cochrane...186	324	
1114	40	Dancy...181	313	
1135	50	Panola...177	301	
1140 A M	60	Gelger...170	248	
1205 P M	70	Emelle...160	225	
1222	80	Boyd...152	208	
1244	90	arr. York ³ (A.T.S.)...lv. 143	146	
1247	100	arr. York (A.G.S.)...lv. 130	130	
1300	110	lv. York (A.G.S.)...arr. 123	123	
1320	120	lv. York (A.T.S.)...arr. 143	120	
142	130	Ward...133	1258	
155	140	Halsell...128	1244	
205	150	Cromwell ⁴ ...124	1233	
214	160	Lisman...120	1223	
224	170	Riderwood...116	1212	
235	180	West Butler...111	1201 P M	
241	190	Land...109	1155 A M	
249	200	Boguelocosa...106	1148	
303	210	Toxey...100	1134	
310	220	Gilbertown...97	1127	
321	230	Souwilpa...93	1116	
330	240	Bolinger...90	1106	
334	250	Silas...89	1103	
346	260	Cullomburg...85	1053	
358	270	Millry...79	1040	
415	280	Yarbo...72	1023	
424	290	Jordan...69	1014	
431	300	Chatom...62	1007	
450	310	Tibbie...58	948	
501	320	Seaboard...53	936	
523	330	Summit...43	914	
537	340	Fairford...37	900	
546	350	Calvert...33	851	
556	360	Mt. Vernon...39	841	
606	370	Bucks...24	831	
629	380	Saraland...10	808	
639	390	Chickasaw...6	758	
654 P M	400	Chickasaw Junction...4	745 A M	
		arr. Mobile ⁵ ...lv. 0		

¹ Daily; ² flag stop.

STANDARD—Central time.

ARTEMUS-JELICO RAILROAD COMPANY.

M. H. DAVIDSON, President, Cincinnati, O.
J. A. MODERHOTT, Vice-President, Lexington, Ky.
JESSE B. CLARK, Jr., Secretary-Treasurer, Cincinnati, O.
RALPH R. MARTIN, General Superintendent, Artemus, Ky.
BERTHA E. LANDEUM, Auditor, "
H. K. SMITH, Master Mechanic, "
H. C. COOPER, Traffic Manager, Cincinnati, O.

No. 1	Mile	January, 1945.	No. 2
0	0	lv. Artemus ¹ ...arr. 214	
2.0	10	Myrick...194	
4.0	20	Rock Cliff...186	
4.0	30	Bennettsville...181	
5.0	40	Tinsley...177	
6.0	50	Bays...170	
8.0	60	Warren...160	
9.0	70	Kayjay...152	
11.0	80	Anchor...143	

CONNECTION.

¹ With Louisville & Nashville R.R.

DE KALB & WESTERN RAILROAD COMPANY

HAL OVERSTREET, Chairman of the Board, De Kalb, Miss.
E. H. JONES, President, "
T. A. STENNIS, Executive Vice-President, "
J. C. WARREN, Vice-President, "
D. P. WHITE, Treasurer and Auditor, "
L. P. SPINKS, Secretary and General Counsel, "
S. M. THOMASSON, Asst. Secretary and Asst. Treas., "

No. 4	No. 2	Mile	February, 1945.	No. 1	No. 3
1000 A M	1100 P M	0	lv. (Cent. time.) [ARR.]	330 P M	1135 A M
1010	1110	3	De Kalb...320	1125	
1020	1120	4	Keyville...310	1115	
1030	1130	5	Bells...300	1105	
1040	1140	6	Carters...290	1095	
1050	1150	7	Townsend...312	1085	
1060	1200	8	Akron...300	1075	
1070	1210	9	Rushton...290	1065	
1080	1220	10	Junction...280	1055	
1090	1230	11	Sucarnochee ¹ ...255 P M	1045	
1100 A M	1240	12	ARRIVE	1035	

¹ Daily, except Sunday; ² Sunday only; ³ flag stop.

Connection.—¹ With Gulf, Mobile & Ohio R.R.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 1296 (Sub-No. 1X)

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.**

APPENDIX C

DRAFT FEDERAL REGISTER

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Docket No. AB 1296 (Sub-No. 1X)

R. J. Corman Railroad Property, LLC– Abandonment Exemption – In Campbell County, Tenn.

On April 21, 2023, R. J. Corman Railroad Property, LLC (“Petitioner”) filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment of approximately 3.5 miles of the long-dormant segment of its Beech Fork Branch that extends from railroad milepost 33, on the Oneida Line in Campbell County, TN in a southeasterly direction along Beech Fork and Stony Fork, and dead-ends at or near Clinchmore, TN (the “Line”). The Line traverses through United States Postal Service ZIP Code 37714. The line for which the abandonment exemption request was filed has no stations or mileposts.

