

ENTERED
Office of Chief Counsel
February 4, 2026
Part of
Public Record

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

February 4, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

Re: Canonie Atlantic Co. – Abandonment Exemption –
in the City of Virginia Beach and the City of Norfolk, Virginia
Surface Transportation Board Docket No. AB 1266 (Sub. No. 2X)

Environmental and Historical Report

Dear Chief of Case Administration:

On or after February 25, 2026, Canonie Atlantic Co. ("CAC") expects to file with the Surface Transportation Board a petition for exemption for CAC to abandon approximately 2.3-miles of rail line beginning at milepost 95.0 at Little Creek, VA (City of Virginia Beach) and milepost 97.6 at Camden Heights, VA (City of Norfolk) (the "Subject Line

Enclosed is an Environmental and Historic Report that has been served on the relevant consulted environmental agencies and the Indiana State Historic Preservation Office.

If you have any questions about this filing, please contact me.

Sincerely,



Justin J. Marks
Counsel to Canonie Atlantic Co.

Enclosure

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1266 (Sub. No. 2X)

CANONIE ATLANTIC CO.
- ABANDONMENT EXEMPTION –
IN THE CITY OF VIRGINIA BEACH AND
THE CITY OF NORFOLK, VIRGINIA

ENVIRONMENTAL/HISTORIC REPORT

(color copies included)

Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St.
Suite 2620
Philadelphia, PA 19103
(215) 640-8523
ehocky@clarkhill.com

Counsel for Canonie Atlantic Co.

Dated: February 4, 2026

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1266 (Sub. No. 2X)

CANONIE ATLANTIC CO.
- ABANDONMENT EXEMPTION –
IN THE CITY OF VIRGINIA BEACH AND
THE CITY OF NORFOLK, VIRGINIA

ENVIRONMENTAL/HISTORIC REPORT

Canonie Atlantic Co. (“CAC” or “Applicant”) will be seeking exemption authority for Applicant to abandon the rail line between approximately milepost 95.0 at Little Creek, VA (City of Virginia Beach) and milepost 97.6 at Camden Heights, VA (City of Norfolk) (the “Subject Line”). Three stations exist on the line. The Subject Line traverses through United States Postal Service ZIP Codes 23455 and 23502. A map of the Subject Line is attached as Exhibit A.

Applicant plans to seek Surface Transportation Board (“STB”) authorization for the abandonment through a petition for exemption under 49 USC §10502 from the provisions of 49 USC §10903 to enable CAC to abandon the Subject Line, on or after February 25, 2026. 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, Applicant 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 Applicant to-date attached as Exhibit C, Applicant states as follows:

ENVIRONMENTAL REPORT

(49 CFR 1105.7)

1. PROPOSED ACTION AND ALTERNATIVES

Applicant acquired the Subject Line in 1985.¹ CAC does not operate the Subject Line; it is currently operated by the Buckingham Branch Railroad Company (“Buckingham Branch”).² Buckingham Branch will file a discontinuance exemption jointly with the CAC abandonment exemption. However, Buckingham Branch is not required to file an environmental and historical report in connection with its request for discontinuance authority. The Subject Line is in the City of Virginia Beach and the City of Norfolk, Virginia. It is an approximately 2.3-mile stub-ended rail line.³ Once abandonment authority is granted, a segment of the Subject Line and affiliated yard track (under 49 U.S.C. § 10906) will be sold to the United States of America for the benefit of the U.S. Navy.

2. EFFECTS ON THE TRANSPORTATION SYSTEM

The abandonment will have no effect on the transportation system because it is stub ended and thus serves no overhead traffic. Its local traffic consists of only two shippers that have utilized the Subject Line within the last two years. One of the shippers is a rail – truck transload facility that Applicant understands intends to shift its transloading operations to another location. The other shipper has received an average of only 70 cars per year over the last three years. As such,

¹ *Canonie Atlantic Co. and Canonie, Inc.; Exemption from 49 United States Code 10901, 11301, and 11343*, ICC Finance Docket 30709; 50 Fed. Reg. 37293 (Sept. 12, 1985).

² *Buckingham Branch Railroad Company. – Change in Operators Exemption – Cassatt Management, LLC D/B/A Bay Coast Railroad*, STB Finance Docket No. 36202, (served July. 31, 2018).

