



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

HED-3062

Office of Environmental Analysis

April 16, 2019

Burt Logan
State Historic Preservation Officer
Ohio History Connection
800 E. 17th Ave.
Columbus, Ohio 43211-2474

Re: Docket No. AB 55 (Sub-No. 779X) – CSX Transportation, Inc. – Abandonment
Exemption – in Trumbull County, Ohio; No Historic Properties Affected
Determination

Dear Mr. Logan:

On May 10, 2018, CSX Transportation, Inc. (CSXT) filed a notice with the Surface Transportation Board (Board) to abandon approximately 13.9 miles of rail line on its Newton Falls Subdivision, located between milepost BGA 86.1 and milepost BGA 100.00, in Trumbull County, Ohio. The Board's Office of Environmental Analysis (OEA) prepared an Environmental Assessment (EA) for this proceeding, pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) (NHPA) and served it for public review and comment on June 4, 2018. No comments were received from the Ohio History Connection (State Historic Preservation Office or SHPO) during the 15-day comment period, and OEA was not able to consider the SHPO's opinion before determining if the rail line may potentially be eligible for listing on the National Register of Historic Places (National Register). Accordingly, OEA recommended that the Board impose a Section 106 condition to give the parties time to consult.

On July 6, 2018, the Board issued a decision imposing a Section 106 condition. Specifically, the condition requires CSXT to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect or APE) eligible for listing or listed in the National Register until completion of the Section 106 process. In the decision, the Board also issued a Notice of Interim Trail Use permitting the parties to negotiate an interim trail use/rail banking agreement for the Line within 180 days pursuant to § 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. The Board's decision regarding trail use essentially stayed the abandonment process. However, these negotiations have since failed, and CSXT is now ready to satisfy the Board-imposed Section 106 condition so that it may salvage the track, ties and other rail appurtenances, and consummate the abandonment.

OEA has reviewed your web site, which includes tools for accessing National Register maps and data bases, as well as a site review form. OEA was granted access to the GIS mapping

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system and was also able to view the publicly available data base to determine if any Section 106 resources are within the APE, which is also the rail line right-of-way. Based on our review, and pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the NHPA at 36 C.F.R. § 800.5 and 36 C.F.R. § 800.8, OEA finds that no historic properties listed in or eligible for inclusion in the National Register would be affected by the proposed abandonment. The documentation for this finding, as specified at 36 C.F.R. § 800.11(d), consists of the Project Summary Form, CSXT's Historic Report, the Environmental Assessment, the Board decision, supporting maps and photographs, and all relevant correspondence, which have been provided to your office and made available to the public. OEA believes that our environmental review meets the intent and goals of NEPA, including 36 C.F.R. § 800.11 and 36 C.F.R. § 800.2(d) (See 49 C.F.R. § 1105.8), and that the Section 106 process has been properly completed for this case.

If you concur, the Board will make the finding that there are **No Historic Properties Affected** for this undertaking in accordance with 36 C.F.R. § 800.4(d)(1) and remove the condition, which is the only barrier for consummating this abandonment. Please inform OEA within the 30-day specified time frame if you concur or object to this finding.

Thank you for your assistance in this matter. Please feel free to contact Diana Wood of my staff at 202-245-0302 or by email at Diana.Wood@stb.gov, if you have any questions. We look forward to receiving your response at your earliest convenience, but no later than May 16, 2019.

Sincerely,



Victoria Rutson
Director, Office of Environmental Analysis

cc: Melanie Yasbin, Legal Counsel for CSX Transportation, Inc.
Enclosures (14)



**OHIO HISTORIC PRESERVATION OFFICE:
RESOURCE PROTECTION AND REVIEW**

Section 106 Review - Project Summary Form

For projects requiring a license from the Federal Communications Commission, please use FCC Forms 620 or 621. DO NOT USE THIS FORM.

SECTION 1: GENERAL PROJECT INFORMATION

All contact information provided must include the name, address and phone number of the person listed. Email addresses should also be included, if available. Please refer to the Instructions or contact an OHPO reviewer (mailto:Section106@ohiohistory.org) if you need help completing this Form. Unless otherwise requested, we will contact the person submitting this Form with questions or comments about this project.

Date: April 16, 2019
Name/Affiliation of person submitting form: Diana Wood
Mailing Address: Surface Transportation Board, Office of Environmental Analysis, 395 E Street S.W., Washington D.C. 20421
Phone/Fax/Email: Diana.Wood@stb.gov; 202-245-0302

A. Project Info:

1. This Form provides information about:

New Project Submittal:

YES NO

Additional information relating to previously submitted project:

YES NO

OHPO/RPR Serial Number from previous submission:

**2. Project Name (if applicable): CSX Transportation, Inc.—Abandonment
Exemption—in Trumbull County, OH**

**3. Internal tracking or reference number used by Federal Agency, consultant,
and/or applicant to identify this project (if applicable): Surface Transportation
Docket No. AB-55 (Sub-No. 779X)**

B. Project Address or vicinity: Approximately 13.9-mile rail line on its Newton Falls

Subdivision, between milepost BGA 86.1 and railroad milepost BGA 100.0

C. City/Township: Newton Falls, Warren, and Niles

D. County: Trumbull County

E. Federal Agency and Agency Contact. *If you do not know the federal agency involved in your project, please contact the party asking you to apply for Section 106 Review, not OHPO, for this information. HUD Entitlement Communities acting under delegated environmental review authority should list their own contact information.*

Diana F. Wood
Office of Environmental Analysis
U.S Surface Transportation Board
395 E Street SW
Washington, DC 20423.
Email Diana.Wood@stb.gov.
Phone: (202) 245-0302

F. Type of Federal Assistance. *List all known federal sources of federal funding, approvals, and permits to avoid repeated reviews.*

STB

G. State Agency and Contact Person (if applicable):

N/A

H. Type of State Assistance:

N/A

I. Is this project being submitted at the direction of a state agency **solely** under Ohio Revised Code 149.53 or at the direction of a State Agency? *Answering yes to this question means that you are sure that **no** federal funding, permits or approvals will be used for any part of your project, and that you are seeking comments only under ORC 149.53.*

YES NO

J. Public Involvement- Describe how the public has been/will be informed about this project and its potential to affect historic properties. Please summarize how they will have an opportunity to provide comments about any effects to historic properties. (This step is required for all projects under 36 CFR § 800.2):

1. In compliance with STB regulations, CSXT published a notice in The Vindicator on May 7, 2018 to inform the public of its intent to file a notice of exemption to abandon the line with the Surface Transportation Board on or May 10, 2018. The newspaper notification provided the following information regarding how the public could comment on the proceeding:

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 OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

2. OEA served an Environmental Assessment (EA) in this proceeding on June 4, 2018 for public review and comment. In the EA, OEA recommended one environmental (historic) condition and concluded that the proposed action would not significantly impact the quality of the human environment. Specifically, the historic section states:

CSXT submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Ohio History Connection (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).¹ The report indicates that the line proposed for abandonment contains four bridges or structures that are 50 years old or older.

The bridges are described as follows:

1. Bridge BGA 90.00 was built in 1924 and has an open deck, through plate girder with a steel superstructure and stone abutments;
2. Bridge BGA 90.70 was built in 1901 and has an open deck, deck plate girder with a steel superstructure and stone abutments that cross the Mahoning River in Warren;
3. Bridge BGA 91.41 was built in 1901 and has an open deck, deck beam with steel superstructure and timber-end-driven bent that crosses Hoyt Run in Warren; and
4. Bridge BGA 93.80 was built in 1901 and has a standard track section, arch superstructure with stone abutment that crosses Duck Creek in Levetttsburg.

CSXT believes these bridges are not unusual or noteworthy for inclusion on the National Register of Historic Places (National Register). CSXT also indicates that there are no archaeological resources or other railroad-related historic properties within the area of the proposed abandonment. CSXT is agreeable to trail use under the National Trails System Act and as previously stated, does not intend to disturb or salvage any sub-grade or sub-grade structures, including bridges, trestles, culverts, and tunnels.

OEA has not heard from the SHPO and therefore has not been able to consider the SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register. Accordingly, OEA is recommending a condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.gov/stb/environment/preservation.html>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing that may have ancestral connections to the project area.² The database indicates that there are three

¹ Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act. Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website at [https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation of 106 in Rail Abandonments.pdf](https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation%20of%20106%20in%20Rail%20Abandonments.pdf).

² U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool,

federally recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way or APE of the proposed abandonment. The tribes are: Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, and the Seneca-Cayuga Nation. OEA has included these tribes in the service list for this proceeding so that they may receive a copy of the EA for review.

OEA received four comments during the 15-day comment period. By attached letter dated May 30, 2018, the U.S. Army Corps of Engineers (Corps) commented that it was not able to determine the number and type of aquatic resources within the area of the proposed abandonment and requested that CSXT hire a qualified wetland consultant to evaluate the area for potential jurisdictional waterways or wetlands. The Corps noted that a Section 404 permit under the Clean Water Act (33 U.S.C. § 1344) would be required if the salvage process resulted in any impacts to these resources and assigned the proposed abandonment a Corps permit number of 2018-713.

OEA and the Corps have since consulted and agreed that a permit would not be required for the proposed abandonment if the salvage process does not result in the discharge of dredged or fill material into waters of the United States. Specifically, CSXT has indicated that it would conduct its salvage operations in the existing right-of-way, along existing public and private crossings; that no new access roads be created; that the underlying road bed would remain intact; that no dredging or use of fill material would occur in removing the track and ties and that crossties and other debris is transported away from the rail line and associated water resources; and finally, that appropriate measures would be used to prevent and control spills from fuels, lubricants and other pollutants from entering any waterways. However, because the Corps was not able to evaluate the proposed abandonment for the presence of aquatic resources, OEA is recommending a condition that would require CSXT to consult with the Corps prior to initiating salvage and to comply with the Corps' reasonable requirements, which may include the use of best management practices in areas adjacent to wetlands or waterways, if present, during the salvage process.