There is no documentation in Petitioner’s possession that indicates that the Line contains federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions outlined in *Oregon Short Line Railroad Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Office of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Office of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

By the Board, Mai T. Dinh, Director, Office of Proceedings

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 1296 (Sub-No. 1X)

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.**

APPENDIX D

NOTICE OF PUBLICATION

ROANE NEWSPAPERS

Roane County News, Morgan County News, Lafollette Press, P.O. Box 610, Kingston, TN 37763.
Phone 865-376-3481, Fax 865-376-1945

TO: JacksonKelly PLLC
City Center 100 W. Main St.
Suite 700
Lexington, KY 40507

ADVERTISING: Notice of Intent to Abandon

I, Terri Scarborough, make oath that the attached advertisement or notice was published in:

 The Roane County News, a bi-weekly newspaper published at Kingston, TN, Roane County, also online at www.roanecounty.com

 The Morgan County News, a weekly newspaper published at Wartburg, TN, Morgan County, also online at www.morgancountynews.net

X The Lafollette Press, a weekly newspaper published at Lafollette, TN, Campbell County, also online at www.lafollettepress.com

This Notice also appeared on the State of Tennessee website at www.tnpublicnotice.com for all runs required by Tenn. Code Ann. 1-3-120(2013) There will only be one tear sheet attached to cover all runs.

Notice was published in said newspaper on the following date(s): LAF 4/6/23

And that the statement of account herewith is correct to the best of my knowledge and belief.

Signed Terri Scarborough

Subscribed and sworn to before me this 6th day of APRIL, 2023.

Michelle L. Fisher
Notary Public

My Commission Expires February 18, 2024



Notice of Intent to Abandon
 R. J. Corman Railroad Prop-
 erty, LLC gives notice that on or
 about April 21, 2023, it intends
 to file with the Surface Trans-
 portation Board, Washington,
 DC, a petition for exemption un-
 der 49 U.S.C. § 10502 from the
 prior approval requirements of
 49 U.S.C. § 10903, et seq., per-
 mitting the abandonment of a
 long-cormant segment of its
 Beech Fork Branch in Camp-
 bell County, Tennessee that ex-
 tends from railroad milepost 33,
 on its Oneida Line, along
 Beech Fork in a southeasterly
 direction and along Stony Fork,
 for approximately 3.5 miles be-
 fore dead-ending at or about
 Clinchmore, Tennessee (the
 "Line"). The Line traverses
 through United States Postal
 Service ZIP Code 37714. The
 Line for which the abandon-
 ment exemption request was
 filed has no stations or mile-
 posts. The proceeding has
 been docketed as No. AB 1296
 (Sub-No. 1X). The Board's Of-
 fice of Environmental Analysis
 (OEA) will generally prepare an
 Environmental Assessment
 (EA) which will normally be
 available 60 days after the fil-
 ing of the petition for abandon-
 ment exemption. Comments on
 environmental and energy mat-
 ters should be filed no later
 than 30 days after the EA be-
 comes available to the public
 and will be addresses in a
 Board decision. Interested per-
 sons may obtain a copy of the
 EA or make inquiries regarding
 environmental matters by writ-
 ing to OEA, Surface Transport-
 ation Board, Washington, DC or
 by calling OEA at 202-245-
 0255. Appropriate offers of fi-
 nancial assistance to continue
 rail services can be filed with
 the Board. Requests for envi-
 ronmental conditions, public use
 conditions, or rail banking/trail
 use also can be filed with the
 Board. An original and 10 cop-
 ies of any pleading that raises
 matters other than environ-
 mental issues (such as trails
 use, public use, and offers of
 financial assistance) must be
 filed directly with the Board's
 Office of Proceedings, Wash-
 ington, DC (See 49 CFR §
 1104.1(a) and § 1104.3(a)),
 and one copy must be served
 on applicants' representative
 (See 49 CFR § 1104.12(a)).
 Questions regarding offers of
 financial assistance, public use
 or trails use may be directed to
 the Board's Office of Public As-
 sistance, Governmental Affairs,
 and Compliance at 202-245-
 0238. Copies of any comments
 or requests for conditions
 should be served on the applic-
 ant's representative Catherine
 S. Wright, Jackson Kelly PLLC,
 100 West Main Street, Suite
 700, Lexington, Kentucky
 40568-2150.

