

**Before the
SURFACE TRANSPORTATION BOARD**

ENTERED
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November 2, 2020
Part of
Public Record

STB Docket No. AB 1307X

**YORK RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN YORK COUNTY, PA**

STB Docket No. AB 1308X

**YORKRAIL, LLC
- ABANDONMENT EXEMPTION - IN YORK COUNTY, PA**

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

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*Counsel for York Railway Company
and Yorkrail, LLC*

Dated: November 2, 2020

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1307X

YORK RAILWAY COMPANY
- ABANDONMENT EXEMPTION - IN YORK COUNTY, PA

STB Docket No. AB 1308X

YORKRAIL, LLC
- ABANDONMENT EXEMPTION - IN YORK COUNTY, PA

ENVIRONMENTAL/HISTORIC REPORT

York Railway Company (“YRC”) and Yorkrail, LLC (“Yorkrail”) (together referred to herein as “Applicants”) will be seeking exemption authority for Applicants to abandon between the following two segments of rail line (together, the “Subject Line”):

- (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and
- (2) Between at or near mile post 24.10, near Spring Grove, PA in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township.

YRC owns all of the common carrier operating rights with respect to the Subject Line, while Yorkrail is a carrier by virtue of its ownership of the underlying rail assets comprising the Subject Line. The Subject Line traverses through United States Postal Service ZIP Codes 17362, 17331 and 17408. There are no stations on the Subject Line. Maps of the Subject Line are attached as Exhibit A.

Applicants plan to seek Surface Transportation Board (“STB”) authorization for the abandonment through a joint notice of exempt abandonment pursuant to the provisions of 49 CFR §1152.50 concurrently with the filing of this Report. This Report is being filed in

connection therewith, and in accordance with the requirements of 49 CFR §§1105.7 and 1105.8.

To prepare this Report, Applicants consulted with various state and federal agencies as required by the Board's regulations. *See* the letters attached as Exhibit B. Based on the written responses received by Applicants to-date attached as Exhibit C, Applicants state as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

YRC is a Class III railroad that exclusively controls approximately 57 miles of track in and near York, Pennsylvania. The company was created in 1999 through a consolidation of Yorkrail, and the Maryland and Pennsylvania Railroad ("M&P"), both owned by the Emons Railroad Group, and sold to limited liability lessor subsidiaries with the similar names (Yorkrail, LLC and Maryland and Pennsylvania Railroad Company, LLC) and exclusively controlled by YRC.¹ Genesee & Wyoming Inc. gained control of the Applicants in 2002.²

YRC operates over four Branch lines: The West Branch, East Branch, Central Branch, and the York Rail Branch, extending primarily southwest from York. YRC interchanges with East Penn Railroad ("ESPN") and Norfolk Southern ("NS") at York and with CSX Transportation ("CSXT") at Porters and Hanover.

The Subject Line is located within the West Branch which has had no rail operations since September 2004. YRC does not intend to disturb any sub grade or sub grade structures. Rail, crossties, ballast, and all other rail related structures, such as bridges and culverts will remain in place, and will not be salvaged by YRC.

¹ *Maryland and Pennsylvania Railroad Company and Yorkrail, Inc. – Intracorporate Family Transaction Exemption*, STB Finance Docket No. 33815 (served Dec. 13, 1999).

² *Genesee & Wyoming Inc. – Control Exemption - ETR Acquisition Corporation and Emons Transportation Group, Inc.*, STB Finance Docket No. 34148 (served Feb. 28, 2002).

2. EFFECTS ON THE TRANSPORTATION SYSTEM

The abandonment will have no effect on the transportation system because there is no overhead traffic over the Subject Line and the last date of local service to or from the Subject Line was in approximately September of 2004. As such, no traffic will be diverted. Applicants sent a consultation letter regarding the proposed abandonment to the Pennsylvania Department of Transportation Bureau of Rail Freight, Ports and Waterways (“PennDOT”). *See* the letters attached as part of Exhibit B. No response has been received from PennDOT.

3. LAND USE

(i) Applicants are unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicants consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: US Department of Agriculture Natural Resources Conservation Service – Local (“NRCS Local”), US Department of Agriculture Natural Resources Conservation Service – National (“NRCS National”), Environmental Protection Agency Region 3 (“EPA Region 3”), U.S. Army Corps of Engineers North Atlantic Division, Baltimore District (“ACE”), National Park Service – National (“NPS National”), National Park Service – Northeast Region (“NPS Northeast Region”), U.S. Fish & Wildlife Service – Northeast Region 5 (“FWS Northeast Region 5”), National Geodetic Survey, National Oceanic and Atmospheric Administration (“NGS”), PennDOT, the Pennsylvania Department of Environmental Protection (“PA DEP”), Pennsylvania Department of Conservation and Natural Resources (“PA DCNR”), the Pennsylvania Game Commission – South Central Region (“PA GC”), Pennsylvania Coastal Resources Management Program (“PA CRMP”), York County Commissioner Julie Wheeler,

York County Administrator/Chief Clerk, Mark Derr (together referred to herein as “York County”).

Copies of these letters are attached as part of Exhibit B. To date, Applicants have only received written responses from the following consulted agencies, copies of which are included as part of Exhibit C:

- The PA GC responded that a species of concern is located in the vicinity of the project and requests a conservation measure.
- ACE responded indicating that Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act require authorization for the discharge of dredged and/or fill material into waters of the United States, including jurisdictional wetlands and providing Applicants ACE contact information if Applicants have any questions.
- NRCS – Local requested shape files of the Subject Line to map against the NRCS easements database. (Applicants provided the requested files. A copy of the response is included in Exhibit B.)
- NGS responded indicating potential geodetic survey marks in the vicinity of the abandonment.

(ii) Applicants do not believe that the proposed abandonment will have any adverse effect on any prime agricultural land. Consultation notices were sent to the potentially concerned agencies listed in paragraph 3(i) above, and as indicated, no responses have been received except for the responses from PA GC, ACE, NRCS, and NGS.

(iii) PA CRMP has confirmed to Applicants that the Subject Line is not in a coastal zone, and accordingly, consistency with any coastal zone plans is inapplicable.

(iv) Applicants believe that the right of way may be suitable for use as a trail or other public purposes. Applicants intend to sell the Subject Line to the York County Trail Authority for trail use.

4. **ENERGY**

The Subject Line serves no overhead traffic, and no local service has been provided to or from the Subject Line since approximately September 2004. As such,

- (i) the proposed abandonment will have no effect on the transportation of energy sources;
 - (ii) the proposed abandonment will have no effect on recyclable commodities;
 - (iii) the proposed abandonment will be no effect on overall energy efficiency;
- and
- (iv) the proposed abandonment will not divert any traffic from rail to motor carriage.

The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. AIR

The proposed abandonment will not result in any increases in rail or truck traffic or rail yard activity. The effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. NOISE

Applicants do not believe that the proposed abandonment will result in any increase in noise levels.

7. SAFETY

Applicants do not believe that the proposed abandonment will have any adverse effect on public health or safety.

8. BIOLOGICAL RESOURCES

(i) Applicants have consulted with the FWS Northeast Region 5, as well as to the following agencies that are potentially concerned with biological resources: PA DCNR, PA GC, NPS National, NPS Northeast, ACE, NRCS-National, and NRCS–Local. Copies of these

consultation letters are attached as part of Exhibit B. As stated above in section 3(i), Applicants received a response from PA GC indicating that a species of concern is located in the vicinity of the project and requests a conservation measure. In addition, NRCS – Local requested shape files of the Subject Line so that it could map the Subject Lines against NRCS easements, and Applicants have provided the requested shape files.

(ii) Applicants do not believe that there are any wildlife sanctuaries or refuges, National or State parks or forests in the vicinity of the proposed abandonment. Consultation letters were sent to the agencies identified in the paragraph 8(i) and Applicants have not received any responses.

9. WATER

(i) The proposed abandonment and any salvage will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicants consulted with the agencies identified in paragraph 8(i) and other than the response noted in 9(ii), no agency has responded.

(ii) Applicants sent a consultation letter regarding the proposed abandonment to the U.S. Army Corps of Engineers. A copy of this letter is attached as part of Exhibit B. As stated above in section 3(i), Applicants received a response from ACE reminding Applicants of federal requirements for the discharge of dredge and/or fill material into waters of the United States, including jurisdictional wetlands.

(iii) Applicants do not believe that any Clean Water Act permits will be required. Consultation letters were sent to PA DEP and EPA. Copies of these letters are attached as part of Exhibit B and Applicants have so far received no responses.

10. PROPOSED MITIGATION

Since no adverse environmental impacts are expected, no mitigation is proposed.

11. ADDITIONAL INFORMATION FOR RAIL CONSTRUCTION

Not applicable.

12. CONSULTATION

As shown by the copies of letters attached as Exhibit B, Applicants have consulted with the following agencies: NRCS Local, NRCS National, EPA Region 3, ACE, NPS National, NPS Northeast Region, FWS Northeast Region 5, NGS, Penn DOT, PA DEP, PA DCNR, PA GC, PA CRMP, and York County. Written responses received to-date are attached as Exhibit C. Written responses received from PA GC, ACE, NRCS, and NGS are summarized in Section 3(i) above.

13. CERTIFICATIONS

Applicants certify that:

- (a) It consulted with the agencies listed in 49 CFR 1105.7, as described in paragraph 12 above.
- (b) On this date, it sent copies of this report to each of the agencies consulted as shown on the attached certificate of service.
- (c) Notice of the proposed abandonment was published in *York Daily Record* on October 30, 2020. A copy of the form of notice and the proof of publication are attached as Exhibit D.
- (d) Applicants are concurrently filing this report with a Joint Notice of Exemption of abandonment and are seeking a waiver of the 20-day service requirement to facilitate the sale of the Subject Line for trail use. On October 7, 2020, Applicants mailed consultation letters to the relevant

federal, state, and local environmental agencies and the SHPO, providing them with advance notice of the proposed abandonments.

HISTORIC REPORT (49 CFR 1105.8)

1. U.S.G.S TOPOGRAPHIC MAP

U.S.G.S. topographic maps showing the location of the proposed abandonment are attached as Exhibit E.

2. DESCRIPTION OF RIGHT OF WAY

Applicants seek a joint notice of exemption to abandon the following two segments of rail line (together, the “Subject Line”): (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and (2) Between at or near mile post 24.10, near Spring Grove, PA in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township.

The Subject Line is located primarily in rural terrain, with some portions abutting industrial, commercial retail, and residential areas. The right of way is generally 50 feet wide. The right of way is crossed by approximately 12 local roadways.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

The only structures located on the Subject Line over 50 years old or older (historic) are bridges. Photographs are included as Exhibit F.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

YRC has no documents that pertain to any structures which are over 50 years old.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

YRC exclusively controls approximately 57 miles of track in and near York, Pennsylvania. The company was created in 1999 through a consolidation of Yorkrail, Inc. and the Maryland and Pennsylvania Railroad (“M&P”), both owned at the time by the Emons Railroad Group, and sold to limited liability lessor subsidiaries with similar names (Yorkrail,

LLC and Maryland and Pennsylvania Railroad Company, LLC) and exclusively controlled by YRC.³ Genesee & Wyoming Inc. gained control of the Applicants in 2002.⁴

YRC operates over four Branch lines: The West Branch, East Branch, Central Branch, and the York Rail Branch, extending primarily southwest from York. YRC interchanges with East Penn Railroad (ESPN) and Norfolk Southern (NS) at York and with CSX Transportation (CSXT) at Porters and Hanover. It has the capacity to operate freight cars that weigh as much as 286,000 pounds when fully loaded. Historically, its top commodities have been agricultural products, food and kindred products, minerals and stone, pulp and paper.

There have been no rail operations on or over the Subject Line since September 2004.

6. SUMMARY OF STRUCTURE DOCUMENTATION

YRC has no documentation pertaining to any structures over 50 years old.

7. OPINION REGARDING CRITERIA FOR LISTING

Based on readily available information in YRC's possession, YRC does not believe that the Subject Line or right of way represent an historical resource or that any protective conditions are warranted. Applicants have given notice of the proposed abandonment to the Pennsylvania State Historic Preservation Office - Eastern Region ("SHPO"), a copy of which is included as part of Exhibit G. Other than a request for Applicants to submit a project review form to initiate SHPO consultation, Applicants have received no response from the SHPO to date. Applicants' response to the SHPO's request for the project review form is included as part of Exhibit G.

³ *Maryland and Pennsylvania Railroad Company and Yorkrail, Inc. – Intracorporate Family Transaction Exemption*, STB Finance Docket No. 33815 (served Dec. 13, 1999).

⁴ *Genesee & Wyoming Inc. – Control Exemption - ETR Acquisition Corporation and Emons Transportation Group, Inc.*, STB Finance Docket No. 34148 (served Feb. 28, 2002).

8. **ENVIRONMENTAL CONDITIONS**

Applicants are unaware of any prior subsurface ground disturbance or fill, or environmental conditions which might affect the archeological recovery of resources or the surrounding terrain. Moreover, Applicants intend to transfer the Subject Line for trail use and do not currently plan any salvage work.⁵

Respectfully submitted,



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jmarks@clarkhill.com

*Counsel for York Railway Company
and Yorkrail, LLC*

Dated: November 2, 2020

⁵ If Applicants were to conduct salvage, it would take place within the right of way, would be surface work only and would not disturb subsurface resources.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of November, 2020, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by first class mail, postage prepaid:

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

National Park Service
Northeast Region
1234 Market Street
20th Floor
Philadelphia, PA 19107

Pennsylvania Department of Environmental
Protection
Southcentral Regional Office
909 Elmerton Ave.
Harrisburg, PA 17110

National Park Service
1849 C Street, NW
Washington, DC 20240

President Commissioner Julie Wheeler
Mark E. Derr - Administrator/Chief Clerk
York County Administrative Center
28 East Market St.
York, PA 17401-1588

Natural Resources Conservation Service
USDA
Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

JLWheeler@YorkCountyPA.gov
MEDerr@YorkCountyPA.gov

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

Natural Resources Conservation Service
USDA
359 East Park Drive
Harrisburg, PA 17111

U.S. Fish and Wildlife Service
Northeast Region 5
Office of the Regional Director
300 Westgate Center Drive
Hadley, Massachusetts 01035-9589

Communications and Outreach Branch
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282
ngs.inforcenter@noaa.gov
Pennsylvania Game Commission
Southcentral Region
8627 William Penn Highway
Huntingdon, PA 16652

Pennsylvania Department of Conservation and
Natural Resources
400 Market Street
Harrisburg, PA 17105

U.S. Army Corps of Engineers
North Atlantic Division, Baltimore District
Regulatory Branch (CENAB-OP-R)
2 Hopkins Plaza
Baltimore, MD 21201

NAB-Regulatory@usace.army.mil.