³ The estimated distance of the abandonment [as measured on Google Earth] does not match the distance of 2.6 miles as measured by the historical mileposts. Regardless of the difference, Applicant is seeking to abandon the entire Subject Line.

only 70 rail cars of traffic per year could be diverted to motor carriage. Applicant sent a consultation letter regarding the proposed abandonment to the Virginia Department of Transportation (“VDOT”) and the “Virginia Department of Rail and Transit (“DRPT”). Neither agency has responded to Applicant. Applicants’ letters to VDOT and DRPT are attached as part of Exhibit B.

3. **LAND USE**

(i) Applicant is unaware of any regional or local land use patterns with which the proposed abandonment would be inconsistent. Applicant consulted with the following agencies regarding the proposed abandonment that may be concerned with land use issues: Virginia Department of Environmental Quality (“VDEQ”), the Natural Resources Conservation Service Virginia (“NRCS - Virginia”); Natural Resources Conservation Service National (“NRCS – National”); U.S. Environmental Protection Agency Region 3 (“EPA”); NOAA National Geodetic Survey (“NGS”); U.S. Army Corps of Engineers Norfolk District; the Mayors and City Managers of the City of Virginia Beach and the City of Norfolk; National Park Service, Region 1 (“NPS – Region 1”); National Park Service National (“NPS – National”); U.S. Fish and Wildlife Service, Virginia Field Office (“FWS Virginia”).

Copies of these letters are attached as part of Exhibit B. Applicant has received a written response from the following consulted agency, a copy of which is included as part of Exhibit C:

- VDEQ responded that “[t]he proposed activity does not propose direct impacts to surface waters or wetlands; therefore, VWPP authorization should not be required.” But VDEQ continued, “if permanent or temporary impacts to surface waters and/or wetlands are identified, the project may require DEQ authorization.”

(ii) Applicant does 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.

(iii) Applicant does not believe that the abandonment is inconsistent with any coastal zone plans. Notice of the Proposed Abandonment was sent to the Virginia Coastal Zone Management Program (“CZM”) administered by the Virginia Department of Environmental Quality (“DEQ”).

(iv) Applicant believes that a portion of the right of way may be suitable for public purposes. Because the U.S. Navy intends to acquire that segment of the Subject Line for its public purposes, Applicant believes that that segment is not appropriate for trail use.

4. **ENERGY**

The Subject Line is stub ended and currently handles no overhead traffic. One shipper, a rail-truck transload operation, is moving its operations to another rail-based facility. The remaining local traffic is limited to a single shipper averaging 70 rail cars per year, none of which are believed to be energy sources or recyclable commodities. 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 effects of the proposed abandonment will not exceed the thresholds set forth in 49 CFR 1105.7(e)(4)(iv).

5. **AIR**

Applicant does not believe that the proposed abandonment will result in any increases in rail or truck traffic or rail yard activity that exceed the thresholds set forth in 49 CFR 1105.7(e)(5).

6. **NOISE**

Applicant does not believe that the proposed abandonment will result in any increase in noise levels.

7. **SAFETY**

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

8. **BIOLOGICAL RESOURCES**

(i) Applicant has consulted with the FWS Virginia, as well as to the following agencies that are potentially concerned with biological resources: VDEQ, NCRS – Virginia, NCRS – National, U.S. Army Corps of Engineers, NPS – Region 1, NPS – National, FWS. Copies of these consultation letters are attached as part of Exhibit B. To date, only VDEQ has responded as detailed in Section 3(i).

(ii) Applicant does 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 Applicant has not received any responses.

9. **WATER**

(i) The proposed abandonment will be handled in a manner that is consistent with the applicable local, State and Federal water quality standards. Applicant consulted with the

agencies identified in paragraph 8(i), and as noted in paragraph 8(i), VDEQ has provided a response that is summarized in Section 3(i).

(ii) Applicant 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. No response has been received to date.

(iii) Applicant does not believe that any Clean Water Act permits will be required since any salvage would take place within the right of way and would not involve any ground disturbance. Consultation letters were sent to VDEQ and EPA. As summarized in Section 3(i), VDEQ has commented that the abandonment will have no impact, but “if permanent or temporary impacts to surface waters and/or wetlands are identified,” the project may require DEQ authorization.

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, Applicant has consulted with the following agencies: VDEQ, NRCS – Virginia; NRCS – National; EPA; NGS; U.S. Army Corps of Engineers Norfolk District; the Mayor and City Managers of the City of Virginia Beach and the City of Norfolk; NPS – Region 1; NPS – National; FWS Virginia. Written responses received to-date are attached as Exhibit C.