The remaining three commenters opposed the proposed abandonment and requested that the rail line remain in use. In response, OEA notes that a number of parties have submitted formal filings to the Board, either in support of continued rail service or conversion to trail use, and that CSXT has formally replied that it is not opposed to a 180-day public use condition and is willing to negotiate an interim trail use/rail banking arrangement.³ In addition, two of the three commenters referenced concerns about increased air pollution and truck traffic that they believe would occur as a result of the proposed abandonment. In response, OEA notes that these concerns were addressed in the EA. Specifically, the EA states that "no local traffic has moved over the line for at least two years and overhead traffic can and has been rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network."

OEA recommended the following two conditions in the Final EA, and STB imposed these

<https://egis.hud.gov/tdat/> (last visited May 18, 2018).

³ The filings are available for viewing on the Board's website at www.stb.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 55 (Sub-No. 779X).

conditions in its July 6, 2018 decision:

1. Prior to commencement of any salvage activities, CSXT Transportation, Inc. (CSXT) shall consult with the U.S. Army Corps of Engineers (Corps) regarding potential impacts to waters of the United States, including wetlands, and shall comply with the reasonable requirements of the Corps.
2. CSXT shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 30610816, has been completed. CSXT shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Ohio History Connection (State Historic Preservation Office or SHPO) and the public. CSXT may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

The Board decision concluded that if the above conditions are imposed, the proposed action would not significantly affect the quality of the human environment.

On July 6, 2018 (the day the Board issued its decision imposing the Section 106 condition), OEA received comments from the Miami Tribe stating that it has no objection to the proposed abandonment because it was not aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery.

Accordingly, OEA will recommend the Board impose the following condition (as this condition does not present a barrier to consummating the abandonment) when it removes the above Section 106 condition:

In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during salvage activities, CSXT Transportation, Inc. shall immediately cease all work and notify the Board's Office of Environmental Analysis (OEA), appropriate federally recognized tribes, and the Ohio History Connection (State Historic Preservation Office or SHPO) pursuant to 36 C.F.R. § 800.13(b). OEA will then consult with the SHPO, appropriate federally-recognized tribes, the railroad, and other consulting parties, if any, to determine whether mitigation measures are necessary.

- K. Please list other consulting parties that you have contacted/will contact about this project, such as Indian Tribes, Certified Local Governments, local officials, property owners, or preservation groups. (See 36 CFR § 800.2 for more information about involving other consulting parties). Please summarize how they will have an opportunity to provide comments:

In compliance with STB regulations, on April 20, 2018, the below parties were sent a letter with a map of the railroad line, a draft Combined Environmental and Historic Report (CEHR), and a distribution list of all parties who had been

requested to comment on the CEHR. Comments were requested to be sent to Gene Payne, CSXT Manager Joint Facilities.

United States Department of Agriculture Natural Resources Conservation Service 200 North High Street, Suite 522 Columbus, OH 43215-2478	Environmental Protection Agency Region 5 77 West Jackson Blvd Chicago, IL 60604-3507
U.S. Army Corp of Engineers 550 Main Street, Room 10524 Cincinnati, OH 45202-3222	U.S. Fish & Wildlife Services 5600 American Blvd, Suite 990 Bloomington, MD 55437-1458
National Park Service 601 Riverfront Drive Omaha, NE 68102-4226	National Geodetic Survey Simon.Monroe@noaa.gov
Department of Natural Resources 105 West Shoreline Drive, Sandusky, OH 448870	Ohio Environmental Protection Agency P.O. Box 1049 Columbus, OH 43216
City of Warren Mayor William D. Franklin 391 Mahoning Ave, N.W. Warren, OH 44483	Trumbull County Commissioners 160 High Street NW #5 Warren, OH 44481
Ohio Department of Transportation 1980 West Broad Street Columbus, OH 43223	Newtown Falls Jack Haney City Manager 19 North Canal Street Newtown Falls, OH 44444
The City of Niles Mayor Thomas Scarnecchia 34 West State Street Niles, Ohio, 44446	Ohio History Connection 800 E. 17 th Ave Columbus, OH 43211

Additionally, OEA conducted a search of the U.S. Department of Housing and Urban Development Tribal Directory Assessment tool to identify federally recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way or APE of the proposed abandonment. There were three tribes: Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, and the Seneca-Cayuga Nation. OEA included these tribes in the service list for the proceeding so that they could receive a copy of the Environmental Assessment issued on June 4, 2018. In a letter dated July 6, 2018, the Miami Tribe stated that it had no objections to the abandonment. See Section J above for discussion.

SECTION 2: PROJECT DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Provide a description of your project, its site, and geographical information. You will also describe your project's Area of Potential Effects (APE). Please refer to the Instructions or contact an OHPO reviewer if you need help with developing the APE or completing this form.

STB's statutory authority is limited to the rail line right-of-way and any structures or objects outside the right-of-way are outside the Board's jurisdictional control. Therefore, the right of way width or area of potential affects (APE) is approximately 65 feet. The Line begins east of Route 169. Going northwest, the Line crosses Route 169. Continuing in a northwestern direction the line crosses Deforest Rd SE. It then crosses Burton St. SE. Continuing north the Line passes McBride Park. The

Line turns west and crosses Pine Ave SE/S Park Ave, and Main Ave SW. The line then crosses the Mahoning River in Warren. The Line runs parallel to South Ave SW/ W. Market St crossing Highland Ave SW and Tod Ave NW. The Line continues to run west, following W Market St. Prior to Interstate 5 the Line turns south crossing Burnett Street. Continuing south west the Line crosses center road and begins to follow Warren Ravenna Road. Continuing south west the Line crosses under the Ohio Turnpike. The Line crosses over Warren Rd. and ends at the connection with the CSXT mainline, prior to crossing the Mahoning River in Newton Falls. There are four bridges on the Line that are not unusual or noteworthy. They are described as follows:

5. Bridge BGA 90.00 was built in 1924 and has an open deck, through plate girder with a steel superstructure and stone abutments;
6. Bridge BGA 90.70 was built in 1901 and has an open deck, deck plate girder with a steel superstructure and stone abutments that cross the Mahoning River in Warren;
7. Bridge BGA 91.41 was built in 1901 and has an open deck, deck beam with steel superstructure and timer-end-driven bent that crosses Hoyt Run in Warren; and
8. Bridge BGA 93.80 was built in 1901 and has a standard track section, arch superstructure with stone abutment that crosses Duck Creek in Levetttsburg.

For challenging projects, provide as much information as possible in all sections, and then check the box in Section 5.A. to ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties or if there may be challenging procedural issues related to your project. Please note that providing information to complete all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

- A. Does this project involve any Ground-Disturbing activity: **YES** NO
(If Yes, you must complete all of Section 2.A. If No, proceed directly to Section 2. B.)

1. General description of width, length and depth of proposed ground disturbing activity:

Abandonment of the Line would result in the removal of the rail, cross-ties, and possibly the upper layer of ballast. CSXT does not intend to disturb any sub grade or sub grade structures. Any trail related structures, such as bridges, trestles, culverts and tunnels would not be salvaged.

2. Narrative description of previous land use and past ground disturbances, if known:
The Line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal.

3. Narrative description of current land use and conditions:
The land is a railroad line.

4. Does the landowner know of any archaeological resources found on the property?
YES **NO** If yes, please describe:

- B. Submit the exact project site location on a USGS 7.5-minute topographic quadrangle map for all projects. Map sections, photocopies of map sections, and online versions of USGS maps are acceptable as long as the location is clearly marked. Show the project's Area of

Potential Effects (APE). It should be clearly distinguished from other features shown on the map:

1. USGS Quad Map Name: **See attached maps**
 2. Township/City/Village Name: See attached
- C. Provide a street-level map indicating the location of the project site; road names must be identified and legible. Your map must show the exact location of the boundaries for the project site. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
- The attached aerial photographs show the APE, in red, and Section 106 resources from the Ohio SHPO's data base and GIS mapping systems
- D. Provide a verbal description of the APE, including a discussion of how the APE will include areas with the potential for direct and indirect effects from the project. Explain the steps taken to identify the project's APE, and your justification for the specific boundaries chosen: See Section 2
- E. Provide a detailed description of the project. This is a critical part of your submission. Your description should be prepared for a cold reader who may not be an expert in this type of project. The information provided must help support your analysis of effects to historic properties, not other types of project impacts. Do not simply include copies of environmental documents or other types of specialized project reports. If there are multiple project alternatives, you should include information about all alternatives that are still under active consideration: See prior sections

SECTION 3: IDENTIFICATION OF HISTORIC PROPERTIES

Describe whether there are historic properties located within your project APE. To make that determination, use information generated from your own Background Research and Field Survey. Then choose one of the following options to report your findings. Please refer to the Instructions and/or contact an OHPO reviewer if you are unsure about how to identify historic properties for your project.

There are no Section 106 resources in the APE, nor are there Section 106 resources adjacent to the APE.

If you read the Instructions and you're still confused as to which reporting option best fits your project, or you are not sure if your project needs a survey, you may choose to skip this section, but provide as much supporting documentation as possible in all other Sections, then check the box in Section 5.A. to request preliminary comments from OHPO. After reviewing the information provided, OHPO will then offer comments as to which reporting option is best suited to document historic properties for your project. Please note that providing information to complete this Section will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

Recording the Results of Background Research and Field Survey:

- A. **Summary of discussions and/or consultation with OHPO** about this project that demonstrates how the Agency Official and OHPO have agreed that no Field Survey was necessary for this project (typically due to extreme ground disturbance or other special circumstances). Please **attach copies** of emails/correspondence that document this agreement. You must explain how the project's potential to affect both archaeological and

historic resources were considered.