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 1296 (Sub-No. 1X)

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.**

APPENDIX E

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.60(d), the undersigned hereby certifies that this Petition for Abandonment filed in Docket No. AB-1296X (Sub-No. 1X) was mailed via first class mail on April 21, 2023, to the following parties:

Tennessee Public Service Commission

Chairman Robin L. Morrison
Tennessee Public Utility Commission
502 Deaderick Street 4th Floor
Nashville, TN 37243

Military Traffic Management Command

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

National Park Service

Bob Ratcliffe
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program
National Park Service
1849 C Street, N.S. (Org. Code 2220)
Washington, D. C. 20240

U.S. Department of Agriculture

Randy Moore
Chief of the Forest Service
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, D.C. 20250-0003

The Line lacks active rail users upon which to serve notice of proposed abandonment.

Date: April 21, 2023

/s/ Catherine S. Wright
Catherine S. Wright
*Attorney for R. J. Corman Railroad
Property, LLC*

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB 1296 (Sub-No. 1X)

**R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.**

APPENDIX F

**COMBINED ENVIRONMENTAL
AND HISTORICAL REPORT**

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1296 (Sub-No. 1X)

R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

(color copies included)

Catherine Salmen Wright
Jackson Kelly PLLC
100 West Main Street, Suite 700
Lexington, Kentucky 40588-2150
(859) 288-2836
catherine.wright@jacksonkelly.com

*Counsel for R. J. Corman Railroad
Property, LLC*

Dated: March 29, 2023

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1296 (Sub-No. 1X)

R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.

COMBINED ENVIRONMENTAL AND HISTORIC REPORT

R. J. Corman Railroad Property, LLC (“RJC Railroad Property”) submits this Combined Environmental and Historic Report (“CEHR”), pursuant to 49 C.F.R. §§ 1105.7 and 1105.8. It is the conclusion of this report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT

49 CFR 1105.7(e)(1) Proposed Action and Alternatives

Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail lines 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.

RESPONSE: RJC Railroad Property intends to file an individual petition for exemption with the Surface Transportation Board (the “Board”) to abandon approximately 3.5 miles of a long-dormant line, known as the Beech Fork Branch, which extends from milepost 33 on the Oneida Line¹ in a southeasterly direction along Beech Fork and Stoney Fork and dead-ends at or

¹ The Oneida Line extends from milepost 0.96 at or near Oneida, Tennessee to the end of the line at milepost 42.0 at or near Devonia, Tennessee, a distance of approximately 41.05 miles in Scott, Campbell, and Anderson Counties, Tennessee. When built, the Line physically connected to the Oneida Line, which is currently the subject of abandonment proceedings in *R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Scott, Campbell and Anderson Counties, Tenn.*, Docket No. AB-1296X. By Decision issued in AB-1296X on November 17, 2022, the STB conditioned abandonment of the Oneida Line on the abandonment of any § 10901 track that could be stranded by abandonment of the Oneida Line. The Oneida Line has a single rail connection at Oneida, Tennessee with Norfolk Southern Railway Company.

near Clinchmore, Tennessee, in Campbell County, Tennessee (the “Line”). The Line does not have any mileposts or stations and little, if any, track. Connected to the Line is an approximately three-mile dead-end spur to Carbon Hill, Tenn. (“Carbon Hill Spur”). The application to build the Carbon Hill Spur was dismissed by the Interstate Commerce Commission (“ICC”) for lack of jurisdiction in 1940. *Application of Tennessee Railroad Company for a Certificate of Public Convenience and Necessity Authorizing the Construction of Line of Railroad in Campbell County, Tenn.*, Docket No. FD 12747 (ICC served March 7, 1940). Thus, the Carbon Hill Spur is excepted track and does not require specific authority for abandonment.

The ICC authorized construction of the Line in 1921. *In the Matter of the Application of the Tennessee Railroad Company for a Certificate of Public Convenience and Necessity*, 65 I.C.C. 654, 657 (1921). The ICC describes the Line as starting “from a point on applicant’s main line at the mouth of Beech Fork of New River, in Campbell County, Tenn., in a southeasterly direction along Beech Fork and Rocky Fork in Anderson County, a distance of 6 miles”.² Further, the ICC decision suggests the Line may have serviced a timber company in or about Clinchmore. Local historical accounts also reference the existence of the Clinchmore Coal Mining Company, suggesting the Line was used to transport coal. https://scholarworks.moreheadstate.edu/kilgore_scrip_collection/24/ (last visited February 3, 2023); <https://www.tngenweb.org/campbell/history/comm.html> (last visited February 3, 2023).

