

E1- 20334



FW: RE: CSXT LIRC Environmental Assessment

Louis E. Gitomer

to:

David.Navecky@stb.dot.gov

09/20/2013 04:17 PM

Hide Details

From: "Louis E. Gitomer" <Lou@lgraillaw.com>

To: "David.Navecky@stb.dot.gov" <David.Navecky@stb.dot.gov>

History: This message has been forwarded.

5 Attachments



image001.jpg image004.jpg image005.jpg LIRC @ MP 66 - Abandoned Interurban RR @ west side.jpg LIRC - Val Map @ MP 64 notated.jpg

Dave – Please see the explanation below and the attached maps. Lou

Louis E. Gitomer

600 Baltimore Avenue, Suite 301

Towson, MD 21204

(410) 296-2250

Lou@lgraillaw.com

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From: Mark Sidman [mailto:msidman@anacostia.com]**Sent:** Friday, September 20, 2013 4:14 PM

To: Louis E. Gitomer
Subject: FW: RE: CSXT LIRC Environmental Assessment

Let me know if this is enough.

Mark H. Sidman
 General Counsel
 Anacostia Rail Holdings, Inc.
 202 349 1425

 Mark neral Counsel

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 Washington, DC 20006

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From: Kim Williams <kwilliams@omegarail.com>
Sent: Friday, September 20, 2013 4:06 PM
To: Mark Sidman
Subject: FW: RE: CSXT LIRC Environmental Assessment

Mark, please see below and attached. I believe this should address the questions raised. Let us know if a call is still needed.

Thanks,

Kim

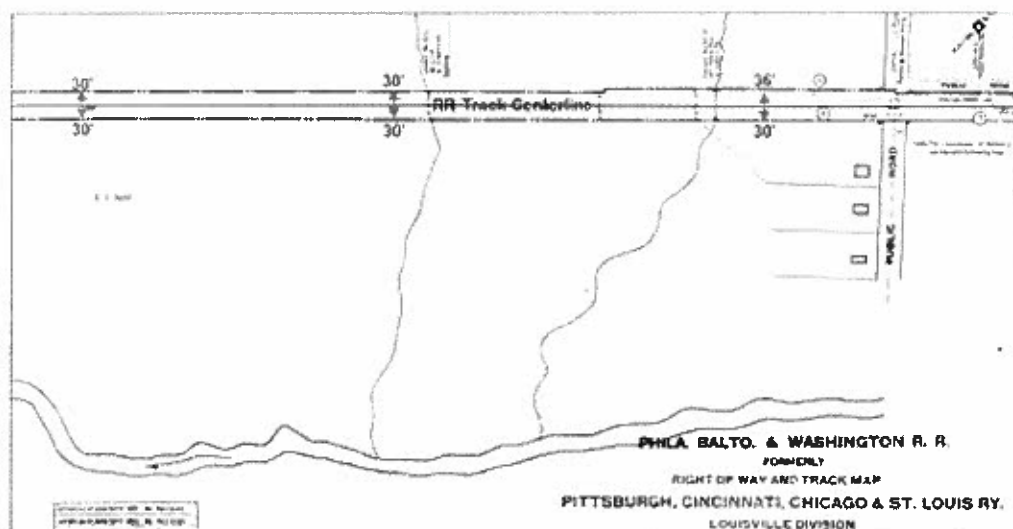
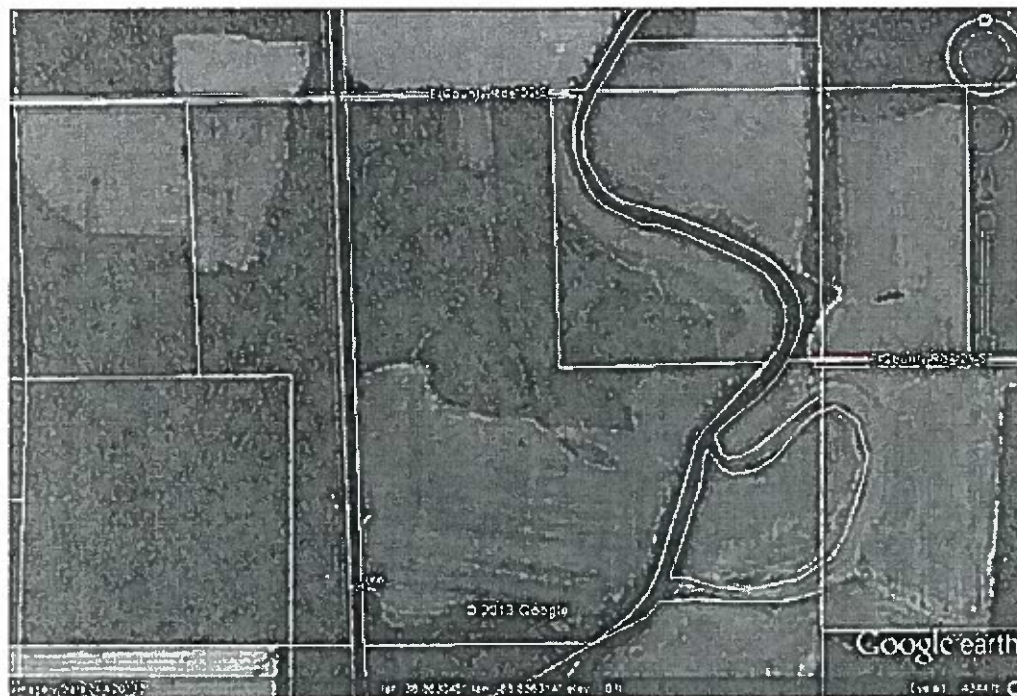
Kim A. Williams
Omega Rail Management, Inc.
 (800) 990-1961

