

APPENDIX A –PART 2

COMMENTS ON THE SUPPLEMENTAL EA

Surface Transportation Board

Incoming Correspondence Record

#EI-20621

Incoming Correspondence Information		Status: 11/17/2014	
* Required Fields		Recorded by David Navecky on 11/17/2014	
*Docket #:	FD 35523 0	Affiliation:	Local Government Agency
*Name of Sender:	Debbie Fox	Letter Type:	E-filing
Group:	Louisville Jefferson County Emergency Management Agency		
Attention Of:	Dave Navecky	NEPA Type:	EA Comment
*Date Received:	11/17/2014	In Public Docket?	☐ Yes ☒ No
Date of Letter:	11/17/2014		
Group's Address:	410 S. 5th Street	Phone Number:	502-572-3451
Group's City:	Louisville	Email Address:	Debbie.Fox@louisvilleky.gov
Group's State:	Kentucky	Group's Zip Code:	40202-

Submitter's Comments
Louisville, Jefferson County Emergency Management Agency/MetroSafe Concerns: 1. With the proposed increase of 13 - 15 CSXT trains per day traveling on the L&I rail line, coupled with the trains moving at a faster rate of speed, there is greater potential for more hazmat incidents either from leaks or de-railings. 2. Trains transporting freight which includes chemicals should not travel at or exceed 49 mph in highly populated areas. When nearing a populated area at approximately 14 miles from a community, the train carrying hazardous material should reduce its speed to no more than 25 mph. 3. Trains transporting hazardous material may travel up to 45 mph through rural areas. 4. CSXT projects it will take seven years to complete the upgrades that would permit the larger, faster, and heavier trains. Depending on the economy at the end of seven years, we may see more traffic than that which is predicted in this document.

OTIS Comments

Next Attachment(s)
An attachment has not been added.

Surface Transportation Board

Incoming Correspondence Record

#EI-20622

Incoming Correspondence Information		Status: In Process	
* Required Fields		Recorded by David Navecky on 11/17/2014	
*Docket #:	FD 35523 0	Affiliation:	Self / Individual
*Name of Sender:	Keven P. Watts Sr.	Letter Type:	E-filing
Group:		NEPA Type:	EA Comment
Attention Of:	Unknown	In Public Docket?	☐ Yes ☒ No
*Date Received:	11/17/2014	Phone Number:	
Date of Letter:	11/17/2014	Email Address:	
Group's Address:	137 E. Palmer St.	Group's Zip Code:	46225-
Group's City:	Indianapolis		
Group's State:	IN		

Submitter's Comments
I would like to know if theirs going to be any compensation for damage to my home? or do you want to buy my home? 55k would take it. and the noise. with these maxed out loaded trains and the increase train traffic the heavier trains now vibrate the house.

STB's Comments

Image Attachment(s)
An attachment has not been added.

EI - 20623
Rec'd 11/18/14

Ref: FD 35523
Seymour is too small
a town for 13 more
trains (which is
3X now), 49 MPH
(which is 3X the 15 MPH
now) and 7500 ft
compared to 5100 ft.
now. We won't be
able to cross town
as it's hard at times
now.
Those that live near
tracks will have a
big increase in
noise.
I vote no.

Enrico Bosil
504 W. 7th St.
Seymour, IN
47274

Surface Transportation Board

Incoming Correspondence Record

#EI-20624

* Required Fields		Recorded by David Navecky on 11/18/2014	
*Docket #:	FD 35523 0	Affiliation:	Citizens Group
*Name of Sender:	Rev. Richard Williams	Letter Type:	E-filing
Group:	Central Park West Neighborhood Association		
Attention Of:	Dave Navecky		
*Date Received:	11/18/2014	NEPA Type:	EA Comment
Date of Letter:	11/18/2014	In Public Docket?	☐ Yes ☒ No
Group's Address:	625 Floral Terrace		
		Phone Number:	5023159472
Group's City:	Louisville	Email Address:	rawillia13@gmail.com
Group's State:	KY	Group's Zip Code:	40208-

Attachment Comment
I am writing to speak against the proposed rail line work being proposed by CSXT/L&I rail lines. The proposed increase from 6-8 trains per day to a proposed 18 trains per day is too significant a jump to an already crowded and dense urban area. As a neighbor and property owner who lives a short distance from the train line in question, I find this proposal to increase rail traffic far too much to maintain the quality of life in our neighborhood. Thank you for your consideration.

File Comment

Page Attachment(s)
An attachment has not been added.



CITY OF FRANKLIN

OFFICE OF THE MAYOR

E1-20625

November 24, 2014

Dave Navecky
Surface Transportation Board
395 E. Washington St, SW
Room 1104
Washington, D.C. 20423

Re: City of Franklin, Indiana Comments Finance Docket No. 35523

Mr. Navecky,

The City of Franklin ("City") herewith provides comments requested in October 31, 2014 request for comments on the Supplemental Environmental Assessment for Docket No. 35523. It is the City's understanding that the request for additional comments is meant to assist with the identification of possible economic, social, or environmental effects that may result from the CSX Transportation, Inc. ("CSXT") acquisition of a perpetual non-exclusive overhead freight operating easement of 106.5 miles of the Louisville & Indiana Railroad Company ("LIRC") between Indianapolis, IN, milepost 4.0 and Louisville, KY, milepost 110.5 (the "Line"). This Line is located within the municipal limits of the City starting at a point approximately 0.5 miles north of Earlywood Drive (County Road 300 North), leaving the municipal limits at a point approximately 0.4 miles south of Earlywood Drive (County Road 300 North), reentering the municipal limits at a point approximately 0.4 miles south of the previous listed point, until a final point approximately 0.6 miles southeast of Branigin Boulevard. The Line is approximately 3.9 miles in length within the City municipal boundary.

It is understood from the application that CSXT intends to rehabilitate the Line to allow an increase in speed of freight trains at up to 49 mph, increase loading of rail cars at up to 286,000 lbs., and increase the length of trains. CSXT will also reroute trains from other lines in the Midwest to the Line. The City has a number of concerns related the impact of this project on safety, traffic delays, environment (including noise), and the regional transit plan.

1. City streets currently cross the Line at ten (10) locations ("Crossings"). The Crossings are, in some cases, equipped with automated warning flashers and bells to signal the approach of a train. Of these ten crossings only two (2) (Jefferson Street and Commerce Drive) currently have gates to prevent motorists from crossing the Line when a train is approaching. Because the speed of the trains, their length, and the frequency of use will increase, the City believes that CSXT should be required to upgrade ALL Crossings within the City municipal boundary to include automated warning flashers and bells (where not currently installed), install automated gates to prevent crossing of the Line at all Crossings, and upgrade all pavement within the Line right-of-way to meet INDOT

2. Standards for rail crossings of State highways. **The City respectfully requests that CSXT be required to upgrade all crossings within the municipal jurisdiction.**
3. The Line passes through a number of residential neighborhoods which will be adversely impacted by the additional number of trains, the higher rate of speed at which those trains will travel, and an expected increase in the number of cars per train. The additional noise will disturb those residents. **The City requests that CSXT be required to install barriers along the Line right-of-way within residential neighborhoods that will minimize noise impacts to residents, or develop policies and procedures in consultation with the City to minimize noise impacts (e.g. speed reduction, scheduling). In addition, pursuant to 49 USC Section 20153, the City requests that a “Quiet Zone” (QZ) be designated in addition to the noise barriers described above. The QZ would be operative from Commerce Drive through the point 0.6 miles southeast of Branigin Boulevard which would greatly reduce train-related noise as identified by the Office of Environmental Analysis where it states on page 2 of the Supplemental Environmental Assessment “The Supplemental EA preliminarily concludes that the proposed joint use would adversely affect two areas of concern: vehicle delays at several at-grade crossings and increases train-related noise to levels where mitigation could be warranted for several hundred homes and other noise-sensitive receptors along the Indianapolis Terminal Subdivision – Louisville Secondary Branch.” The QZ should be paid for entirely by the railroad(s).**
4. Unauthorized pedestrian access to the Line may result in personal injury or death. **The City requests that CSXT install access barriers (e.g. chain link fence) in those residential areas where pedestrians may attempt to cross the Line.**
5. Eight (8) of the ten Crossings occur in the developed downtown core neighborhoods. An increase in the frequency of trains will adversely impact traffic movement within the City, and particularly this downtown core, unless efforts are made to coordinate the scheduling of freight movement along the Line to minimize the traffic impacts. The City requests that CSXT be required to obtain the approval of City officials for scheduling of trains and any deviation from said schedule. Further, there have been recent evidence of increased frequency and length of trains traversing through the City jurisdiction. With that there have been lengthy blockages of crossings that have adversely impacted residents and potentially impacted the ability of public safety departments to provide needed services. **Should CSXT block crossings it should be required to make an investment in the community to provide more facilities and equipment that will allow an acceptable level of public safety to the residents of, and visitors to, our City. Further, the City is concerned with a common railroad practice of trains “creeping” through Franklin at speeds much below the existing track speed. Trains moving slowly through a community present the same traffic related problems as stopped trains, however, the community’s ability to cite the train crew for blocking crossings under IC 8-6-7.5-3 is negated because the train is moving. Congestion is going to be an ongoing issue in Franklin as train traffic grows and train lengths increase. This practice of trains creeping to avoid citations under State law should be prohibited by the Surface Transportation Board (“STB”), and the prohibition must be**

addressed in any approvals that may be granted, including severe penalties for violation.

6. The Indianapolis Metropolitan Planning Organization (“MPO”) and other organizations in the region have developed a mass transit plan which proposes the addition of passenger rail service on the Line originating in Indianapolis and ending in the City. The City is concerned that, by increasing freight traffic on the Line, passenger service would not be possible or would be significantly reduced. The City believes that passenger rail is a critical component of the overall transit strategy in the region, and should be preserved. **The City therefore requests that a provision for passenger rail on the Line be included as a part of any approval granted to CSXT.**
7. The City has a very real concern over the potential routing of hazardous material by CSXT over the LIRC line. As stated on Page 2-11 of the Supplemental Environmental Assessment “CSXT operates a mix of trains—automobile, bulk commodities, coal, intermodal, merchandise, and others—over the region of its network that would be affected by the Proposed Transaction. Under the Proposed Transaction, CSXT trains operating over the L&I Line would likely average 7,200 feet in length and 6,000 tons in weight. CSXT could increase train lengths if general economic and market conditions warrant; however, CSXT does not expect its trains to exceed, on average, 7,200 feet in length over the L&I Line for at least the first 5 years of operations under the Proposed Transaction. L&I operates trains that are 3,160 feet long and weigh 4,000 tons. L&I does not anticipate changes to its number, length, or tonnage of trains as a result of the Proposed Transaction. Should L&I decide to increase the height or tonnage of its trains, and thus benefit from the proposed CSXT-funded upgrades, L&I could do so but would pay CSXT a fee. Pursuant to its trackage rights agreement, CSXT would not transport hazardous material over the L&I Line. CSXT and L&I are the only carriers that use or would use the L&I Line.” In this regard the Voluntary Mitigation (VM) efforts to be undertaken by the railroad(s) deal extensively with hazardous material training. **The VM’s proposed by the railroad(s) are viewed by the City as window dressing to make the application look good UNLESS its real strategy is to move hazardous material over the line. It appears the existing trackage rights agreement could easily be amended by letter agreement to waive the prohibition on the movement of hazardous material over the line. The 54 Voluntary Mitigation measures proposed by the railroad(s) appear to have no teeth in them. They are absolutely voluntary with no penalties if they are never acted upon, implemented or the parties fail to come to terms. The VM’s should be made Mandatory Mitigation Standards in addition to the minimal (in the City’s opinion) 14 Mandatory Mitigation efforts that have already been imposed by the STB in the CSX/LIRC Joint Use Mitigation document.**

I trust that the comments provided herewith will be considered in the review by the Surface Transportation Board of CSXT's application. Should you have any questions, please contact me at your convenience.

Sincerely,

Mayor Joe McGuinness
City of Franklin
70 E. Monroe St.
Franklin, IN 46131



SCHNECK MEDICAL CENTER

Better healthcare begins here.