The Line was acquired by RJC Railroad Property in 2011 as part of its acquisition of the Oneida Line from NC Railroad, Inc. (“NCR”). *R. J. Corman Railroad Property, LLC – Acquisition Exemption – NC Railroad, Inc.*, Docket No. FD 35363 (STB served June 29, 2011). Ownership

² The ICC decision appears to incorrectly refer to Rocky Fork instead of Stony Fork which is the body of water that flows southeasterly toward Clinchmore, TN. There is also no evidence the line ever extended into Anderson County, Tennessee.

of the Line is evidenced by the quitclaim deed RJC Railroad Property received from NCR upon its purchase of the Oneida Line in 2011 (the “Deed”). The Deed granted RJC Railroad Property ownership rights to the main tracks, sidings, spurs and other appurtenant railway facilities of the Oneida Line. The Deed filed of record in Campbell County, Tenn. identifies the Oneida Line by a series of 1973 Railway Valuation Maps including Val Map pages V-1/13a, 13b and 13c. Those Val Map pages relate to the Line and confirm that whatever ownership rights to the Line that NCR had were transferred to RJC Railroad Property.³ The Val Map, page 13a, identifies the Line as being approximately 3.5 miles in length, extending approximately 2.0 miles from milepost 33 on the Oneida Line along the Beech Fork before reaching a junction that forked in a southeasterly toward Clinchmore (the “Northern Segment”). At the fork, the Line continued in a southeasterly directly along Stony Fork for approximately a mile and a half before dead ending in or about Clinchmore (the “Southern Segment”). It is believed the track dead-ended at the Clinchmore Coal Mining Company’s tipple, which operated between 1929 until 1965.

Based on historical accounts, the Southern Segment was largely destroyed by flood in 1965. The Department of Interior’s Summary of Floods for 1965 describes a flood around Clinchmore, Tenn. in July of 1965: “several bridges were washed away, roads were damaged by washouts or deposition of debris” and “the railroad and the county road which paralleled Stony Fork up to Clinchmore were complete destroyed.” Further, by 1979, the U.S. historical topographical map shows no Southern Segment whatsoever.

When RJC Railroad Property purchased the Oneida Line in 2011, the Northern Segment which once connected to the Oneida Line was cut-off as a result of its right-of-way being paved

³ RJC Railroad Property’s Deed is consistent with the quitclaim deed NCR received in 2006 from Tennessee Railway Company, a subsidiary of Norfolk Southern Railway Company (“NSR”), in that NCR’s deed also references, inter alia, Val Map pages 13a, 13b and 13c.

over by the New River Road in Campbell County, Tenn. Another approximately one-mile of the Line's right-of-way has been repurposed by Campbell County, Tenn. to create a gravel road known as the Carroll-Adkins Cemetery Road. In short, little, if any track remained on the Northern Segment at the time of RJC Railroad Company's purchase, and the right-of-way was overgrown with mature trees or otherwise encroached upon by local property owners.

At the time of RJC Railroad Company's purchase in 2011, the Southern Segment of the Line contained no track at all and the right-of-way as entirely overgrown and difficult to even discern. In fact, the land adjacent to both sides of the right-of-way, since approximately 1992, has been part of the State of Tennessee's North Cumberland Wildlife Management Area's Royal Blue Unit. The Royal Blue Unit's western boundary follows Stony Fork along Clinchmore Road. Tennessee Wildlife Management Areas are protected areas set aside for the conservation of wildlife and for recreational activities involving wildlife such as hunting and fishing.

Based on the foregoing, currently, the Line's right-of-way is overgrown and little, if any, track exists. The Line has seen no local or other rail traffic for a minimum of 12 years. Following abandonment, RJC Railroad Property intends to take no action with respect to the right-of-way given it is entirely overgrown and encroached upon by local landowners, the track is gone, and portions of the right-of-way have been put to public use by the local county or designated as a Wildlife Management Area by the State of Tennessee. There are no bridges on the Line. The railbed and subgrade of the Line will remain in place and not be disturbed. No digging or burying of any kind will be permitted. Accordingly, RJC Railroad Property believes that no National Pollutant Discharge Elimination System permit or other storm water mitigation measures will be required.

Because the Line has not had any local traffic for several years, no alternatives to the proposed abandonment appear reasonable, and there is no foreseeable prospect that a need for rail service would re-emerge. The only alternative is retention of the Line in its current, unused state. This alternative is not satisfactory. Additionally, retaining the Line frustrates abandonment of the Oneida Line, which abandonment has already been determined to be consistent with rail transportation policy and meeting the criteria for exempt abandonment.