13. CERTIFICATIONS

Applicant certifies 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 the Virginian-Pilot on January 28, 2026. A copy of the form of notice and a certificate of publication are attached as Exhibit D.
- (d) Applicant will not file its verified notice of abandonment until at least twenty (20) days after the consulted agencies have been served with a copy of this report.

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

Applicant seeks an exemption to abandon the Subject Line. The Subject Line is located primarily in a mixed light-industrial and commercial area near the Norfolk Airport in Virginia Beach and the City of Norfolk, Virginia. The right of way is generally 65 feet wide. The right of way is crossed by approximately three public crossings, one of which is an overpass. The right of way is also crossed by a semi-private overpass that is only available to personnel of the U.S. Joint Expeditionary Base Little Creek-Fort Story.

3. PHOTOGRAPHS OF HISTORIC STRUCTURE(S)

There are no historic structures that will be affected by the proposed abandonment.

4. DATES OF CONSTRUCTION OF HISTORIC STRUCTURE(S)

No historic structures exist on the Subject Line.

5. HISTORY OF CARRIER OPERATIONS IN THE AREA

The Subject Line is a small segment of a line that formed part of a through Pennsylvania Railroad (and later Penn Central Transportation Company) route between Wilmington, DE, and Cape Charles, VA, and then by car float to Little Creek (Norfolk), VA. The Board granted CAC authority to abandon the Hallwood, VA to Cape Charles, VA segment including the car float operation from Cape Charles to Little Creek, VA in *Canonie Atlantic Co. – Abandonment Exemption – Hallwood to Cape Charles, VA*, Docket No. AB 1266X (served Nov. 1, 2019).

In 1976, the Accomack-Northampton Transportation District Commission (“ANTDC”), a political subdivision of the Commonwealth of Virginia was established to preserve service over the former Pennsylvania Railroad Line. The Virginia and Maryland Railroad, a Class III short line operated the line as ANTDC’s operator until 1981. The ANTDC then provided service doing business as the Eastern Shore Railroad (“ESRR”). Ultimately, a private corporation, CAC purchased the stock of ESRR from the ANTDC and then several years later the ANTDC repurchased the stock of CAC from that entity keeping ESRR as a separate corporate subsidiary. ESRR provided all rail service until 2006 when Cassatt Management Co. d/b/a Bay Coast Railroad (“BCR”) replaced it as the operating common carrier pursuant to a lease and operating agreement with CAC. Buckingham Branch Railroad Company entered into a lease with CAC and assumed operations of the Subject Line in 2018.⁴

The Board granted CAC authority to abandon the Hallwood, VA to Cape Charles, VA segment including the car float operation from Cape Charles to Little Creek, VA in *Canonie Atlantic Co. – Abandonment Exemption – Hallwood to Cape Charles, VA*, Docket No. AB 1266X (served Nov. 1, 2019).

6. SUMMARY OF STRUCTURE DOCUMENTATION

CAC does not believe there are any historic structures on the Subject Line and has no documentation pertaining to any structures over 50 years old.

7. OPINION REGARDING CRITERIA FOR LISTING

Applicant has given notice of the proposed abandonment to the State Historic Preservation Officer at the Virginia Department of Historic Resources (“SHPO”) and the SHPO has responded

⁴ *Buckingham Branch Railroad Company. – Change in Operators Exemption – Cassatt Management, LLC D/B/A Bay Coast Railroad*, STB Finance Docket No. 36202, (served July. 31, 2018).

that “Based upon the documentation provided, it is [of the] opinion that the historic properties within the Area of Potential Effects will not be adversely affected by the proposed undertaking.” See Exhibit F.

8. ENVIRONMENTAL CONDITIONS

Applicant is 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, as a result of the abandonment, the rail and track materials for will be removed for salvage by either CAC or the Navy (following the Navy’s acquisition of a segment of the Subject Line). Any salvage will take place within the right of way, would be surface work only and would not disturb subsurface resources.

Respectfully submitted,



Justin J. Marks
Clark Hill PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
(202) 772-0916
jmarks@clarkhill.com

Eric M. Hocky
Clark Hill PLC
Two Commerce Square
2001 Market St.
Suite 2620
Philadelphia, PA 19103
(215) 640-8523
ehocky@clarkhill.com

Dated: February 4, 2026

Counsel for Canonie Atlantic Co.