E1-20626

Red'd 11/25/14 mail
Red'd 11/24/14 ef,lor

November 24, 2014

Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

RE: Docket No. FD35523, CSX Transportation, Inc. – Joint Use – Louisville & Indiana Railroad Company, Inc.

Dear Mr. Navecky:

On behalf of Schneck Medical Center, please accept this response letter regarding the CSX Transportation (CSXT), Inc. and Louisville and Indiana Railroad Company (L&I) proposal to increase rail traffic on the L&I rail line between Indianapolis, Indiana, Louisville, Kentucky, and Cincinnati, Ohio.

Schneck Medical Center is the sole provider of hospital and emergency medical services in Seymour, Indiana, located approximately midway between Louisville and Indianapolis. The Medical Center is located west of the current north-south railway. The majority of the population of Seymour lives east of the railway. Most of the large retail outlets and industrial parks in Seymour are also located east of the railway.

While we support industrial growth and development, we are concerned with community safety and emergency services response times in a scenario where nearly all east-west crossings in the community are blocked by the railway. We feel the increase in rail traffic will have a negative impact in the following areas:

1. ***I-65 Corridor Response Time*** - In addition to extending the response time to all calls originating east of the railway, the increased train traffic will grossly extend emergency services response times to the I-65 corridor, which runs on the east side of the city.
2. ***Critical Patient Response Time*** - Extending transfer times of critical patients to the Schneck Medical Center and those that are transferred from Schneck to other hospitals north and south of Seymour.
3. ***Cardiac Catheterization Response Time*** - Schneck and the Jackson County Emergency Medical Service have established world-class response times in the treatment of heart attack patients, a situation in which "time is heart muscle". This process involves transferring

patients to the cardiac catheterization lab at Columbus Regional Hospital north of Seymour, accessible only by crossing the railway.

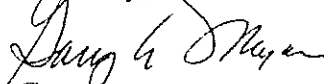
4. ***No Alert Mechanisms at Crossings*** - Many of the railroad crossings in our community have poor or no alert mechanisms (flashing signal, barriers) of oncoming trains. Often times these crossings are only marked by a railroad crossing sign.
5. ***Poor Visibility at Crossings*** - Compounding the above problem is the fact that many crossings have poor visibility when approaching to cross the railway.
6. ***Increased Rail Traffic--Increased Train Speed*** - Trains that pass through our community are typically moving at a slow rate of speed. We are concerned the poor visibility and no alert mechanisms at some of the crossings is a "recipe for disaster". Communication will be critical in educating the community of the railway changes.
7. ***Operational Issues that Block Crossings*** - While every minute can be precious in an emergency, crossings blocked for extended periods of time are a much greater problem than simply having to wait while a train passes. A variety of railroad operational issues can lead to trains stopping in a position that blocks a crossing. Given the growth in both rail and highway traffic, it is likely that the problem of blocked crossings will only continue to increase.

We request that CSXT and L&I work actively with our community to identify safety and access issues and develop remedies including:

- (a.) constructing grade separations allowing continuous east-west access on U.S. Highway 50 through the Seymour community and
- (b.) constructing a satellite facility for the Jackson County Emergency Medical Service east the current rail line as a short term solution until the grade separations are completed.

Thank you for hearing the concerns of Jackson County and its surrounding residents.

Sincerely,


Gary A. Meyer, MHA
President/CEO



SCHNECK MEDICAL CENTER

Better healthcare begins here.

Nov 17, 2014

Dear Mr Narecky,

I am an 81 year old senior man living in Crothersville Indiana. I live within 2 blocks of the RR and I drive a senior citizen van around town - so I think I have some knowledge of the situation. I also drove a school bus for 13 years in Seymour, Ind., the next town to the north. No doubt there are times when the crossings are a pain, but I have always thought the RR should be kept in top shape. I didn't like it when they discontinued passenger service. And as for Columbus' old bridge - what good is a bridge if it can't be used to the fullest extent?

I think we should keep our modes of transportation open in every aspect. We need that as a nation, as a state, and as a small community. A possibility exists all the time for a disaster of some form to close down a major highway or airports or even the RR. Then you, I believe we should keep all means of transportation open and ready to do their best!

Sincerely

James H. Dailey
213 E Main St

Crothersville, In 47229



MARK W. MYERS

Mayor

November 24, 2011

Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

Re: City of Greenwood, Indiana Comments
Finance Docket No. 35523

Dear Mr. Navecky:

The City of Greenwood ("City") herewith provides comments requested in October 31, 2014 request for comments on the Supplemental Environmental Assessment for Docket No. 35523. It is the City's understanding that the request for additional comments is meant to assist with the identification of possible economic, social, or environmental effects that may result from the CSX Transportation, Inc. ("CSXT") acquisition of a perpetual non-exclusive overhead freight operating easement of 106.5 miles of the Louisville & Indiana Railroad Company ("LIRC") between Indianapolis, IN, milepost 4.0 and Louisville, KY, milepost 110.5 (the "Line"). This Line is located within the municipal limits of the City between County Line Road (boundary between Greenwood and Indianapolis) and a point approximately ½ mile south of Pushville Road (County Road 700 North). The Line is approximately 4.6 miles in length within the City municipal boundary.

It is understood from the application that CSXT intends to rehabilitate the Line to allow an increase in speed of freight trains at up to 49 mph, increase loading of rail cars at up to 286,000 lbs., and increase the length of trains. CSXT will also reroute trains from other lines in the Midwest to the Line. The City has a number of concerns related the impact of this project on safety, traffic delays, environment (including noise), and the regional transit plan.

1. City streets currently cross the Line at seven (7) locations ("Crossings"), not including County Line Road which is under the jurisdiction of Indianapolis. The Crossings are, in some cases, equipped with automated warning flashers and bells to signal the approach of a train. None of the Crossings currently have gates to prevent motorists from crossing the Line when a train is approaching. Because the speed of the trains, their length, and the frequency of use will increase, the City believes that CSXT should be required to upgrade ALL Crossings within the City municipal boundary to include automated warning flashers and bells (where not currently installed), install automated gates to prevent crossing of the Line at all Crossings, and upgrade all pavement within the Line right-of-way to meet INDOT standards for rail crossings of State highways. The City is also investing in upgrades to Crossings at Worthsville Road and at Pushville Road. The upgrades are being done at significant cost to local taxpayers. **The City respectfully requests that CSXT be required to upgrade all crossings within the municipal jurisdiction and to reimburse the City for all costs associated**

City of Greenwood
300 South Madison Avenue
Greenwood IN 46142

317 887 5000
greenwood.in.gov

E1-20628

with the design and construction of the upgraded crossings at Worthsville Road and Pushville Road currently under construction.

The Line passes through a number of residential neighborhoods which will be adversely impacted by the additional number of trains, the higher rate of speed at which those trains will travel, and an expected increase in the number of cars per train. The additional noise will disturb those residents. **The City requests that CSXT be required to install barriers along the Line right-of-way within residential neighborhoods that will minimize noise impacts to residents, or develop policies and procedures in consultation with the City to minimize noise impacts (e.g. speed reduction, scheduling).** In addition, pursuant to 49 USC Section 20153, the City requests that a "Quiet Zone" (QZ) be designated in addition to the noise barriers described above. The QZ would be operative from Main Street through County Line Road which would greatly reduce train-related noise as identified by the Office of Environmental Analysis where it states on page 2 of the Supplemental Environmental Assessment "The Supplemental EA preliminarily concludes that the proposed joint use would adversely affect two areas of concern: vehicle delays at several at-grade crossings and increases train-related noise to levels where mitigation could be warranted for several hundred homes and other noise-sensitive receptors along the Indianapolis Terminal Subdivision – Louisville Secondary Branch." The QZ should be paid for entirely by the railroad(s).

2.

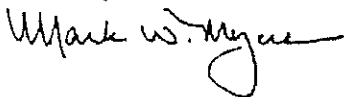
3. Unauthorized pedestrian access to the Line may result in personal injury or death. **The City requests that CSXT install access barriers (e.g. chain link fence) in those residential areas where pedestrians may attempt to cross the Line.**
4. Six (6) of the local roads and streets crossed by the Line are oriented east-west. Automobile traffic within the City generally suffers from congestion during peak hours along those east-west corridors. An increase in the frequency of trains will adversely impact traffic movement within the City unless efforts are made to coordinate the scheduling of freight movement along the Line to minimize the traffic impacts. The City requests that CSXT be required to obtain the approval of City officials for scheduling of trains and any deviation from said schedule. Further, there have been recent evidence of increased frequency and length of trains traversing through the City jurisdiction. With that there have been lengthy blockages of crossings that have adversely impacted residents and potentially impacted the ability of public safety departments to provide needed services. One example which occurred on the morning of November 8, 2014, involved a stopped train, presumably due to work hour restrictions of the crew and CSXT's inability to provide a replacement crew to keep the train underway. The northbound train stopped short of Main Street and did not block any traffic at this crossing. The length of the train, however, was in excess of 1.5 miles as it blocked the crossing at Pushville Road. This should not occur and could have a tremendous impact on the City's Fire and Police Departments to make critical runs. **Should CSXT block crossings it should be required to make an investment in the community to provide more facilities and equipment that will allow an acceptable level of public safety to the residents of, and visitors to, our City.** Further, the City is concerned with a common railroad practice of trains "creeping" through Greenwood at speeds much below the existing track speed as crews judge the train's arrival at the crew change point near IU Tower in Indianapolis. Trains moving slowly through a community present the same traffic related problems as stopped trains, however, the community's ability to cite the train crew for blocking crossings under IC 8-6-7.5-3 is negated because the train is moving. Congestion is going to be an ongoing issue in Greenwood as train traffic grows and train lengths increase. This practice of trains creeping to avoid citations under State law should be prohibited by the Surface Transportation Board ("STB"), and the prohibition must be addressed in any approvals that may be granted, including severe penalties for violation.
5. The Indianapolis Metropolitan Planning Organization ("MPO") and other organizations in the region have developed a mass transit plan which proposes the addition of passenger rail service on the Line

between Indianapolis and Franklin, Indiana. The City is concerned that, by increasing freight traffic on the Line, passenger service would not be possible or would be significantly reduced. The City believes that passenger rail is a critical component of the overall transit strategy in the region, and should be preserved. **The City therefore requests that a provision for passenger rail on the Line be included as a part of any approval granted to CSXT.**

6. The Line currently does not provide any freight service to the City, nor is infrastructure in place to allow such service. **The City requests that a rail spur be constructed as a condition of approval to serve industrial users in the southern part of the City, specifically between Worthsville and Pushville Roads.**
7. The City has a very real concern over the potential routing of hazardous material by CSX over the LIRC line. As stated on Page 2-11 of the Supplemental Environmental Assessment "CSXT operates a mix of trains automobile, bulk commodities, coal, intermodal, merchandise, and others—over the region of its network that would be affected by the Proposed Transaction. Under the Proposed Transaction, CSXT trains operating over the L&I Line would likely average 7,200 feet in length and 6,000 tons in weight. CSXT could increase train lengths if general economic and market conditions warrant; however, CSXT does not expect its trains to exceed, on average, 7,200 feet in length over the L&I Line for at least the first 5 years of operations under the Proposed Transaction. L&I operates trains that are 3,160 feet long and weigh 4,000 tons. L&I does not anticipate changes to its number, length, or tonnage of trains as a result of the Proposed Transaction. Should L&I decide to increase the height or tonnage of its trains, and thus benefit from the proposed CSXT-funded upgrades, L&I could do so but would pay CSXT a fee. Pursuant to its trackage rights agreement, CSXT would not transport hazardous material over the L&I Line. CSXT and L&I are the only carriers that use or would use the L&I Line." In this regard the Voluntary Mitigation (VM) efforts to be undertaken by the railroad(s) deal extensively with hazardous material training. **The VM's proposed by the railroad(s) are viewed by the City as window dressing to make the application look good UNLESS its real strategy is to move hazardous material over the line. It appears the existing trackage rights agreement could easily be amended by letter agreement to waive the prohibition on the movement of hazardous material over the line. In addition, it is already a fact that some train lengths have exceeded the 7,200 feet average as cited in the example of the blocked crossing described in Item 4. The 54 Voluntary Mitigation measures proposed by the railroad(s) appear to have no teeth in them. They are absolutely voluntary with no penalties if they are never acted upon, implemented or the parties fail to come to terms. The VM's should be made Mandatory Mitigation Standards in addition to the minimal (in the City's opinion) 14 Mandatory Mitigation efforts that have already been imposed by the STB in the CSX/LIRC Joint Use Mitigation document.**

I trust that the comments provided herewith will be considered in the review by the Surface Transportation Board of CSXT's application. Should you have any questions, please contact me at your convenience.