From: Tom Steinmann [<mailto:steinwork2@comcast.net>]
Sent: Friday, September 20, 2013 1:32 PM
To: Kim Williams
Subject: RE: RE: CSXT LIRC Environmental Assessment

Kim – There two issues raised can be answered with the help of the following two exhibits. – Please provide the following to all concerned. – Tom S. – ORM R&D

1. The first issue is the “second track” or “siding alongside”, and this is probably referencing the former Interurban RR ROW that apparently runs along the west side of LIRC in this area. – On the aerial below, you can see the shadow of the old RR ROW along the west side of the active RR. Having been onsite on much of this line, many physical aspects of this abandoned RR are still in place. – The Interurban was a passenger line that ran @ either side of the LIRC from Louisville all the way to Indianapolis, until it was abandoned in approx. 1940. – Much of the abandoned RR property went to the DOT for roads or the power company, where their pole lines still remain.
2. The second issue is “the 300’ difference”, and it seems this reference has lost its context. RR corridors are nearly always constructed with a centerline where the primary track is placed. A RR Valuation Map is

a general survey for gov't and real estate purposes, and the "Val Map" for the north end of the referenced area at County Road 50 N is shown below. Nearly all of this referenced 2-mile stretch has the RR track running down the center of the 60' wide corridor, with 30' of RR property on either side of the "RR Centerline". But at the north end for approx. 300', running south from County Road 50 N, the RR track is not in the center of RR property. There is 36' measured out on the west side of the RR Centerline, and 30' to the east. This is shown on the Valuation Map below.



From: Kim Williams [mailto:kwilliams@omegarail.com]
Sent: Friday, September 20, 2013 12:06 PM
To: Tom Steinmann
Subject: FW: RE: CSXT LIRC Environmental Assessment

Let's chat...

Kim

Kim A. Williams
Omega Rail Management, Inc.
 (800) 990-1961

From: Mark Sidman [<mailto:msidman@anacostia.com>]
Sent: Friday, September 20, 2013 12:03 PM
To: Kim Williams; Tom Steinmann
Subject: FW: RE: CSXT LIRC Environmental Assessment

Kim/Tom,

See below. If you can provide the answer, please do so. If you think we need to talk to IN DNR, let me know.