Pennsylvania Coastal Resources
Management Program

ra-epcoastalzone@pa.gov



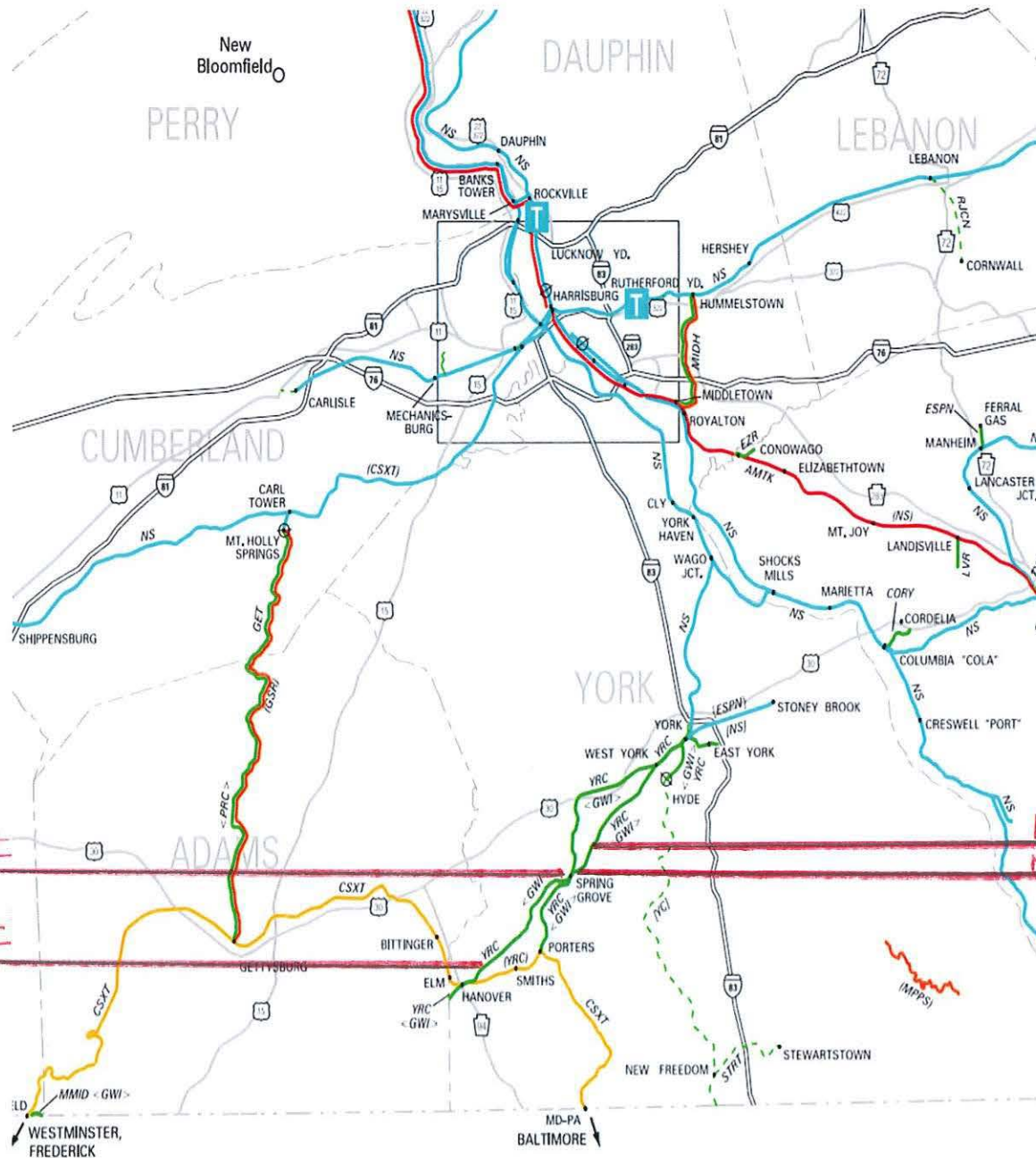
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ENVIRONMENTAL/HISTORIC REPORT

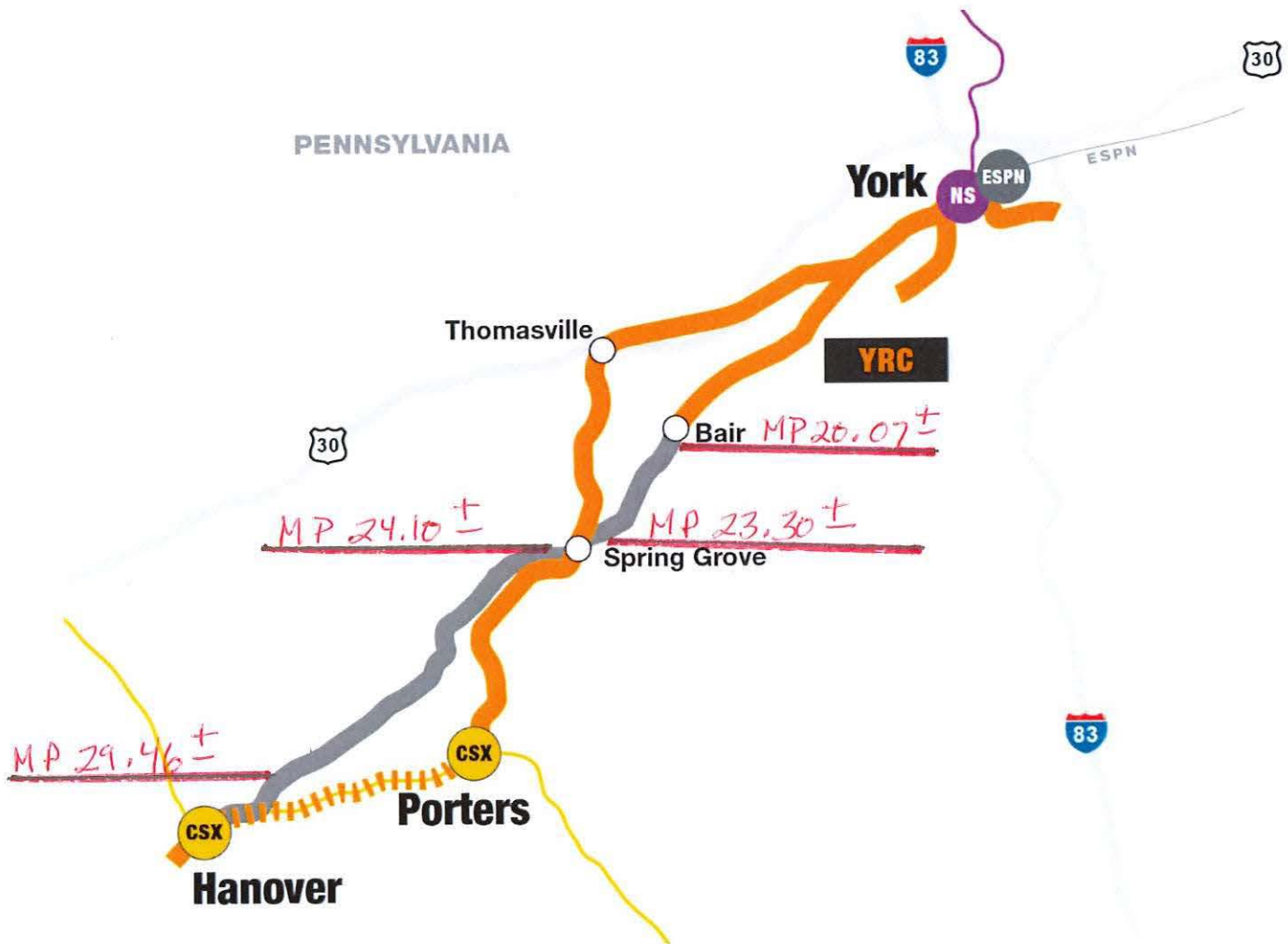
EXHIBIT A

MAPS

YRC
STB FILING EXHIBIT
ITEM 9
(1 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(3 of 3)



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT B

CONSULTATION LETTERS

CLARK HILL

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Email: jmarks@ClarkHill.com

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1001 Pennsylvania Avenue NW
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Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

October 7, 2020

VIA EMAIL AND FIRST-CLASS MAIL

ALL AGENCIES ON THE
ATTACHED SERVICE LIST

Re: York Railway Company and Yorkrail LLC – Abandonment Exemption –
in York County, PA
Surface Transportation Board Docket No. AB 1307X and AB 1308X

To Whom it May Concern:

This letter is to advise you that York Railway Company (“YRC”) and Yorkrail LLC (Yorkrail) intend to file a notice for exemption for YRC and Yorkrail to abandon the following two segments of rail line (together, the “Subject Line”):

- (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and
- (2) Between at or near mile post 24.10, near Spring Grove, PA in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township M.P. 2.2.

YRC owns all of the common carrier operating rights with respect to the Subject Line, while Yorkrail is a carrier by virtue of its ownership of the underlying rail assets comprising the Subject Line. The Subject Line traverses through United States Postal Service ZIP Codes 17362, 17331, 17408. A map of the Subject Line is attached as Exhibit A.

YRC and Yorkrail plan to seek Surface Transportation Board (“STB”) authorization for their respective abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after November 1, 2020 in Surface Transportation Board Docket Nos. AB 1307X and AB 1308X.

Based upon information in YRC’s possession, the Subject Line does not contain federally granted rights of way.

October 7, 2020

Page 2

No local service has been provided on the Subject Line since approximately September 2004. At this time, YRC and Yorkrail intend to sell the Subject Line to the York County Rail Trail Authority, a political subdivision of the County of York. YRC and Yorkrail understand that the York County Rail Trail Authority may be interested in acquiring the Subject Line for trail use. YRC and Yorkrail believe that this may be a reasonable alternative public purpose for the right of way. YRC and Yorkrail believe that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

We would appreciate an expression from you by November 2, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