Sincerely,



Mark W. Myers
Mayor

Surface Transportation Board

Incoming Correspondence Record



#EI-20629

Filing Correspondence Information		Status: In/Placed	
* Required Fields		Recorded by David Navecky on 11/25/2014	
*Docket #:	FD 35523 0	Affiliation:	Local Government Agency
*Name of Sender:	Lucas Mastin	Letter Type:	E-filing w/ Attachments
Group:	Johnson County Highway Department		
Attention Of:	Dave Navecky		
*Date Received:	11/25/2014	NEPA Type:	EA Comment
Date of Letter:	11/25/2014	In Public Docket?	☐ Yes ☒ No
Group's Address:	1051 Hospital Road		
Group's City:	Franklin	Phone Number:	3173464641
Group's State:	IN	Email Address:	lmastin@co.johnson.in.us
		Group's Zip Code:	46131-

Submitter's Comments
The attached letter from 2011 with our comments was included in the original CSX draft environmental document submittal to STB. We never heard a response to the concerns raised in this letter, so I am resubmitting these comments during the request for additional comments. The concerns raised in the attached letter from 2011 are still relevant to this environmental review process. Additionally, we would request that STB give serious consideration to the concerns raised by the cities and towns along this line, especially those cities and towns that lie within Johnson County. The City of Greenwood in particular has raised concerns about traffic flow restrictions, safety at rail/road intersections, and noise concerns related to increased use of this rail line. Rail transportation is an important part of our country's freight movement. While considering the request CSX has made, please keep in mind the impact that increased train traffic has on communities impacted by this request, particularly road safety concerns and nuisance impacts on residents.

STB's Comments

Image Attachment(s)
An attachment has not been added.

Johnson County Highway Department

1051 Hospital Road ♦ Franklin, Indiana 46131 ♦ Phone: (317) 346-4630 ♦ Fax: (317) 738-5378

Lucas M. Mastin
Director

Michael P. Pelham, P.E.
Engineer

August 22, 2011

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

RE: CSXT - Acquisition and Upgrade of Louisville Indiana Railroad
Preliminary Draft Environmental Assessment Comments

Dear Mr. Wollschlager,

Johnson County has recently been informed of the possible rehabilitation of the existing Louisville Indiana Railroad line between Louisville, Kentucky and Indianapolis, Indiana by CSX Transportation, Inc. (CSXT). It is our understanding that your firm is currently soliciting comments for inclusion in the Preliminary Draft Environmental Assessment (PDEA) document. While Johnson County was not directly contacted to provide comments for the PDEA being developed for this project, we would appreciate your consideration and inclusion of the following comments.

- It is our understanding that upgrades proposed by CSX Transportation, Inc. would allow the rail line to accommodate up to 15 trains per day in this area over the current train traffic volume at speeds up to 49 miles per hour. There are currently eight locations where the Louisville Indiana Railroad line crosses county roads within Johnson County's jurisdiction. All of these crossings are at-grade, not separated. Each of the crossings is stop-controlled for vehicular traffic through the use of stop signs. However, all of these crossings have sight-distance issues caused by substantial grade changes between the road and rail line elevations, or by poorly maintained vegetation along the fence lines delineating the railroad right-of-way. Prior to increasing the volume and speed of trains passing through these at-grade crossings, we would encourage CSXT to review these locations and take appropriate actions, whether through active crossing warning devices, adjustments in road grade, providing clear line-of-sight for vehicular traffic, or a combination of these and other solutions, to ensure that these crossings can continue to be operated safely by both train and vehicular traffic in the future.

- The Indianapolis Regional Transportation Council and the Indianapolis Metropolitan Planning Organization have identified the Louisville Indiana Railroad line as a key component for future passenger rail services in their Long-Range Regional Transportation Plan. While no details have been finalized at this time, we would ask that you consider this potential key component in the Indianapolis region's future

transportation plan in your PDEA. The transportation needs of the Indianapolis area will only continue to increase as the region grows, and passenger rail service will be a key component in meeting future travel demands.

We appreciate the opportunity to provide comments for the preparation of this project's PDEA. Please do not hesitate to contact us with any questions or comments you may have. We look forward to working with you as your project moves forward.

Sincerely,

Johnson County Highway Department

A handwritten signature in black ink, appearing to read 'LM', is written over a horizontal line.

Lucas M. Mastin, Director

Cc: Johnson County Board of Commissioners
File



EI-20630

Rec'd 11/28/14

DEPARTMENT OF PUBLIC WORKS AND ASSETS

LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

VANESSA D. BURNS
DIRECTOR

November 26, 2014

Mr. Dave Navecky
Surface Transportation Board
395 E Street, SW, Room 1104
Washington, DC 20423

Subject: **STB Docket No. FD 35523, CSX Transportation, Inc – Joint Use – Louisville and Indiana Railroad Company, Inc.: Consultation on Scope of Supplemental Environmental Assessment**

Dear Mr. Navecky:

I am in receipt of the above referenced request for input on a joint use by CSX Transportation and Louisville and Indiana railroad. We appreciate the opportunity to review and comment.

We understand that there are site constraints to the LCL subdivision that limits the ability to provide the availability needed for best freight movement. The LCL subdivision is also at capacity. CSXT's ability to route trains around the LCL Subdivision, as well as avoid the challenges of operating trains through the Cincinnati terminal area, is currently limited.

In Louisville, in what is referred to as the Louisville Connection, the additional 12 train traffic will have noise and connectivity impacts, with the greatest affect to the two at grade crossings -- W. Kentucky and Shipp Ave.

The SEA recognizes the noise impacts on the residential areas in the historic Old Louisville neighborhood and the growing residential area to the west of the University of Louisville's Belknap Campus. Directly west of the Shipp Avenue crossing, there are existing student housing developments and a new project under construction. The added train horns may most affect this crossing.

The vehicular traffic on the Kentucky Street and Shipp Avenue at-grade crossings is currently at a collector level. There will be added delay and noise from the train horn at both crossings. Both crossings are inter-city and have other means of traffic dispersion near the crossings. The crossing at W. Kentucky Street has existing vehicular traffic delays due stopped

Mr. Dave Navecky
November 26, 2014
Page Two

stopped trains and the added trains will have the potential of worsening an existing problem. The final Environmental Analysis should include measures to mitigate the impact to this at-grade crossing.

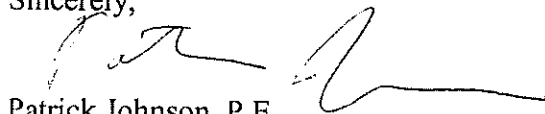
The primary focus of the SEA's traffic analysis is on vehicular impacts, but both the W. Kentucky Street and Shipp Avenue crossings have pedestrian traffic that should be considered. At Kentucky Street, there is a residential cluster to the west and Simmons College, Louisville's only Historic Black College, directly east of the crossing. Students travel by foot and bicycle at this crossing. At Shipp Avenue, due to the high concentration of student housing to the west of the crossing and the location of the University of Louisville's Student Activity Center to the east of the crossing, pedestrian and bicycle traffic will also be a factor. A review of the impact on pedestrian traffic and the safety of students should be included in the final Environmental Analysis and recommendations for mitigating the impact of stopped trains on pedestrian and bicycle movements should be considered.

Just south of the Louisville Connection, Louisville Metro has a significant concern with the condition of the CSX overpass at 4th Street. There is a significant concentration of student housing along 4th Street south of this crossing, and the University of Louisville's Student Activity Center, is located north of the crossing, leading to 4th Street having a high level of pedestrian activity. The overpass structure is badly deteriorated and generally in poor condition. The drainage is deficient and silt seeps through the structure such that the sidewalk is essentially unsafe and impassable after a heavy rain thus creating a public safety issue on the public right-of-way. As this crossing is directly south of the SEA area, Louisville Metro requests that public safety issues in this area be examined and suggested mitigation measures be addressed in the final analysis.

The Louisville Metro Council has reached out by way of e-newsletter to give the affected neighborhoods an opportunity to voice their concerns prior to the December 1, 2014 deadline.

Thank for the opportunity to review the SEA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Johnson', is written over the printed name.

Patrick Johnson, P.E.
Manger, Traffic Engineering

Surface Transportation Board

Incoming Correspondence Record

#EI-20632

Filing Correspondence Information		Status / In Process	
* Required Fields		Recorded by David Navecky on 11/30/2014	
*Docket #:	FD 35523 0	Affiliation:	Self / Individual
*Name of Sender:	Thomas Snyder	Letter Type:	E-filing
Group:			
Attention Of:	Unknown		
*Date Received:	11/30/2014	NEPA Type:	EA Comment
Date of Letter:	11/30/2014	In Public Docket?	☐ Yes ☒ No
Group's Address:	1348N 950 E		
		Phone Number:	
Group's City:	Seymour	Email Address:	
Group's State:	IN	Group's Zip Code:	47274-

Submitter's Comments

I am commenting on the CSX upgrade from Indianapolis, Indiana to Louisville, Ky. I have lived along the route for over 60 years and don't have a problem with the upgrade. However something needs to be done with grade crossings. In a one mile length of track we have 5 active grade crossings. From a dead stop I need 25 seconds to cross a track with a loaded semi. At only 30 mph train that means I need a minimum of 1/4 mile visibility. Most crossings in the area south of Seymour, Indiana are lucky to have 200 yards. We have a new flashing light and crossing gate in front of my house. That is great the lights come on 30 seconds before a train arrives but the gates come down 5 seconds later. I dare you to stop a loaded semi in 5 seconds. I urge you to carefully consider crossing safety and visibility at these grade crossing. I also cross these tracks 12 times a day with a loaded schoolbus. Thank you. Thomas Snyder

STB's Comments

Image Attachment(s)

An attachment has not been added.

E1-20634

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December 1, 2014

Mrs. Victoria Rutson
Director, Office of Environmental Analysis
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423

Re: Docket No. FD-35523, *CSX Transportation, Inc. –Joint Use—Louisville & Indiana Railroad Company, Inc.*

Dear Mrs. Rutson:

CSX Transportation, Inc. ("CSXT") and the Louisville & Indiana Railroad Company, Inc. ("L&I" and together with CSXT "Applicants") are submitting these comments in response to the Supplemental Environmental Assessment (the "SEA") served October 31, 2014 by the Office of Environmental Assessment. As requested, Applicants' comments address the mitigation measures contained in Section 4.0 of the SEA relating to proposed (1) upgrades to two potential siding extensions and replacement of the Flatrock River Bridge within the approximately 106.5-mile line of railroad owned by L&I between L&I Mile Post 4.0± near Indianapolis, IN and the connection between the Parties at L&I Mile Post 110.50± at Eleventh Street in Louisville, KY, and (2) changes in train operations on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection owned by CSXT (the "Three Lines") under the Proposed Transaction. For the convenience of OEA, a redline of the Section 4.0 is attached containing the changes proposed by Applicants. Applicants' rationale for the proposed changes to the mitigation measures are identified by the mitigation number, e.g., VM 3 or MM 1. Applicants accept the mitigation measures as presented in the SEA where there are no comments.

VM 3. Applicants' proposed change to VM 3 is for clarity. In addition, Applicants propose to modify the condition to limit staging areas as required in the permits issued by the United States Army Corps of engineers ("USACE"), the expert agency, in lieu of the arbitrary 50-foot limit proposed by the SEA.