- B. **A table that includes the minimum information** listed in the OHPO Section 106 Documentation Table (which is generally equivalent to the information found on an inventory form). This information must be printed and mailed with the Project Summary Form. To provide sufficient information to complete this Section, you must also include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated in the project APE.
- C. **OHI (Ohio Historic Inventory) or OAI (Ohio Archaeological Inventory) forms-** New or updated inventory forms may be prepared using the OHI pdf form with data population capabilities, the Internet IForm, or typed on archival quality inventory forms. To provide sufficient information to complete this Section, you must include summary observations from your field survey and background research. You must also include eligibility determinations for each property that was evaluated in the project APE
- D. **A historic or archaeological survey report** prepared by a qualified consultant that meets professional standards. The survey report should meet the Secretary of the Interior's Standards and Guidelines for Identification and OHPO Archaeological Guidelines. You may also include new inventory forms with your survey, or update previous inventory forms. To complete this section, your survey report must include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated within the APE.
- E. **Project Findings.** Based on the conclusions you reached in completing Section 3, please choose one finding for your project. There are (mark one):
 - Historic Properties Present in the APE:
 - No Historic Properties Present in the APE:** There are no Section 106 resources in the APE nor are there Section 106 resources adjacent to the APE.

SECTION 4: SUPPORTING DOCUMENTATION

This information must be provided for all projects.

- A. Photographs must be keyed to a street-level map, and should be included as attachments to this application. Please label all forms, tables and CDs with the date of your submission and project name, as identified in Section 1. You must present enough documentation to clearly show existing conditions at your project site and convey details about the buildings, structures or sites that are described in your submission. Faxed or photocopied photographs are not acceptable. See Instructions for more info about photo submissions or 36 CFR § 800.11 for federal documentation standards.
 - 1. Provide photos of the entire project site and take photos to/from historic properties from/towards your project site to support your determination of effect in Section 5. See attached
 - 2. Provide current photos of all buildings/structures/sites described.
- B. Project plan, specifications, site drawings and any other media presentation that conveys detailed information about your project and its potential to affect historic properties. See attached
- C. Copies or summaries of any comments provided by consulting parties or the public. See attached

SECTION 5: DETERMINATION OF EFFECT

- A. **Request Preliminary Comments.** For challenging projects, provide as much information as possible in previous sections and ask OHPO to offer preliminary

comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties, if the public has concerns about your project's potential to affect historic properties, or if there may be challenging procedural issues related to your project. Please be aware that providing information in all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

1. We request preliminary comments from OHPO about this project:
YES NO

2. Please specify as clearly as possible the particular issues that you would like OHPO to examine for your project (for example- help with developing an APE, addressing the concerns of consulting parties, survey methodology, etc.):

- B. **Determination of Effect.** If you believe that you have gathered enough information to conclude the Section 106 process, you may be ready to make a determination of effect and ask OHPO for concurrence, while considering public comments. Please select and mark one of the following determinations, then explain the basis for your decision on an attached sheet of paper:

No historic properties will be affected based on 36 CFR § 800.4(d) (1). Please explain how you made this determination: There are no Section 106 resources in the APE, nor are there Section 106 resources adjacent to the APE. OEA has not received any comments indicating otherwise.

No Adverse Effect [36 CFR § 800.5(b)] on historic properties. This finding cannot be used if there are no historic properties present in your project APE. Please explain why the Criteria of Adverse Effect, [36 CFR Part 800.5(a) (1)], were found not to be applicable for your project:

Adverse Effect [36 CFR § 800.5(d) (2)] on historic properties. Please explain why the criteria of adverse effect, [36 CFR Part 800.5(a) (1)], were found to be applicable to your project. You may also include an explanation of how these adverse effects might be avoided, reduced or mitigated:

Please print and mail completed form and supporting documentation to:

*State Historic Preservation Office
Resource Protection and Review Department
800 E. 17th Avenue
Columbus, OH 43211-2474*

HISTORIC REPORT

1. A U.S.G.S. topographic map (or alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;

U.S. Geological Survey Maps have been supplied to the State Department of Archeology and Historic Preservation (*See Exhibit 3*) along with a copy of the preliminary CEHR.

2. A written description of the right of way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;

The right of way width along this right of way is approximately 65 feet. The Line begins east of Route 169. Going northwest, the Line crosses Route 169. Continuing in a northwestern direction the line crosses Deforest Rd SE. It then crosses Burton St. SE. Continuing north the Line passes McBride Park. The Line turns west and crosses Pine Ave SE, S Park Ave, and Main Ave SW. The line then crosses the Mahoning River in Warren. The Line runs parallel to South Ave SW/ W. Market St crossing Highland Ave SW and Tod Ave NW. The Line continues to run west, following W Market St. Prior to Interstate 5 the Line turns south crossing Burnett Street. Continuing south west the Line crosses center road and begins to follow Warren Ravenna Road. Continuing south west the Line crosses under the Ohio Turnpike. The Line crosses over Warren Rd. and end at the connection with the CSXT mainline, prior to crossing the Mahoning River in Newton Falls.

3. Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;

There are four bridges or structures on the property that are 50 years old or older.

4. The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;

Bridge BGA 90.00 is an open deck, through plate girder with a steal superstructure and stone abutments. It was built in 1924.

Bridge BGA 90.70 is an open deck, deck plate girder with a steel superstructure and stone abutments that crosses the Mohoning River in Warren. It was built in 1901.

Bridge BGA 91.41 is an open deck, deck beam with steel superstructure and timber end driven bent that crosses Hoyt Run in Warren. It was built in 1901.

Bridge BGA 93.80 is standard track section, arch superstructure with stone abutment that crosses Duck Creek in Levettsburg. It was built in 1901.

5. A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

On November 1, 1980, Seaboard Coast Line Industries Inc. and Chessie System Inc. merged and became CSX Corporation. On April 30, 1987, the Baltimore & Ohio Railway Company was merged into the Chesapeake and Ohio Railway Company. The Chesapeake and Ohio Railway Company was merged into CSX Transportation on September 2, 1987.

Upon receiving abandonment authority, Applicant's operations and maintenance over this line will cease.

6. A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;

CSXT possesses valuation maps and track charts of the Line, but is not aware of any other documentation in its possession.

7. An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 C.F.R. 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

CSXT believes that the bridges on the Line are not unusual or noteworthy for inclusion on the National Register of Historic Places. It is also CSXT's opinion that there are no archeological resources or other railroad related historic properties in the project area.

Moreover, since CSXT is agreeable to trail use, CSXT does not plan to alter, remove or dispose

of any of the bridges that are on the Line.

8. A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic waste), and the surrounding terrain.

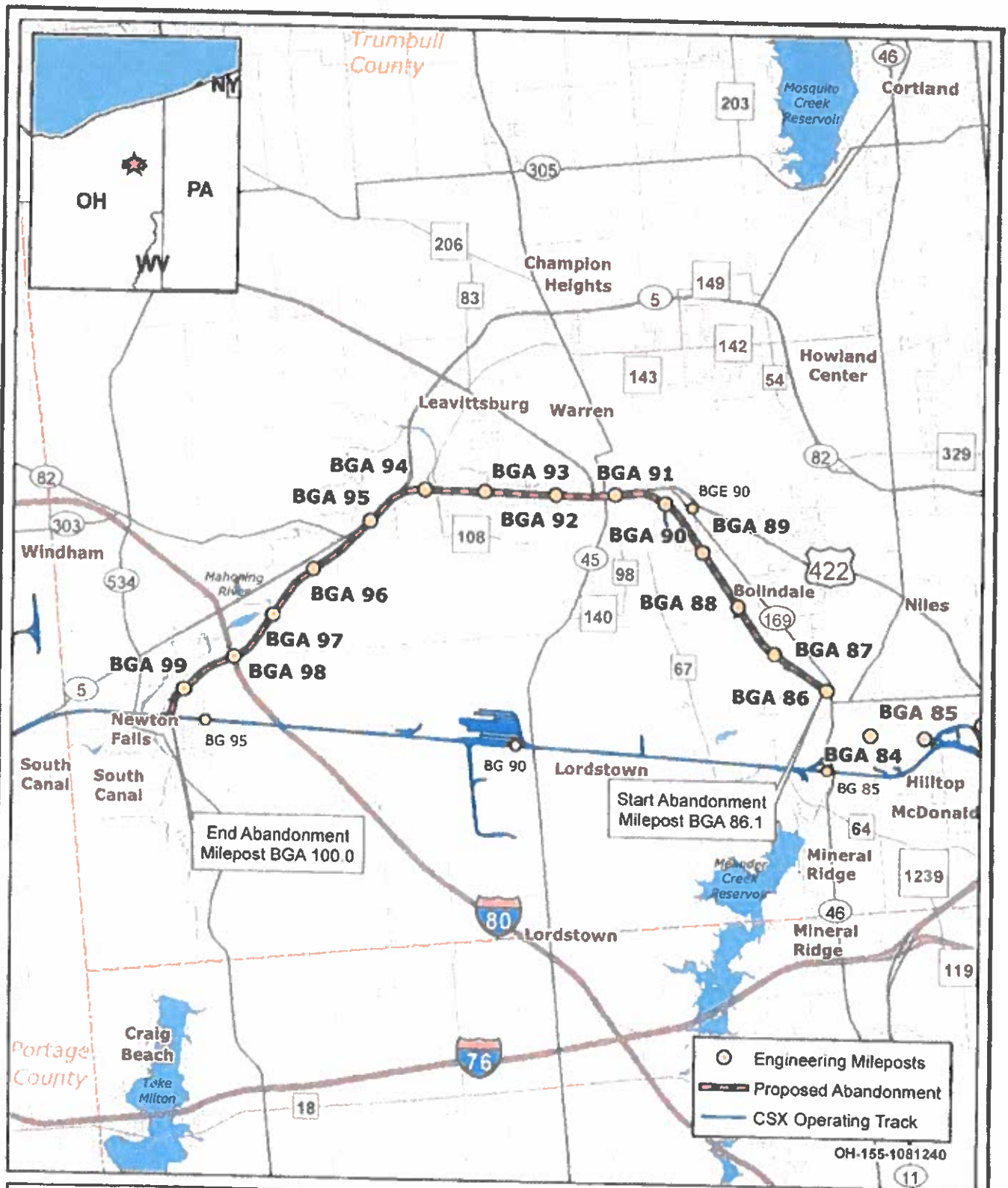
The Line was disturbed during construction by cuts and fill and any archeological resources that may have been located in the proposed project area would have been affected at that time versus during the proposed salvage operations associated with rail removal. Our records do not indicate that any swampy conditions exist, or that any hazardous material spills have occurred within the project area.