A map showing the location of the Line is attached hereto as Appendix A. An example of RJC Railroad Property's letter to federal, state and local government agencies is attached in Appendix B. A complete list of the consulting agencies that RJC Railroad Property has contacted is found in the Certificate of Service. Comments received as a result of RJC Railroad Property's written requests for feedback are found in Appendix C.

49 CFR 1105.7(e)(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.

RESPONSE: RJC Railroad Property does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on the Line, and no current rail traffic will be diverted to other modes as a result of abandonment. Rail shipments ceased more than twelve (12) years ago (and likely more than 40 years ago), and are not likely to resume. There is no overhead traffic on the Line, and no passenger trains are operated over the Line.

As track was either destroyed by flood in 1965 and/or largely removed prior to RJC Railroad Property's purchase in 2011, abandonment will allow permanent closure of any remaining public highway grade crossings and private crossings.

49 CFR 1105.7(e)(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.

RESPONSE: RJC Railroad Property does not foresee any inconsistency with regional and/or local land plans but has contacted and requested comments from the local head of Campbell County, Tennessee, through which the Line passes.

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

RESPONSE: Consultation was requested from the United States Department of Agriculture's National Resources Conservation Service by letter dated February 15, 2023. A response was received dated March 1, 2023 and is attached in Appendix C. Consultation was also requested from the National Geodetic Survey ("NGS") on February 15, 2023. No response has been received to date.

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

RESPONSE: RJC Railroad Property does not believe that the Line lies within a Coastal Zone Management Area and therefore, has no reason to believe the proposed action would be inconsistent with a coastal zone management plan. RJC Railroad Property has contacted and requested comments from the Tennessee Department for Environment and Conservation.

(iv) If the proposed action is an abandonment state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10905 and explain why.

RESPONSE: The right-of-way underlying the Line proposed for abandonment is not believed to be suitable for alternative public use under 49 U.S.C. § 10905 given that approximately one mile of the 3.5 miles of the Line are already being used by Campbell County, Tenn. as a county road. Other portions of the right-of-way currently sit within a Tennessee Wildlife Management

Area. To the best of RJC Railroad Property's knowledge, the Line does not contain any federally granted right-of-way.

49 CFR 1105.7(e)(4) Energy

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

RESPONSE: The proposed abandonment will not have any effect on the transportation of energy resources. While the Line is believed to have previously handled timber and/or coal traffic, rail shipments over the Line ceased at least twelve (12) years ago (and likely more than 40 years ago) and are unlikely to resume. No other energy resource commodities moved over the Line.

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

RESPONSE: Movement or recovery of recyclable commodities will not be affected by the proposed action. No such traffic has been handled on the Line for many years (if ever), and RJC Railroad Property foresees little possibility that any recyclable commodity traffic would develop in the future.

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

RESPONSE: The proposed action will not result in any material impact in overall energy efficiency. No freight traffic currently moves to or from the Line.

(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 result net change in energy consumption and show the data and methodology used to arrive at the figure given.*

RESPONSE: No diversions will occur, hence the diversion of traffic to motor carriers will not exceed the thresholds set forth at 49 CFR §1105.7(e)(4).

49 CFR 1105.7(e)(5) Air

(i) *If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any*

segment of rail line affected by the proposal, or (B) An increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) An average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

RESPONSE: The Line is inactive. The above thresholds will not be exceeded.

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

RESPONSE: The above thresholds will not be exceeded. RJC Railroad Property does not believe that Campbell County, Tenn. is in an attainment area for all National Ambient Air Quality Standards (NAAQS) pollutants according to the U.S. Environmental Protection Agency web site.

(See <https://www3.epa.gov/airquality/greenbook/ancl.html>)

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

RESPONSE: Not applicable. No rail traffic has moved on the Line since at least 2011 (and likely more than 40 years), and RJC Railroad Property does not believe that ozone depleting materials were transported over the Line in recent years, if ever. Accordingly, no shipments of ozone depleting materials will be diverted because of this abandonment.

49 CFR 1105.7(e)(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.

RESPONSE: The above thresholds will not be exceeded.

49 CFR 1105.7(e)(7) Safety

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

RESPONSE: The proposed action will have no adverse impact on public health and safety.

Abandonment of the Line results in no changes to the former right-of-way.

(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 accident spills; and the likelihood of an accidental release of hazardous materials.

RESPONSE: Not applicable. No rail traffic has moved on the Line for a minimum of 12 years (and likely more than 40 years), and to RJC Railroad Property's knowledge no hazardous materials have been transported on the Line at any time in the recent past. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

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

RESPONSE: RJC Railroad Property has no knowledge of hazardous waste sites or sites where there have been known hazardous material spills on the right-of-way of the Line.