VM 13. This change is for clarity.

VM 21. Applicants agree that those utilities with a contractual right to be on L&I's property should be notified of construction and Applicants will coordinate construction activities with those utilities that have a contractual right to use L&I property to minimize damage to those utilities. L&I is easily able to identify those utilities and their location on the L&I property where the utilities have a contractual right to use L&I property. However, L&I should not be burdened by seeking out any utilities that have installed their utilities without an agreement to use L&I's property. Moreover, Applicants contend that OEA should not impose conditions that appear to legitimize trespassing on L&I property of any utility that is using the L&I property without an agreement. Trespassers with no right to use L&I property should not be able to avail themselves of the benefits of an Surface Transportation Board ("STB") decision and condition.

VM 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54. The proposed mitigation relates to operations over the Three Lines. CSXT owns and maintains the Three Lines. L&I has no ownership interest in the Three Lines and no right to maintain the Three Lines. Indeed, L&I has no right to enter the Three Lines to perform maintenance or any other work on the Three Lines, and therefore does not have the ability to access the property necessary to comply with the proposed mitigation. Therefore, CSXT requests that Operations-related voluntary mitigation that apply only to the Three Lines be made applicable to only CSXT instead of Applicants since that term includes L&I, a party incapable of complying with the conditions over the Three Lines. The language in the relevant voluntary mitigation conditions has been modified in the Attachment to reflect this request.

VM 42. Railroad drainage ditches are meant to carry water away from the tracks, not to retain water. Water retention in railroad drainage ditches would lead to undermining the track structure instead of protecting the track structure from the elements. Proposed VM 42 could result in the undermining of the track structure instead of ensuring its stability. Therefore, CSXT requests that VM 42 be revised to allow compliance with the requirements of the National Pollutant Discharge Elimination System as implemented by the expert agency.

MM 1, 3, 4 and 14. These four mandatory mitigation measures proposed in the SEA contain conditions relating to operations over the Three Lines. For the reasons explained two paragraphs above, Applicants request that these mandatory mitigation measures apply only to CSXT, the owner and operator of the Three Lines. The Attachment has made the necessary revisions.

MM 11. The second paragraph of MM 11 proposes that CSXT complete the Section 106 process under the National Historic Preservation Act, even though there is no justification for the condition in the record in the SEA or justification proposed in the SEA. Before abandoning any portion of or all of any of the Three Lines, CSXT must first obtain abandonment authority from the STB, at which time the historic impacts of such changes will have to be reviewed. Therefore, Applicants request that the proposed mitigation in the second paragraph be deleted, as is done in the Attachment.

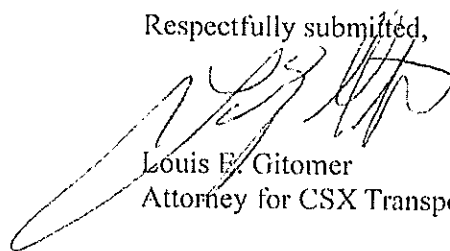
Mrs. Victoria Rutson
December 1, 2014
Page 3

MM 12. Applicants propose a change to MM 12 to ensure that work on a project can proceed outside of the location where that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered (the "Unanticipated Discoveries") during Transaction-related construction activities. Applicants propose to clarify MM 12 to limit the cessation of work to the immediate vicinity of the Unanticipated Discoveries. There is no justification for stopping work on the south bank of a river if an Unanticipated Discovery occurs on the north bank of the river, where the river is several hundred feet wide. Applicants have revised MM 12 in the Attachment to reflect the requested change.

Since the filing of the Application, several changes have occurred along the L&I Line. CSXT is now operating four trains per day on the L&I Line under the existing trackage rights agreement compared to the two trains originally identified in the Application. The L&I Line consists of 130 pound rail, not 100 pound rail. The Flat Rock River Bridge was modified under the trackage rights to handle tri-level cars. The Columbus Yard limits have been removed by I.&I. Therefore, the maximum speed between milepost 37 and milepost 42 (the former yard limits) is now 25 miles per hour and could be increased to 49 miles per hour upon completion of the Upgrade.

Let me know if you have any questions.

Respectfully submitted,



Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Attachment

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CHAPTER 4.0 MITIGATION

Chapter 4.0 presents OEA's preliminary recommendations for mitigation measures that would avoid or minimize the potential environmental impacts resulting from the Proposed Transaction.

4.1 OVERVIEW OF OEA'S APPROACH

The analysis used in preparing this Supplemental EA has taken a hard look at the potential environmental consequences of the Proposed Transaction and No-Action Alternative, consistent with NEPA and the relevant CEQ and Board regulations. The potential environmental effects that have been identified would be both beneficial and adverse. Chapter 3.0 discusses in detail the affected environment and potential environmental benefits and effects.

Typically, OEA develops a list of preliminary mitigation measures that would avoid or minimize potential impacts of a proposed action. The list usually includes mitigation measures that may have been proposed or volunteered by an applicant and additional mitigation measures identified by OEA. The combined list of preliminary mitigation measures is then presented in OEA's draft environmental document for review and comment by agencies, individuals, and other interested parties. Considering any mitigation-related comments, OEA then develops a final list of recommended mitigation measures for publication in the final environmental document. Next, in any decision approving a proposed action, the Board determines which of the recommended mitigation measures would be imposed on an applicant, if any. An applicant would be required to comply with the mitigation measures regardless of origin (that is, whether the mitigation was volunteered by an applicant, proposed by OEA, or independently specified by the Board).

This Supplemental EA includes mitigation measures volunteered by Applicants and developed by OEA. The mitigation measures are also specific to the potential impacts of the Transaction-related activities that are the focus of this Supplemental EA; that is, the increased train traffic on certain CSXT rail lines, the potential construction of two sidings extensions on the L&I Line, and proposed replacement of the Flatrock River Bridge. Mitigation measures specific to Transaction-related activities in the Draft EA (that is, increased train traffic on the L&I Line and upgrades to the L&I Line main line track) are not repeated here. However, Draft EA mitigation measures that are relevant to the Supplemental EA are repeated in the Supplemental EA. OEA will consider all public comments received on the Supplemental EA (as well as public comments already received on the Draft EA) in making its final mitigation recommendations to the Board. OEA's final mitigation recommendations will be published in the Final EA.

4.1.1 Limits of Conditioning Power

The Board has authority to impose conditions to mitigate potential environmental impacts, but that authority is not limitless. As a government agency, the Board can impose only conditions that are consistent with its statutory authority. Any conditions the Board imposes must relate directly to a specific proposed action, must be appropriate to the scope and degree of impacts, and must be supported by the record before the Board. The Board's practice consistently has been to consider mitigation for only those potential environmental impacts that would result

directly from a proposed action (that is, Transaction-related changes in activity levels on existing rail lines and at rail facilities) and not to impose mitigation to remedy preexisting environmental conditions, such as the effects of current railroad operations.

4.1.2 Voluntary Mitigation and Negotiated Agreements

OEA encourages applicants to propose voluntary mitigation. Because applicants seeking Board authority may gain substantial knowledge about local community or other issues involved during project planning, and because they consult with other regulatory agencies and communities during project planning and at the early stages of the regulatory process, applicants can often propose relevant voluntary mitigation that is more far reaching than mitigation the Board could unilaterally impose. For the Proposed Transaction, Applicants have engaged in substantial outreach with potentially affected agencies, entities, and communities and have proposed extensive voluntary mitigation for this project, which is set forth and discussed in more detail below.

The Board also encourages applicants like CSXT and L&I to negotiate mutually acceptable agreements with affected communities and other government entities to address potential environmental impacts, if appropriate. Negotiated agreements can be with neighborhoods, communities, or other entities. If Applicants enter into any negotiated agreements, the Board would require compliance with the terms of any such agreements as environmental mitigation conditions in any final decision approving the Proposed Transaction. These negotiated agreements would supersede any environmental conditions for that particular community or other entity that the Board would otherwise impose.

4.1.3 Preliminary Nature of Environmental Mitigation

OEA emphasizes that all of the environmental mitigation measures proposed here are preliminary, and welcomes public and agency comment on these measures. In order for OEA to assess the public comments effectively, the public should be specific about any desired mitigation and the reasons why the suggested mitigation would be appropriate.

After considering all public comments on the Supplemental EA, OEA will issue a Final EA responding to any comments on the Draft EA and Supplemental EA (including any suggestions related to mitigation) and presenting any additional environmental analysis. The Final EA will contain OEA's final recommendations to the Board, including final recommended environmental mitigation. The Board will then make its final decision regarding the Proposed Transaction in accordance with 49 United States Code (U.S.C.) §§ 11324(c) and (d).

4.2 APPLICANTS' VOLUNTARY MITIGATION MEASURES

As part of their application, Applicants submitted proposed voluntary mitigation measures to OEA for the Board to consider. OEA has reviewed the voluntary mitigation measures, and should the Proposed Transaction be approved, OEA preliminarily recommends that the Board require Applicants to comply with all of the voluntary mitigation measures submitted.

Below, OEA presents for public review and comment, Applicants' current voluntary mitigation measures (identified as VM #) applicable to this Supplemental EA. Applicants divided their mitigation measures in two parts: (1) construction-related VMs (that is, those related to the proposed upgrades under the Proposed Transaction, which would take place within the existing

ROW of the L&I Line (for the Supplemental EA those upgrades include two potential siding extensions and the proposed replacement of the Flatrock River Bridge) and (2) VMs related to proposed changes in train operations on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection under the Proposed Transaction.

4.2.1 Construction-related VMs

4.2.1.1 Water Resources

VM 1. Applicants will compensate in accordance with U.S. Army Corps of Engineers (USACE) regulations in Indiana for wetland impacts that cannot be avoided and for impacts that are determined by USACE to be on waters of the United States for construction related to the Proposed Transaction.

VM 2. To minimize sedimentation into streams and waterways during construction, Applicants will use Best Management Practices (BMPs), such as silt fences and straw bale dikes, to minimize soil erosion, sedimentation, runoff, and surface instability during Transaction-related construction activities. Applicants will seek to disturb the smallest area possible around any streams and will conduct reseeding efforts to ensure proper revegetation of disturbed areas as soon as reasonably practicable following Transaction-related construction activities.

VM 3. In order to control erosion, with respect to jurisdictional waters of the U.S., Applicants will establish staging and lay down areas for Transaction-related construction material and equipment in accord with the requirements of permits issued by USACE at least 50 feet from ~~jurisdictional waters of the U.S.~~ and in areas that are not environmentally sensitive. Applicants will not clear any vegetation between the staging area and the waterway or wetlands. To the extent reasonably practicable, areas with non-jurisdictional isolated waters will not be used for staging and lay down and will only be impacted when necessary for construction. When Transaction-related construction activities, such as culvert and bridgework, require work in streambeds, Applicants will conduct these activities, to the extent reasonably practicable, during low-flow conditions.

VM 4. During Transaction-related construction activities, Applicants will require all contractors to use BMPs, including daily inspections of all equipment for any fuel, lube oil, hydraulic, or antifreeze leaks. If leaks are found, Applicants will require the contractor to immediately remove the equipment from service and repair or replace it.

VM 5. Applicants will employ BMPs to control turbidity and disturbance to bottom sediments of surface waters during Transaction-related construction. Applicants will implement BMPs in wetlands or other waters of the U.S. to avoid adverse downstream impacts on fish, mussels, and other aquatic biota.

VM 6. During Transaction-related construction, Applicants will prohibit construction vehicles from driving in or crossing streams at other than established crossing points unless approved by appropriate federal or state permits.

VM 7. During Transaction-related construction activities, Applicants will, to the extent reasonably practicable and consistent with BMPs, ensure that any fill placed below the ordinary high water line of wetlands and streams is appropriate material selected to minimize impacts to the wetlands and streams. All stream crossing points will be returned to their pre-construction

contours to the extent reasonably practicable and the crossing banks will be reseeded or replanted with native species immediately following project-related construction.

VM 8. Applicants will obtain a National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit from U.S. Environmental Protection Agency (USEPA) or appropriate state agencies for Transaction-related construction activities that warrant such compliance.