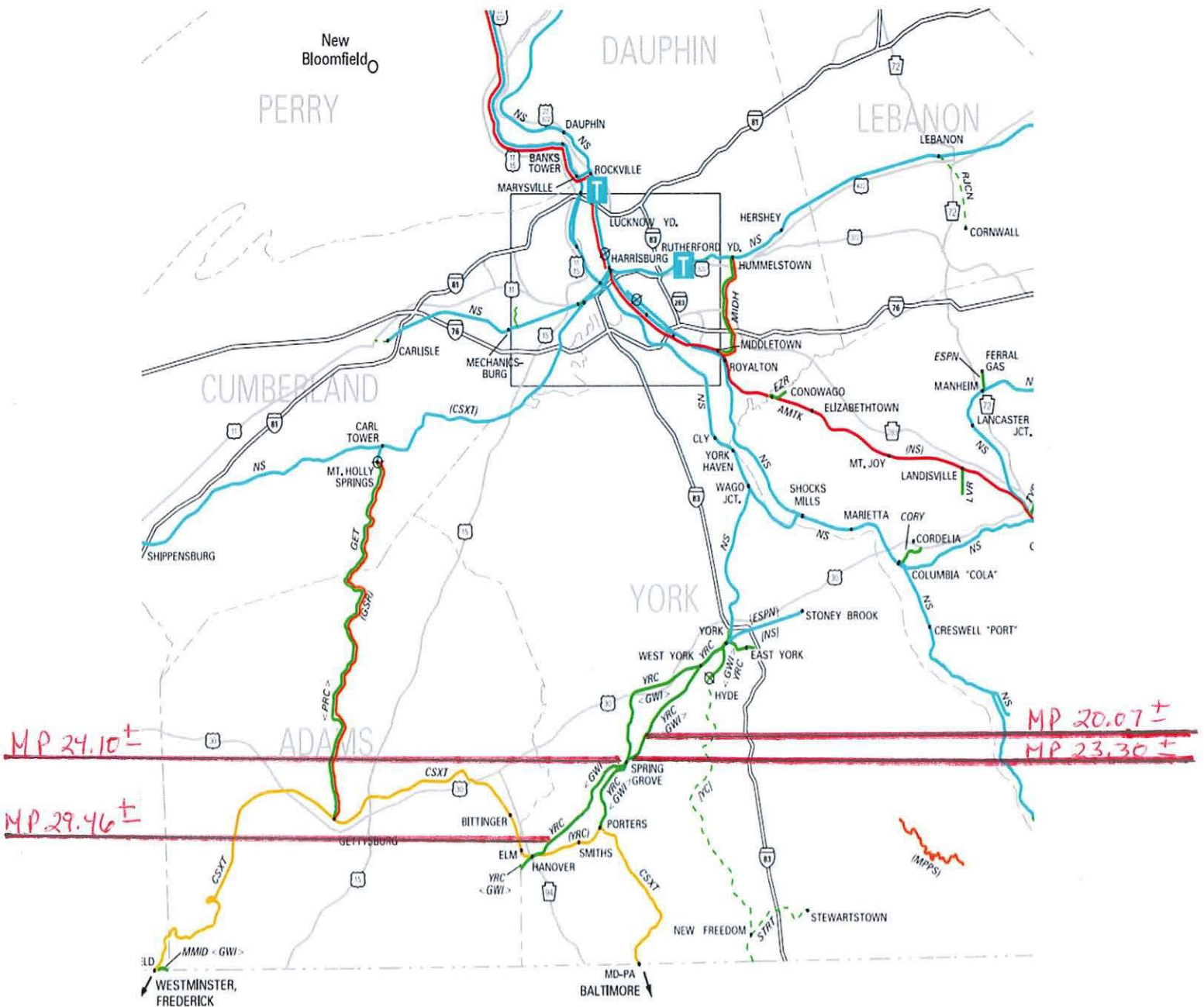


Justin J. Marks
*Counsel to York Railway Company
and Yorkrail LLC*

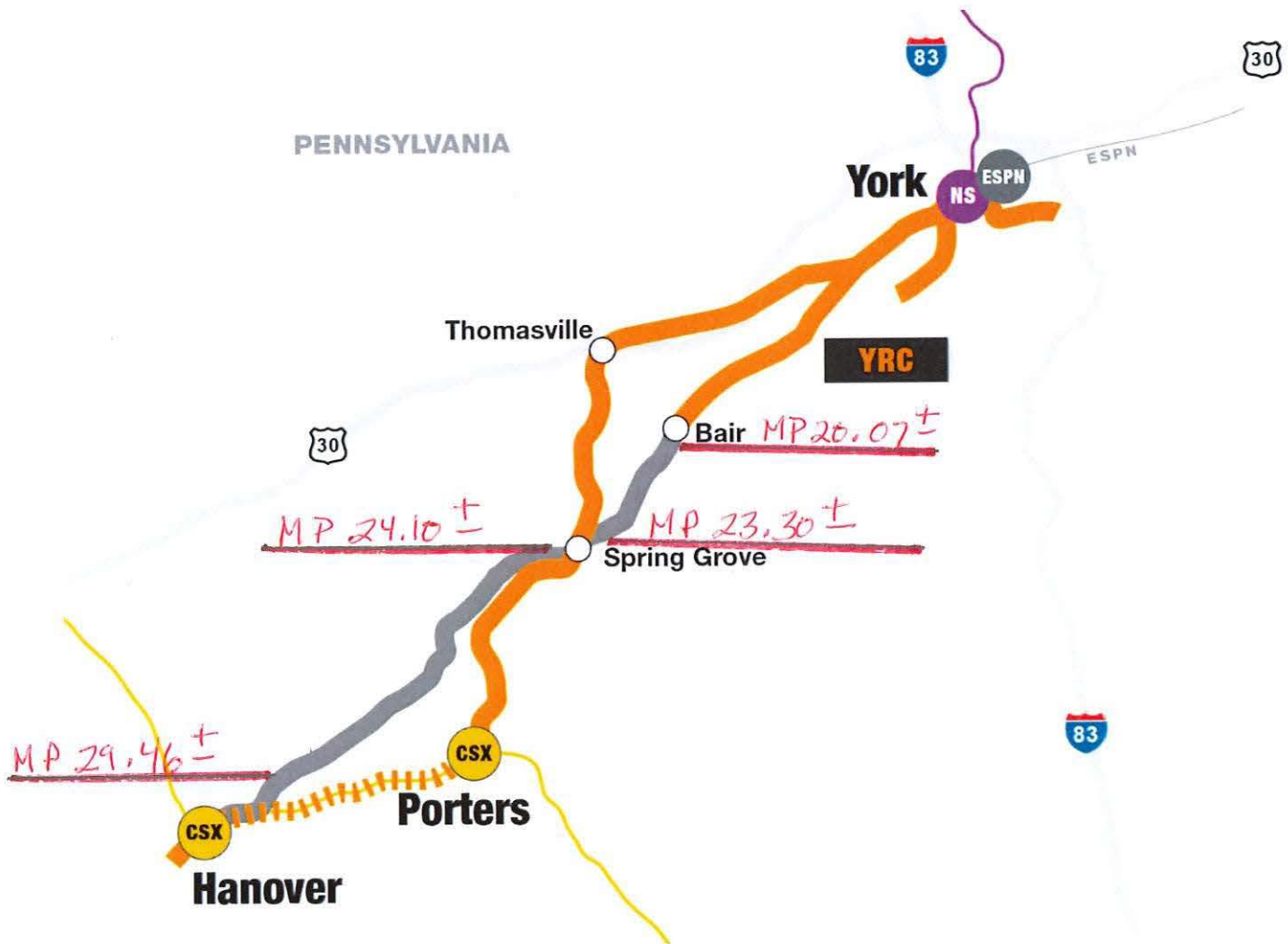
Enclosure

EXHIBIT A

YRC
STB FILING EXHIBIT
ITEM 9
(1 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(3 of 3)



AGENCY SERVICE LIST

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

National Park Service
Northeast Region
1234 Market Street
20th Floor
Philadelphia, PA 19107

Pennsylvania Department of Environmental
Protection
Southcentral Regional Office
909 Elmerton Ave.
Harrisburg, PA 17110

National Park Service
1849 C Street, NW
Washington, DC 20240

President Commissioner Julie Wheeler
Mark E. Derr - Administrator/Chief Clerk
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28 East Market St.
York, PA 17401-1588

Natural Resources Conservation Service
USDA
Office of the Chief
1400 Independence Ave., SW
Room 5105-A
Washington, DC 20250

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

Natural Resources Conservation Service
USDA
359 East Park Drive
Harrisburg, PA 17111

U.S. Fish and Wildlife Service
Northeast Region 5
Office of the Regional Director
300 Westgate Center Drive
Hadley, Massachusetts 01035-9589

Communications and Outreach Branch
NOAA, N/NGS12
National Geodetic Survey, SSMC3 #9340
1315 East-West Highway
Silver Spring, MD 20910-3282
ngs.inforcenter@noaa.gov

Pennsylvania Department of Conservation and
Natural Resources
400 Market Street
Harrisburg, PA 17105

Pennsylvania Game Commission
Southcentral Region
8627 William Penn Highway
Huntingdon, PA 16652

U.S. Army Corps of Engineers
North Atlantic Division, Baltimore District
Regulatory Branch (CENAB-OP-R)
2 Hopkins Plaza
Baltimore, MD 21201

NAB-Regulatory@usace.army.mil.

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October 7, 2020

VIA EMAIL

Pennsylvania Coastal Resources
Management Program

Re: York Railway Company and Yorkrail LLC – Abandonment Exemption –
in York County, PA
Surface Transportation Board Docket No. AB 1307X and AB 1308X

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YRC and Yorkrail plan to seek Surface Transportation Board (“STB”) authorization for their respective abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after November 1, 2020 in Surface Transportation Board Docket Nos. AB 1307X and AB 1308X.

Based upon information in YRC’s possession, the Subject Line does not contain federally granted rights of way.

October 7, 2020

Page 2

No local service has been provided on the Subject Line since approximately September 2004. At this time, YRC and Yorkrail intend to sell the Subject Line to the York County Rail Trail Authority, a political subdivision of the County of York. YRC and Yorkrail understand that the York County Rail Trail Authority may be interested in acquiring the Subject Line for trail use. YRC and Yorkrail believe that this may be a reasonable alternative public purpose for the right of way. YRC and Yorkrail believe that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to environmental effects of the proposed abandonment.

Your agency has jurisdiction over coastal zones in Pennsylvania, please advise if the Subject Line is within Pennsylvania's coastal zone. If it is within the coastal zone, please advise further (1) if the proposed abandonment is an action listed for review in Pennsylvania's coastal zone management plan, and (2) if the action is so listed, whether the proposed action is consistent with the coastal zone management plan.

We would appreciate an expression from you by November 2, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

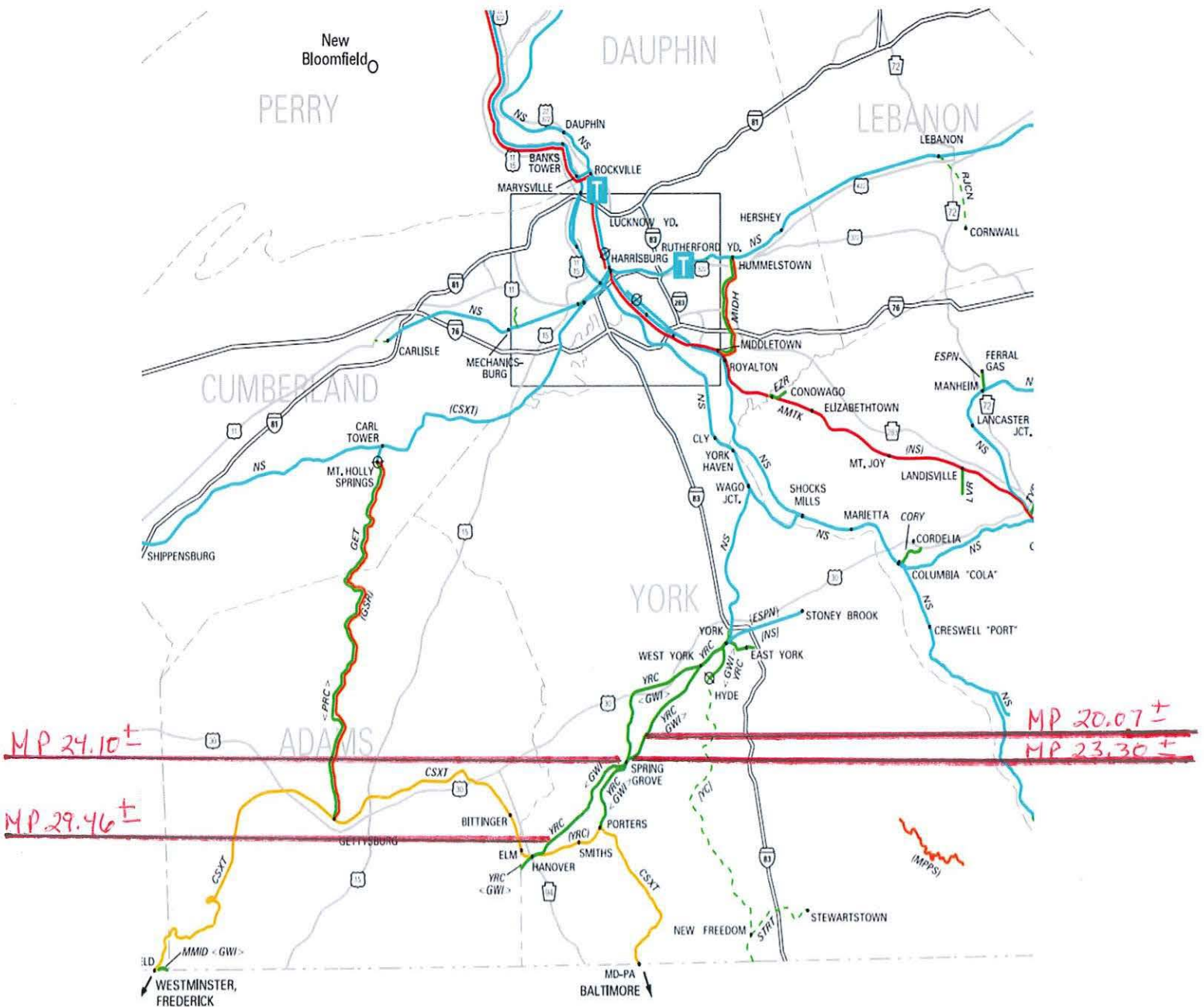


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*Counsel to York Railway Company
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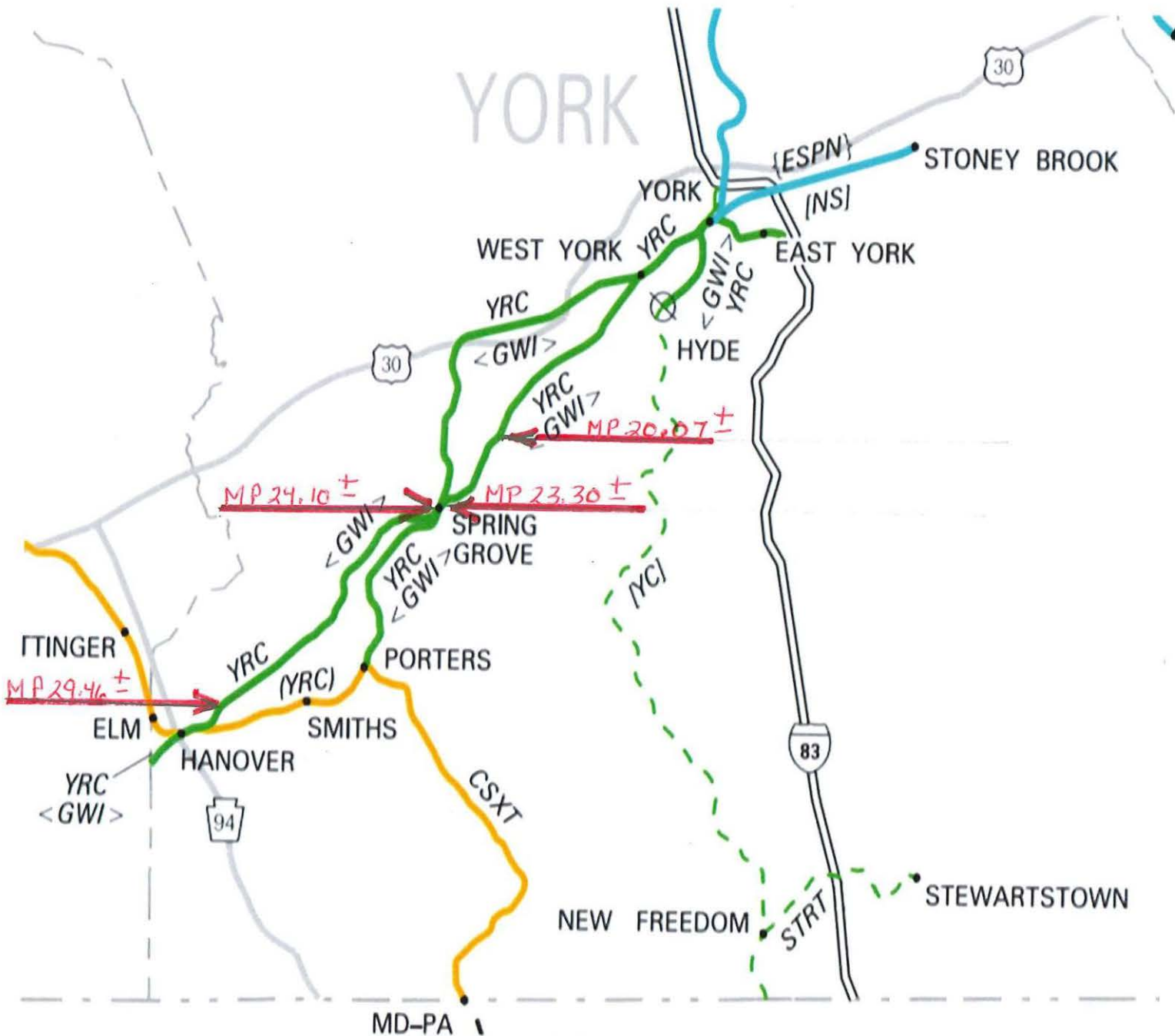
Enclosure