9. Within 30 days of receipt of the historic report, the State Historic Preservation Officer may request the following additional information regarding specific non railroad owned properties or groups of properties immediately adjacent to the railroad right-of-way: photographs of specified properties that can be readily seen from the railroad right-of-way (or other public rights-of-way adjacent to the property) and a written description of any previously discovered archeological sites, identifying the location and type of the site (*i.e.* prehistoric or native American).

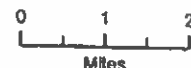
CSXT does not foresee the likelihood that any additional information will need to be supplied in association with the proposed abandonment other than that information previously submitted. But, if any additional information is requested, CSXT will promptly supply the necessary information.

CSXT notified the Ohio History Connection by letter dated April 20, 2018 (*See Exhibit 2*) requesting assistance to determine whether there are any archeological resources or any other previously unknown historic properties and included a copy of the preliminary CEHR. No comments have been received to date.

EXHIBIT 1 – MAP



CSX Transportation, Inc.
Proposed Abandonment
Trumbull County, OH
 Milepost BGA 86.1 to BGA 100.0
 Total Distance of approx. 13.9 Miles
 Great Lakes Division - Newton Falls Subdivision
 STB Docket No. AB 55 (Sub-No. 779X)



46452
OEA

**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423**

ENVIRONMENTAL ASSESSMENT

Docket No. AB 55 (Sub-No. 779X)

**CSX Transportation, Inc. – Abandonment Exemption –
In Trumbull County, Ohio**

BACKGROUND

In this proceeding, CSXT Transportation, Inc. (CSXT) filed a verified notice under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment and discontinuance of service of approximately 13.9 miles of rail line on its Newton Falls Subdivision, located between milepost BGA 86.1 and milepost BGA 100.00, in Trumbull County, Ohio (the Line). The Line travels north, then west, and finally south through several communities. The Line parallels Route 169, Route 422, and Route 5 at points and then crosses under Interstate 80 before it ends at the connection with the CSXT mainline prior to the Mahoning River crossing in Newton Falls. CSXT states that there are five stations on the Line that can be closed if abandonment authority is granted. The stations are: Niles, Deforest, Warren, Leavittsburg, and Newton Falls. The Line traverses United States Zip Codes 44430, 44444, 44446, 44483, 44484, and 44485, and CSXT states that the right-of-way is approximately 65 feet wide.

Based on information in its possession, CSXT states that the Line does not contain any federally granted rights-of-way. CSXT believes the Line may be suitable for other uses but may also be subject to reversionary interests that may affect transfer of title for uses other than rail. If abandonment authority is granted, CSXT would be able to salvage track, ties, and other railroad appurtenances and dispose of the right-of-way. A map depicting the line in relationship to the area served is appended to this Environmental Assessment (EA).

ENVIRONMENTAL REVIEW

CSXT submitted an environmental report that concludes the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CSXT served the environmental report on a number of appropriate federal, state, and local agencies as required

by the Surface Transportation Board's (Board) environmental rules [49 C.F.R. § 1105.7(b)].¹ The Board's Office of Environmental Analysis (OEA) has reviewed and investigated the record in this proceeding.

Diversion of Traffic

According to CSXT, no local traffic has moved over the line for at least two years and overhead traffic can and has been rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

Salvage Activities

Impacts from salvage and disposal of a rail line typically include removal of tracks and ties, removal of ballast, dismantling of any bridges or other structures that may be present on the rail right-of-way, and regrading of the right-of-way. Salvage may be performed within the right-of-way, or if necessary, via construction of new access points to the right-of-way. If abandonment authority is granted, CSXT intends to salvage the rail, ties, track materials, and possibly the upper layer of ballast. CSXT does not intend to disturb or salvage any sub-grade or sub-grade structures, including bridges, trestles, culverts, and tunnels. If the rail line should become a trail under the National Trails System Act, the corridor and any trail-related structures would remain in place.

OEA believes that any air emissions associated with salvage operations would be temporary and would not have a significant impact on air quality. Noise associated with salvage activities would also be temporary and should not have a significant impact on the area surrounding the proposed abandonment.

By email sent May 9, 2018, the U.S. Fish and Wildlife Service (USFWS) commented that there are no federal wilderness areas, wildlife refuges or designated critical habitat within the vicinity of the proposed abandonment. USFWS does not anticipate adverse effects to federally endangered, threatened, proposed, or candidate species as a result of salvage activities, but requests to be contacted, should there be any changes to the abandonment or if new information is revealed. Accordingly, OEA is not recommending any mitigation related to impacts to federal species of concern but has included USFWS in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

OEA has not received comments from the U.S. Army Corps of Engineers' (Corps) on whether a Section 404 permit under the Clean Water Act (33 U.S.C. § 1344) may be required. CSXT has stated that its salvage operations would not result in the discharge of dredged or fill

¹ The Environmental and Historic Reports are available for viewing on the Board's website at www.stb.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 55 (Sub-No. 779X).

material into waters of the United States; that salvage would be conducted in the existing right-of-way, along existing public and private crossings; that no new access roads are contemplated; that it does not intend to disturb any of the underlying road bed or perform any activities that would result in sedimentation or erosion of the soil; that no dredging or use of fill material would occur in removing the track and ties and that crossties and other debris would be transported away from the rail line and associated water resources; and finally, that it would use appropriate measures during salvage to prevent and control spills from fuels, lubricants and other pollutants from entering any waterways. Accordingly, OEA is not recommending any mitigation related to impacts to waters of the United States but has included the Corps' in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

OEA has not received comments from the U.S. Environmental Protection Agency (USEPA) regarding hazardous waste sites or hazardous materials spills but believes that the proposed abandonment would not have a significant impact on land, air or water resources because CSXT has indicated that there are no known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way proposed for abandonment. Additionally, OEA believes the proposed abandonment would not have a significant impact on water quality, given CSXT's salvage procedure of minimal disturbance. Accordingly, OEA is not recommending any mitigation related to the need for a Section 402 permit under the Clean Water Act (33 U.S.C. § 1342) but has included USEPA in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

By email dated May 1, 2018, the Ohio Department of Natural Resources' Office of Coastal Management (ODNR-OCM) commented that the proposed abandonment is not located in Ohio's designated coastal zone or the Lake Erie watershed and that a federal consistency review is not required under the Coastal Zone Management Act (16 U.S.C. § 1451 *et seq.*). Accordingly, OEA is not recommending any mitigation related to coastal zone consistency in this proceeding.

OEA has not yet received responses from several other federal, state and local agencies regarding potential environmental impacts from the proposed abandonment. In addition to the previously mentioned agencies, OEA is sending a copy of this EA for review and comment to the National Park Service; the U.S. Department of Agriculture Natural Resources Conservation Service; the National Geodetic Survey; the Ohio Department of Transportation; the Trumbull County Commissioners; the City of Warren; the City of Niles; and the village of Newton Falls.

HISTORIC REVIEW

CSXT submitted an historic report as required by the Board's environmental rules [49 C.F.R. § 1105.8(a)] and served the report on the Ohio History Connection (State Historic Preservation Office or SHPO), pursuant to 49 C.F.R. § 1105.8(c).² The report indicates that the

² Applicants seeking authority from the Board to abandon railroad lines may act on behalf of the Board when complying with the Section 106 regulations of the National Historic Preservation Act. Applicants are authorized to initiate the Section 106 review process and carry out some of its steps, but the Board retains overall responsibility for the Section 106 review. See 36 C.F.R. 800.2(c)(4); 49 C.F.R. Part 1105; Delegation Letter (Dec. 9, 2009). The Delegation Letter can be found on the Board's website

line proposed for abandonment contains four bridges or structures that are 50 years old or older. The bridges are described as follows:

1. Bridge BGA 90.00 was built in 1924 and has an open deck, through plate girder with a steel superstructure and stone abutments;
2. Bridge BGA 90.70 was built in 1901 and has an open deck, deck plate girder with a steel superstructure and stone abutments that cross the Mahoning River in Warren;
3. Bridge BGA 91.41 was built in 1901 and has an open deck, deck beam with steel superstructure and timber-end-driven bent that crosses Hoyt Run in Warren; and
4. Bridge BGA 93.80 was built in 1901 and has a standard track section, arch superstructure with stone abutment that crosses Duck Creek in Levettsburg.

CSXT believes these bridges are not unusual or noteworthy for inclusion on the National Register of Historic Places (National Register). CSXT also indicates that there are no archaeological resources or other railroad-related historic properties within the area of the proposed abandonment. CSXT is agreeable to trail use under the National Trails System Act and as previously stated, does not intend to disturb or salvage any sub-grade or sub-grade structures, including bridges, trestles, culverts, and tunnels.