VM 9. Prior to any Transaction-related construction activities, Applicants will comply with any regulations required in the preparation of a construction Stormwater Pollution Prevention Plan.

4.2.1.2 Biological Resources

VM 10. Before beginning any Transaction-related construction activity, Applicants will survey all suitable habitats potentially impacted by the construction activity for state-listed threatened or endangered plant species. If any listed plant species are located, Applicants will implement a mitigation plan in consultation with the appropriate federal and state agencies.

VM 11. In order to avoid a take of the federally endangered Indiana bat, Applicants will not clear trees during its roosting period (April 1 – September 30).

VM 12. During Transaction-related construction, temporary barricades, fencing, and/or flagging will be used in sensitive habitats to contain construction-related impacts to the area within the existing right-of-way (ROW).

VM 13. Applicants will employ BMPs to implement their current noxious weed control program during construction and operation of Transaction-related potential siding extensions. All ~~herbicides used by Applicants~~ only use herbicides that have been approved by USEPA.

4.2.1.3 Air Quality

VM 14. To minimize fugitive dust emissions created during Transaction-related construction activities, Applicants will implement appropriate fugitive dust suppression controls, such as spraying water or other approved measures. Applicants will also regularly operate water trucks on haul roads to reduce dust.

VM 15. Applicants will work with their contractors to make sure that Transaction-related construction equipment is properly maintained and that mufflers and other required pollution-control devices are in working condition in order to limit construction-related air emissions.

4.2.1.4 Noise and Vibration

VM 16. Applicants will consult with affected communities and work with the construction contractors to minimize, to the extent reasonably practicable, Transaction-related construction noise disturbances near any residential areas.

4.2.1.5 Topography, Geology, and Soils

VM 17. Applicants will commence reclamation of disturbed areas as soon as reasonably practicable after Transaction-related construction ends along a particular stretch of rail line. The goal of reclamation will be the rapid and permanent reestablishment of native ground cover on disturbed areas. If weather or season precludes the prompt reestablishment of vegetation,

Applicants will use measures such as mulching or erosion control blankets to prevent erosion until reseeding can be completed.

VM 18. Applicants will limit ground disturbance to only the areas necessary for Transaction-related construction activities.

VM 19. Applicants will review the limits of land disturbance prior to Transaction-related construction to determine whether any U.S. Department of Commerce, National Geodetic Survey monuments (that is, a government-owned permanent survey marker) would be disturbed. If any survey monuments would be disturbed, Applicants will give a 90-day notification to the National Geodetic Survey.

VM 20. Applicants will require contractors to dispose of waste generated during Transaction-related construction activities in accordance with all applicable federal, state, and local regulations.

VM 21. Applicants will make reasonable efforts to identify all utilities that have agreements with either Applicant that are reasonably expected to be materially affected by Transaction-related construction within their existing ROW or that cross their existing ROW. Applicants will notify the owner of each such utility identified prior to commencing Transaction-related construction activities and will coordinate with the owner to minimize damage to utilities. Applicants will also consult with such utility owners to ensure that utilities are reasonably protected during Transaction-related construction activities.

VM 22. During Transaction-related construction activity, Applicants will take reasonable steps to ensure contractors use fill material appropriate and in accordance with applicable regulations for the project area.

4.2.2 Operations-related VMs

4.2.2.1 Rail Operations

VM 23. ~~Applicants~~ CSXT will install power switches along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection where ~~it they~~ determines that manual switches could cause stopped trains to block grade crossings for excessive periods of time and that power switches would increase the speed of rail traffic and reduce the likelihood of such blockages.

4.2.2.2 Transportation

VM 24. ~~Applicants~~ CSXT will examine train operations to identify reasonable ways to reduce highway/rail at-grade crossing blockages.

VM 25. ~~CSXT Applicants~~ CSXT will cooperate with the appropriate state and local agencies and municipalities to:

- Evaluate the possibility that roadways listed in the Supplemental EA, Appendix B, Attachment B-3 could be closed at the point where they cross the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, or Louisville Connection to eliminate the at-grade crossings;
- Improve or identify modifications to roadways that would reduce vehicle delays by improving roadway capacity over the crossing by construction of additional lanes;

- Assist in a survey of highway/rail at-grade crossings for a determination of the adequacy of existing grade crossing signal systems, signage, roadway striping, traffic signaling inter-ties, and curbs and medians; and
- Identify conditions and roadway, signal, and warning device configurations that may trap vehicles between warning device gates on or near the highway/rail at-grade crossing.

4.2.2.3 Grade Crossing Safety

VM 26. CSXTApplicants will coordinate with the Indiana Department of Transportation (INDOT), Ohio Department of Transportation (ODOT), or Kentucky Transportation Cabinet (KYTC), as appropriate and, counties and affected communities along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection to install temporary notification signs or message boards, where warranted, in railroad ROW at highway/rail at-grade crossings, clearly advising motorists of the increase in train traffic on affected rail line segments. The format and lettering of these signs will comply with the Federal Highway Administration's (FHWA's) *Manual on Uniform Traffic Control Devices* (FHWA 2012) and will be in place no less than 30 days before and 6 months after CSXTApplicants' initiates operational changes associated with the Proposed Transaction.

VM 27. Within 6 months of acquisition of a freight easement over the L&I Line, CSXTApplicants will cooperate with INDOT, ODOT, and KYTC as well as appropriate local agencies to coordinate a review of corridors surrounding highway/rail at-grade crossings to examine safety and adequacy of the existing warning devices, and identify remedies to improve safety for highway vehicles.

VM 28. Within 6 months of CSXTApplicants' initiating operational changes associated with the Proposed Transaction, Applicants will cooperate with school and park districts to identify at-grade crossings where additional pedestrian warning devices may be warranted.

VM 29. For up to 3 years from the date that CSXTApplicants' initiates operational changes associated with the Proposed Transaction, CSXT will make Operation Lifesaver programs available to communities, schools, and other appropriate organizations located along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection.

VM 30. For each of the public grade crossings on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection, CSXT will provide and maintain permanent signs prominently displaying both a toll-free telephone number and a unique grade-crossing identification number in compliance with Federal Highway Administration regulations (23 Code of Federal Regulations [C.F.R.] Part 655). The toll-free number will enable drivers to report accidents, malfunctioning warning devices, stalled vehicles, or other dangerous conditions and will be answered 24 hours per day by Applicants' personnel.

VM 31. CSXTApplicants will continue ongoing efforts with community officials to identify elementary, middle, and high schools within 0.5 mile of the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection ROW and provide, upon request, informational materials concerning railroad safety to such identified schools.

VM 32. CSXTApplicants will consult with state departments of transportation and other appropriate agencies and will abide by the reasonable requirements of INDOT, ODOT, and KYTC prior to constructing, relocating, upgrading, or modifying highway/rail at-grade crossing warning devices on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection.

4.2.2.4 Hazardous Materials Transportation

VM 33. CSXTApplicants will assist in the hazardous materials training of emergency responders for affected communities that express an interest in such training. CSXTApplicants will support through funding or other means the training of one representative from each of the communities located along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection where the transportation of hazardous materials would increase. CSXTApplicants will complete the training within 3 years from the date that they initiate operational changes associated with the Proposed Transaction.

VM 34. CSXTApplicants will comply with the current Association of American Railroads (AAR) “key train” guidelines, found in AAR Circular No. OT-55-N (2013), and any subsequent revisions.

VM 35. CSXTApplicants will comply with all hazardous materials regulations of the U.S. Department of Transportation (including Federal Railroad Administration [FRA] and the U.S. Pipeline and Hazardous Materials Safety Administration) and Department of Homeland Security (including the Transportation Security Administration). CSXTApplicants will dispose of all hazardous materials that cannot be reused in accordance with applicable law.

VM 36. Upon request from local emergency response organizations, CSXTApplicants will implement real-time or desktop simulation emergency response drills with the voluntary participation of local emergency response organizations.

VM 37. CSXTApplicants will continue ~~its~~ their ongoing efforts with community officials to identify the public emergency response teams located along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection, and will provide, upon request, hazardous material training.

VM 38. CSXTApplicants will, upon request, conduct Transportation Community Awareness and Emergency Response Program workshops (training for communities through which hazardous materials are transported) in communities along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection.

VM 39. CSXTApplicants will develop internal transportation emergency response plans to allow for agencies to be notified in an emergency, and to locate and inventory the appropriate emergency equipment. CSXTApplicants will provide the transportation emergency response plans to the relevant state and local authorities within 6 months of acquisition of a freight easement over the L&I Line.

VM 40. In accordance with their Transportation Emergency Response Plan, CSXTApplicants will make the required notifications to the appropriate federal and state environmental agencies in the event of a reportable hazardous materials release. CSXTApplicants will work with appropriate agencies such as U.S. Fish and Wildlife Service, Indiana Department of Environmental Management, Ohio Environmental Protection Agency, and Kentucky Department

for Environmental Protection to respond to and remediate hazardous materials releases with the potential to affect wetlands or wildlife habitat(s), particularly those of federally threatened or endangered species. CSXT Applicants will adhere to all USEPA regulations described in 40 C.F.R. Part 263 and will coordinate with USEPA, state agencies, and local agencies on spill responses.

4.2.2.5 Emergency Response

VM 41. CSXT Applicants will notify appropriate Emergency Services Dispatching Centers on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection of all crossings blocked by trains that are stopped and may be unable to move for a significant period of time. CSXT Applicants will work with affected communities to minimize emergency vehicle delay by maintaining facilities for emergency communication with local Emergency Response Centers through a dedicated toll-free telephone number.

4.2.2.6 Water Resources

VM 42. CSXT Applicants will maintain drainage ditches typical of railroad drainage ditches to provide stormwater retention and treatment in accordance with NPDES requirements, as permanent vegetated swales to provide stormwater retention and treatment. Removal of accumulated sediments will be conducted only as necessary to maintain stormwater retention capacity and function.

4.2.2.7 Biological Resources

VM 43. Applicants CSXT will ensure that any herbicides used in ROW maintenance to control vegetation are approved by USEPA and are applied by licensed individuals. Application will be limited to the extent necessary for rail operations. Herbicides will be applied so as to prevent or minimize drift off of the ROW onto adjacent areas.

4.2.2.8 Energy Resources

VM 44. Applicants CSXT, to the extent reasonably practicable, will adopt efficient fuel saving practices that may include a range of operating practices that will help reduce locomotive emissions, such as shutting down locomotives when not in use and when temperatures are above 40 degrees.

VM 45. Applicants CSXT will comply with USEPA emissions standards for diesel-electric railroad locomotives (40 C.F.R. Part 92) when purchasing and rebuilding locomotives.

4.2.2.9 Noise and Vibration

VM 46. Applicants CSXT will work with affected communities that have noise-sensitive receptors that would experience an increase of at least 5 A-weighted decibels (dBA) and reach 70 dBA, because of Transaction-related train increases, to mitigate train noise to levels as low as 70 dBA by cost-effective means as are agreed to by an affected community and Applicants CSXT. In the absence of such an agreement, Applicants CSXT will implement cost-effective mitigation.

VM 47. Applicants CSXT will cooperate with interested communities along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection for the establishment of quiet zones (QZs) and assist in identifying supplemental or alternative safety measures, practical operational methods, or technologies that may enable the community to establish QZs.¹

VM 48. Applicants CSXT will work with ~~its~~their contractors to maintain Transaction-related maintenance vehicles in good-working order with properly functioning mufflers to control noise.

VM 49. In addition to the development of other noise mitigation measures, Applicants CSXT will consider lubricating curves where doing so would both be consistent with safe and efficient operating practices and significantly reduce noise for residential or other noise-sensitive receptors. Applicants CSXT will also continue to employ safe and efficient operating procedures that, in lieu of, or as complement to, other noise mitigation measures can have the collateral benefit of effectively reducing noise from train operations. Such procedures will include:

- Inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats;
- Inspecting new and existing rail for rough surfaces and, where appropriate, grinding these surfaces to provide a smooth rail surface during operations; and
- Regularly maintaining locomotives and keeping mufflers in good working order.