Mark
 Mark H. Sidman
 General Counsel
 Anacostia Rail Holdings, Inc.
 202 349 1425

____ Mark neral Counsel

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From: Louis E. Gitomer <Lou@lgrailaw.com>
Sent: Friday, September 20, 2013 11:49 AM
To: Mark Sidman
Subject: FW: RE: CSXT LIRC Environmental Assessment

Mark – The IN DNR just doesn't seem to understand the width of the right-of-way. Apparently there is a siding along this portion of the line. How far beyond the siding does the right-of-way extend? IS there a map that shows the ROW width? Or should we try to set up a call to see what IN DNR wants? Thanks. Lou

Louis E. Gitomer
 600 Baltimore Avenue, Suite 301
 Towson, MD 21204
 (410) 296-2250
Lou@lgrailaw.com

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From: David.Navecky@stb.dot.gov [mailto:David.Navecky@stb.dot.gov]

Sent: Friday, September 20, 2013 9:40 AM

To: Melanie Yasbin; Louis E. Gitomer

Subject: Fw: RE: CSXT LIRC Environmental Assessment

Lou and Melanie -

Here is the IN DNR's reply to the ROW width information near Crothersville. The DNR contact still has some questions. I wasn't aware that there are two rail lines at that locations. She may be incorrect, but I'm on the west coast on work travel and can't do anything more with this today. I wanted to pass it on to you guys in case there is any clarification on the issues that you can provide at this time. If you have any information that can clarify things for her, please feel free to contact her directly and cc me on any email correspondence.

I'll be back in the office on Monday.

Thanks,

Dave

-----Forwarded by David Navecky/STB on 09/20/2013 09:34AM -----

To: <David.Navecky@stb.dot.gov>

From: "Wilson, Robin \"(DNR)\" <rmwilson@dnr.IN.gov>

Date: 09/20/2013 07:42AM

Subject: RE: CSXT LIRC Environmental Assessment

Dave,

No this doesn't really answer my question - getting closer. There are two RR lines, if I assume the east line and add thirty feet that would be the eastern extent of the ROW?. However, could someone explain a 300 foot difference in this particular area of the line?

thanks,

Robin

' Except for a 300 foot difference, the Right-of-way is 60 feet wide, 30 feet from center line on either side of the track.

From: David.Navecky@stb.dot.gov [David.Navecky@stb.dot.gov]

Sent: Thursday, September 19, 2013 8:40 PM

To: Wilson, Robin (DNR)

Subject: FW: CSXT LIRC Environmental Assessment

Robin -

Here is the information I received from the railroad (see email chain below). It appears that the ROW width is generally 60 feet, with 30 feet on either side of the center line of the existing tracks, with the one exception where the total ROW width increases nominally to 66 feet.

Let me know if this provides the information that you need.

Thanks,

Dave

-----Forwarded by David Navecky/STB on 09/19/2013 08:35PM -----

To: "David.Navecky@stb.dot.gov" <David.Navecky@stb.dot.gov>
 From: "Louis E. Gitomer" <Lou@lgraillaw.com>
 Date: 09/19/2013 05:43PM
 Cc: "Mark Sidman (msidman@anacostia.com) (msidman@anacostia.com)"
 <msidman@anacostia.com>
 Subject: FW: CSXT LIRC Environmental Assessment

Dave – Below is the analysis from LIRC of the width of the right-of-way between County Road 50 N and County Road 125 S in Jackson County, IN. Except for a 300 foot difference, the Right-of-way is 60 feet wide, 30 feet from center line on either side of the track. Let me know if this answers the question. Thanks. Lou

Louis E. Gitomer

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Lou@lgraillaw.com

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The aerial below shows the two roads as found on Google Earth in relation to LIRC RR MP's, apparently @ approx. MP# 64 – MP# 66, between Seymour and Crothersville. – The Val Maps show the ROW here is 60' wide (30/30) from MP# 64-66, except for one area just south of MP# 64, along the west ROW line, where it's 36' wide on the west side of the RR CL, running south from CR 50 N for approx. 300'.