EXHIBIT A

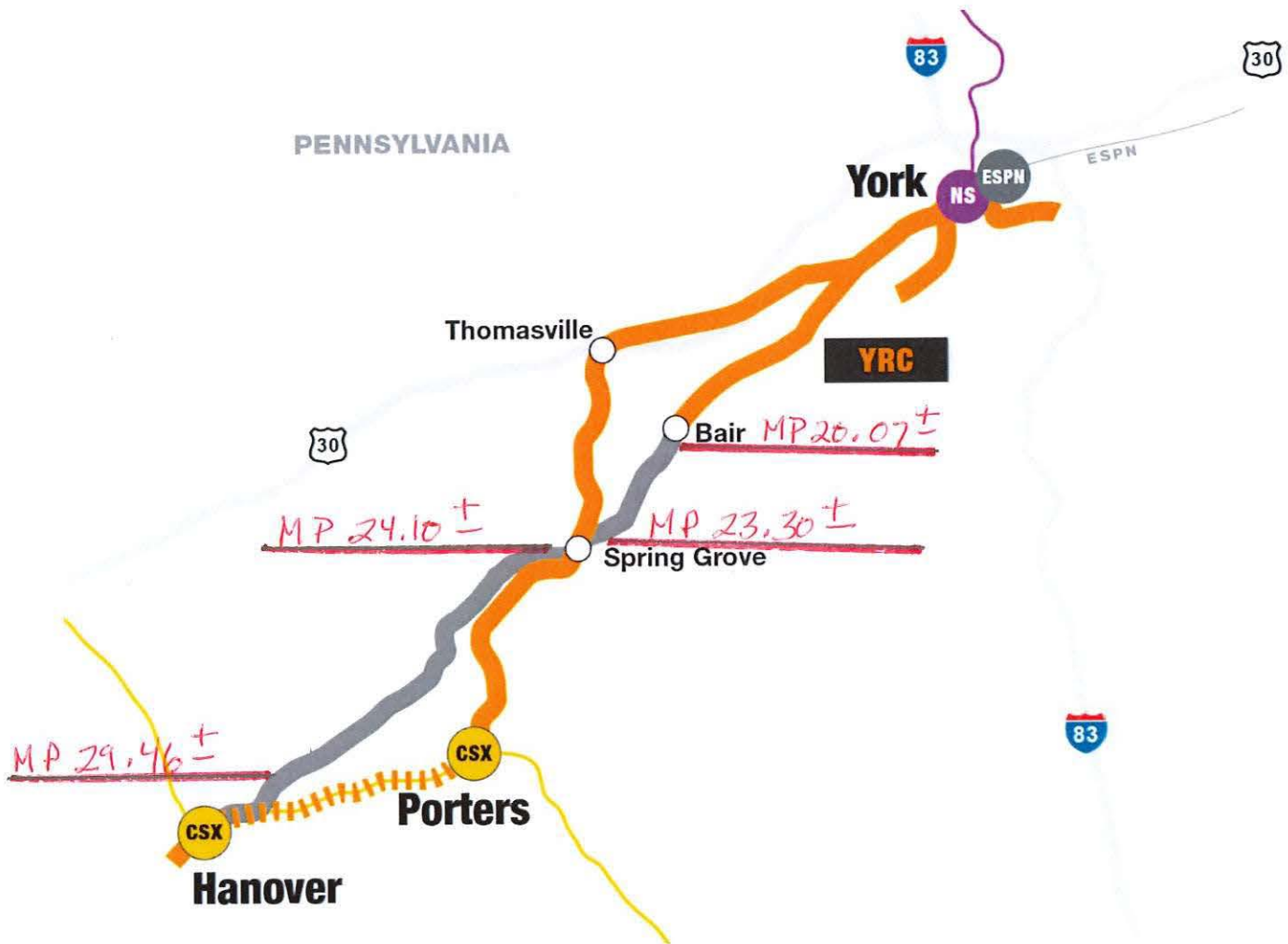
YRC
STB FILING EXHIBIT
ITEM 9
(1 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(2 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(3 of 3)



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT C

AGENCY RESPONSES

October 13, 2020

Mr. Justin Marks
Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004

Re: York Railway Company and Yorkrail, LLC – Abandonment Exemption
Surface Transportation Board Docket No. AB 1307X and AB 1308X
York County, PA

Dear Mr. Marks,

Thank you for submitting the York Railway Company and Yorkrail, LLC – Abandonment Exemption, Surface Transportation Board Docket No. AB 1307X and AB 1308X to the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

Potential Impact Anticipated

PNDI records indicate species or resources of concern are located in the vicinity of the project. The PGC has received and thoroughly reviewed the information that you provided to this office as well as PNDI data and has determined that potential species of special concern birds may be associated with your project. Therefore, additional measures are recommended to avoid potential impacts to the species listed below.

Scientific Name	Common Name	PA Status	Federal Status
<i>Ardea herodias</i>	Great Blue Heron	SPECIAL CONCERN	N/A

Conservation Measure

The PGC has determined that the proposed abandonment of the railroad line will not have an impact on nesting great blue heron, however future construction activities that may be necessary to transform the railroad into a trail may have potential impacts on nesting great blue heron. Therefore, the following seasonal restriction is suggested to avoid potential impacts to nesting great blue herons located immediately adjacent to a portion of the railroad proposed to be abandoned.

- *Any construction activities associated with the section of the railroad where the line crosses Codorus Creek southeast of Spring Grove and extending south along the railroad*

line for approximately 1500 feet, should be conducted outside great blue heron nesting season. Great blue heron nesting season is from February 15th through August 15th, therefore all construction activities in the above identified railroad section should occur between August 16th and February 14th.

- *No seasonal restrictions related to great blue heron are suggested in any other sections of railroad proposed to be abandoned.*

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,



Tracey Librandi Mumma
Division of Environmental Planning & Habitat Protection
Bureau of Wildlife Habitat Management
Phone: 717-787-4250, Extension 73614
Fax: 717-787-6957
E-mail: tlibrandi@pa.gov

A PNHP Partner



TLM/tlm

cc: Schnupp
Brauning

Murphy
Barber
Carlini
Vreeland
Mock
File



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, BALTIMORE DISTRICT
STATE COLLEGE FIELD OFFICE
1631 SOUTH ATHERTON STREET, SUITE 101
STATE COLLEGE, PA 16801-6260

October 13, 2020

Operations Division

Mr. Justin J. Marks
Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004

Dear Mr. Marks:

I am replying to your request, dated October 7, 2020, to abandon two segments of rail lines in York County, Pennsylvania. The project has been identified by this office as NAB-2020-00408-PA (York County – York Railway Company and Yorkrail LLC-Abandonment Exemption).

In accordance with Section 404 of the Clean Water Act, a Department of the Army authorization is required for the discharge of dredged and/or fill material into waters of the United States, including jurisdictional wetlands. Section 10 of the Rivers and Harbors Act also requires Department of the Army authorization for any work in, over, or under a navigable water of the United States.

If the project sponsor is proposing any work requiring a Department of the Army authorization, and they have any questions related to the permit submittal or review process, we recommend that they contact this office for a pre-application meeting. The sponsor may also request that this office perform a jurisdictional determination for the property, during which this office will determine the presence or absence of any aquatic resources within the review area that may be jurisdictional. Information on the jurisdictional determination process and related documents for submittal may be found at the following web site:

<http://www.nab.usace.army.mil/Missions/Regulatory/Jurisdictional-Determinations/>

In future correspondence and permit applications regarding this parcel, please include the file number located in the first paragraph of this letter.

A copy of this letter is being provided to the Pennsylvania Department of Environmental Protection and the York County Conservation District for informational purposes.

If you have any questions concerning this matter, please call Ms. Brenda Harrison of this office at (814) 235-1763.

Sincerely,

Wade B. Chandler
Chief, Pennsylvania Section
Regulatory Branch

To identify how we can better serve you, we need your help. Please take the time to fill out our customer service survey at:

http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:8845707609835

Marks, Justin J.

From: Jones, Hathaway - NRCS, Harrisburg, PA <hathaway.jones@usda.gov>
Sent: Monday, October 26, 2020 8:05 AM
To: Marks, Justin J.
Subject: RE: York Railway Company and Yorkrail LLC - Abandonment Exemption in York County PA

[External Message]

Thank you. I'll pass this along to our GIS specialist so that we can map it against our known easement holdings in PA. I'll get back to you with the results as soon as I can.

Sincerely,

Hathaway Jones

Management Analyst
USDA/NRCS

359 East Park Drive, Suite 2
Harrisburg, PA 17111
Ph: 717-237-2210

*Helping People Help the Land
USDA is an equal opportunity provider,
employer, and lender.*

From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Friday, October 23, 2020 3:07 PM
To: Jones, Hathaway - NRCS, Harrisburg, PA <hathaway.jones@usda.gov>
Subject: RE: York Railway Company and Yorkrail LLC - Abandonment Exemption in York County PA

Good afternoon:

My client has provided the attached shape file per your request below.

Thank you,

Justin

Justin J. Marks

CLARK HILL PLC

1001 Pennsylvania Ave. NW | Washington, DC 20004
202.772.0916 (Direct) | 202.772.0930 (Fax) |
jmarks@ClarkHill.com | www.clarkhill.com

From: Jones, Hathaway - NRCS, Harrisburg, PA <hathaway.jones@usda.gov>
Sent: Thursday, October 15, 2020 9:02 AM
To: Marks, Justin J. <jmarks@ClarkHill.com>
Subject: York Railway Company and Yorkrail LLC - Abandonment Exemption in York County PA
Importance: High

[External Message]

Justin,

Good morning. I am in receipt of your October 7th correspondence regarding abandonment of two segments of rail line. Before NRCS can provide a response, we will need shape files of the segments so that we can map them against our easements database. This is the only way we can determine if these lines impact any of our easements, and if impacted, the extent of the impact.

Please send shape files of the lines to us so that we can verify impact/no impact to our easement holdings.

Sincerely,

Hathaway Jones

Management Analyst
USDA/NRCS

359 East Park Drive, Suite 2
Harrisburg, PA 17111
Ph: 717-237-2210

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This email message and any attachments are confidential and may be privileged. If you are not the intended recipient, please notify us immediately by reply email and destroy all copies of this message and any attachments. Please do not copy, forward, or disclose the contents to any other person. Thank you.

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT D

NEWSPAPER NOTICE

york daily record

PART OF THE USA TODAY NETWORK

CLARK HILL PLC
1001 PENNSYLVANIA AVE. NW

WASHINGTON, DC 20004

Publication Cost: \$341.00
Ad No: 0004439949
Customer No: 2027720916
PO #:
of Affidavits 1

This is not an invoice

Affidavit of Publication

Proof of Publication State of Pennsylvania

The York Dispatch/York Sunday News and York Daily Record is the name of the newspaper(s) of general circulation published continuously for more than six months at its principle place of business, 1891 Loucks Road, York, PA 17408.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said The York Dispatch/York Sunday News and York Daily Record published on the following dates, viz:

Date of Publication: 10/30/2020

I, being first duly sworn upon oath depose and say that I am a legal clerk and employee of The York Dispatch/York Sunday News and York Daily Record and have personal knowledge of the publication of the advertisement mentioned in the foregoing statement as to the time, place and character of publications are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.

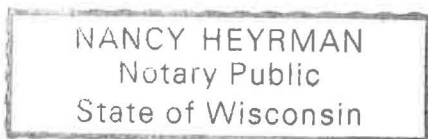
Shelly Hora

Subscribed and sworn to before on October 30, 2020:

Nancy Heyrman
Notary, State of Wisconsin, County of Brown

5.15.23

My commission expires



Notice of Intent to Abandon Rail Service

York Railway Company and Yorkrail LLC give notice that on or about November 2, 2020 they intend to file with the Surface Transportation Board, Washington, DC, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the abandonment of two segments of railroad line totaling 8.59 miles between railroad milepost 20.07 in the Village of Bair to milepost 23.3 in the Borough of Spring Grove, and between milepost 24.10 near Spring Grove to milepost 29.46 near Hanover, traversing through United States Postal Service ZIP Codes 17362, 17331, and 17408 in York County, PA. The proceeding has been docketed as No. AB 1307X and AB 1308X.