VM 50. Applicants CSXT will comply with FRA regulations establishing decibel limits for train operations.

VM 51. To minimize noise and vibration, Applicants CSXT will install and maintain rail and rail beds according to American Railway Engineering and Maintenance-of-Way Association (AREMA) standards.

VM 52. Upon request, Applicants CSXT will consult with communities affected by wheel squeal at existing locations on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection, and cooperate in determining the most appropriate methods for implementing VM 49.

VM 53. Because the residential neighborhoods adjacent to the Indianapolis Terminal Subdivision – Louisville Secondary Branch in Indianapolis, Indiana, would experience potentially adverse noise impacts from increased train activity associated with the Proposed Transaction, CSXT will host two meetings in the subject neighborhoods to explain the increased train activity and solicit community concerns about the increases in train-related noise. CSXT will schedule the meetings within 6 months of Applicants CSXT executing the Transaction agreement and will publicize the meetings in advance. Within 60 days after the meetings are held, CSXT will provide a meeting report to the Board's Office of Environmental Analysis (OEA) and any meeting attendees who request it. The report will specify CSXT's responses to the concerns raised at the meetings.

¹ Applicants' willingness to cooperate does not commit Applicants to expend funds on a physical project.

4.2.2.10 Monitoring and Enforcement

VM 54. Upon approval of the Application by the Board, Applicants CSXT will submit semi-annual reports to the Board's OEA on the progress of, implementation of, and compliance with the mitigation measures for a period covering the first 3 years of operational changes.

4.3 OEA'S PRELIMINARY ENVIRONMENTAL MITIGATION

OEA preliminarily recommends the following additional MMs to minimize or avoid potential Transaction-related impacts.

4.3.1 Transportation

MM 1. To address potential safety impacts at public at-grade crossings, CSXT Applicants shall complete a Grade Crossing Mitigation Plan (GCMP) prior to moving Transaction-related train traffic on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection. In preparing the GCMP, Applicants CSXT shall meet with INDOT, ODOT, and KYTC within 45 days of the effective date of any Board approval of the Proposed Transaction to begin determining the need for grade crossing protection upgrades at each public at-grade crossing on the subject rail lines. Applicants CSXT shall update the Board's OEA on the status of the GCMP in their semiannual mitigation and enforcement reports to OEA.

MM 2. To the extent practicable, Transaction-related potential siding extensions shall be located and designed to minimize blockages of public at-grade crossings by slow-moving trains entering and exiting the sidings.

MM 3. To supplement VM 41, once Transaction-related train traffic begins to move on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection, Applicants CSXT shall promptly notify the appropriate Emergency Services Dispatching Center(s) when a stopped or slowly moving train will not clear a public at-grade crossing within 10 minutes.

MM 4. To supplement VM 28, within 6 months of Applicants CSXT initiating operational changes associated with the Proposed Transaction, Applicants CSXT shall cooperate with residential communities, schools and park districts to identify at-grade crossings where additional pedestrian warning devices may be warranted.

4.3.2 Water Resources

MM 5. Prior to initiating Transaction-related construction activities within floodplains, Applicants shall obtain a Construction in a Floodway Permit from the Indiana Department of Natural Resources. The Proposed Transaction shall not result in an increase in base flood elevations.

MM 6. During Transaction-related construction, should impacts on forested areas occur within the floodway of the Flatrock River, impacts will be mitigated in accordance with the Indiana Natural Resources Commission's Information Bulletin #17 regarding floodway habitat mitigation (2014).

MM 7. Prior to initiating Transaction-related construction activities within waters of the United States including wetlands, Applicants shall obtain a Section 404 permit under the Clean Water

Act from USACE, as applicable. Appropriate USACE-approved accommodations would be made in waterways where construction activities occur to allow for the passage of expected normal and high flows, and to not impede aquatic life movements.

MM 8. Prior to initiating Transaction-related construction activities within waters of the United States including wetlands, Applicants shall obtain a Water Quality Certification from the Indiana Department of Environmental Management, as applicable.

4.3.3 Biological Resources

MM 9. During replacement of the Flatrock River Railroad Bridge, Applicants shall avoid stream channel disturbance during the primary fish spawning season (April 1 through June 15).

MM 10. Applicants shall clear vegetation in preparation for project-related construction before or after the typical migratory bird nesting season as identified by the U.S. Fish and Wildlife Service (USFWS) (typically May 1 to July 15), to the extent possible to comply with the Migratory Bird Treaty Act. If clearing is required during the nesting season, Applicants shall conduct a nest survey and consult with USFWS, prior to clearing the vegetation, to identify additional appropriate compliance measures.

4.3.4 Historic Preservation

MM 11. CSXT and L&I shall retain their interest in and take no steps to alter the historic integrity of the Flatrock River Bridge until a Section 106 Memorandum of Agreement (“MOA”), which memorializes that completed bridge documentation resolves adverse effects of the undertaking, has been executed among the Indiana State Historic Preservation Office (SHPO), CSXT, L&I, and the Board.

~~In addition, CSXT and L&I shall retain their interest in and take no steps to alter the historic integrity of all historic properties, including sites, buildings, structures, bridges, and objects, within the project ROW (the Area of Potential Effect) in Ohio that are eligible for listing on or are listed on the National Register of Historic Places until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. § 470f, has been completed. CSXT and L&I shall report back to the Board’s OEA regarding any consultation with the Ohio SHPO and the public.~~

MM 12. In the event that any unanticipated archaeological sites, human remains, funerary items or associated artifacts are discovered during Transaction-related construction activities, Applicants shall immediately cease all work in the immediate area of the discovery, which is no greater than a 50-foot diameter or 25-foot radius, and will notify the Board’s OEA, interested federally recognized tribes, and the Indiana SHPO or Kentucky SHPO, as appropriate, pursuant to 36 C.F.R. § 800.13(b). OEA will then consult with the SHPO, interested federally recognized tribes, the railroads, and other consulting parties, if any, to determine whether additional mitigation measures are necessary.

MM 13. If any Transaction-related ground disturbance would occur within 100 feet of a cemetery in Indiana, Applicants shall prepare a Cemetery Development Plan (Plan) and shall submit the Plan to the Indiana SHPO for review and approval before the ground disturbance occurs.

4.3.5 Community Liaison

MM 14. In response to Transaction-related concerns regarding noise, emergency response and other issue areas, Applicants shall establish a Community Liaison to consult with affected communities, businesses, and appropriate agencies; develop cooperative solutions to local concerns; be available for public meetings; and conduct periodic public outreach.

| CSXT Applicants shall establish and staff the Community Liaison position prior to Transaction-related activities for a period of 3 years following the first movement of Transaction-related trains on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EI-20635
Rec'd
12/1/14

DEC 01 2014

COPIES TO THE ATTENTION OF E-19J

Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

**RE: Supplemental Environmental Assessment (SEA) for CSX Transportation, Inc. (CSXT)
Joint Use – Louisville & Indiana Railroad Company, Inc. (L&I), between Indianapolis,
Indiana, and Louisville, Kentucky - Docket No. FD 35523**

Dear Mr. Navecky:

The U.S. Environmental Protection Agency (USEPA) has reviewed the above-mentioned document dated October 31, 2014 prepared by the Surface Transportation Board's (STB) Office of Environmental Analysis (OEA) for a proposed acquisition of an operating easement by CSXT. Said easement would allow CSXT to operate additional CSXT trains over existing L&I rail line. L&I would continue to operate a small number of L&I trains over the L&I rail line. CSXT proposes to improve existing (L&I) rail line to allow CSXT to move longer (up to 7,500 feet from 5,100 feet), faster (up to 49 miles per hour from 15 miles per hour), and heavier (from rail cars that can carry 268,000 pounds of freight to ones that can carry 286,000 pounds of freight) trains. This letter provides our comments on the Supplemental EA pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

Currently, the L&I rail line carries from two to seven trains per day on the various sections of the rail line. Under the joint use proposal studied in the Supplemental EA, CSXT would reroute some its trains from its current CSXT routes in the states of Indiana, Ohio, and Kentucky to a new route that includes the L&I rail line in Indiana. The rerouting of these CSXT trains would add from 13 to 15 trains per day over the various sections of the L&I rail line. The proposed transaction would allow CSXT to operate more efficiently and consistently in the region, and the improved operations are expected to reduce fuel consumption and emissions.

STB prepared a Draft EA in August 2013 that focused on the potential impacts of the proposed operational changes on the L&I rail line including grade crossing delay, emergency vehicle access, noise and vibration, and other topics. The Draft EA also considered potential construction impacts associated with the extension of several rail line sidings and replacement of a structurally inadequate rail bridge over the Flatrock River, all on the L&I rail line. However, during the public comment period, STB received comments that raised environmental issues not

addressed in the Draft EA. As a result of these comments, STB prepared the October 31, 2014 Supplemental EA to focus on three topics: 1) quantify potential impacts to wetlands, floodplains, and forested areas that could result from extending rail line sidings and replacing Flatrock River Bridge on the L&I Line; 2) potential changes in wildlife strikes that could result from re-routing train traffic on the L&I and CSXT rail lines as a result of the proposed transaction; and 3) potential operational impacts of moving additional trains on the CSXT rail lines – 11 trains per day on the Indianapolis Line Subdivision between Indianapolis and Sidney, 13 trains per day on the Indianapolis Terminal Subdivision – Louisville Secondary Branch, which connects the L&I Line and the Indianapolis Line Subdivision, and 12 trains per day on the Louisville Connection, which connects the L&I Line and the LCL Subdivision.

USEPA's comments are categorized by topic as follows.

PROJECT FEATURES

1. The proposed Flatrock River Bridge replacement could potentially impact up to a maximum of 1.79 acres of deciduous forest.

Recommendation: USEPA recommends that STB provide tree mitigation for all loss of acreage of upland trees/forest at a 1:1 ratio using native species. USEPA recommends that STB coordinate with the Indiana Department of Natural Resources (IDNR) Division of Wildlife, the Indiana Department of Environmental Management (IDEM), and/or local or county parks departments on this measure. If STB commits to voluntary upland tree mitigation as a mitigation measure, the statement indicating no adverse impact on vegetation, as found in *Table ES.4-1. Potential Impacts of the Proposed Transaction and Proposed Mitigation Measures*, would be accurate.

2. *Section 3.1.1.2, Environmental Impacts of Proposed Operational Changes*, of the Supplemental EA indicates CSXT would cooperate with the appropriate state and local agencies and municipalities to do the following as Voluntary Mitigation Measure (VM) 25 :

- *Evaluate the possibility that one or more roadways listed in Appendix B, Attachment B-3 could be closed at the point where they cross the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, or Louisville Connection to eliminate the at-grade crossings.*
- *Identify improvements or modifications to roadways where vehicle delays would be reduced by improving roadway capacity over the crossing through the construction of additional lanes.*
- *Assist in a survey of at-grade crossings to determine the adequacy of existing grade crossing signal systems, signage, roadway striping, traffic signaling inter-ties, and curbs and medians.*
- *Identify conditions and roadway, signal, and warning device configurations that could trap vehicles between warning device gates on or near the at-grade crossing.*

Recommendation: USEPA recommends the following be clarified for each bullet listed above:

- *Evaluate the possibility that one or more roadways listed in Appendix B, Attachment B-3 could be closed at the point where they cross the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, or Louisville Connection to eliminate the at-grade crossings.* The SEA

does not discuss the potential impact to roadways adjacent to or nearby the roadway(s) listed in Appendix B, Attachment B-3 that could be closed at the point where they cross the above rail sections in an effort to eliminate at-grade crossings. USEPA recommends traffic, safety, and Level of Service (LOS) impacts of the proposed action to eliminate at-grade crossings be included in the SEA.

