

EO-2286



FD 35523: CSX's Proposed Joint Use of an L&I Railroad Line
David Navecky to: Jill.Howe

08/23/2013 10:53 AM

Good morning, Jill -

I am writing you to re-initiate consultations with your office on a proposed CSX railroad project that requires approval from my agency, the federal Surface Transportation Board (STB) before it can proceed. Because 2011 was the last time your office was contacted about this project, and considering the fact that you were not involved in the consultations at that time, I thought it might be useful for me to first provide some background information by email, rather than giving you an unexpected phone call.

Undertaking/Project Background

CSXT Transportation, Inc. (CSXT) proposes to acquire an operating easement that would enable CSXT to jointly operate trains with the Louisville & Indiana Railroad Company, Inc. (L&I) over L&I's rail line between Indianapolis, IN and Louisville, KY. Before CSXT would begin running trains over the L&I rail line, CSXT would pay for improvements to the rail line that would allow CSXT to move longer, faster and heavier trains than the L&I rail line can currently accommodate.

The L&I rail line enters Kentucky via a railroad bridge across the Ohio River in the vicinity of N. 13th and 15th streets in Louisville. From the river's shoreline, the subject rail line runs south for approximately 1.1 miles before curving to the east near W. Broadway and ending approximately 0.4 miles later where the subject rail line intersects other existing rail lines near S. 11th Street. Therefore, the total length of the rail line in Kentucky is approximately 1.5 miles.

The rail line improvements in Kentucky would consist of replacing the existing jointed rail with a heavier-weighted, continuously welded rail; replacement of deteriorated ties; and resurfacing of the top layer of ballast. There would be no soil or ground disturbance and the replacement activity is expected to occur entirely within the right-of-way and is typically conducted using rail-mounted heavy equipment.

After the rail line improvements are completed, CSXT intends to move an additional 13 trains per day on the Kentucky portion of the rail line, raising the daily total for all trains (CSXT and L&I) to 20 trains per day. Train speeds on the Kentucky portion of the line would increase modestly from current speeds of six to 10 mph to proposed speeds of 20 mph.

Prior Agency Contact

I have attached the two letters which represent the extent of previous consultations. The first letter is the initial consultation letter from CSXT's consultant, HDR, Inc., to your office. The second letter is your office's reply to that consultation letter. Unfortunately, CSXT and its consultant have done no additional work on cultural resources since that time. However, last

month CSXT and L&I filed an application with my agency requesting the STB's approval of the proposed joint use of the L&I rail line. Thus, I am reaching out to your to re-initiate consultations.

I will contact you early next week (the week of August 26) to discuss this project further. Of course, feel free to call me at your convenience if you'd like.

Thanks,

Dave Navecky
Office of Environmental Analysis
Surface Transportation Board
Washington, DC
202-245-0294



Initial Consultation Letter to KY SHPO.pdf



Initial Response from KY SHPO.pdf



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July 11, 2011

Mr. Craig Potts
Commonwealth of Kentucky
Kentucky Heritage Council
300 Washington Street
Frankfort, KY 40601

Re: Finance Docket No. 35523, CSX Transportation, Inc.-Acquisition-Louisville Indiana Railroad Company

Dear Mr. Potts:

CSX Transportation, Inc. ("CSXT") expects to be filing on or about September 1, 2011 with the Surface Transportation Board (the "STB") an application pursuant to 49 U.S.C. §11323 and 49 CFR Part 1180 to acquire a perpetual non-exclusive overhead freight operating easement for joint use over 106.5 miles of the Louisville & Indiana Railroad Company ("LIRC") between Indianapolis, IN, milepost 4.0, and Louisville, KY, milepost 110.5 (the "Line").

The proposed project includes rehabilitation of the Line to FRA Class IV, which will allow freight trains to operate at up to 49 miles per hour and the movement of 286,000 lbs. (286K) carloads including double stack intermodal trains. The rehabilitation is planned to occur over a period of time that may be up to seven years. All of the rehabilitation will be limited to work upon and within existing railroad right of way.

Once the rehabilitation is completed, CSXT intends to reroute trains from its other lines in the Illinois, Indiana, Ohio, Tennessee, and Kentucky region over the Line. The reroute of trains will reduce the use of certain parts of CSXT's current network, specifically that between Louisville, KY and Cincinnati, OH, and create additional capacity on that route. CSXT plans to add up to 15 trains per day between Indianapolis and Seymour, IN; 13 trains per day between Seymour and Jeff Yard, IN; and 16 trains per day between Jeff Yard, IN and Louisville, KY.

As part of the application process CSXT will submit a Preliminary Draft Environmental Assessment (the "PDEA") to the Board's Office of Environmental Analysis ("OEA"). The PDEA will discuss land use, hazardous material, hazardous waste sites, socioeconomic, geology & soils, water resources, biological resources, cultural resources, environmental justice, transportation (including the local road network and grade crossing delay & safety), air quality & climate, noise & vibration, energy resources, and proposed mitigation. Attached is a map of the proposed transaction.