– Tom S. – ORM R & D – 615-496-8911



E-County Rd=100-S

E-County Rd=12

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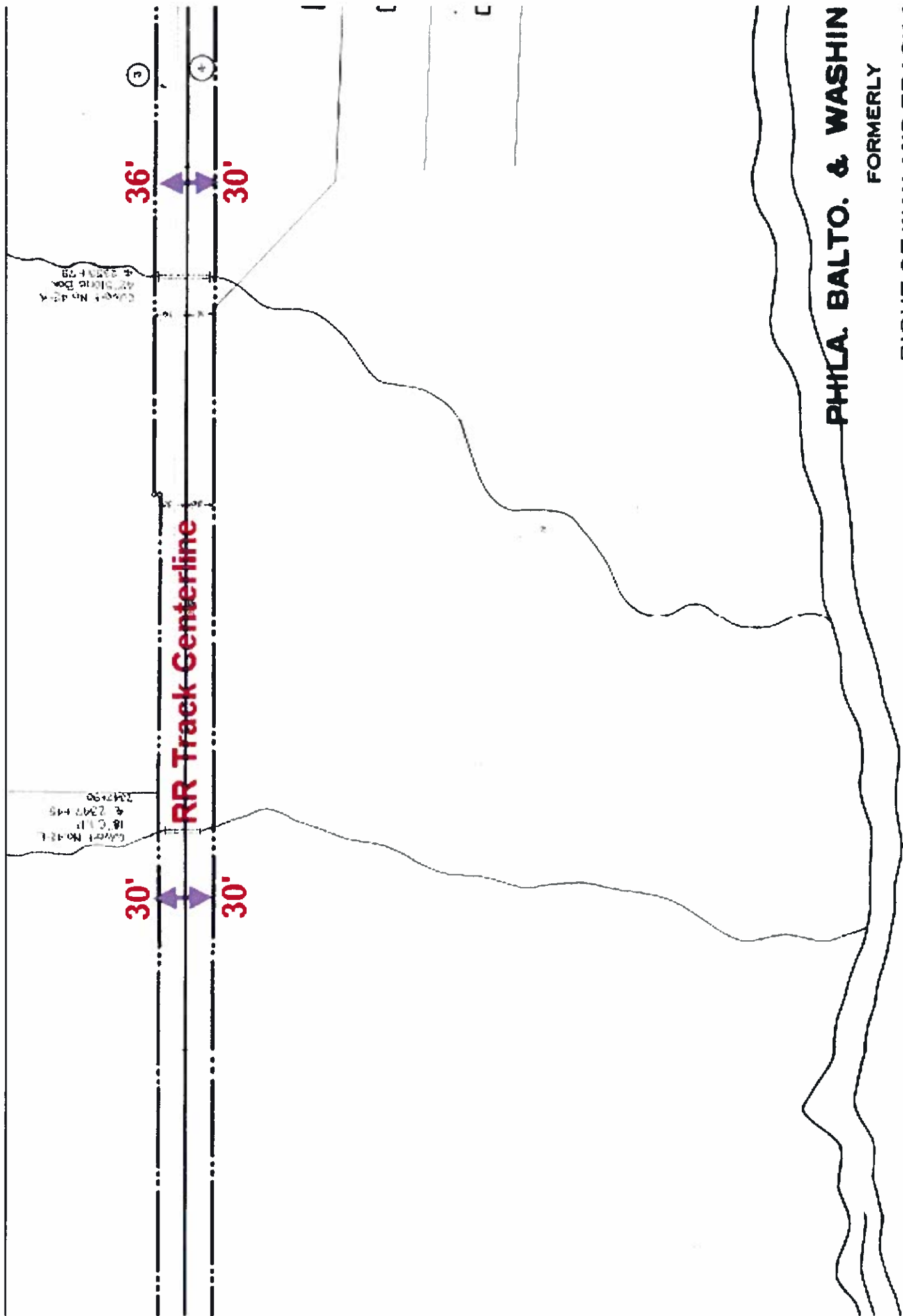
056

Google

Date: 4/4/2013

lat 38.863045° lon -85.856314° elev 0 ft

Eye alt 4



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