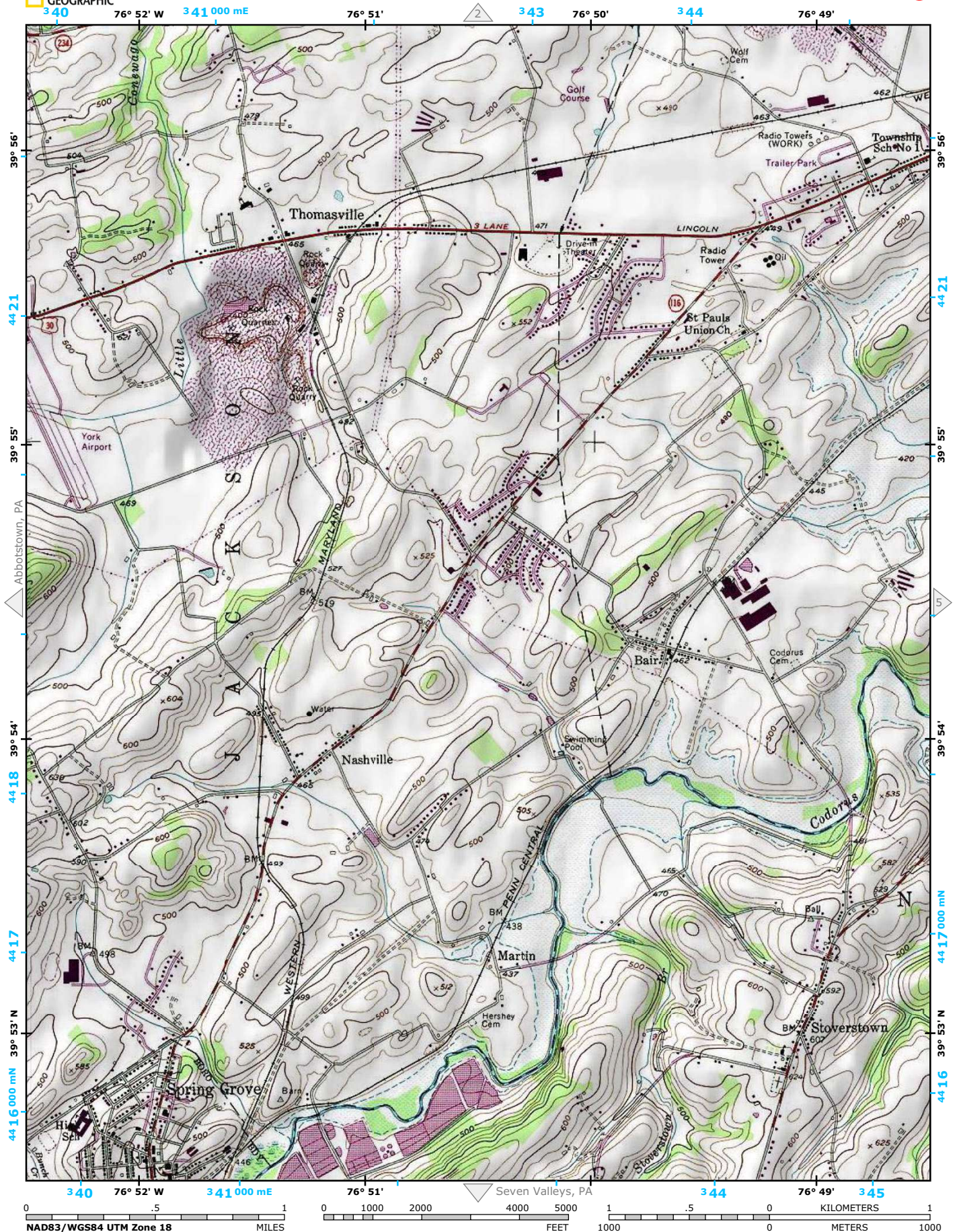
The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Office of Environmental Analysis (OEA), Surface Transportation Board, Washington, DC or by calling that office at (202) 245-0291.

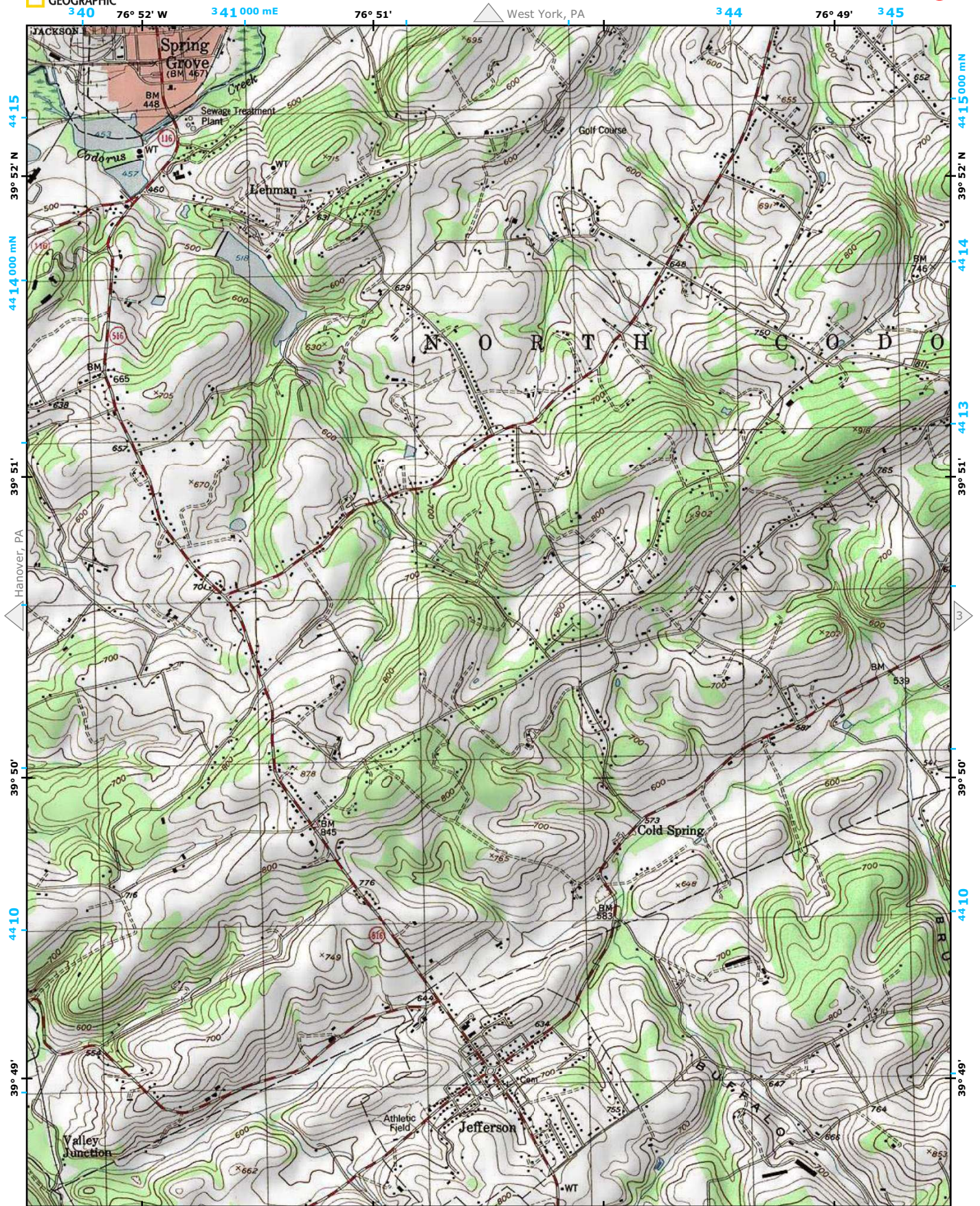
Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. Any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Proceedings either via e-filing or addressed to 395 E. Street S.W., Washington, DC 20423-0001 [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 Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004; jmarks@clarkhill.com.

ENVIRONMENTAL/HISTORIC REPORT

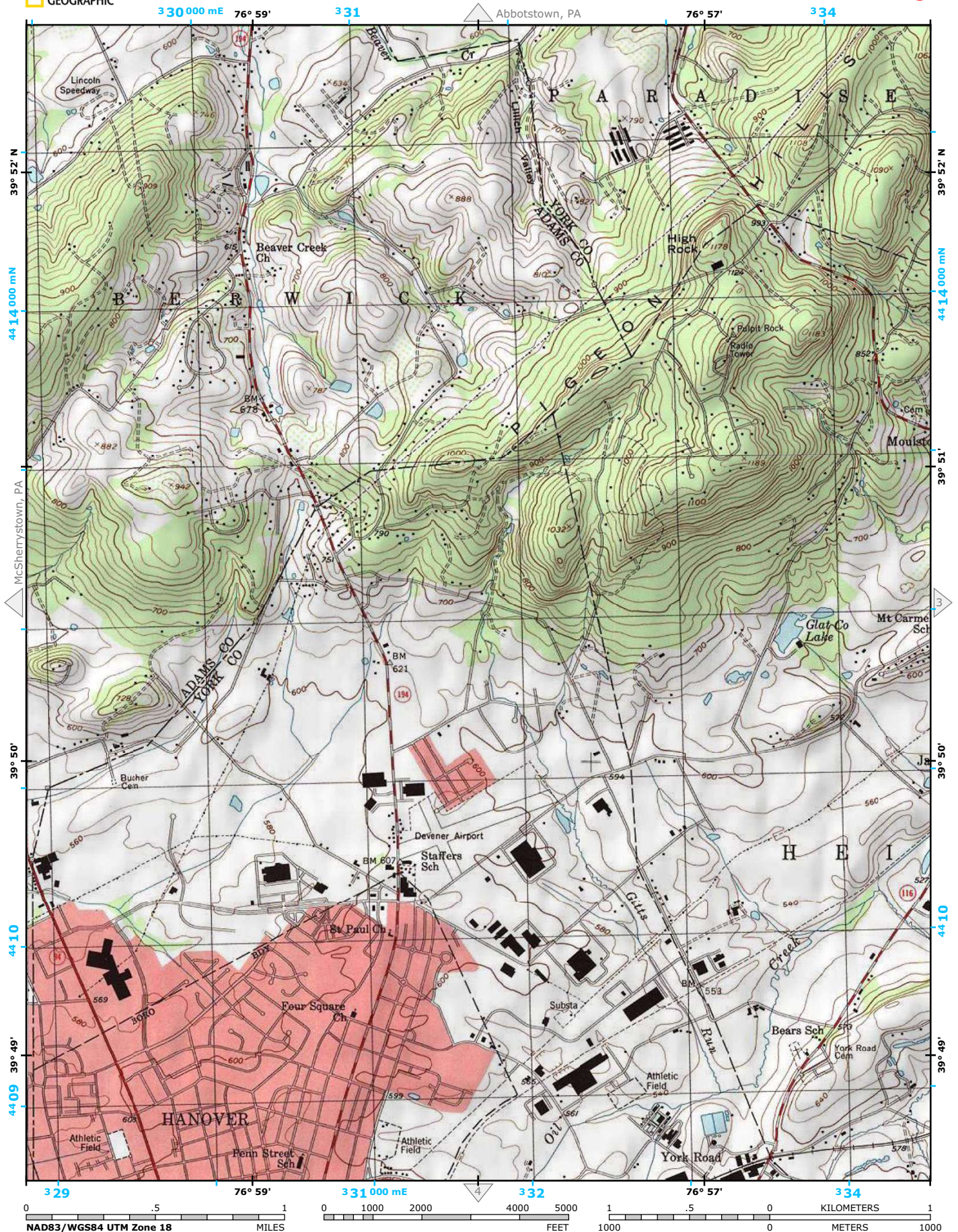
EXHIBIT E

TOPOGRAPHICAL MAPS









ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT F

PHOTOGRAPHS

Milepost 20.71
Sunnyside Road Bridge

Looking Southeast



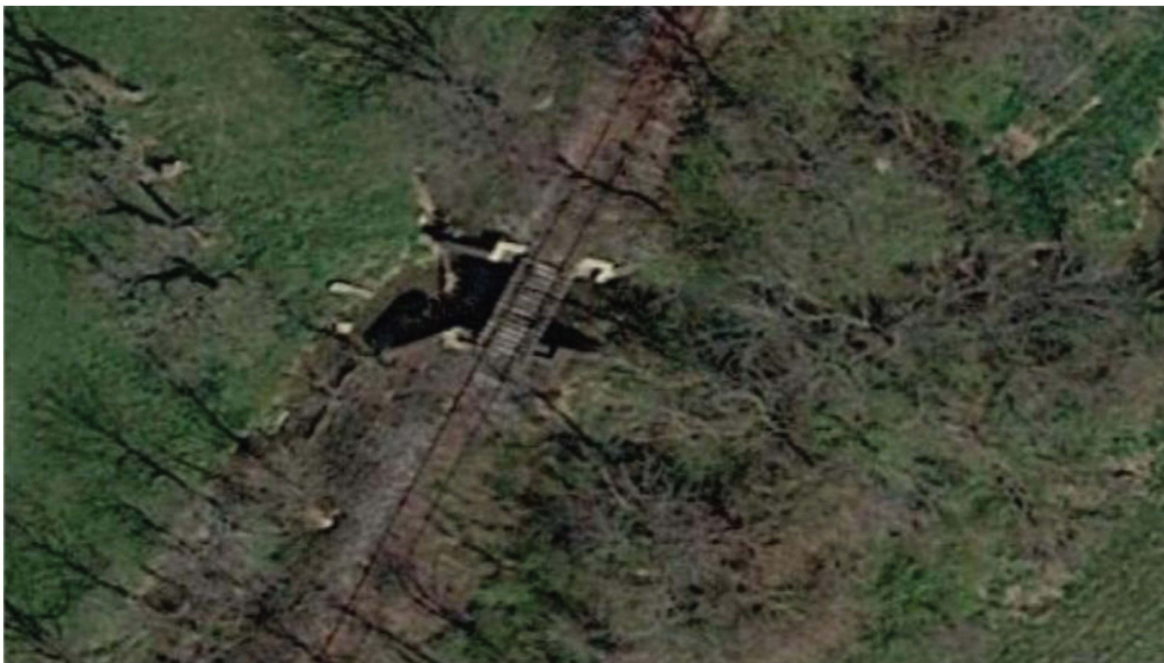
Looking Northwest



Milepost 21.36
BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8896048,-76.8400668,215m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 24.17