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February 2026, I served a copy of the foregoing Environmental and Historic Report on the persons listed below by email and/or first class mail, postage prepaid:

United States Department of Agriculture Natural Resources Conservation Service Chesapeake Service Center 310 Shea Drive Chesapeake, VA 23322 Trenton.howell@usda.gov	Environmental Protection Agency Region 3 1650 Arch Street Philadelphia, PA 19103-2029
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Norfolk District 803 Front St. Norfolk, VA 23510 dll-cenao-pa@usace.army.mil dll-cenao-pa@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	U.S. Fish & Wildlife Service Virginia Field Office 66669 Short Lane Gloucester, VA 23061 Northeast@fws.gov
National Park Service Region 1 1234 Market Street 20th Floor Philadelphia, PA 19107	Communications and Outreach Branch NOAA, N/NGS12 National Geodetic Survey, SSMC3 #8716 1315 East-West Highway Silver Spring, MD 20910-3282 rrae@noaa.gov
Craig Nicol, Director Tidewater Regional Office Virginia Department of Environmental Quality 5636 Southern Blvd. Virginia Beach, Virginia 23462 Craig.Nicol@DEQ.Virginia.gov	Virginia Coastal Zone Management Program Virginia Department of Environmental Quality EIR@DEQ.Virginia.gov
The Honorable Kenneth Cooper Alexander Mr. Larry Filer, City Manager	Virginia Department of Rail and Public Transportation

1006 City Hall Building 810 Union Street Norfolk, VA 23510 mayor@norfolk.gov city.manager@norfolk.gov	600 East Main Street, Suite 2102 Richmond, VA 23219 drptpr@drpt.virginia.gov
Virginia Department of Historic Resources 2801 Kensington Ave Richmond, VA 23221 Marc.wagner@dhr.virginia.gov	Virginia Department of Transportation Office of the Secretary of Transportation P.O. Box 1475 Richmond, VA 23218
Mayor Bobby Dyer City of Virginia Beach 2401 Courthouse Dr. Virginia Beach, VA 23456 mayorsoffice@vb.gov CMoffice@vb.gov	



Justin J. Marks
CLARK HILL PLC
1001 Pennsylvania Ave. N.W.
Suite 1300 South
Washington, DC 20004
202.772.0916
jmarks@clarkhill.com

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT A

MAP

MP 95.0 Begin Abandonment

Lake Whitehurst

Norfolk Botanical Garden

Norfolk International Airport

Lake Smith Lake
Lawson Natural Area

Lake La

MP 97.6 End Abandonment

64

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT B

CORRESPONDENCE WITH CONSULTED AGENCIES

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

December 22, 2025

VIA EMAIL AND/OR FIRST-CLASS MAIL

ALL AGENCIES ON THE
ATTACHED SERVICE LIST

Re: Canonie Atlantic Co. – Abandonment Exemption –
in the City of Virginia Beach and the City of Norfolk, Virginia
Surface Transportation Board Docket No. AB 1266 (Sub. No. 2X)

To Whom it May Concern:

This letter is to advise you that Canonie Atlantic Co. ("CAC") intends to file a petition for exemption for CAC to abandon approximately 2.3-miles of rail line beginning at milepost 95.0 at Little Creek, VA (City of Virginia Beach) and milepost 97.6 at Camden Heights, VA (City of Norfolk) (the "Subject Line").¹

The Subject Line traverses through United State Postal Zip Codes 23455 and 23502. A map of the Subject Line is enclosed hereto.

CAC intends to petition the Surface Transportation Board ("STB") for an exemption under 49 USC § 10502 from the provisions of 49 USC § 10903 to enable CAC to abandon the Subject Line, on or after February 12, 2026, in STB Docket No. AB 1266 (Sub. No. 2X).²

Following CAC's abandonment of the Subject Line, CAC has agreed to sell a segment of the line that extends from Ferry Road at Shore Drive to milepost 95.0 to the United States of America for the benefit of the U.S. Navy. CAC currently intends to salvage the balance of the Subject Line following abandonment. Any salvage will take place within the right-of-way, would be surface work only and would not disturb subsurface resources.

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

¹ Milepost designations reflect the historic mileposts assigned to the Subject Line and therefore the total miles to be abandoned may not correspond with those mileposts.

² The rail carrier that operates the Subject Line, The Buckingham Branch Railroad Company, will simultaneously file a petition to discontinue service. However, Buckingham Branch Railroad Company is not required to file an environmental/historical report.

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

We would appreciate an expression from you by January 22, 2026, 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). As stated, CAC is abandoning this property to facilitate a real estate sale to the U.S. Navy. As such, the Navy considers this abandonment to be high priority because its acquisition of the property cannot proceed until the abandonment is complete. Therefore, we appreciate your prompt attention to this matter.