49 CFR 1105.7(e)(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.

RESPONSE: No critical habitat will be destroyed, altered or affected as a result of the proposed abandonment, and RJC Railroad Property does not believe that any endangered or threatened species are present in the area or would be adversely affected. No salvage operations

are anticipated. RJC Railroad Property has requested comments from the U.S. Fish and Wildlife and Tennessee Wildlife Resources Agency. No responses have been received to date.

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

RESPONSE: To RJC Railroad Property's knowledge the Line passes through or is adjacent to the State of Tennessee's North Cumberland Wildlife Agency's Royal Blue Unit. RJC Railroad Property's has contacted and requested comments from the Tennessee Wildlife Resources, Tennessee Department for Environment and Conservation and the National Park Service by letter dated February 15, 2023. No comments have been received to date.

49 CFR 1105.7(e)(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.

RESPONSE: Any water quality effects of the proposed abandonment should be non-existence as no salvage operations will occur. Consultation has been requested from the U.S. Environmental Protection Agency and the Tennessee Department for Environment and Conservation by letter dated February 15, 2023. No comments have been received to date.

(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.

RESPONSE: RJC Railroad Property does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act and does not believe that any designated wetlands or 100-year flood plans will be affected by the proposed abandonment. Upon receiving abandonment authority, RJC Railroad Property does not intend to undertake any salvage operations as the line consists of a former right-of-way. Corman does not intend to disturb any of the underlying roadbed or perform any activities that would cause

sedimentation or erosion of the soil and does not anticipate any dredging or use of fill in the removal of the track material. Consultation with the U.S. Army Corps of Engineers was requested by letter dated February 15, 2023. No response has been received to date.

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

Response: RJC Railroad Property does not plan to remove or alter the roadbed underlying the line to be abandoned, to undertake in-stream work or to dredge or use any fill materials. There will be no excavation or other ground-disturbance activity, and because no soils will be disturbed, no storm water mitigation measures – including, but not limited to, a National Pollutant Discharge Elimination System permit – will be required. RJC Railroad Property anticipates that the proposed abandonment will not affect water quality or that additional permitting under Section 402 will not be required. Nevertheless, RJC Railroad Property has requested input from the Tennessee Department for Environment and Conservation and from the U. S. Environmental Protection Agency by letter dated February 15, 2023. No comments have been received to date.

49 CFR 1105.7(e)(10) Proposed Mitigation

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

Response: RJC Railroad Property does not expect any adverse environmental impact from the proposed abandonment and, therefore, sees no need for any mitigating actions. RJC Railroad Property intends to maintain the status quo that has existed over the past many years. RJC Railroad Property will, adhere to any mitigation actions required by the Board.

HISTORIC REPORT

49 CFR § 1105.8(d)

1. **Map.** A map of the Line is attached hereto as Appendix A.
2. **Written Description of Line.** RJC Railroad Property intends to file an individual petition for exemption with the Board to abandon approximately 3.5 miles of a rail line which extends from milepost 33 on the Oneida Line in Campbell County, Tenn., in a southeasterly direction along Beech Fork and Stony Fork before dead ending at or near Clinchmore, Tenn. RJC Railroad Property acquired the track in 2011 from NCR. *R. J. Corman Railroad Property, LLC – Acquisition Exemption – NC Railroad, Inc.*, FD 35363 (STB served June 29, 2011). NCR acquired the Oneida Line in February of 2006 from the Tennessee Railway Company, a wholly owned subsidiary of Norfolk Southern Railway. *Tenn. Railway Company – Aban. Exemption – in Scott County, Tenn.*, AB 290 (Sub-No. 260X) (STB served March 3, 2006).
3. **Topographic Maps.** Topographic maps depicting the location of the Line is attached as Appendix A.
4. **Right-of-Way.** The Line traverses largely rural and mountainous areas of Eastern Tennessee. Land use along with right-of-way is largely forest with some residential or pastureland. Based on available information, the width of right-of-way on the Line is 50 feet from the track centerline (or 100' total width).
5. **Photographs.** There are no remaining bridges on the Line. There are no other railroad structures on the Line which RJC Railroad Property believes are fifty years or older.
6. **Date of Construction of Structures.** RJC Railroad Property has no information about any structures that may have been present on the Line.
7. **History of Operations and Changes Contemplated.** The Line is a dead-end branch line constructed by the Tennessee Railroad Company sometime after 1921 and operated to

transport timber and/or coal from the Clinchmore, Tennessee area until approximately 1965. In 1965, a flood largely destroyed the Southern Segment of the Line near Clinchmore. The Line previously connected to interstate rail system through Oneida Line. Coal likely moved over the North Segment of the Line to the Oneida Line from the Carbon Hill Spur for approximately another ten to fifteen years following the destruction of the Southern Segment in 1965. Since RJC Railroad Property's purchase of the Line in 2011, no operations have been conducted on the Line, and thus no changes are anticipated because of this abandonment.

