



E1 - 20368
Rec'd 12/26/13

STEVEN L. BESHEAR
GOVERNOR

**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY HERITAGE COUNCIL**

BOB STEWART
SECRETARY

THE STATE HISTORIC PRESERVATION OFFICE

300 WASHINGTON STREET
FRANKFORT, KENTUCKY 40601
PHONE (502) 564-7005
FAX (502) 564-5820
www.heritage.ky.gov

CRAIG POTTS
EXECUTIVE DIRECTOR AND
STATE HISTORIC PRESERVATION OFFICER

December 17, 2013

Victoria Rutson, Director
Office of Environmental Analysis
Surface Transportation Board
Washington, D.C. 20423-0001

**Re: CSX Proposed Joint Use of an L&I Railroad Line
Finance Docket No. 35523, CSX Transportation Inc. -Acquisition- Louisville Indiana Railroad**

Dear Ms. Rutson,

Pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 USC Sec 470f), and implementing regulations at 36 CFR Part 800, The Kentucky State Historic Preservation Office received for review and comment a request for reinitiating consultation for the above referenced project. The undertaking proposes that CSXT (CSXT Transportation, Inc.) acquire an operating easement that would enable CSXT to jointly operate trains with the Louisville & Indiana Railroad Company, Inc. (L&I) over L&I's rail line between Indianapolis, Indiana and Louisville, Kentucky. CSX proposes to make improvements to the rail line that would allow CSXT to move longer, faster, and heavier trains than the L&I rail line can currently accommodate. Approximately 1.5 miles of the total rail line is in Kentucky.

It is our understanding that the rail line improvements in Kentucky would consist of replacing the existing jointed rail with a heavier weighted, continuously welded rail; replacement of deteriorated ties, and the resurfacing of the top layer of ballast. The replacement activity is expected to occur entirely within the right of way and is typically conducted using rail mounted heavy equipment. Train capacity along the route will increase daily by 13 trains per day, allowing for a total of 16 trains per day. While it appears that the project is only dealing with the rehabilitation of existing track in the existing railroad right of way, there is the potential for direct and indirect effects to cultural resources along the path of the rail line. An area of potential effect (APE) has initially been determined with concurrence from our office, as 75 feet from the center of the rail line (based on the 70dba contours shown).

In our letter dated August 1, 2011, we requested that a survey of above ground resources of over 50 years of age be completed within the APE. To date, we have no record of receiving such survey, which was requested pursuant to Section 106 of the National Historic Preservation Act of 1966 (16 USC Sec 470f), and implementing regulations at 36 CFR Part 800. This requested survey is consistent with the Draft Environmental Assessment (received 9/11/2013) which recognizes the potential of this undertaking to affect historic properties. Specifications for conducting the fieldwork and generating such reports on our website at: <http://www.heritage.ky.gov>

If the project design or boundaries change, this office should be consulted to determine the nature and extent of additional documentation that may be needed. Thank you for coordinating with this office; if you should have any questions, please contact Burcum Keeton of my staff at (502) 564-7005, ext. 147.

Sincerely,

Craig A. Potts
Executive Director and
State Historic Preservation Officer

CP:PJ