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8720734,-76.8824084,228m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 24.98

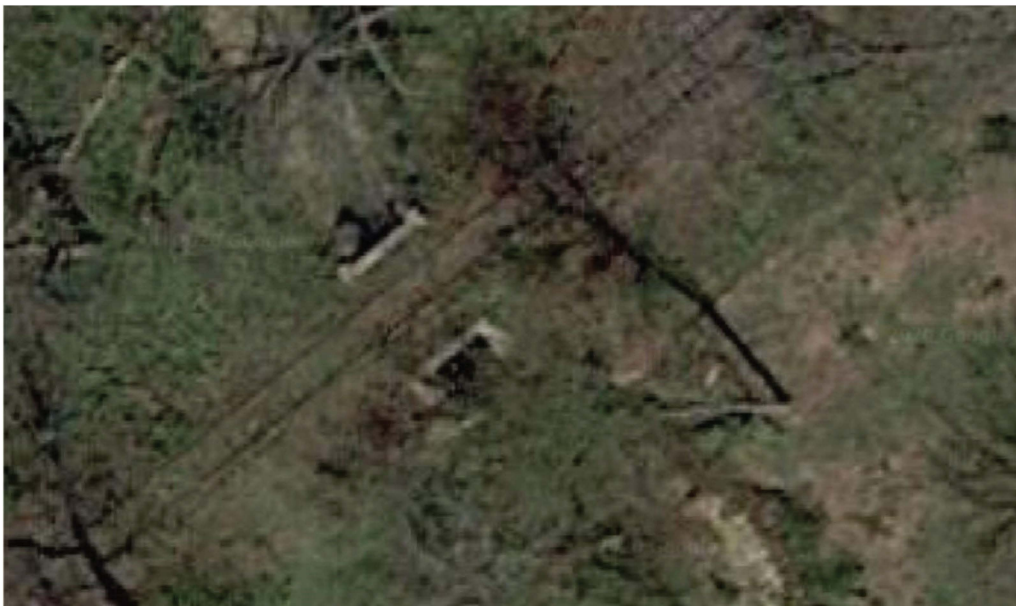


Milepost 27.28

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8379994,-76.9171497,1025m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 27.85

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8336324,-76.9254389,704m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 28.05



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT G

SHPO CORRESPONDENCE

CLARK HILL

Justin J. Marks
T 202.772.0916
F 202.772.0930
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

October 7, 2020

VIA EMAIL

Pennsylvania State Historic
Preservation Office - Eastern Region
Emma Diehl
amdiehl@pa.gov

Re: York Railway Company and Yorkrail LLC – Abandonment Exemption –
in York County, PA
Surface Transportation Board Docket No. AB 1307X and AB 1308X

Dear Ms. Diehl:

This letter is to advise you that York Railway Company (“YRC”) and Yorkrail LLC (Yorkrail) intend to file a notice for exemption for YRC and Yorkrail to abandon the following two segments of rail line (together, the “Subject Line”):

- (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and
- (2) Between at or near mile post 24.10, near Spring Grove, PA in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township M.P. 2.2.

YRC owns all of the common carrier operating rights with respect to the Subject Line, while Yorkrail is a carrier by virtue of its ownership of the underlying rail assets comprising the Subject Line. The Subject Line traverses through United States Postal Service ZIP Codes 17362, 17331, 17408. A map of the Subject Line is attached as Exhibit A.

YRC and Yorkrail plan to seek Surface Transportation Board (“STB”) authorization for their respective abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after November 1, 2020 in Surface Transportation Board Docket Nos. AB 1307X and AB 1308X.

Based upon information in YRC’s possession, the Subject Line does not contain federally granted rights of way.

October 7, 2020

Page 2

No local service has been provided on the Subject Line since approximately September 2004. At this time, YRC and Yorkrail intend to sell the Subject Line to the York County Rail Trail Authority, a political subdivision of the County of York. YRC and Yorkrail understand that the York County Rail Trail Authority may be interested in acquiring the Subject Line for trail use. YRC and Yorkrail believe that this may be a reasonable alternative public purpose for the right of way. YRC and Yorkrail believe that the abandonment will not have a significant effect upon the environment.

In advance of preparing an environmental report as required by applicable STB regulations, we are consulting with appropriate agencies such as yours as to any concerns which they may have as to historic effects of the proposed abandonment.

We would appreciate an expression from you by November 2, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant effect upon the environment (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