If you have any questions about the railroad's proposal or if you need assistance in this matter, please email me at jmarks@clarkhill.com or call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,



Justin J. Marks
Counsel to Canonie Atlantic Co.

Enclosure

MP 95.0 Begin Abandonment

Lake Whitehurst

Norfolk Botanical Garden

Norfolk International Airport

Lake Smith Lake
Lawson Natural Area

Lake La

MP 97.6 End Abandonment

64

United States Department of Agriculture Natural Resources Conservation Service Chesapeake Service Center 310 Shea Drive Chesapeake, VA 23322 Trenton.howell@usda.gov	Environmental Protection Agency Region 3 1650 Arch Street Philadelphia, PA 19103-2029
United States Department of Agriculture Natural Resources Conservation Service Office of the Chief 1400 Independence Ave., SW Room 5105-A Washington, DC 20250	U.S. Army Corp of Engineers Norfolk District 803 Front St. Norfolk, VA 23510 dll-cenao-pa@usace.army.mil dll-cenao-pa@usace.army.mil
National Park Service 1849 C Street, NW Washington, DC 20240	U.S. Fish & Wildlife Service Virginia Field Office 66669 Short Lane Gloucester, VA 23061 Northeast@fws.gov
National Park Service Region 1 1234 Market Street 20th Floor Philadelphia, PA 19107	Communications and Outreach Branch NOAA, N/NGS12 National Geodetic Survey, SSMC3 #8716 1315 East-West Highway Silver Spring, MD 20910-3282 rrae@noaa.gov
The Honorable Kenneth Cooper Alexander Mr. Larry Filer, City Manager 1006 City Hall Building 810 Union Street Norfolk, VA 23510 mayor@norfolk.gov city.manager@norfolk.gov	Virginia Department of Rail and Public Transportation 600 East Main Street, Suite 2102 Richmond, VA 23219 drptpr@drpt.virginia.gov
Craig Nicol, Director Tidewater Regional Office Virginia Department of Environmental Quality 5636 Southern Blvd. Virginia Beach, Virginia 23462 Craig.Nicol@DEQ.Virginia.gov	Virginia Department of Transportation Office of the Secretary of Transportation P.O. Box 1475 Richmond, VA 23218
	Mayor Bobby Dyer City of Virginia Beach

	2401 Courthouse Dr. Virginia Beach, VA 23456 mayorsoffice@vbgov.com CMoffice@vbgov.com
--	---

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT C

AGENCY RESPONSES

Marks, Justin J.

From: Nicol, Craig (DEQ) <Craig.Nicol@deq.virginia.gov>
Sent: Monday, January 19, 2026 12:04 PM
To: Marks, Justin J.
Subject: Re: Railroad Abandonment Consultation Letter

EXTERNAL EMAIL: The sender (Craig.Nicol@deq.virginia.gov) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

Justin,

Potential adverse impacts to water quality and wetlands resulting from surface runoff due to construction (salvage) activities must be minimized. This can be achieved by using Best Management Practices (BMPs). The proposed activity does not propose direct impacts to surface waters or wetlands; therefore, VWPP authorization should not be required. However, if permanent or temporary impacts to surface waters and/or wetlands are identified, the project may require DEQ authorization under §401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and Virginia Administrative Code 9 VAC 25-210-10 et seq. Provided that any and all necessary permits are obtained and complied with, the project will be consistent with DEQ program requirements. For additional information, contact Jeff Hannah, DEQ-TRO at (757)407-2510.



Craig R. Nicol
Regional Director, Tidewater Regional Office
[Virginia Department of Environmental Quality](#)
5636 Southern Blvd.
Virginia Beach, VA 23462
(757) 518-2173

From: Marks, Justin J. <jmarks@ClarkHill.com>
Sent: Monday, December 22, 2025 1:10 PM
To: Trenton.howell@usda.gov <Trenton.howell@usda.gov>; dll-cenao-pa@usace.army.mil <dll-cenao-pa@usace.army.mil>; Northeast@fws.gov <Northeast@fws.gov>; rrae@noaa.gov <rrae@noaa.gov>; mayor@norfolk.gov <mayor@norfolk.gov>; city.manager@norfolk.gov <city.manager@norfolk.gov>; Virginia DRPT <drptpr@drpt.virginia.gov>; Nicol, Craig (DEQ) <Craig.Nicol@DEQ.Virginia.gov>; mayorsoffice@vbgov.com <mayorsoffice@vbgov.com>; CMoffice@vbgov.com <CMoffice@vbgov.com>
Subject: Railroad Abandonment Consultation Letter

CAUTION: This Email originated from OUTSIDE of the COV. Do not open attachments or click links unless this email comes from a known sender and you know the content is safe..