CSXT is soliciting your input to assist us with the identification of possible economic, social, or environmental effects that should be considered in preparation of the PDEA. It is anticipated that the STB's OEA will use this information in preparing an Environmental Assessment ("EA") for the proposed transaction. The EA will be prepared pursuant to the National Environmental Policy Act and related environmental laws, including the National Historic Preservation Act. On behalf of CSXT, we request your input by August 1, 2011. Replies should be addressed to:

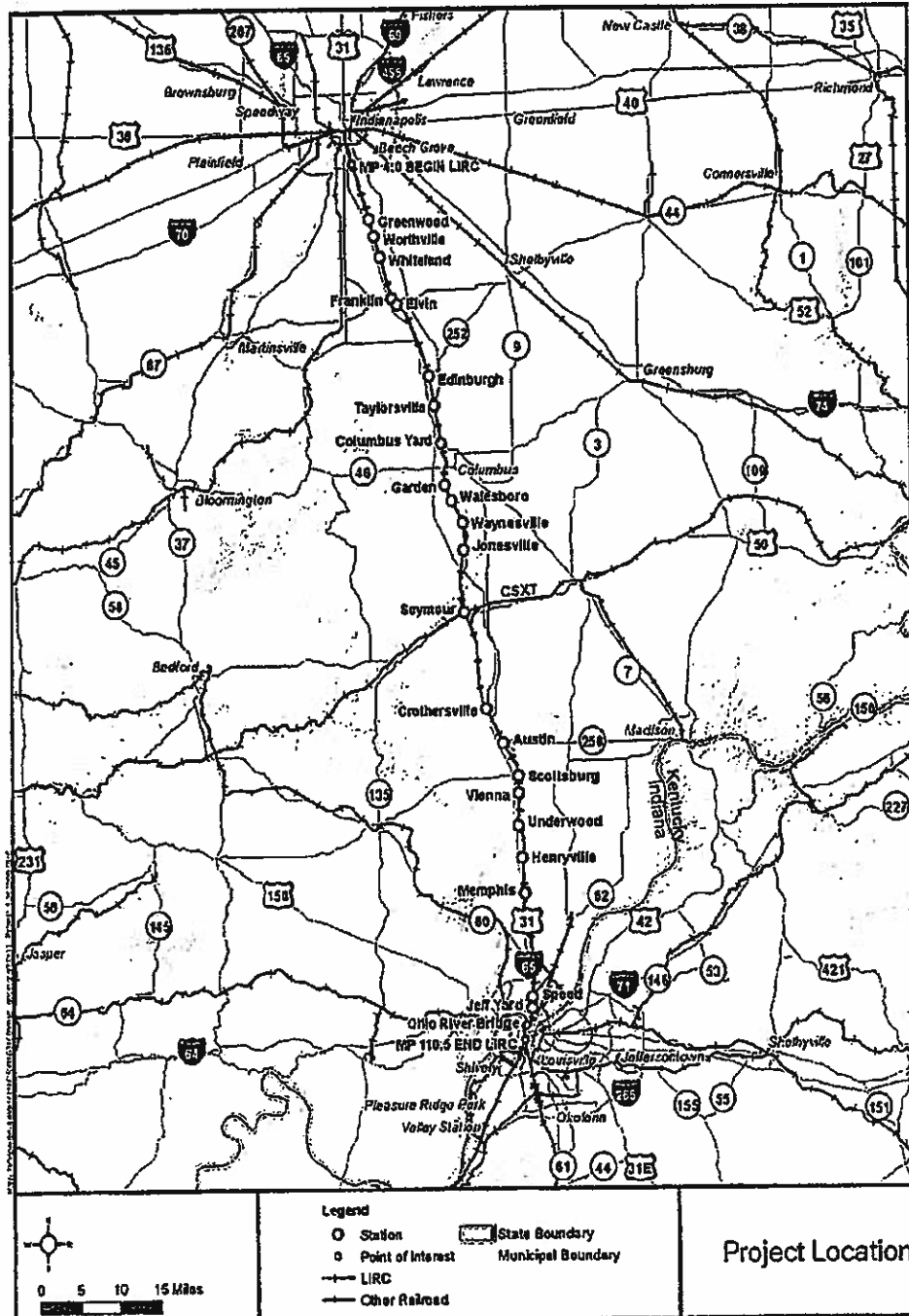
Mr. Mark Wollschlager
HDR Engineering, Inc.
701 Xenia Avenue South
Suite 600
Minneapolis, MN 55416-3636
or by email to:
csxtlirc@hdrinc.com

Sincerely,



Mark Wollschlager
Project Manager

Attachment





STEVEN L. BESHEAR
GOVERNOR

TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL

MARCHETA SPARROW
SECRETARY

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LINDY CASEBIER
ACTING EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

August 1, 2011

Mr. Mark Wollschlager
HDR Engineering, Inc.
701 Xenia Avenue South
Suite 600
Minneapolis, MN 55416-3636

Re: Finance Docket No. 35523, CSX Transportation, Inc. – Acquisition-Louisville Indiana Railroad Co.

Dear Mr. Wollschlager:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 U. S. C. Sec. 470f) and implementing regulations at 36 C. F. R. Part 800, the Kentucky State Historic Preservation Office received for review and comment a letter with a preliminary description of the above-referenced project. The letter and enclosed map indicates that a small portion of the overall project takes place in Kentucky. Additional train traffic (16 trains per day) will be routed between Jeff Yard, Indiana and Louisville, Kentucky after the proposed track rehabilitation takes place. While it appears that the project is only dealing with the rehabilitation of existing track in the existing railroad right-of-way, there is the potential for direct and indirect effects to cultural resources along the path of the rail line. An area of potential effect (APE) will need to be determined with concurrence from our office, and a survey of above-ground resources over fifty years of age will need to be submitted for our review. In addition, any planned ground disturbance may require an archaeological survey. You can find specifications for conducting the fieldwork and generating such reports on our website at <http://heritage.ky.gov/envreview/>. The Indiana State Historic Preservation Office will need to be consulted on the portion of the project that takes place in Indiana. If you should have any questions, please contact Vicki Birenberg of my staff at (502) 564-7005, ext. 127.

Sincerely,

Lindy Casebier
Acting Executive Director and
State Historic Preservation Office

LC:vmb

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