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Office of Proceedings
January 15, 2021
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January 15, 2021

VIA E-FILING

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: Canonie Atlantic Co.
– Petition for Exemption –
in Norfolk, VA
Surface Transportation Board Docket No. AB 1266 (Sub. No. 1X)

Dear Ms. Brown:

Enclosed for filing on behalf of Canonie Atlantic Co. is a supplement to the Environmental and Historical Report (“EHR”) Exhibit C, “Agency Responses” comprising of a letter providing that the CAC abandonment is consistent with the Virginia Coastal Zone Management Program as determined by the Virginia Department of Environmental Quality through its Office of Environmental Impact Review.

If there are any questions related to this Supplement to Exhibit C, please contact me.

Sincerely,



Justin J. Marks
Attorney for Canonie Atlantic Co.

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1266 (Sub. No. 1X)

CANONIE ATLANTIC CO.
- ABANDONMENT EXEMPTION –
IN NORFOLK, VA

ENVIRONMENTAL/HISTORIC REPORT
SUPPLEMENT TO EXHIBIT C

Dated: January 15, 2021



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 1111 East Main Street, Suite 1400, Richmond, VA 23219

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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
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January 14, 2021

Mr. Justin J. Marks
Counsel to Canonie Atlantic Co.
Via email: jmarks@ClarkHill.com

RE: Surface Transportation Board Federal Consistency Certification: Canonie Atlantic Co., Abandonment Exemption, Norfolk (DEQ 20-162F)

Dear Mr. Marks:

The Commonwealth of Virginia has completed its review of the above-mentioned Federal Consistency Certification (FCC) (received additional information to start the review on November 13, 2020). The Department of Environmental Quality (DEQ) Office of Environmental Impact Review (OEIR) is the federal consistency coordinating office for the Commonwealth.

Description of Action

The Canonie Atlantic Company (CAC) is proposing to abandon a 1.4-mile segment of rail in the City of Norfolk. The segment is between Milepost 100.7 at North Junction and Milepost 102.1 at St. Julian. As a result, the line will no longer be a common carrier line of railroad under Surface Transportation Board jurisdiction. After the abandonment, CAC plans to sell the St. Julian Line to the Virginia Department of Rail and Public Transit (DRPT) as a private track. DRPT will utilize the St. Julian Line to continue to support passenger rail operations.

Federal Consistency under the Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, as amended, the proposed action must be conducted in a manner consistent with the Virginia Coastal Zone Management (CZM) Program. The Virginia CZM Program consists of a network of enforceable policies administered by several agencies.

Federal Consistency Analysis

Based on DEQ's review of the submission, it appears that the proposal is consistent with the CZM Program since the activities as described are not anticipated to have effects on the enforceable policies of the CZM Program.

In addition, a public notice of the proposed action with a comment period from November 24, 2020 to December 11, 2020 was published on the DEQ web site and in the DEQ Office of Environmental Impact Review's Program Newsletter. No public comments were submitted in response to the notice.

ADDITIONAL ENVIRONMENTAL CONSIDERATIONS

In addition to the enforceable policies of the CZM Program, the project must comply with the following program as applicable. The applicant must ensure that this project is conducted in accordance with all applicable federal, state, and local laws and regulations.

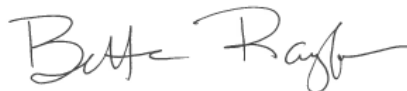
1. Historic Resources. Section 106 of the *National Historic and Preservation Act of 1966* (NHPA), as amended, requires federal agencies to consider the effects of its activities on properties that are listed, or eligible for listing, on the National Register of Historic Places. The Department of Historic Resources (DHR) conducts reviews of projects to determine their effect on historic structures or cultural resources. Accordingly, the Surface Transportation Board must coordinate with DHR regarding potential project impacts to historic resources to ensure compliance with Section 106 of the NHPA.

REGULATORY AND COORDINATION NEEDS

1. Historic Resources. As applicable, the Surface Transportation Board must coordinate with DHR regarding potential project impacts to historic resources to ensure compliance with Section 106 of the NHPA. For additional information and coordination, contact DHR (Roger Kirchen at Roger.Kirchen@dhr.virginia.gov).

Thank you for the opportunity to comment on this FCC. If you have questions, please do not hesitate to call me at (804) 698-4204 or Julia Wellman at (804) 698-4326.

Sincerely,



Bettina Rayfield, Manager
Environmental Impact Review and Long Range
Priorities Program