Good afternoon:

Please see the attached letter seeking comment as to a proposal by Canonie Atlantic Co. to abandon a line of railroad in the City of Virginia Beach and the City of Norfolk.

Thank you,

Justin J. Marks

Attorney at Law

Clark Hill

1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004
+1 202.772.0916 (office) | +1 703.215.6938 (cell) | +1 202.772.0930 (fax)
jmarks@clarkhill.com | www.clarkhill.com

ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT D

NEWSPAPER NOTICE



Sold To:
Justin Marks - CU80205130
203 N. View Terrace
Alexandria, VA 22301

Bill To:
Justin Marks - CU80205130
203 N. View Terrace
Alexandria, VA 22301

Affidavit of Publication

State of Illinois
County of Cook

Order Number: 7924587
Purchase Order:

This day, Jeremy Gates appeared before me and, after being duly sworn, made oath that:

- 1) He/she is affidavit clerk of The Virginian Pilot, a newspaper published by Virginian-Pilot Media Companies, LLC in the city of Norfolk, Portsmouth, Chesapeake, Suffolk and Virginia Beach and the Commonwealth of Virginia and in the state of North Carolina.
- 2) That the advertisement hereto annexed has been published in said newspaper on the dates stated below
- 3) The advertisement has been produced on the websites classifieds.pilotonline.com and <https://www.publicnoticevirginia.com>

Published on: **Jan 28, 2026.**

A handwritten signature in black ink, appearing to read "J. Gates", written over a horizontal line.

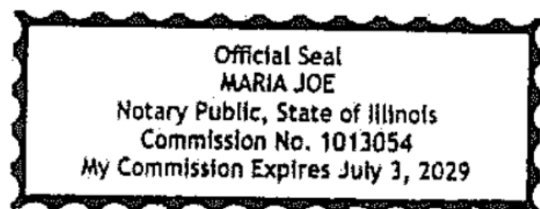
Jeremy Gates

Subscribed and sworn to before me in my city and state on the day and year aforesaid this 29 day of January, 2026

My commission expires July 3, 2029

A handwritten signature in black ink, appearing to read "Maria Joe", written over a horizontal line.

Notary Signature



Notary Stamp

**JOINT NOTICE OF INTENT TO
ABANDON AND TO DISCONTINUE
RAIL SERVICE**

Canonie Atlantic Co. ("CAC") and Buckingham Branch Railroad Company ("Buckingham Branch") give joint notice that on or after February 12, 2026, CAC and Buckingham Branch intend 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, et seq., permitting CAC to abandon and Buckingham Branch to discontinue service on approximately 2.3 miles of railroad between railroad milepost 95 in the City of Virginia Beach, VA and railroad milepost 97.6 in the City of Norfolk, VA. The rail line traverses through United States Postal Service ZIP Codes 23455 and 23502. The CAC proceeding will be docketed as No. AB 1266 (Sub-No.2X), and the Buckingham Branch proceeding will be docketed as No. AB 1349X.

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 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 OEA, Surface Transportation Board, Washington, DC or by calling OEA at (202) 245-0291.