8. **Summary of Documents in Carrier's Possession that Might be Useful for Documenting a Structure that is Found to Be Historic.** RJC Railroad Property does not possess engineering drawings or records relating to the structures on the Line.

9. **Opinion Regarding Criteria for Listing in the National Register of Historic Places.** Based on readily available information in its possession, RJC Railroad Property does not believe that any site or structure listed in or meeting the criteria for listing in the National Register of Historic Place is located on the Line or will be affected by the abandonment. RJC Railroad Property also believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. RJC Railroad Property has contacted and requested comments from the Tennessee Historical Commission, in its capacity as SHPO.

10. **Subsurface Ground Conditions that Might Affect Archaeological Recovery.** Based on readily available information in its possession, RJC Railroad Property believes that substantial subsurface ground disturbance occurred when the Line was constructed more than 100 years ago. RJC Railroad Property is unaware of any other environmental conditions that might affect the archaeological recovery of resources. Access to the Line is fair in some places but is challenging in others.

11. **Follow-up Information.** RJC Railroad Property does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. If any additional information is requested, RJC Railroad Property will promptly supply the necessary information.

**Combined Environmental and Historic Report
Certificate of Service**

Pursuant to the requirements of 49 C.F.R. § 1105.7(b) and 49 C.F.R. § 1105.8(c), the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No. AB 1296 (Sub-No. 1X) was mailed via first class mail on March 29, 2023, to the following parties:

Hon. Jack Lynch Mayor, Campbell County 590 Main Street P.O. Box 435 Jacksboro, TN 37757	Mr. John LeCroy Deputy Director Tennessee Department of Environment and Conservation 3711 Middlebrook Pike Knoxville, TN 37921
Mr. Daniel Blackman Regional Administrator, Region IV U.S. Environmental Protection Agency Atlanta Federal Center 61 Forsyth Street, SW Atlanta, GA 30303-3104	Cliff Lippard, Ph.D., Executive Director Tennessee Advisory Commission on Intergovernmental Relations 226 Anne Dallas Dudley Boulevard, Suite 508 Nashville, TN 37243
Dr. Theresa Damiani Chief, Spatial Reference System Division Communications and Outreach Branch, NOAA, N/NGS12 National Geodetic Survey, SSMC3 #8716 1315 East-West Highway Silver Spring, MD 20910-3282	Mr. Daniel Pallme Assistant Chief of Environment and Planning/ Freight and Logistics Director Tennessee Department of Transportation James K. Polk Building, Suite 400 505 Deaderick Street Nashville, TN 37243
Mr. E. Patrick McIntyre, Jr. Executive Director/State Historic Preservation Officer Tennessee Historical Commission 2941 Lebanon Pike Nashville, TN 37214	Mr. John Mike Regional Wildlife Program Manager, Region IV Tennessee Wildlife Resources Agency 3030 Wildlife Way Morristown, TN 37814
Mr. Daniel Elbert Field Supervisor Tennessee Ecological Services Field Office U.S. Fish & Wildlife Service 446 Neal Street Cookeville, TN 38501	Lt. Col. Joseph M. Sahl Nashville District Commander and District Engineer U.S. Army Corps of Engineers Estes Kefauver Federal Building 801 Broadway Nashville, TN 37203

Pam McLay
Chief, Land Resources Division
National Park Service
1849 C Street, NW, Suite 2340
Main Interior Building
Washington, D.C. 20240

Sheldon Hightower
State Conservationist
USDA Natural Resources Conservation
Service
U.S. Department of Agriculture
801 Broadway
675 US Courthouse
Nashville, TN 37203



Catherine S. Wright

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1296 (Sub-No. 1X)

R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.

APPENDIX A

MAP





BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1296 (Sub-No. 1X)

R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.

APPENDIX B

SAMPLE LETTER

JACKSONKELLY^{PLLC}

100 WEST MAIN STREET • SUITE 700 • LEXINGTON, KENTUCKY 40507 • TELEPHONE: 859.255.9500 • FAX: 859.281.6478
www.jacksonkelly.com

catherine.wright@jacksonkelly.com
859-288-2836

February 15, 2023

NAME
ADDRESS
CITY, STATE ZIP

SENT VIA USPS

Re: R. J. Corman Railroad Property, LLC – Abandonment Exemption – in Campbell, County,
Tenn. (STB Docket No. AB 1296 (Sub-No. 1X).