OEA has not heard from the SHPO and therefore has not been able to consider the SHPO's opinion before determining if the rail line may be potentially eligible for listing on the National Register. Accordingly, OEA is recommending a condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register until completion of the Section 106 process. Guidance regarding the Board's historic preservation review process is available on the Board's website at <http://www.stb.gov/stb/environment/preservation.html>.

Pursuant to 36 C.F.R. § 800.2, OEA conducted a search of the U.S. Department of Housing and Urban Development Tribal Directory Assessment Tool to identify federally recognized tribes that may have ancestral connections to the project area.³ The database indicates that there are three federally recognized tribes that may have knowledge regarding properties of traditional religious and cultural significance within the right-of-way or APE of the proposed abandonment. The tribes are: Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, and the Seneca-Cayuga Nation. OEA has included these tribes in the service list for this proceeding so that they may receive a copy of the EA for review.

at [https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation of 106 in Rail Abandonments.pdf](https://www.stb.gov/stb/docs/EnvironmentalDecisions/Delegation%20of%20106%20in%20Rail%20Abandonments.pdf).

³ U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat/> (last visited May 18, 2018).

CONDITION

OEA recommends that the following condition be imposed on any decision granting abandonment authority:

1. CSXT Transportation, Inc. (CSXT) shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 306108, has been completed. CSXT shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Ohio History Connection (State Historic Preservation Office or SHPO) and the public. CSXT may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

CONCLUSIONS

Based on the information provided from all sources to date, OEA concludes that if the condition above is imposed by the Board, abandonment of the Line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite 4-part showing for imposition of a public use condition (49 C.F.R. § 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 C.F.R. § 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Assistance, Governmental Affairs, and Compliance (OPAGAC) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPAGAC directly at (202) 245-0238, or mail inquiries to Surface Transportation Board, Office of Public Assistance, Governmental Affairs, and Compliance, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this Environmental Assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Diana Wood, who prepared this Environmental Assessment. Environmental comments may also be filed electronically on the Board's web site, www.stb.gov, by clicking on the "E-FILING" link. **Please refer to Docket No. AB 55 (Sub-No. 779X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this Environmental Assessment, please contact Diana Wood, the environmental contact for this case, by phone at (202) 245-0302, fax at (202) 245-0454, or e-mail at Diana.Wood@stb.gov.

Date made available to the public: June 4, 2018.

Comment due date: June 19, 2018.

By the Board, Victoria Rutson, Director, Office of Environmental Analysis.

Attachment

**SURFACE TRANSPORTATION BOARD
OFFICE OF ENVIRONMENTAL ANALYSIS**

#EO-3013

FINAL ENVIRONMENTAL ASSESSMENT

**ENVIRONMENTAL RECOMMENDATIONS IN
DOCKET NO. AB 55 (SUB-NO. 779X)**

June 21, 2018

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption () Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

In this proceeding, CSXT Transportation, Inc. (CSXT) filed a verified notice under 49 C.F.R. § 1152.50 seeking exemption from the requirements of 49 U.S.C. § 10903 in connection with the abandonment and discontinuance of service of approximately 13.9 miles of rail line on its Newton Falls Subdivision, located between milepost BGA 86.1 and milepost BGA 100.00, in Trumbull County, Ohio. The Surface Transportation Board's (Board) Office of Environmental Analysis (OEA) served an Environmental Assessment (EA) for this proceeding on June 4, 2018 for public review and comment. In the EA, OEA recommended one environmental (historic) condition and concluded that the proposed action would not significantly impact the quality of the human environment.

Comments on the EA

OEA received four comments during the 15-day comment period. By attached letter dated May 30, 2018, the U.S. Army Corps of Engineers (Corps) commented that it was not able to determine the number and type of aquatic resources within the area of the proposed abandonment and requested that CSXT hire a qualified wetland consultant to evaluate the area for potential jurisdictional waterways or wetlands. The Corps noted that a Section 404 permit under the Clean Water Act (33 U.S.C. § 1344) would be required if the salvage process resulted in any impacts to these resources and assigned the proposed abandonment a Corps permit number of 2018-713.

OEA and the Corps have since consulted and it was agreed that a permit would not be required for the proposed abandonment if the salvage process does not result in the discharge of dredged or fill material into waters of the United States. Specifically, that CSXT conduct its salvage operations in the existing right-of-way, along existing public and private crossings; that no new access roads be created; that the underlying road bed remain intact; that no dredging or use of fill material occur in removing the track and ties and that crossties and other debris is transported away from the rail line and associated water resources; and finally, that appropriate measures be used to prevent and control spills from fuels, lubricants and other pollutants from

entering any waterways. However, because the Corps was not able to evaluate the proposed abandonment for the presence of aquatic resources, OEA is recommending a condition that would require CSXT to consult with the Corps prior to initiating salvage and to comply with the Corps' reasonable requirements, which may include the use of best management practices in areas adjacent to wetlands or waterways, if present, during the salvage process.

The remaining three comments were in opposition to the proposed abandonment and requested that the rail line remain in use. In response, OEA notes that a number of parties have submitted formal filings to the Board, either in support of continued rail service or conversion to trail use, and that CSXT has formally replied that it is not opposed to a 180-day public use condition and is willing to negotiate an interim trail use/rail banking arrangement.¹ In addition, two of the three commenters referenced concerns about increased air pollution and truck traffic that they believe would occur as a result of the proposed abandonment. In response, OEA notes that these concerns were addressed in the EA. Specifically, the EA states that "no local traffic has moved over the line for at least two years and overhead traffic can and has been rerouted. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network."

Conclusions

The EA comment period has ended. Accordingly, OEA recommends that the following two conditions should be imposed upon any decision granting abandonment authority. The conditions are:

1. Prior to commencement of any salvage activities, CSXT Transportation, Inc. (CSXT) shall consult with the U.S. Army Corps of Engineers (Corps) regarding potential impacts to waters of the United States, including wetlands, and shall comply with the reasonable requirements of the Corps.
2. CSXT shall retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or listed in the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 54 U.S.C. § 30610816, has been completed. CSXT shall report back to the Office of Environmental Analysis (OEA) regarding any consultations with the Ohio History Connection (State Historic Preservation Office or SHPO) and the public. CSXT may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

OEA concludes that if the above conditions are imposed, the proposed action would not significantly affect the quality of the human environment.

¹ The filings are available for viewing on the Board's website at www.stb.gov by going to "E-Library," selecting "Filings," and then conducting a search for AB 55 (Sub-No. 779X).

Attachments

OEA CONTACT: Diana Wood *DW*
202-245-0302
Diana.Wood@stb.gov

Distribution: Office of Proceedings
OEA Chron
ECT



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
PITTSBURGH DISTRICT, CORPS OF ENGINEERS
WILLIAM S. MOORHEAD FEDERAL BUILDING
1000 LIBERTY AVENUE
PITTSBURGH, PA 15222-4186

May 30, 2018

Regulatory Division
2018-713

Gene Payne
CSX Transportation, Inc.
500 Water Street - J-315
Jacksonville, FL 32202

Dear Mr. Payne:

I refer to your letter, received in this office April 26, 2018. You propose to abandon an approximately 13.9-mile rail line in Trumbull County, OH.

The US Army Corps of Engineers regulates any earth moving activities within rivers, streams, or wetlands. This includes any placement of fill material, temporary or permanent. Due to the fact that your letter and location map do not clearly identify each aquatic resource, we recommend that you hire a qualified wetland consultant to evaluate the entire project area in order to determine if any jurisdictional streams or wetlands are present. Enclosed is a list of wetland consultants. If impacts to streams or wetlands are in fact proposed, you should again contact this office to discuss permitting requirements.

Your project will likely qualify for Nationwide Permit 3. Every effort should be made to avoid and minimize impacts to the aquatic resources on-site. We will continue to work with you in order to protect any aquatic resources that may be present.

This project has been assigned Department of the Army Permit Number 2018-713. Please refer to this number in all future correspondence. If you have any questions, please contact Mike Engelhardt, 412-395-7141, or Michael.D.Engelhardt@usace.army.mil

Sincerely,

Nancy Mullen
Chief, Northern Branch
Regulatory Division

Enclosure

Cc: OEPA - Ed Wilk
Trumbull County Soil and Water Conservation District - Marcus Hollenbank

#E1-26312

#E1-26317

Wood, Diana

From: Engelhardt, Michael D CIV USARMY CELRP (US)
<Michael.D.Engelhardt@usace.army.mil>
Sent: Monday, June 18, 2018 10:39 AM
To: Wood, Diana; Melanie@lgrailaw.com
Subject: RE: Dept of Army Permit Number 2018-713

Diana,

I was waiting on the map described in your e-mail below, and didn't know you wanted a follow up from me before that. Sorry for not getting back to you sooner.

The letter we sent was fairly standard for when we don't have an accurate picture of what resources could potentially be impacted by the proposed activity. Placement of fill in a jurisdictional waterbody would require a permit to be obtained. If no fill is to be placed in those waterbodies, we would likely not require a permit.

BMP's are typically included in the permit plans and information. I would be agreeable to you including the BMP wording included in your 6/12 e-mail below. If that BMP is followed, then there may not be any permit requirements on our end. I would also be agreeable to you including the condition described in your 6/15 e-mail below.

Please let me know if you need anything else.

Mike Engelhardt
Regulatory Division
U.S. Army Corps of Engineers - Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222
(412) 395-7141

-----Original Message-----

From: Wood, Diana [mailto:Diana.Wood@stb.gov]
Sent: Friday, June 15, 2018 8:00 AM
To: Melanie@lgrailaw.com
Cc: Engelhardt, Michael D CIV (US) <Michael.D.Engelhardt@usace.army.mil>
Subject: [Non-DoD Source] FW: Dept of Army Permit Number 2018-713

Hi Melanie,

This is just a heads up that in the interest of time concerning the issuance of the Final EA, and the fact that the map has not been made and I haven't heard back from the Corps on the email below, AND that I noticed there is outside interest in purchasing the line, I will be recommending the following condition in the Final EA:

Prior to commencement of any salvage activities, the railroad shall consult with the U.S. Army Corps of Engineers (Corps) regarding potential impacts to waters of the United States, including wetlands, and shall comply with the reasonable requirements of the Corps.