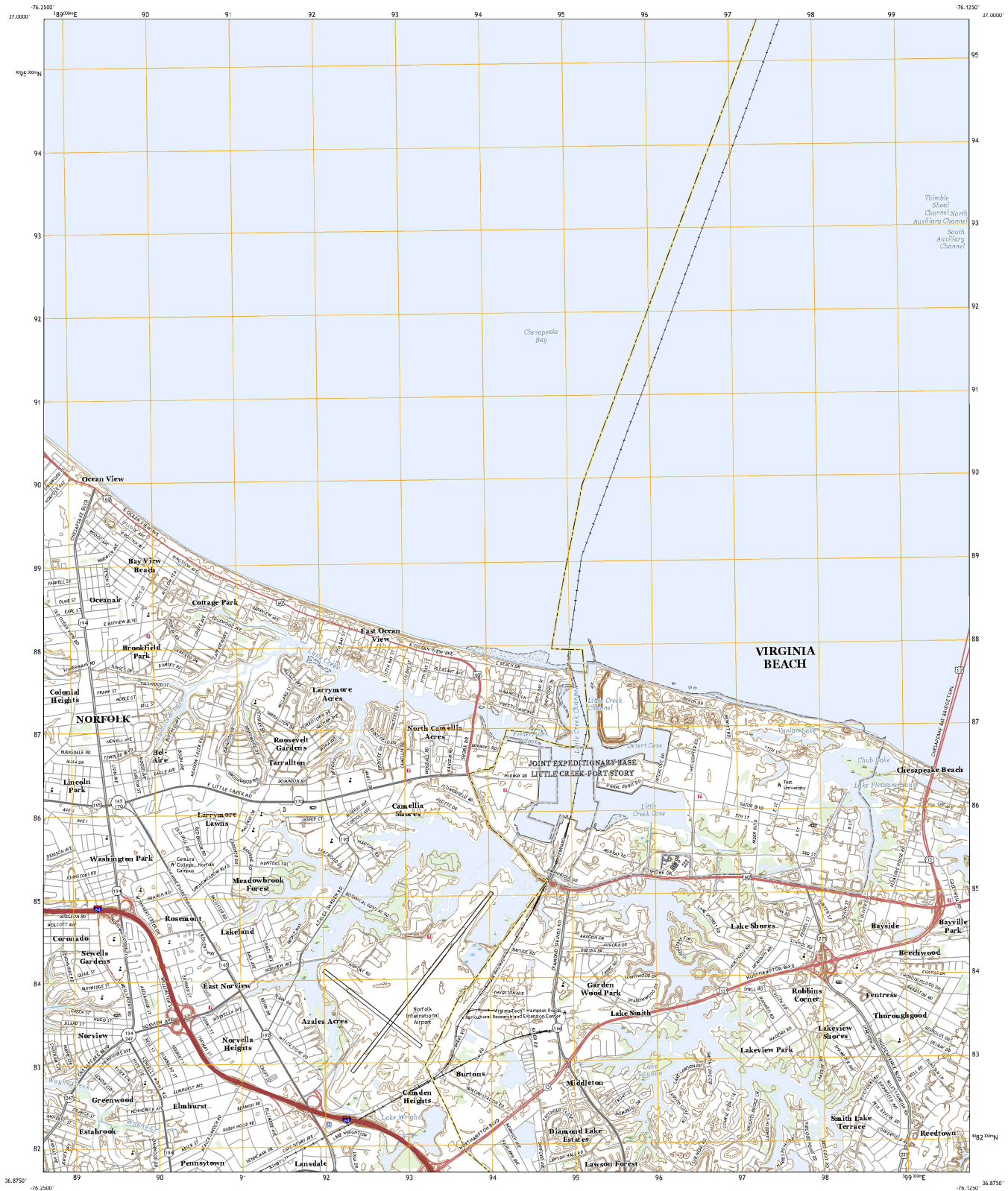
Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of Chief Counsel, Washington, 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 STB'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 CAC's representative: Justin J. Marks, Clark Hill PLC, 1001 Pennsylvania Ave. N.W. Suite 1300 South, Washington, DC 20004; jmarks@clarkhill.com, and on Buckingham Branch's representative: Robert A. Wimbish, Fletcher & Sippel LLC, 29 N. Wacker Drive, Suite 800, Chicago, IL 60606-3208; rwimbish@fletcher-sippel.com.

1/28/2026 7924587

ENVIRONMENTAL/HISTORIC REPORT

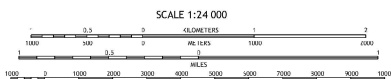
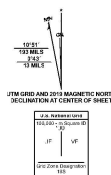
EXHIBIT E

TOPOGRAPHICAL MAP

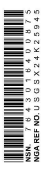


Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter geotransformations (Thematic Mapper, Zone 18S)
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Users permission before
entering private lands.