- Identify improvements or modifications to roadways where vehicle delays would be reduced by improving roadway capacity over the crossing through the construction of additional lanes. While additional capacity would help to move vehicles once the crossing is free of train traffic; the delay would still occur. The concept of reducing vehicle delays by modifying the roadway should be clarified.
- Assist in a survey of at-grade crossings to determine the adequacy of existing grade crossing signal systems, signage, roadway striping, traffic signaling inter-ties, and curbs and medians. It is unclear when and how frequently a survey of at-grade crossings to determine the above will occur and which entity(s) will prepare final decisions regarding the need to change/upgrade the items mentioned directly above. These concepts should be included in the SEA to inform the public.
- Identify conditions and roadway, signal, and warning device configurations that could trap vehicles between warning device gates on or near the at-grade crossing. It is unclear when and how frequently a survey of at-grade crossings to determine the above will occur and which entity(s) will prepare final decisions regarding the need to change/upgrade the items mentioned directly above. These concepts should be included in the SEA to inform the public.

3. USEPA acknowledges the inclusion of VM 27, which states, “Within 6 months of acquisition of a freight easement over the L&I Line, Applicants will cooperate with INDOT, ODOT, and KYTC as well as appropriate local agencies to coordinate a review of corridors surrounding highway/rail at-grade crossings to examine safety and adequacy of the existing warning devices, and identify remedies to improve safety for highway vehicles.” (emphasis added)

The following is also included in the Supplemental EA: *MM 1. To address potential safety impacts at public at-grade crossings, Applicants shall complete a Grade Crossing Mitigation Plan (GCMP) prior to moving Transaction-related train traffic on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection. In preparing the GCMP, Applicants shall meet with INDOT, ODOT, and KYTC within 45 days of the effective date of any Board approval of the Proposed Transaction to begin determining the need for grade crossing protection upgrades at each public at-grade crossing on the subject rail lines. Applicants shall update the Board’s OEA on the status of the GCMP in their semiannual mitigation and enforcement reports to OEA.* (emphasis added)

Recommendation: It is unclear from the above statement what criteria will be used to determine whether safety features should be improved at any highway/rail at-grade crossings. It is also unclear what obligation CSXT has to implement improvements at any highway/rail at-grade crossings deemed in need of safety improvements and what the timeframe is for installing protection upgrades. USEPA recommends these issues be clarified in the SEA.

Furthermore, VM 27 and MM 1 provide confusing information. USEPA recommends these two mitigation measures be clarified and consolidated, as appropriate.

4. USEPA acknowledges the inclusion of VM 28, which states, *"Within 6 months of Applicants' initiating operational changes associated with the Proposed Transaction, Applicants will cooperate with school and park districts to identify at-grade crossings where additional pedestrian warning devices may be warranted."*

Recommendation: It is unclear from the above statement what criteria will be used to determine whether safety for pedestrians and school and park districts should be improved at any rail at-grade crossings. It is also unclear what obligation CSXT has to implement improvements at any rail at-grade crossings deemed in need of safety improvements and what the timeframe is for installing protection upgrades. USEPA recommends these issues be clarified in the SEA.

5. *Section 3.1.1.2, Environmental Impacts of Proposed Operational Changes*, of the Supplemental EA indicates "...Applicants would install power switches along the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection where they determine that manual switches could cause stopped trains to block grade crossings for excessive periods of time and that power switches would increase the speed of trains and reduce the likelihood of such blockages (VM 23)." (emphasis added)

Recommendation: The above statement is vague and noncommittal. USEPA recommends the following phrases: "where they determine" and "excessive periods of time" be clarified in the above mitigation measure. For example, what criteria are used to determine whether manual switches could cause trains to block grade crossings for excessive periods would increase train speed and reduce blockage potential? Additionally, as stated in the Supplemental EA, 9 of the 176 public at-grade crossings on the three CSXT rail lines studied would experience vehicle delay of over 40 vehicle hours per day. Also, the level of service (LOS) would degrade one level at 36 public at-grade crossings, the LOS would degrade two levels at 6 public at-grade crossings: from LOS A to C at 4 public at-grade crossings and from LOS C to E at 2 public at-grade crossings. The Final EA should discuss whether it is possible to install power switches at 51 at-grade crossings discussed directly above. We encourage OEA to recommend to the STB that CSXT commit to analyzing and installing power switches at the 51 at-grade crossings discussed above and determine if power switches are needed at other locations along the lines.

6. *Section 3.1.1.2, Environmental Impacts of Proposed Operational Changes*, of the Supplemental EA indicates "...In addition, OEA preliminarily recommends that Applicants be required to develop a Grade Crossing Mitigation Plan (mitigation measure [MM] 1) and to establish a Community Liaison to (1) consult with affected communities, businesses, agencies, concerned citizens, and others, and (2) cooperatively develop potential solutions to local concerns including grade crossing delays (MM 14)."

Recommendation: The above statement is vague and noncommittal. USEPA recommends the SEA include a description of a "grade crossing mitigation plan," what it typically consists of, and how successful other such plans have been in reducing delays. Additionally, the SEA is not clear regarding when the Community Liaison would consult to cooperatively develop solutions. For example, will the Community Liaison reach out to the affected communities

as soon as the transaction may be finalized or within six months of increased train traffic? Will this activity occur more than once during the life of the easement? These questions should be answered in the Final EA.

WATER RESOURCES

1. USEPA acknowledges the inclusion of VM 1, which states, *"Applicants will compensate in accordance with U.S. Army Corps of Engineers (USACE) regulations in Indiana for wetland impacts that cannot be avoided and for impacts that are determined by USACE to be on waters of the United States for construction related to the Proposed Transaction."* The wetland delineation references isolated wetlands located within the project area.

Recommendation: In addition to Waters of the United States that fall under the jurisdiction of IDEM, CSXT will also need to compensate for regulated waters of the state (isolated wetlands or waters) under IDEM's jurisdiction in Indiana Code 13-18-22. USEPA recommends to the Final EA include a mitigation commitment that CSXT will consult with IDEM regarding compensation for isolated wetland impacts that cannot be avoided, in addition to coordinating with the Louisville District, Indianapolis Field Office of the USACE.

2. Referring to Figure 2, Aquatic Resources – Sheet 6, Wetland S-9, it appears this impact is avoidable. Rebuilding a bridge in place should allow for staging, etc. to remain outside this wetland.

Recommendation: USEPA recommends a commitment to avoid impact to Wetland S-9 be included in the Final EA. If this impact cannot be avoided, the Final EA should explain why not. Additionally, any trees that need to be removed for clearance or safety reasons in this area should be cut at ground level and the root balls be left in place.

3. Referring to Table 2 – Defined Channels in Appendix D, Water Resources refers to four unnamed tributaries.

Recommendation: USEPA recommends the table and accompanying analysis be revised to refer to unnamed tributaries as tributaries of the (closest named) US Geological Survey blue-line stream as named on topographic maps.

4. USEPA acknowledges the inclusion of VM 3, which states, *"In order to control erosion, Applicants will establish staging and lay down areas for Transaction-related construction material and equipment at least 50 feet from jurisdictional waters of the U.S. and in areas that are not environmentally sensitive."*

Recommendation: USEPA recommends the Final EA include a definition of, and examples of, "areas that are not environmentally sensitive." Including a definition and examples of "environmentally sensitive" habitat will provide clarity to both CSXT and the public.

NOISE AND VIBRATION

1. USEPA acknowledges the inclusion of VM 51, which states, *"To minimize noise and vibration, Applicants will install and maintain rail and rail beds according to American Railway Engineering and Maintenance-of-Way Association (AREMA) standards."*

Additionally, VM 49. *In addition to the development of other noise mitigation measures, Applicants will consider lubricating curves where doing so would both be consistent with safe and efficient operating practices and significantly reduce noise for residential or other noise-sensitive receptors. Applicants will also continue to employ safe and efficient operating procedures that, in lieu of, or as complement to, other noise mitigation measures can have the collateral benefit of effectively reducing noise from train operations. Such procedures will include:*

- *Inspecting rail car wheels to maintain wheels in good working order and minimize the development of wheel flats;*

Recommendation: USEPA understands the above mitigation measure to include rail grinding and wheel truing on a maintenance schedule of sufficient frequency to reduce or eliminate wheel noise depending on the frequency of train use. USEPA recommends information be added to the Final EA regarding how often, on average, wheels are trued and rails are ground based on the type of use CSXT proposes, and whether the typical schedule is sufficient to reduce or eliminate wheel noise.

2. Additional efforts to reduce or eliminate noise from train traffic include proper alignment of new track, the use of continuously-welded rails, the cross-overs, etc.

Recommendation: The SEA indicates that CSXT proposes to spend between \$70 and \$90 million to improve the rail line to allow CSXT to operate longer, heavier, and faster trains. In light of this proposed activity, USEPA recommends the Final EA discuss how effective the above noise reduction measures would be in reducing noise near communities. In particular, we suggest the explanation focus on the use of these noise reduction measures when CSXT trains will approach and travel near sensitive receptors. Additional analyses may be needed to support noise mitigation measures. If noise can further be reduced by employing these measures, we recommend OEA incorporate a commitment to include these measures for all receptors.

3. USEPA acknowledges the inclusion VM 46. *Applicants will work with affected communities that have noise-sensitive receptors that would experience an increase of at least 5 A-weighted decibels (dBA) and reach 70 dBA, because of Transaction-related train increases, to mitigate train noise to levels as low as 70 dBA by cost-effective means as are agreed to by an affected community and Applicants. In the absence of such an agreement, Applicants will implement cost-effective mitigation.*

Recommendation: The above statement is vague. USEPA recommends this mitigation measure be expanded. We suggest examples be included in the Final EA of typical noise mitigation actions and analysis of whether these typical actions are successful at decreasing noise to an acceptable level (e.g., 65 dBA or lower). For example, would sound insulation be provided or noise walls be erected for sensitive receptors to reduce noise to an acceptable level?

4. USEPA acknowledges the inclusion VM 52. *Upon request, Applicants will consult with communities affected by wheel squeal at existing locations on the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection, and cooperate in determining the most appropriate methods for implementing VM 49.*

Recommendation: USEPA recommends the above mitigation measure be revised to cover wheel squeal based on engineering and CSXT should determine the most appropriate methods for implementing noise reduction via community outreach. While it is important to consult with the community on potential impacts and mitigation efforts, it is inappropriate to rely on community input for determining mitigation measures for engineered structures, such as rail and wheel alignment. USEPA recommends CSXT should first determine areas where wheel squeal is likely and potential mitigation may be needed before discussing noise mitigation with the community.

5. USEPA acknowledges the Supplemental EA includes several noise mitigation measures. Additional efforts to reduce or eliminate noise from train traffic include the use of resilient track fasteners or tire-derived aggregate to reduce vibration in or near non-sensitive receptors.

Recommendation: The Supplemental EA indicates that CSXT proposes to spend between \$70 and \$90 million to improve the rail line to allow CSXT to operate longer, heavier, and faster trains. In light of this proposed activity, USEPA recommends the Final EA reflect analyses on the effectiveness of the above noise reduction measures to reduce noise near communities. In particular, we suggest the analysis focus on the use of these noise reduction measures when CSXT trains will approach and travel near sensitive receptors. If noise can be reduced by employing these measures, we recommend OEA incorporate a commitment to include these measures for all receptors.

EMERGENCY RESPONSE

1. In Section 3.1.4, Emergency Response, the Supplemental EA states the presence of rail traffic is not a new factor to which emergency responders within the project area would need to adapt, but the potential increase in train traffic from the proposed action could require additional planning. USEPA acknowledges OEA used a screening process to evaluate the potential effects of blocked at-grade crossings on emergency service providers and identified eight crossings that would be exposed to the maximum estimated delay of 8.7 minutes (Table 3.1-4). However, there are a total of 176 public at-grade crossings on the three lines listed as affected for the proposed action.

Recommendation: USEPA requests CSXT coordinate with communities affected by increased train traffic at at-grade public crossings to determine which communities would benefit from and be receptive to an 'early warning system' to notify emergency responders (fire and medical) when rail lines in a community are blocked. By having advance warning that trains are blocking at-grade public crossings, emergency responders could automatically use alternate routes, thereby saving time when responding to an emergency.