Thanks,

Diana

From: Wood, Diana
Sent: Tuesday, June 12, 2018 12:08 PM
To: 'Michael.D.Engelhardt@usace.army.mil' <Michael.D.Engelhardt@usace.army.mil>
Cc: 'Melanie Yasbin' <Melanie@lgrailaw.com>
Subject: Dept of Army Permit Number 2018-713

Dear Mr. Engelhardt,

I'm writing you in response to a proposed 13.1-mile rail line abandonment in Trumbull County, Ohio and a comment letter you wrote in response to this proceeding. When CSX initiated consultation with federal, state and local agencies on this project (as is required 20 days prior to their abandonment filing with STB), they may not have provided enough information on the salvage procedure in the letter you received and commented on. I have since issued the attached Environmental Assessment which describes in detail the process that is typically conducted by CSX, as well as most, if not all, railroad salvagers and railroads. The process, as described below, will not result in any discharges to streams, rivers, wetlands or other waterways under federal or state jurisdiction, and so a wetland delineation is not needed here. Any land disturbances following abandonment, such as a rail-to-trail conversion, would in all likelihood be subject to Corps' regulations if there is clearing, grubbing, and grading, but that is not the case here.

I know you commented on the map and not having enough information to make an informed decision, so I have asked our in-house GIS person to prepare a map that shows water features. But I assure you that these features, no matter how abundant or sparse, will not be disturbed during the salvage process. I'll send you the map once its prepared, and if there are a lot of water features, would be amenable to recommending a condition that requires CSX to install best management practices, as needed, in areas adjacent to waterways during the salvage process. In the interim, here is CSX's detailed salvage practice, as described in the attached EA:

CSXT has stated that its salvage operations would not result in the discharge of dredged or fill material into waters of the United States; that salvage would be conducted in the existing right-of-way, along existing public and private crossings; that no new access roads are contemplated; that it does not intend to disturb any of the underlying road bed or perform any activities that would result in sedimentation or erosion of the soil; that no dredging or use of fill material would occur in removing the track and ties and that crossties and other debris would be transported away from the rail

line and associated water resources; and finally, that it would use appropriate measures during salvage to prevent and control spills from fuels, lubricants and other pollutants from entering any waterways. Accordingly, OEA is not recommending any mitigation related to impacts to waters of the United States but has included the Corps' in the service list for this proceeding so that it may review the EA and provide comments, if necessary.

Please let me know if you agree and if you have a preference for a particular best management practice. The comment period ends next Tuesday, June 19th, and I will need to issue a final EA by June 21st so timing is key.

I'll send you the map as soon as it's prepared.

Thanks so much for your consideration in this matter.

Regards,

Diana Wood

Diana F Wood

Office of Environmental Analysis

US Surface Transportation Board

395 E Street SW, Room 1110

Washington DC 20423

202-245-0302

Diana.Wood@stb.gov <mailto:Diana.Wood@stb.gov>



#E1-26316

TO: Diana Wood
Surface Transportation Board
Washington, DC
Diana.Wood@stb.gov

18 June 2018

RE: Docket No. AB 55 (Sub-No. 779X)
CSX's Newton Falls Subdivision

Dear Diana,

I represent the Ohio Commerce Center, a 500+/- acre rail industrial park in Lordstown, Ohio and LTEX Rail, a leading Lessor and supplier of Locomotives and parts in America. We have been in the rail services business for 20+ years and have an interest in restoring vibrant rail service to the area. Our office only recently learned that CSX was requesting to abandon this 14 mile line.

We respectfully request to have our opposition to the abandonment filing Docket No. AB 55 (Sub-No. 779X) added to the record and to be listed as an interested party to this case. We also intend to file an Offer of Financial Assistance (OFA) request in this matter. We would have done so sooner but learned of this proposed abandonment only a few days ago. We are interested in this CSX right of way for business use and to support regional economic development efforts. Please advise us of anything further that might need in order to acquire CSX's Newton Falls Subdivision in its entirety.

Please contact me as soon as possible via email or phone regarding this matter.

Sincerely

A handwritten signature in black ink, appearing to read "Dan Crouse".

Dan Crouse
Dan@OhioCommerceCenter.com
330-647-0411 Cell

#E1-26318

Wood, Diana

From: Michael Connor <mjconnor_rr@hotmail.com>
Sent: Tuesday, June 19, 2018 7:38 PM
To: Wood, Diana
Subject: Comments re Docket AB 55 (Sub-No.779X)

Ms Wood

In re the proposed (by CSXT and no other entity) abandonment of the Newton Falls Subdivision in Ohio, Docket AB 55 (Sub-No. 779X), significant community pressure is building in opposition to this proposed abandonment. In addition to the probable increase in dangerous pollution-emitting truck traffic as even more freight is diverted to highways this railroad serves 28-miles of rail-front property which can provide a significant opportunity for economic development.

I would further note that President Trump has proposed a significant Transportation Infrastructure Program, albeit with details to follow. If, as many expect, freight and passenger rail will be part of this Economic Stimulus, it is counter-productive, nay, foolhardy, to be tearing up railroad track before the effects of the President's program on the Newton Falls Subdivision can be determined. Certainly, the potential delay in scrapping this 14 +/- mile line, if the application were ultimately approved, would have no significant impact on the profitability of CSXT and will permit alternate rail operators to emerge.

I think you owe the citizens of the Newton Falls Subdivision territory a reasonable time period to prepare and implement a positive rail-retention solution.

Please contact me if I can offer further input.

Michael J. Connor
1810 North Wooster Avenue
Dover, Ohio 44622
(cell) 330-691-0026

#E1-26319

Wood, Diana

From: smmancino@aol.com
Sent: Tuesday, June 19, 2018 8:54 PM
To: Wood, Diana
Subject: Comments re Docket AB 55 (Sub-No. 779X)

Subject: Comments re Docket AB 55 (Sub-No. 779X)

Ms Wood, As a woman who drives I am affected every time tracks are abandoned and shippers use trucks and not rail.

As a user of Ohio roads I am concerned that the Surface Transportation Boards actions in abandoning the Newton Falls Subdivision in Ohio, Docket AB 55 (Sub-No. 779X) will have the effect of increasing the dangerous, pollution emitting truck traffic on roads that I and my friends travel. The best way to improve road safety is to put as much freight on the rail tracks as possible.

I appreciate any help you can give in stopping this abandonment,
Susan McVay Mancino

46518
DO

SERVICE DATE – LATE RELEASE JULY 6, 2018

SURFACE TRANSPORTATION BOARD

DECISION AND NOTICE OF INTERIM TRAIL USE OR ABANDONMENT

Docket No. AB 55 (Sub-No. 779X)

CSX TRANSPORTATION, INC.— ABANDONMENT EXEMPTION—
IN TRUMBULL COUNTY, OHIO

Decided: July 6, 2018

CSX Transportation, Inc. (CSXT) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon approximately 13.9 miles of rail line on its Newton Falls Subdivision, between milepost BGA 86.1 and milepost BGA 100.00, in Trumbull County, Ohio (the Line). Notice of the exemption was served and published in the Federal Register on May 30, 2018 (83 Fed. Reg. 24,837). The notice stated that the exemption was scheduled to become effective on June 29, 2018, unless stayed by the Board, or unless a formal expression of intent to file an offer of financial assistance (OFA) under 49 C.F.R. § 1152.27(c)(2) was filed by June 11, 2018.

On June 11, 2018, as supplemented on June 14, 2018, BDM Warren Steel Holdings, LLC (BDM) filed a notice of intent to file an OFA to purchase the Line, which automatically stayed the effective date of the exemption for 10 days, until July 9, 2018. 49 C.F.R. § 1152.27(c)(2)(i).¹ While the filing of the notice of intent extended the effective date of the notice of exemption by 10 days, the deadline for filing an OFA was not affected and remained June 29, 2018 (30 days from the publication of the notice of exemption). 49 C.F.R. § 1152.27(b)(2)(ii). An OFA was not filed by BDM by the June 29, 2018 deadline, see 49 C.F.R. § 1152.27(c)(2)(ii)(B), nor did BDM petition to toll the OFA deadline as permitted under 49 C.F.R. § 1152.27(c)(2)(ii)(C).

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) on June 4, 2018. In the EA, OEA recommended that the Board adopt a condition requiring CSXT to retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures and objects within the project right-of-way (the Area of Potential Effect) eligible for listing or listed in the National Register of Historic Places (National Register) until the Section 106 process of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, has been completed.

OEA issued its final EA on June 21, 2018. The final EA notes that four comments on the EA were received. First, OEA states that, by letter dated May 30, 2018, the U.S. Army Corps of

¹ The City of Newton Falls, Ohio, also filed a notice of intent to file an OFA on June 11, 2018. By a decision served on June 21, 2018, however, the City's notice of intent was rejected for failing to comply with the requirements for such notices at 49 C.F.R. § 1152.27(c)(2)(i).

Engineers (the Corps) commented that it was not able to determine the number and type of aquatic resources within the area of the proposed abandonment and requested that CSXT hire a qualified wetland consultant to evaluate the area for potential jurisdictional waterways or wetlands. The Corps noted that a Section 404 permit under the Clean Water Act would be required if the salvage process resulted in any impacts to these resources. OEA states that it has since consulted with the Corps and it was agreed that a permit would not be required for the proposed abandonment if the salvage process does not result in the discharge of dredged or fill material into waters of the United States. However, because the Corps was not able to evaluate the proposed abandonment for the presence of aquatic resources, OEA recommends imposing a condition that would require CSXT to consult with the Corps prior to initiating salvage activity and comply with the Corps' reasonable requirements. Consistent with OEA's recommendation, the salvage condition recommended in the final EA and the Section 106 condition will be imposed.