Imagery:.....NAP, August 2018 - October 2018
Roads:.....U.S. Census Bureau, 2016
Names:.....National Hydrography Dataset, 2002 - 2022
Hydrography:.....National Hydrography Dataset, 2002 - 2021
Contours:.....National Hydrography Dataset, 2002 - 2021
Boundaries:.....Multiple sources; see metadata file 2019 - 2021
Wetlands:.....FWS National Wetlands Inventory 1994 - 2004



LITTLE CREEK, VA
2022



ENVIRONMENTAL/HISTORIC REPORT

EXHIBIT F

SHPO CORRESPONDENCE

Justin J. Marks
T (202) 772-0916
F +12027720919
Email:jjmarks@ClarkHill.com

Clark Hill
1001 Pennsylvania Avenue N.W.
Suite 1300 South
Washington, DC 20004
T (202) 772-0909
F (202) 772-0919

December 22, 2025

VIA EMAIL AND/OR FIRST-CLASS MAIL

Samantha Henderson
Director, Review and Compliance Division
Virginia Department of Historic Resources
2801 Kensington Ave
Richmond, VA 23221

Samantha.henderson@dhr.virginia.gov

Re: Canonie Atlantic Co. – Abandonment Exemption –
in the City of Virginia Beach and the City of Norfolk, Virginia
Surface Transportation Board Docket No. AB 1266 (Sub. No. 2X)

Dear Ms. Henderson:

This letter is to advise you that Canonie Atlantic Co. ("CAC") intends to file a petition for exemption for CAC to abandon approximately 2.3-miles of rail line beginning at milepost 95.0 at Little Creek, VA (City of Virginia Beach) and milepost 97.6 at Camden Heights, VA (City of Norfolk) (the "Subject Line").¹

The Subject Line traverses through United State Postal Zip Codes 23455 and 23502. A map of the Subject Line is enclosed hereto.

CAC intends to petition the Surface Transportation Board ("STB") for an exemption under 49 USC §10502 from the provisions of 49 USC §10903 to enable CAC to abandon the Subject Line, on or after February 12, 2026, in STB Docket No. AB 1266 (Sub. No. 2X).²

Following CAC's abandonment of the Subject Line, CAC has agreed to sell a segment of the line that extends from Ferry Road at Shore Drive to milepost 95.0 to the United States of America for the benefit of the U.S. Navy. CAC currently intends to salvage the balance of the Subject Line following abandonment. Any salvage will take place within the right-of-way, would be surface work only and would not disturb subsurface resources.

¹ Milepost designations reflect the historic mileposts assigned to the Subject Line and therefore the total miles to be abandoned may not correspond with those mileposts.

² The rail carrier that operates the Subject Line, The Buckingham Branch Railroad Company, will simultaneously file a petition to discontinue service. However, Buckingham Branch Railroad Company is not required to file an environmental/historical report.

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

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

We would appreciate an expression from you by January 22, 2026, 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). As stated, CAC is abandoning this property to facilitate a real estate sale to the U.S. Navy. As such, the Navy considers this abandonment to be high priority because its acquisition of the property cannot proceed until the abandonment is complete. Therefore, we appreciate your prompt attention to this matter.

If you have any questions about the railroad's proposal or if you need assistance in this matter, please email me at jmarks@clarkhill.com or call me at (202) 772-0916.

Thank you for your cooperation.

Sincerely,



Justin J. Marks
Counsel to Canonie Atlantic Co.

Enclosure

MP 95.0 Begin Abandonment

Lake Whitehurst

Norfolk Botanical Garden

Norfolk International Airport

Lake Smith Lake
Lawson Natural Area

Lake La

MP 97.6 End Abandonment

64

Marks, Justin J.

From: Adrienne Birge-wilson <Adrienne.Birge-Wilson@dhr.virginia.gov>
Sent: Thursday, January 15, 2026 10:00 AM
To: Marks, Justin J.
Subject: Canonie Atlantic Co. Abandonment STB Docket No. AB 1266 (Sub. No. 2X) (DHR File No. 2025-5402) | e-Mail #03360

EXTERNAL EMAIL: The sender (Adrienne.Birge-Wilson@dhr.virginia.gov) is external to Clark Hill. Exercise caution with links, attachments, or replies if this message is unexpected.

Dear Mr. Justin Marks,

Thank you for requesting comments from the Department of Historic Resources (DHR) on the referenced project. Based upon the documentation provided, it is our opinion that the historic properties within the Area of Potential Effects will not be adversely affected by the proposed undertaking.

Implementation of the undertaking in accordance with the finding of No Adverse Effect as documented fulfills the Federal agency's responsibilities under Section 106 of the National Historic Preservation Act. If the scope of the undertaking changes or if the undertaking cannot be completed as proposed in the application submitted and reviewed by DHR, please contact our office for guidance on reinitiating consultation under Section 106.

If you have any questions or require any further assistance, please contact me.

Sincerely,

Adrienne Birge-Wilson, Architectural Historian
Department of Historic Resources
Review and Compliance Division
Phone: (804) 482-6092
Adrienne.Birge-Wilson@dhr.virginia.gov