As the chart shows communities experiencing a maximum estimated delay of 8.7 minutes having alternate routes from approximately 300 feet to 1,700 feet away, we recommend OEA require the applicant to reach out to all communities that experience a time delay. For example, perhaps an increase in average travel time by some percentage (e.g., 10%) and/or with alternate routes greater than 'x' feet away would be suitable benchmarks for CSXT to coordinate with communities to determine if an 'early warning system' would be beneficial for the community and to develop a system alerting emergency responders to use alternate routes and to avoid the rail lines at a particular time as trains are moving through.

USEPA recommends OEA analyze the value and feasibility of the above-mentioned mitigation, or a different approach, for increased emergency response times.

FEDERALLY- AND STATE-LISTED THREATENED OR ENDANGERED SPECIES

1. Section 3.6.3, Environmental Impacts of Proposed Construction on L&I Line, of the Supplemental EA indicates proposed replacement of the Flatrock River Bridge could affect the rabbitsfoot mussel, a Federally-listed threatened species, which has been found in the Flatrock River approximately 15 miles upstream of the L&I crossing. USFWS may require a mussel survey prior to bridge construction to assess if suitable habitat is present and/or if the mussel is found in the area of the proposed bridge replacement.

Additionally, the pyramid pigtoe, a state-listed species, could potentially occur in the Flatrock River. IDNR may require a mussel survey prior to bridge construction to assess if suitable habitat is present and/or if the mussel is found in the area of the proposed bridge replacement.

Recommendation: USEPA acknowledges CSXT has volunteered to implement a number of mitigation measures that would avoid or minimize erosion and sedimentation. Nevertheless, the Final EA should indicate that CSXT is obligated to comply with USFWS and IDNR requirements for evaluating and mitigating impacts to listed species. If mussel habitat and/or pyramid pigtoe or rabbitsfoot mussels are located in or nearby the project area (upstream or downstream), CSXT should comply with USFWS and/or IDNR protocols to protect these mussel species.

COMMUNITY RESOURCES AND LAND USE

1. Section 3.2 of the Supplemental EA discusses the affected environment and potential environmental impacts of the proposed action and the no-action alternative on community resources and land use in the project area. To evaluate impacts of proposed operational changes, a corridor extending approximately 0.25 mile on either side of the railroad centerline of the Indianapolis Line Subdivision, Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection was defined as the study area. To evaluate potential impacts of proposed construction activities on the L&I Line, the study area includes a corridor extending approximately 0.25 mile from the centerline of the L&I Line in the areas of the potential Elvin and Brook siding extensions and the proposed Flatrock River Bridge replacement.

Recommendation: It is not clear from the contents of the SEA how the 0.25 mile buffer on either side of the railroad centerline was derived. USEPA recommends the Final EA clarify how this buffer size was selected.

HAZARDOUS MATERIALS

1. USEPA acknowledges the inclusion VM 33. Applicants will assist in the hazardous materials training of emergency responders for affected communities that express an interest in such training. Applicants will support through funding or other means the training of one representative from each of the communities located along the Indianapolis Line Subdivision,

Indianapolis Terminal Subdivision – Louisville Secondary Branch, and Louisville Connection where the transportation of hazardous materials would increase. Applicants will complete the training within 3 years from the date that they initiate operational changes associated with the Proposed Transaction.

Recommendation: It is unclear why CSXT proposes to complete training within 3 years from the date operational changes are initiated. If hazardous materials will be transported, it seems prudent to initiate and complete hazardous materials training for emergency responders within months of initiating operational changes and potentially transporting hazardous materials. USEPA requests OEA and STB clarify whether training should be completed by CSXT for all communities through which hazardous materials will be transported within months, and possibly not exceed one year. As emergency response personnel change over time, what obligation does CSXT have to provide ongoing training?

NON-NATIVE INVASIVE PLANT SPECIES (NNIS) AND NOXIOUS WEEDS/BIOLOGICAL RESOURCES

1. USEPA acknowledges the inclusion of VM 13. *Applicants will employ BMPs to implement their current noxious weed control program during construction and operation of Transaction-related potential siding extensions.*

Recommendation: USEPA recommends the Final EA include a list of best management practices typically employed by CSXT to control NNIS and noxious weeds during construction and/or operation activities along the right-of-way. For example, will equipment be washed before it enters a site? Will NNIS and noxious weeds be removed prior to starting construction? Will sites be monitored following construction to remove any NNIS or noxious weeds? If so, how many growing seasons will monitoring and removal occur?

OTHER

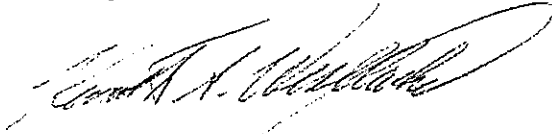
1. OEA has concluded that 9 of the 176 public at-grade crossings on the three CSXT rail lines studied would experience vehicle delay of over 40 vehicle hours per day. Additionally, the LOS would degrade one level at 36 public at-grade crossings, the LOS would degrade two levels at 6 public at-grade crossings: from LOS A to C at 4 public at-grade crossings and from LOS C to E at 2 public at-grade crossings.

Recommendation: USEPA recommends OEA consider recommending installation of signage in both directions at various distances from the railroad crossing to the farthest extent of expected vehicle queues at the above-mentioned 42 public at-grade crossings where LOS will degrade. Recommended signage would ask drivers to turn off their engines. Benefits from this simple activity include decreasing air pollution in the community from idling engines.

Thank you for providing USEPA with the opportunity to comment on the proposed project. We are available to discuss our comments with you in further detail if requested, and we look forward to reviewing future NEPA documents prepared for this project. If you have any

questions about this letter, please contact Kathy Kowal of my staff at 312-353-5206 or via email at kowal.kathleen@epa.gov.

Sincerely,

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

Kenneth A. Westlake, Chief
NEPA Implementation Section
Office of Enforcement and Compliance Assurance

cc: Laban Lindley, USACE-Indianapolis Field Office
Marissa Reed, USFWS-Bloomington Field Office
Heather Parsons, IDEM-Section 401 WQC
Samantha Groce, IDEM-Section 401 WQC
Aaron McMahan, IDEM-Section 401 WQC
Christie Stanifer, IDNR-Division of Fish and Wildlife
Matt Buffington, IDNR-Division of Fish and Wildlife
Andrea Gromeaux-Schnaith, IDNR-Division of Water



City of Seymour

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E1 - 20636

Rec'd 12/2/14

November 25, 2014

Mayor
CRAIG LUEDEMAN

Clerk-Treasurer
FRED D LEWIS

City Council Members
JOHN J. REINHART

BRIAN D'ARCO

DANNY SLOAN

JAMES W. REBBER

DAVE EARLEY

LLOYD G. HUDSON

JENNIFER SIEFKER

Mr. Dave Navecky
Surface Transportation Board
395 E Street, SW
Room 1104
Washington, DC 20423

Re: Docket No. FD 35523, CSX Transportation, Inc.—Joint Use—Louisville
& Indiana Railroad Company, Inc.

Dear Mr. Navecky:

I am writing to express some concerns that I have as Mayor of the City of Seymour, Indiana regarding the above-noted proposed project. Although we are not opposed to progress and improvements to the rail line in general, we do have serious concerns about the public safety impact of increased rail traffic on the LIRC line that would be expected if the proposed improvements to the rail line are made.

The north-south LIRC line passes through the downtown commercial district of our City. There is a grade crossing of the LIRC line at U.S. Highway 50 in downtown Seymour. U.S 50 is a four-lane highway through Seymour. It is the major east-west street through our City. Most of the commercial retail businesses in Seymour are located along U.S Highway 50. It carries a high volume of passenger car and truck traffic.

A significant increase in the number of trains traveling the LIRC line and blocking several street and highway grade crossings simultaneously would have a negative impact on public safety vehicles being able to cross over the rail lines in an emergency. Additional train traffic on that line will result in more delays to automobile and truck traffic on our major east-west highway.

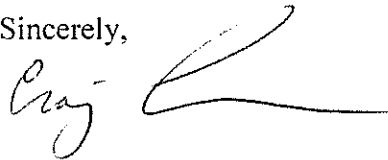
Interstate Highway 65, lies approximately 2 miles east of the LIRC. Personal injury accidents along I-65 often result in trauma patients being transported to our local hospital, Schneck Medical Center. A majority of motor vehicle accidents in the City of Seymour also occur on the east side of the LIRC line. Schneck Medical Center and the Jackson County Ambulance station are both located on the **west** side of the LIRC. Train traffic on the LIRC would hinder public safety vehicles in either reaching the accidents on the east side quickly or in transporting injured folks to the hospital.

The addition of an overpass or an underpass somewhere in the City of Seymour would exacerbate the concerns that we have. The City of Seymour, however, does not have the financial wherewithal to build a new overpass or underpass. We would need substantial financial assistance from the LIRC and CSXT as well as from the state and federal government for such a project to be built.

Please take in to consideration the public safety concerns I have put forth in making your recommendations concerning this proposed project.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig", followed by a long, horizontal, slightly wavy line that extends to the right.

Craig Luedeman, Mayor
City of Seymour, Indiana

Surface Transportation Board

Incoming Correspondence Record

#EI-20637

Billing/Correspondence Information		Status: In Progress	
* Required Fields		Recorded by David Navecky on 12/01/2014	
*Docket #:	FD 35523 0	Affiliation:	State Agency
*Name of Sender:	Kenneth Dietz	Letter Type:	E-filing
Group:	University of Louisville		
Attention Of:	Vicki Rutson		
*Date Received:	12/01/2014	NEPA Type:	EA Comment
Date of Letter:	12/02/2014	In Public Docket?	☐ Yes ☒ No
Group's Address:	421 West Cardinal Blvd.		
		Phone Number:	5028526176
Group's City:	Louisville	Email Address:	kldiet01@louisville.edu
Group's State:	KY	Group's Zip Code:	40208-

Submitter's Comments
From the University review of CSX's Environment Assessment, we have a couple of concerns that we feel warranted additional study and possible mitigation measures be taken. The comments that are enumerated are as follows: We are recommending these comments for additional consideration in complete the environmental assessment. - Increase to 18 trains a day - First the assessment does appear to recognize potential noise impact on the University's growing residential communities along the Connector, there are now six major residential developments housing a couple of thousand students. From my observations, some train operations along the corridor routinely require use of the train's signal horn. Since CSX operations are 24-7 any improvements along the corridor that would eliminate the need to utilize horn signals, especially at night would improvement resident satisfaction - Wait time at Ship Street crossing would double dropping the level of service from "C" to "E." will have impact on pedestrian and car traffic to Province, Retreat and especially the Bellamy, along with the University's evening residential loop shuttle. The report's primarily focus is on vehicular impact (movement/delays) and the assessment does not appear to study or report on the large amount of daily pedestrian crossing of the "Connector" at Shipp Street. With two completed residential projects Province and Bellamy and Retreat, now under construction, pedestrian traffic along Shipp Street has gone from non-existent to be a major component of "at grade" crossings on Shipp Street. I feel a final Environmental Assessment needs to review and make recommendations regarding mitigating the impact of stopped trains and pedestrian movements. If not adequately addresses, we are potentially headed to the creation of major problem with pedestrian crossing the line when trains are delayed at this location, i.e. student climbing over or crawling under stationary train cars.

STB's Comments

Other Attachments
An attachment has not been added.

EI - 20701

DNR

Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov



December 5, 2014

Dave Navecky
Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW, Room 1104
Washington, D.C. 20423

Federal Agency: Surface Transportation Board

Re: Supplemental Environmental Assessment for CSX Transportation and the Louisville & Indiana Railroad Company to jointly operate over L&I's 106.5 mile rail line between Indianapolis and Louisville (STB Docket No. FD 35523; DHPA #11979)

Dear Mr. Navecky:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated October 31, 2014 and received by our office on November 3, 2014 for the above indicated project from Indianapolis to the state line in multiple counties of Indiana.

Thank you for providing the Indiana SHPO with the supplemental environmental assessment. We have no additional comments at this time.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Cathy Draeger-Williams at (317) 234-3791 or cdraeger-williams@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #11979.

Very truly yours,

Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:CDW:cws

cwc: David C. Navecky, Surface Transportation Board