OEA states that the remaining three comments were in opposition to the proposed abandonment and requested that the rail line remain in use. In response, OEA notes that filings have already been submitted to the Board either in support of continued rail service or conversion to trail use, and that CSXT has replied that it is not opposed to a 180-day public use condition and is willing to negotiate an interim trail use/rail banking arrangement, as discussed further below. In addition, two commenters referenced concerns about increased air pollution and truck traffic that they believe would occur as a result of the proposed abandonment. In response, OEA notes that the EA concludes that the proposed abandonment would not result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network. (See EA at 2.)

In the EA, OEA also stated that the right-of-way may be suitable for other public use following abandonment and salvage of the Line. On May 31, 2018, the Trumbull County Commissioners (County) filed a request for issuance of a notice of interim trail use (NITU) for the Line under the National Trails System Act, 16 U.S.C. § 1247(d) (Trails Act), and 49 C.F.R. § 1152.29, and for a public use condition under 49 U.S.C. § 10905. Pursuant to 49 C.F.R. § 1152.29, the County submitted a statement of willingness to assume financial responsibility for the right-of-way and has acknowledged that the use of the right-of-way for trail purposes is subject to possible future reconstruction and reactivation of the right-of-way for rail service. In a response filed on June 13, 2018, CSXT notified the Board that it is willing to negotiate an agreement for interim trail use/rail banking with the County.

Because the County's request complies with the requirements of 49 C.F.R. § 1152.29 and CSXT is willing to negotiate for trail use, a NITU will be issued. The parties may negotiate an agreement for the right-of-way during the 180-day period prescribed below. If an interim trail use agreement is reached (and thus, interim trail use is established), the parties shall jointly notify the Board within 10 days that an agreement has been reached. 49 C.F.R. § 1152.29(d)(2) and (h). If no agreement is reached within 180 days, CSXT may fully abandon the Line.

49 C.F.R. § 1152.29(d)(1). Use of the right-of-way for trail purposes is subject to possible future reconstruction and reactivation of the right-of-way for rail service.

As noted above, the County has also requested imposition of a public use condition under 49 U.S.C. § 10905 for the Line. The County asks that CSXT be prohibited from disposing of the corridor (other than the tracks, ties, and signal equipment) except for public use on reasonable terms, for a 180-day period from the effective date of the abandonment authorization. The County also asks that CSXT be prohibited from removing or destroying potential trail-related structures such as bridges, trestles, and tunnels. The justification for their request is that these structures have considerable value for public purposes and that the 180-day period is needed to commence negotiations with CSXT.

As an alternative to interim trail use under the Trails Act, the right-of-way may be acquired for public use as a trail under 49 U.S.C. § 10905. See Rail Abans.—Use of Rights-of-Way as Trails, 2 I.C.C.2d 591, 609 (1986). Under § 10905, the Board may prohibit the disposal of rail properties that are proposed to be abandoned and are appropriate for public purposes for a period of not more than 180 days after the effective date of the decision approving or exempting the abandonment.

To justify a public use condition, a party must set forth: (i) the condition sought; (ii) the public importance of the condition; (iii) the period of time for which the condition would be effective; and (iv) justification for the imposition of the period of time requested. 49 C.F.R. § 1152.28(a)(2). Because the County has satisfied these requirements, a 180-day public use condition will be imposed, requiring CSXT to keep intact the right-of-way (including trail-related structures such as bridges, trestles, culverts, and tunnels) on the Line and refrain from disposing of the corridor (other than tracks, ties, and signal equipment), commencing from July 9, 2018, the effective date of the exemption.

When proper requests for interim trail use/rail banking and public use conditions are made, it is the Board's policy to impose both conditions concurrently, subject to the execution of a trail use agreement. Here, however, while both conditions will be imposed at this time, the public use condition will expire on January 5, 2019, while the trail use negotiating period will run 180 days from the service date of this decision and notice, until January 2, 2019. If a trail use agreement is reached for a portion of the right-of-way prior to January 2, 2019, CSXT must keep the remaining right-of-way intact for the remainder of the 180-day public use condition period to permit public use negotiations. Also, a public use condition is not imposed for the benefit of any one potential purchaser but rather to provide an opportunity for any interested person to acquire the right-of-way that has been found suitable for public purposes, including trail use. Therefore, with respect to the public use condition, CSXT is not required to deal exclusively with the County but may engage in negotiations with other interested persons.

Finally, on June 19, 2018, the Mahoning Valley Economic Development Corporation (MVEDC) filed a letter requesting a "six-month extension of the deadlines associated with the

abandonment" in this docket. MVEDC states that it needs this time to organize a plan of action and lists potential shippers. On June 21, 2018, CSXT filed a response opposing MVEDC's extension request. CSXT argues that the request is late-filed and does not satisfy the Board's standard for a stay request or petition to reopen.

This decision issues a NITU and imposes, among other things, a Section 106 historic preservation condition, both of which are barriers to consummation. See Consummation of Rail Line Abans. That Are Subject to Historic Pres. & Other Envtl. Conditions, EP 678, (STB served April 23, 2008). Therefore, notwithstanding the effectiveness of the exemption, CSXT cannot consummate the abandonment and the Line will stay under the Board's jurisdiction while those conditions remain in place. As a result, the extension sought by MVEDC is unnecessary and will be denied as moot.

This decision, and the proposed abandonment if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served on and published in the Federal Register on May 30, 2018, exempting the abandonment of the Line described above, is modified to the extent necessary to implement interim trail use/rail banking as set forth below to permit the County to negotiate with CSXT for trail use for the Line for a period of 180 days from the service date of this decision and notice, until January 2, 2019, and to permit public use negotiations as set forth below for a period of 180 days commencing from the effective date of the exemption, until January 5, 2019. The abandonment is also subject to the conditions that CSXT shall: (1) prior to commencement of any salvage activities, consult with the Corps regarding potential impacts to waters of the United States, including wetlands, and comply with the reasonable requirements of the Corps; and (2) retain its interest in and take no steps to alter the historic integrity of all historic properties including sites, buildings, structures, and objects within the project right-of-way (the Area of Potential Effect) that are eligible for listing or are listed in the National Register until completion of the section 106 process of the NHPA, report back to OEA regarding any consultations with the Ohio History Connection and the public, and not file its consummation notice or initiate any salvage activities related to abandonment (including removal of tracks and ties) until the section 106 process has been completed and the Board has removed this condition.
3. Consistent with the public use and interim trail/rail banking conditions imposed in this decision and notice, CSXT may discontinue service. CSXT shall keep intact the right-of-way for the Line including potential trail-related structures on the Line such as bridges, trestles, culverts, and tunnels, for a period of 180 days, until January 5, 2019, to enable any state or local government agency, or other interested person, to negotiate the acquisition of the right-of-way

for public use. If an interim trail use/rail banking agreement is executed before expiration of the 180-day public use condition period, the public use condition will expire to the extent the trail use/rail banking agreement covers the same portion of the right-of-way.

4. If an interim trail use/rail banking agreement is reached, it must require the trail sponsor to assume, for the term of the agreement, full responsibility for: (i) managing the right-of-way; (ii) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability); and (iii) the payment of any and all taxes that may be levied or assessed against the right-of-way.

5. Interim trail use/rail banking is subject to possible future reconstruction and reactivation of the right-of-way for rail service and to the trail sponsor's continuing to meet its responsibilities for the right-of-way described in paragraph 4 above.

6. If an interim trail use agreement is reached (and thus, interim trail use is established), the parties shall jointly notify the Board within 10 days that an agreement has been reached. See 49 C.F.R. § 1152.29(d)(2) and (h).

7. If interim trail use is implemented, and subsequently the trail sponsor intends to terminate trail use on all or any portion of the right-of-way covered by the interim trail use agreement, it must send the Board a copy of this decision and notice and request that it be vacated on a specified date.

8. If an agreement for interim trail use/rail banking is reached by January 2, 2019, for the portion of the right-of-way subject to the NITU, interim trail use may be implemented. If no agreement is reached, CSXT may fully abandon the Line, subject to any outstanding conditions imposed above.