Dear (Name of addressee):

On or after April 21, 2023, R. J. Corman Railroad Property, LLC ("RJC Railroad Property") intends to file with the Surface Transportation Board, Washington, DC, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. § 10903, permitting the abandonment of a long-dormant segment of its Beech Fork Branch in Campbell County, Tennessee that extends from its Oneida Line at railroad milepost 33, along the Beech Fork in a southeasterly direction and along Stony Fork, for approximately 3.5 miles before dead-ending at or about Clinchmore, Tennessee (the "Line"). The Line is owned by RJC Railroad Property. No traffic has moved over the Line since well before 2011. RJC Railroad Property does not believe that there are any alternatives to the proposed action. A map showing the location of the Line is attached for your reference. After abandonment, RJC Railroad Property does not intend to remove rail and track materials from the Line as those materials have already been removed, destroyed by flood, or graveled over for use as public road.

Based upon information in RJC Railroad Property's possession, the Line does not contain any federally granted rights of way. Any documentation in RJC Railroad Property's possession will be made available promptly to those requesting it.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment of the Line so that you may assist us in identifying any potential effects it may have on the following (to the extent they are within your area of expertise and authority):

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;

Bridgeport, WV • Charleston, WV • Martinsburg, WV • Morgantown, WV • Denver, CO
Evansville, IN • Lexington, KY • Akron, OH • Pittsburgh, PA • Washington, DC

February 15, 2023

Page 2

5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards;
10. Coastal Zone Management Areas; or
11. The need for permits under §§ 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344).

Because of the limited nature of the proposed abandonment, we foresee no adverse environmental effects. We would appreciate your review of the proposed action and provision of any comments you may have in a written response by March 24, 2023. Any written comments should reference Docket No. (STB Docket No. AB 1296 (Sub-No. 1X) and be sent to the undersigned, as counsel for RJC Railroad Property, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
395 E Street, S.W.
Washington, D.C. 20423-0001

In accordance with the Board's regulations, a copy of the Combined Environmental and Historic Report prepared in connection with this abandonment will be forwarded to you at least twenty (20) days before Applicant's petition for exemption is filed with the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 859-288-2836 or via email at catherine.wright@jacksonkelly.com. Thank you for your assistance in this matter.

Sincerely,

Catherine S. Wright
*Attorney for R. J. Corman Railroad Property,
LLC*

CSW/lgb





BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1296 (Sub-No. 1X)

R. J. CORMAN RAILROAD PROPERTY, LLC
– ABANDONMENT EXEMPTION –
IN CAMPBELL COUNTY, TENN.

APPENDIX C

RESPONSIVE LETTERS



United States Department of Agriculture

March 1, 2023

Ms. Catherine S. Wright
Jackson Kelly, PLLC
100 West Main Street
Suite 700
Lexington, Kentucky 40507

Dear Ms. Wright:

RE: R.J. Corman Railroad Property, LLC – Abandonment Exemption in Campbell County,
Tennessee (STB Docket No. AB 1296 (Sub-No. 1X))

Thank you for the opportunity to comment on the above-mentioned project.

A review of the Public Notice was completed by the NRCS State Cultural Resources Specialist and in response to comments requested regarding Section 106 of the National Historic Preservation Act of 1966, as amended. Given that there is no NRCS involvement in the project, NRCS respectfully defers to any comments of the Tennessee State Historic Preservation Officer, federally recognized tribes, and other interested parties.

In addition, the NRCS State Biologist reviewed the proposed project and agreed with the State Cultural Resources Specialist that since there is no NRCS involvement in the project to defer to comments of other state and federal agencies related to Threatened and Endangered species.

In conclusion, NRCS wishes not to participate in the formal consultation for this project.

SHELDON
HIGHTOWER

Digitally signed by
SHELDON HIGHTOWER
Date: 2023.03.01
09:51:37 -0600

Sheldon L. Hightower
State Conservationist

cc:

- Linda Ortiz, State Resource Conservationist, USDA-NRCS, Nashville, TN
- Surface Transportation Board, Section of Environmental Analysis, 395 E St., S.W., Washington, DC 20423-0001

Natural Resources Conservation Service
801 Broadway, 675 U.S. Courthouse
Nashville, Tennessee 37203
Voice (615) 277-2531 Fax (615) 591-1284
USDA is an equal opportunity provider, employer, and lender.