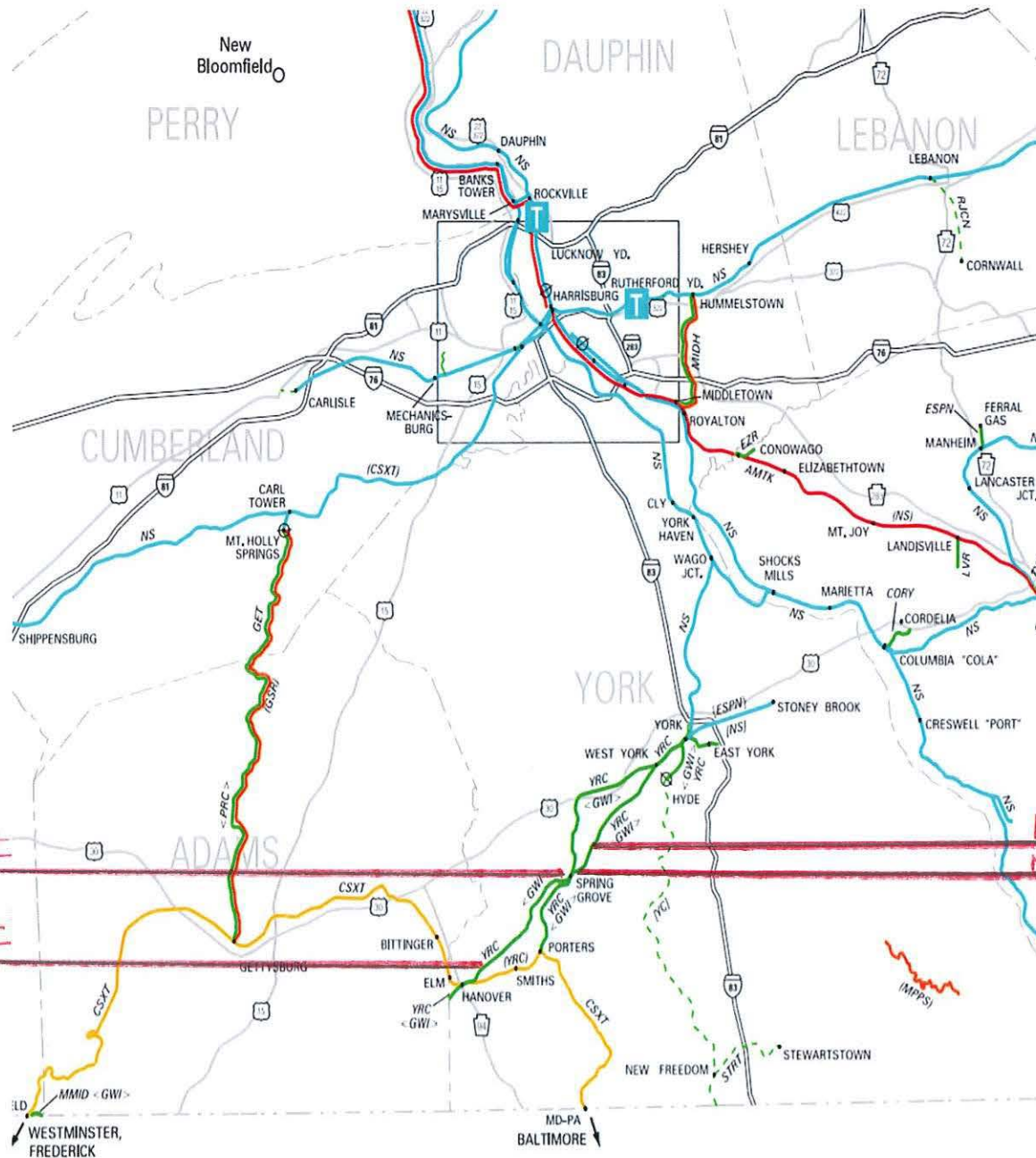


Justin J. Marks
*Counsel to York Railway Company
and Yorkrail LLC*

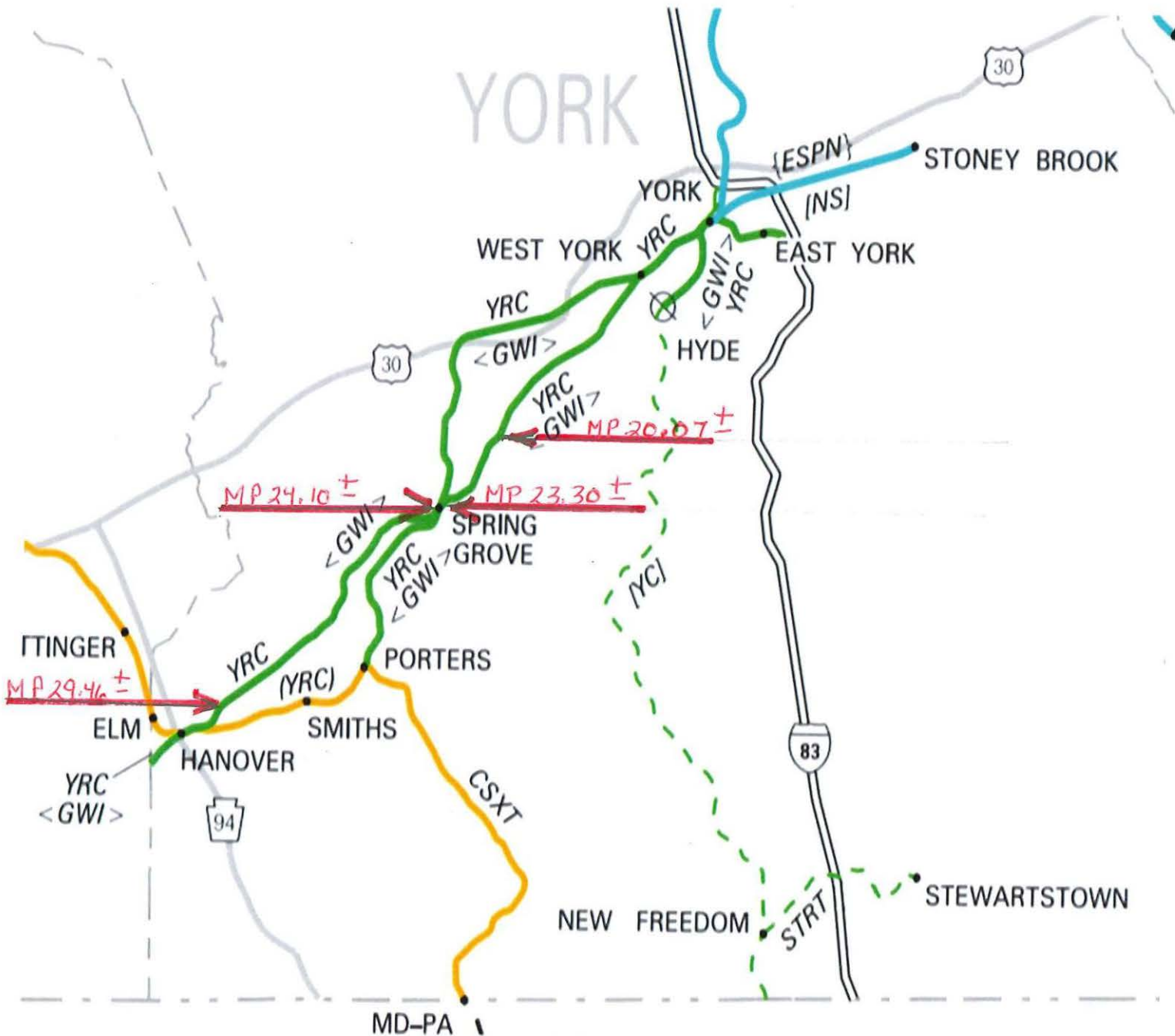
Enclosure

EXHIBIT A

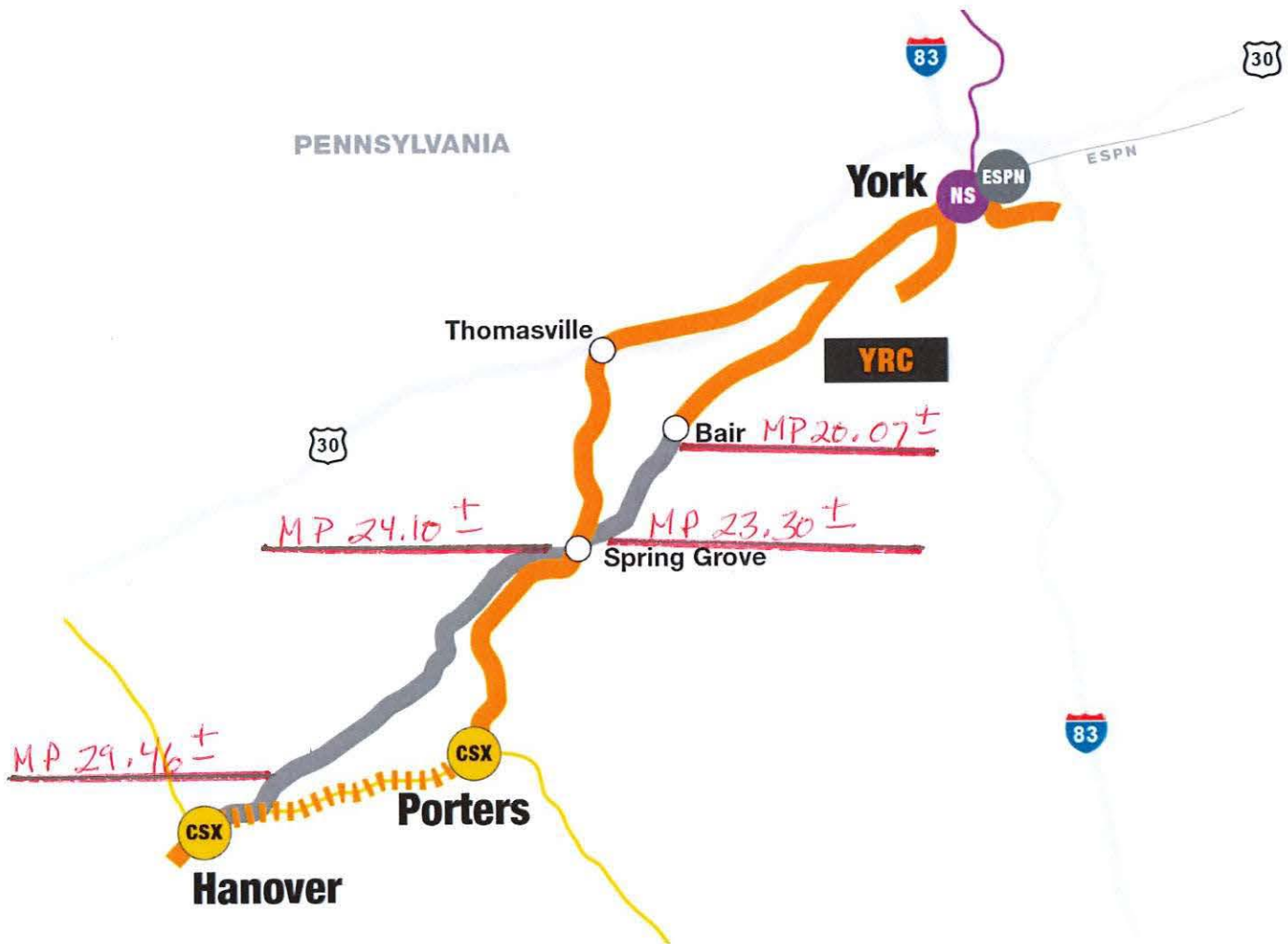
YRC
STB FILING EXHIBIT
ITEM 9
(1 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(2 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(3 of 3)



Marks, Justin J.

From: Diehl, Emma <emdiehl@pa.gov>
Sent: Thursday, October 15, 2020 8:54 AM
To: Marks, Justin J.
Subject: RE: [External] Railroad Abandonment - York Railway Abandonment

[External Message]

Good morning Justin,

The PA SHPO office is continuing to work remotely. Direction on how to consult under Section 106 and the State History Code is provided at: <https://pahistoricpreservation.com/shpo-environmental-review-continuity-operations/>. For new submissions, please use the new Project Review Form available at: https://www.phmc.pa.gov/Preservation/About/Documents/SHPO%20Project%20Review%20Form_Digital%20Submission.pdf.

If you have any questions, please let me know –

Thank you,

Emma Diehl | Historic Preservation Specialist
PHMC/PA State Historic Preservation Office
400 North Street, 2nd Floor | Harrisburg, PA 17120-0093
Phone: 717.787.9121 | Email: emdiehl@pa.gov
www.phmc.pa.gov/Preservation



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From: Diehl, Amy <amdiehl@pa.gov>
Sent: Thursday, October 15, 2020 8:51 AM
To: Marks, Justin J. <jmarks@ClarkHill.com>
Cc: Diehl, Emma <emdiehl@pa.gov>
Subject: RE: [External] Railroad Abandonment - York Railway Abandonment

I believe I received this email by mistake.

AMY DIEHL 😊 | Records Specialist 2 😊
Department of Corrections | SCI Benner Township
301 Institution Drive | Bellefonte, PA 16823
☎: 814.353.3630 Ext. 3039 | Fax: 814.353.3638
www.cor.pa.gov



From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Wednesday, October 7, 2020 8:56 AM
To: Diehl, Amy <amdiehl@pa.gov>
Subject: [External] Railroad Abandonment - York Railway Abandonment

ATTENTION: *This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.*

Good morning Ms. Diehl:

Please find the attached letter related to the abandonment of a rail line by the York Railway Company and Yorkrail LLC.

Thank you,

Justin

Justin J. Marks

CLARK HILL PLC
1001 Pennsylvania Ave. NW | Washington, DC 20004
202.772.0916 (Direct) | 202.772.0930 (Fax) |
jmarks@ClarkHill.com | www.clarkhill.com

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PROJECT REVIEW FORM

Request to Initiate SHPO Consultation on State and Federal Undertakings

SHPO USE ONLY

Reviewers: _____/_____

DATE RECEIVED:

DATE DUE:

ER NUMBER:

HRSF: ☐

REV: 07/2020

SECTION A: PROJECT NAME & LOCATIONIs this a new submittal? ☒ YES ☐ NO OR ☐ This is additional information for ER Number:

Project Name York Railway Company/ Yorkrail LLC Abandonm County York Municipality

Project Address See attached letter City/State/ Zip Multiple

SECTION B: CONTACT INFORMATION & MAILING ADDRESS

Name Justin Marks

Phone (202) 772-0916

Company Clark Hill PLC

Fax (202) 772-0919

Street/PO Box 1001 Pennsylvania Ave Suite 1300

Email jmarks@clarkhill.com

City/State/Zip Washington DC 20004

Email cc:

SECTION C: PROJECT DESCRIPTIONThis project is located on:
(check all that apply) ☒ Federal property ☐ State property ☐ Municipal property ☒ Private property

List all federal and state agencies and programs providing funds, permits, licenses.

Agency Type

Agency/Program/Permit Name

Project/Permit/Tracking Number (if applicable)

Federal

Surface Transportation Board

AB 1307X and AB 1308X

Proposed Work – Attach project description, scope of work, site plans, and/or drawingsProject includes (check all that apply): ☐ Construction ☐ Demolition ☐ Rehabilitation ☒ Disposition

Total acres of project area: See attache

Total acres of earth disturbance:

Are there any buildings or structures within the project area? ☒ Yes ☐ No Approximate age of buildings: UnknownDoes this project involve properties listed in or eligible for the National Register of Historic Places, or locally designated? Inventory here: <https://gis.penndot.gov/crgis>

Yes

No

Unsure

Name _____

Key Number _____

**Please email this form
and pdf attachments to:
RA-PH-PASHPO-ER@pa.gov**

Please be sure to save the Project Review Form so that it remains a digital document and retains its function as a fillable pdf. Do not print the form and scan as a pdf.

Attachments – Please include the following information with this form**Map** – 7.5' USGS quad, streetmap, or parcel map showing the project's Area of Potential Effect**Description/Scope of Work**– Narrative description of the project, including any ground disturbance and previous land use, and any potential to impact historic resources**Site Plans/Drawings** – Indicate location and age of buildings, any proposed improvements, and past and present land use**Photographs** – Digital photographs of all buildings and structures keyed to a site plan. If demolition or exterior changes are proposed to buildings more than 50 years old, please also include Abbreviated HRSF**SHPO RESPONSE (SHPO USE ONLY)**☐ There are **NO HISTORIC PROPERTIES** in the Area of Potential Effect ☐ **SHPO REQUESTS ADDITIONAL INFORMATION** (see attached)☐ The project will have **NO EFFECT** on historic properties☐ The project will have **NO ADVERSE EFFECTS** on historic properties: _____ Key# _____

DIVISION CHIEF, ENVIRONMENTAL REVIEW:

DATE: _____

SHPO REVIEWER: _____

CLARK HILL

Justin J. Marks
T 202.772.0916
F 202.772.0930
Email: jmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue NW
Suite 1300
Washington, DC 20004
T 202.772.0909
F 202.772.0919

clarkhill.com

October 15, 2020

VIA EMAIL

Pennsylvania State Historic
Preservation Office - Eastern Region
Emma Diehl
emdiehl@pa.gov

Re: York Railway Company and Yorkrail LLC – Abandonment Exemption –
in York County, PA
Surface Transportation Board Docket No. AB 1307X and AB 1308X

Dear Ms. Diehl:

This letter is to advise you that York Railway Company (“YRC”) and Yorkrail LLC (Yorkrail) intend to file a notice for exemption for YRC and Yorkrail to abandon the following two segments of rail line (together, the “Subject Line”):

- (1) Between at or near mile post 20.07, in the Village of Bair, PA in West Manchester Township to at or near mile post 23.3, in the Borough of Spring Grove, PA; and
- (2) Between at or near mile post 24.10, near Spring Grove, PA in Jackson Township, to at or near mile post 29.46, near Hanover, PA in Heidelberg Township M.P. 2.2.

YRC owns all of the common carrier operating rights with respect to the Subject Line, while Yorkrail is a carrier by virtue of its ownership of the underlying rail assets comprising the Subject Line. The Subject Line traverses through United States Postal Service ZIP Codes 17362, 17331, 17408. Maps of the Subject Line are attached as Exhibit A and photographs are attached as Exhibit B.

YRC and Yorkrail plan to seek Surface Transportation Board (“STB”) authorization for their respective abandonment of the Subject Line through a notice of exempt abandonment pursuant to the provisions of 49 CFR § 1152.50 on or after November 1, 2020 in Surface Transportation Board Docket Nos. AB 1307X and AB 1308X.

October 15, 2020

Page 2

Based upon information in YRC's possession, the Subject Line does not contain federally granted rights of way.

No local service has been provided on the Subject Line since approximately September 2004. At this time, YRC and Yorkrail intend to sell the Subject Line to the York County Rail Trail Authority, a political subdivision of the County of York. YRC and Yorkrail understand that the York County Rail Trail Authority may be interested in acquiring the Subject Line for trail use. YRC and Yorkrail believe that this may be a reasonable alternative public purpose for the right of way. YRC and Yorkrail believe that the abandonment will not have a significant historical impact.

Presuming that the York County Rail Trail Authority acquires the Subject Line for trail use, the STB's Office of Environmental Assessment has stated that interim trail use under the Trails Act is not a federal action that is subject to review under Section 106 of the National Historic Preservation Act. *See Final Environmental Assessment, Norfolk Southern Railway Co. – Abandonment Exemption – in Hudson and Essex Counties, N.J.* Docket No. AB 290 (Sub-No. 408X)(served Sept. 22, 2020).

In any event, in advance of preparing a historical report as required by applicable STB regulations, we are consulting with you as to any concerns which they may have as to historic effects of the proposed abandonment.

We would appreciate an expression from you by November 2, 2020 that, within the area of your authority, you do not perceive that the abandonment will have a significant historical impact (or expressing any concerns that you have). If you have any questions about the railroad's proposal or if you need assistance in this matter, please call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,