9. MVEDC's extension request is denied as moot.

10. This decision is effective on its date of service.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



July 6, 2018

Danielle Gosselin
Surface Transportation Board
Case Control Unit
Washington, D.C. 20423

Re: Docket No. AB 55 (Sub-No. 779X) CSX Transportation, Inc. Abandonment Exemption –
Comments of the Miami Tribe of Oklahoma

Dear Ms. Gosselin:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

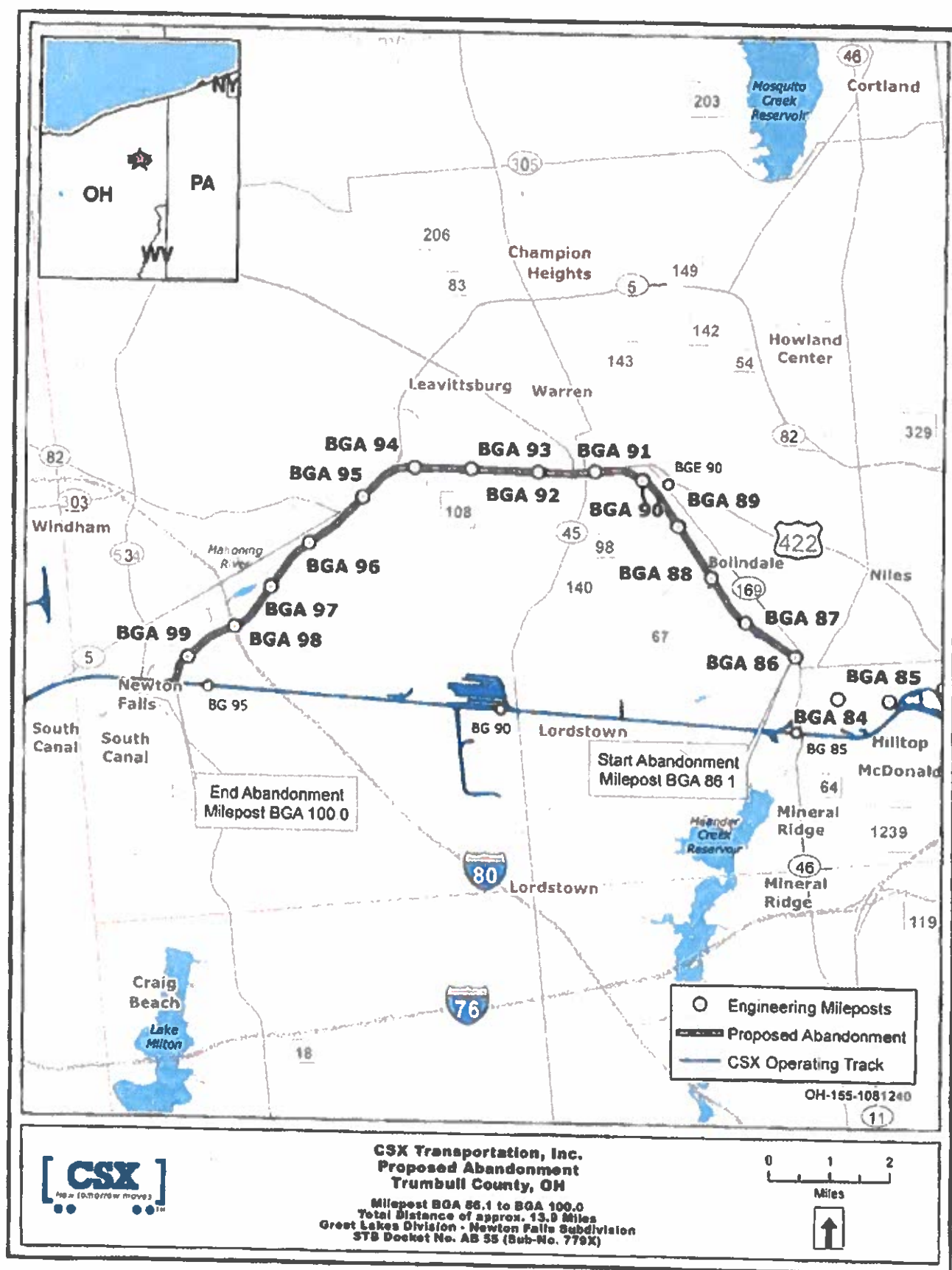
The Miami Tribe offers no objection to the above-mentioned project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter

Diane Hunter
Tribal Historic Preservation Officer













CSX Transportation, Inc.
Proposed Abandonment - Topo
Trumbull County, OH

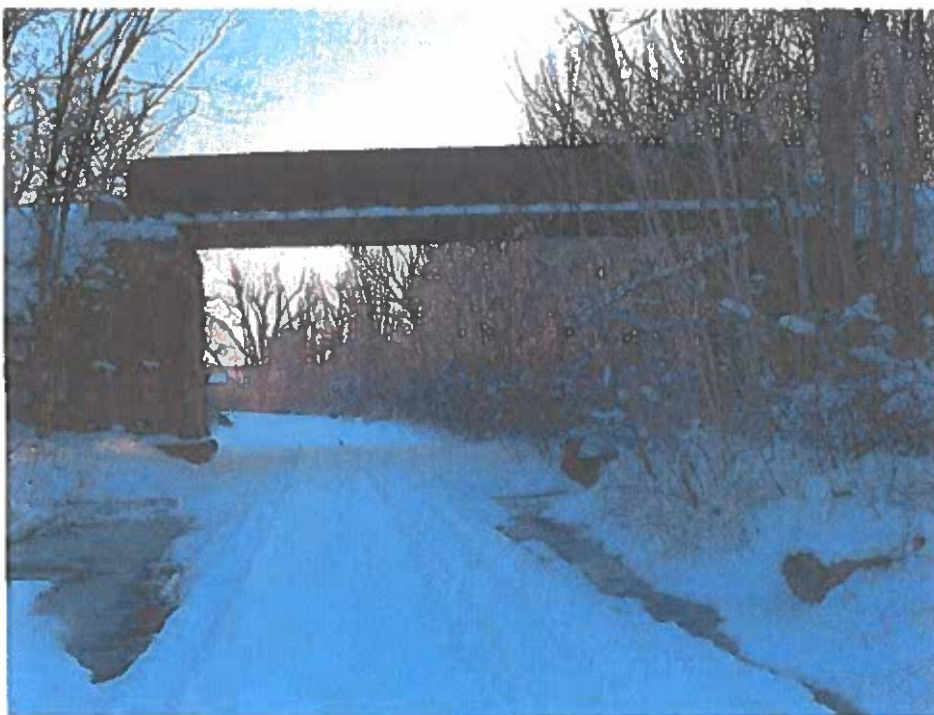
Milepost BGA 86.1 to BGA 100.0
Total Distance of approx. 13.9 Miles
Great Lakes Division - Newton Falls Subdivision
STB Docket No. AB 35 (Sub-No. 779X)



Bridge BGA 93.80



Bridge BGA 90.00



Bridge BGA 90.70

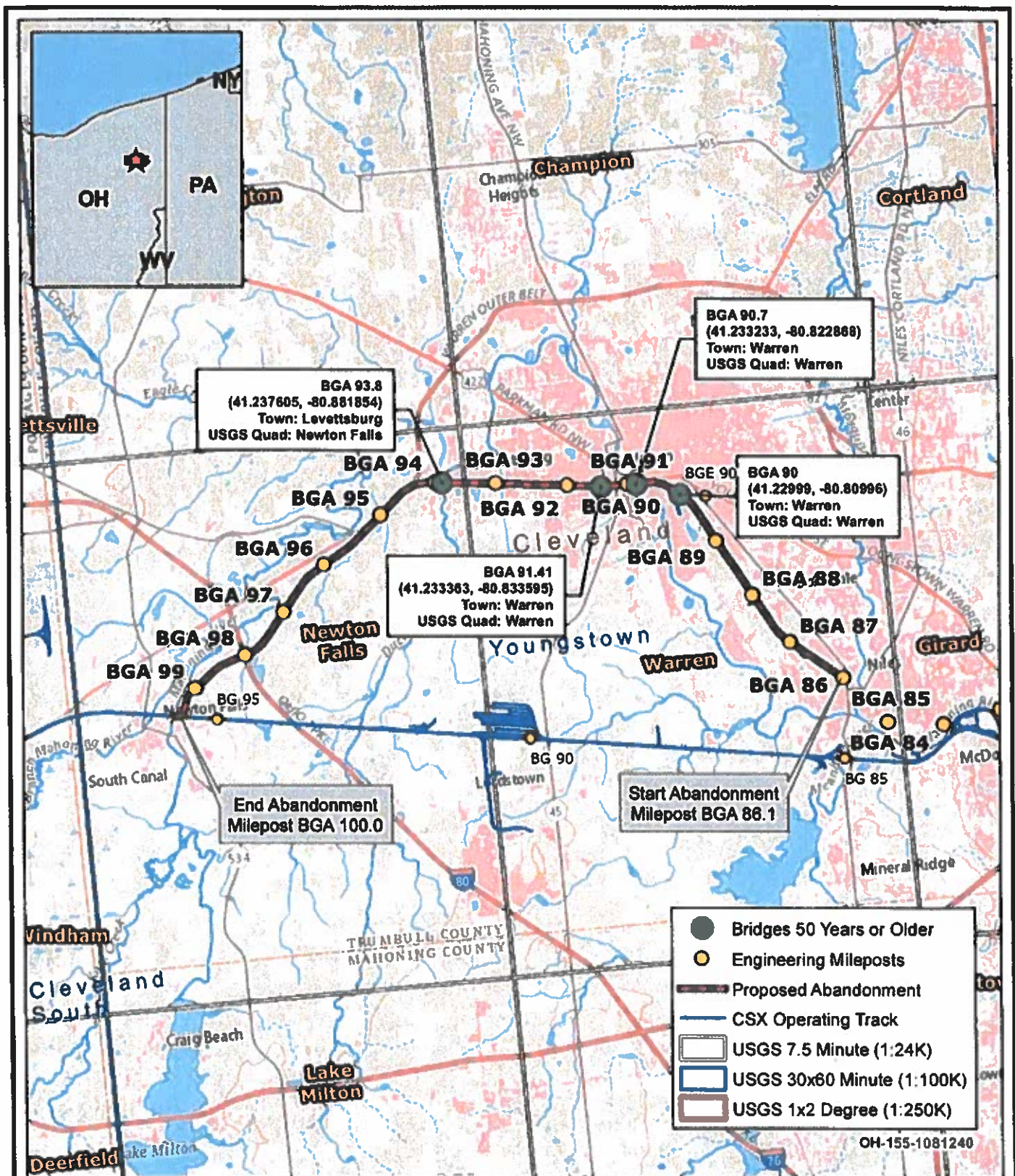


Bridge BGA 91.41









**CSX Transportation, Inc.
Proposed Abandonment - Topo and Bridges
Trumbull County, OH**

Milepost BGA 86.1 to BGA 100.0
Total Distance of approx. 13.9 Miles
Great Lakes Division - Newton Falls Subdivision
STB Docket No. AB 55 (Sub-No. 779X)