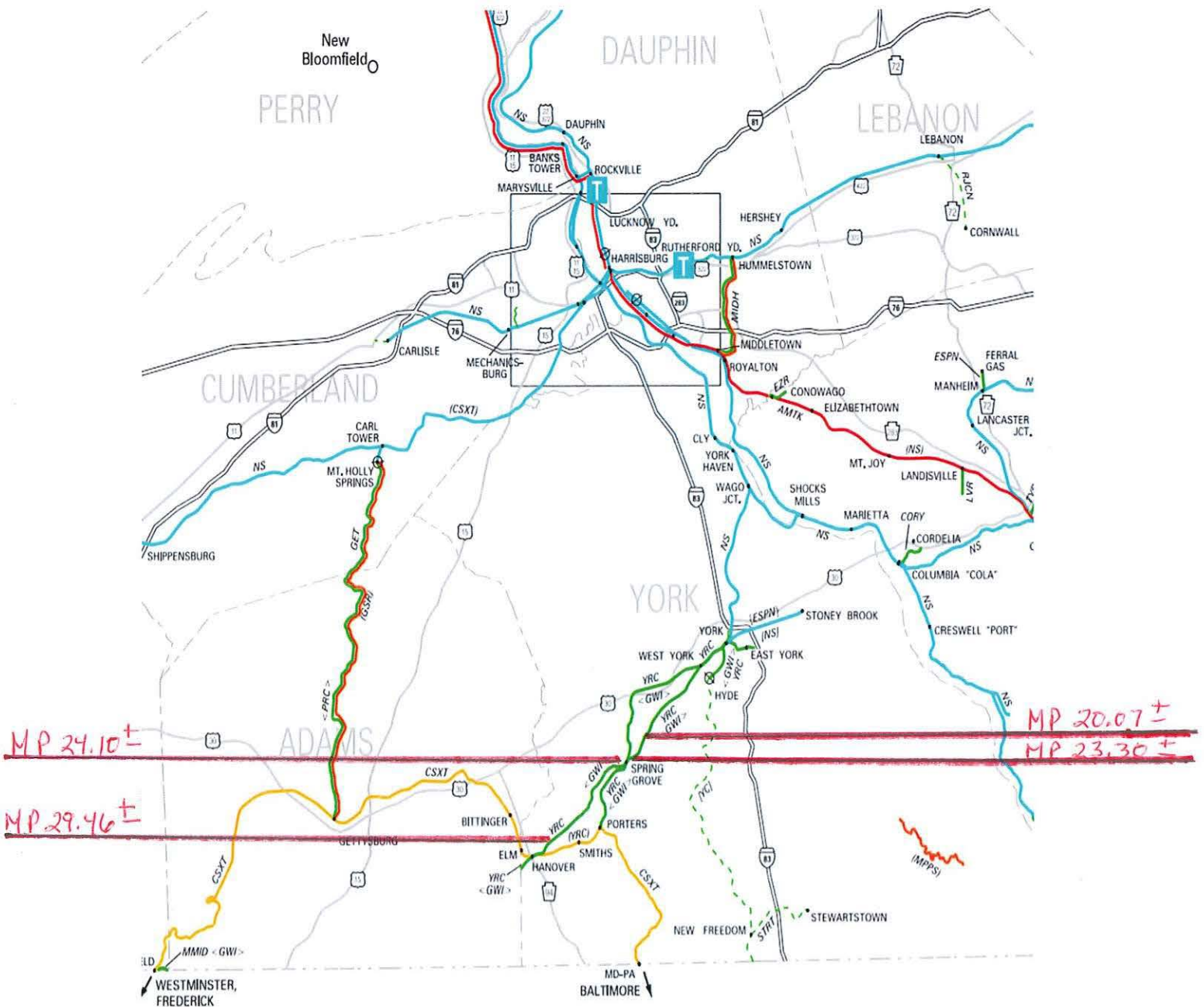


Justin J. Marks
Counsel to York Railway Company
and Yorkrail LLC

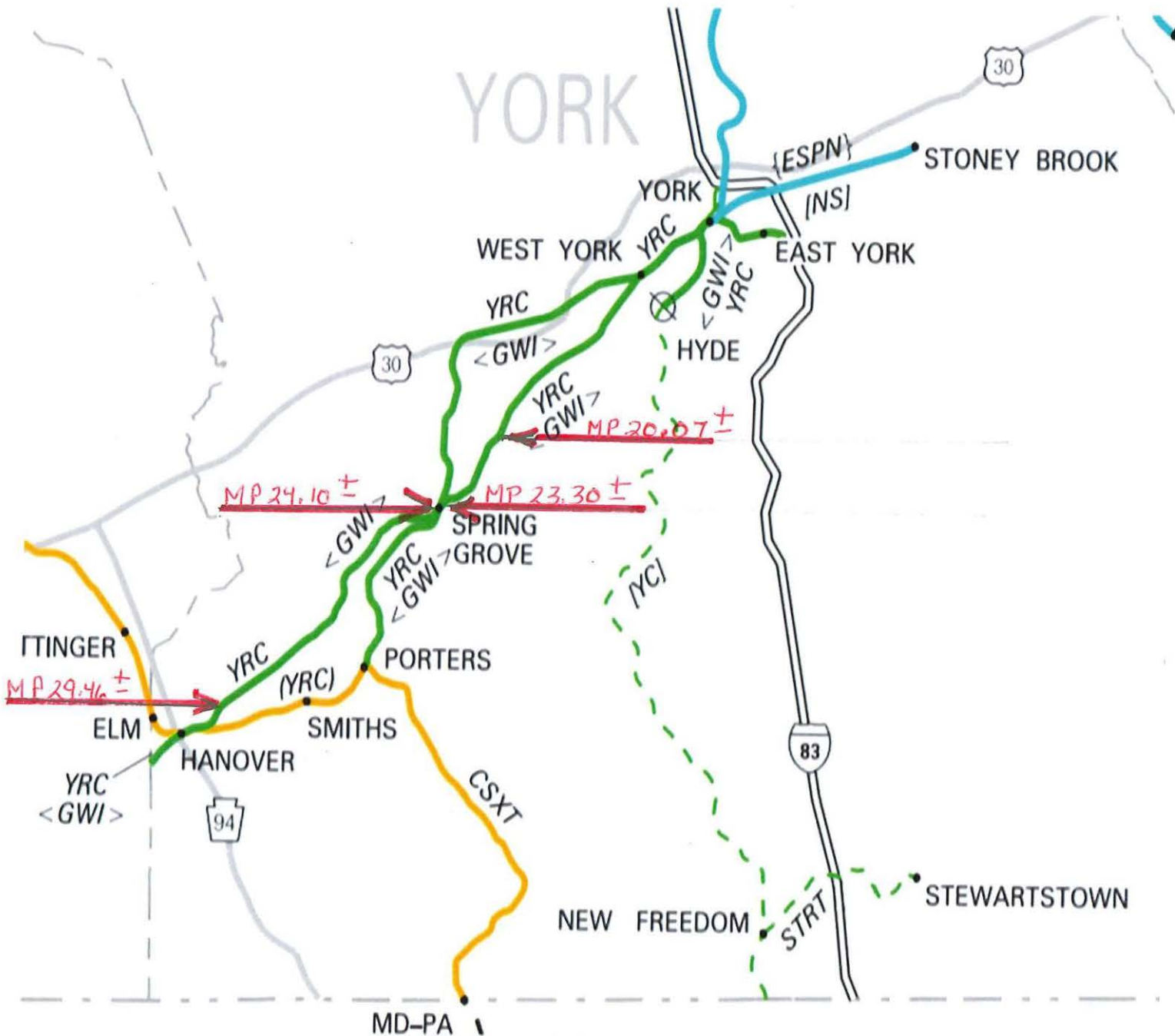
Enclosure

EXHIBIT A

YRC
STB FILING EXHIBIT
ITEM 9
(1 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(2 of 3)



YRC
STB FILING EXHIBIT
ITEM 9
(3 of 3)

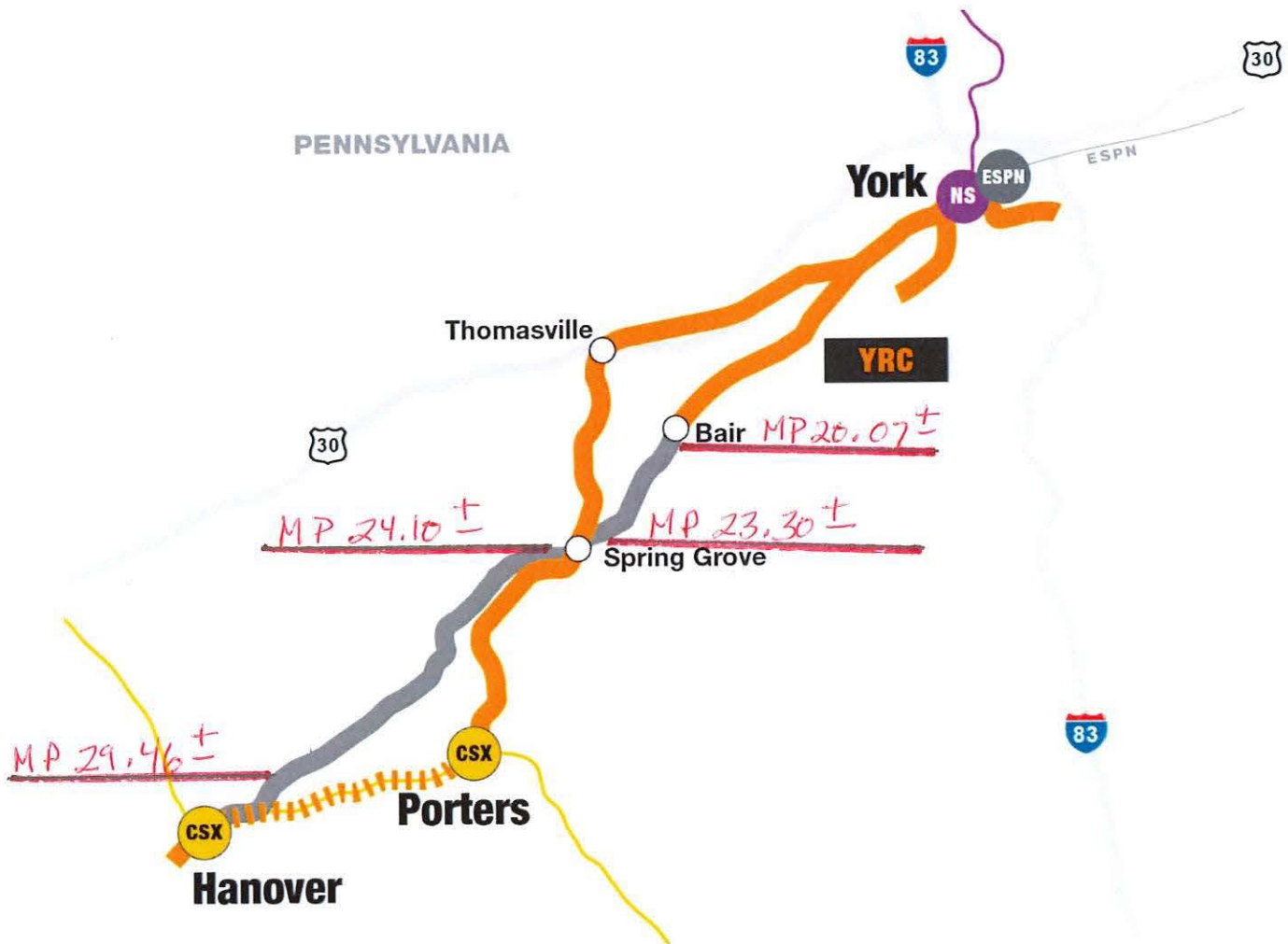


EXHIBIT B

Milepost 20.71
Sunnyside Road Bridge

Looking Southeast



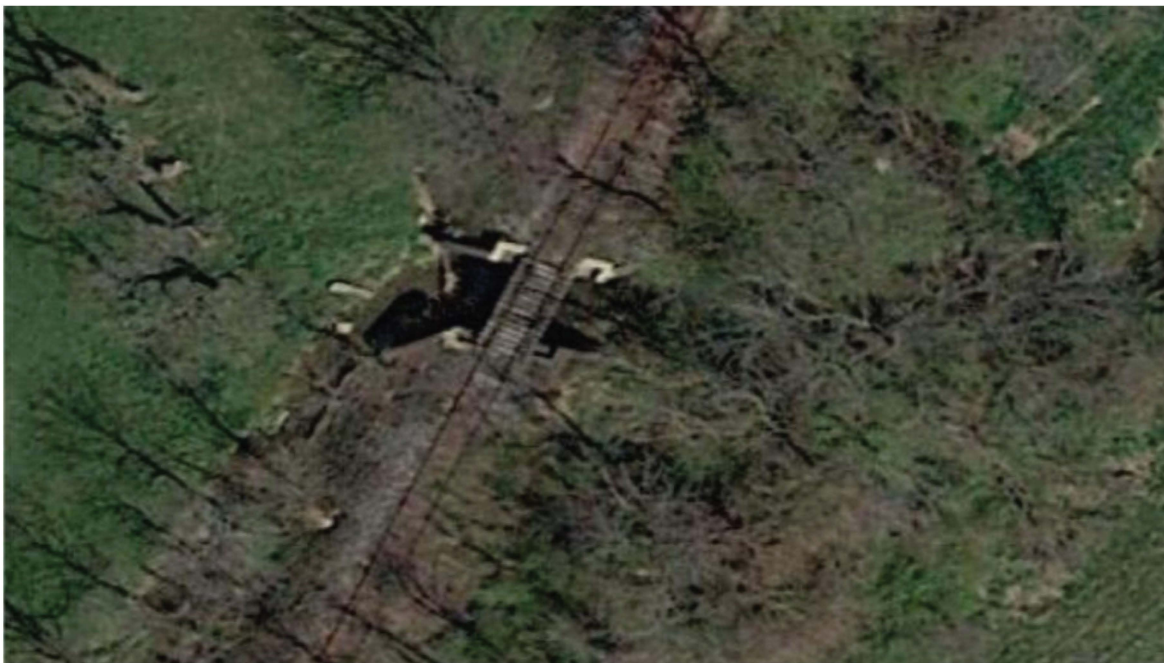
Looking Northwest



Milepost 21.36
BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8896048,-76.8400668,215m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 24.17

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8720734,-76.8824084,228m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 24.98

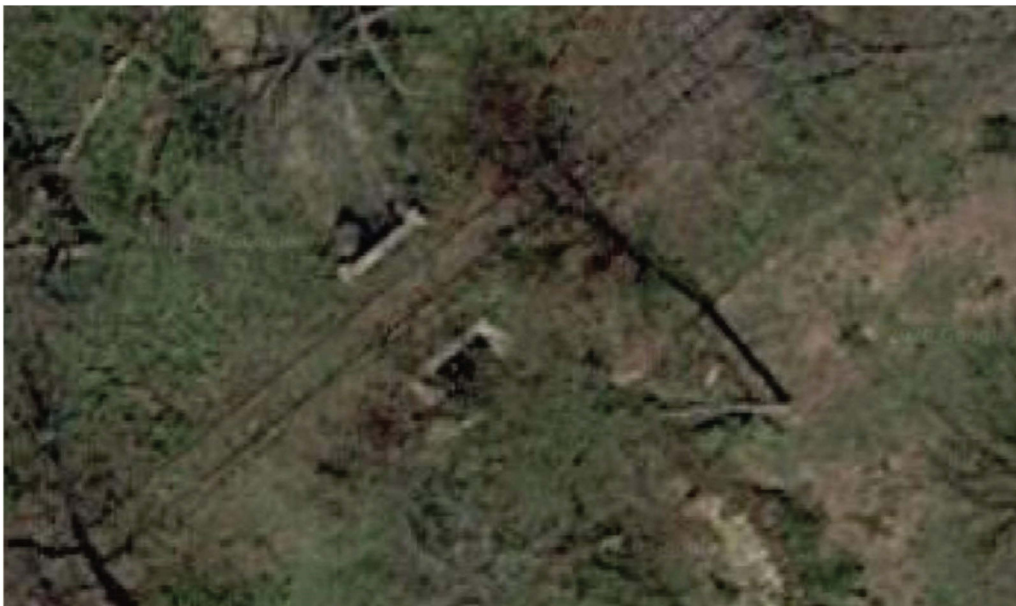


Milepost 27.28

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8379994,-76.9171497,1025m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 27.85

BRIDGE



<https://www.google.com/maps/place/Spring+Grove,+PA+17362/@39.8336324,-76.9254389,704m/data=!3m1!1e3!4m5!3m4!1s0x89c85f868ae4a03b:0x2c194ee072404272!8m2!3d39.8745436!4d-76.8658078>



Milepost 28.05

